

ADDENDUM
TO THE
FINAL RECIRCULATED PROGRAM ENVIRONMENTAL IMPACT REPORT
[State Clearinghouse No. 2005121019]
for the
**GENERAL PLAN AMENDMENT NO. 2023-02 TO AMEND THE EXISTING
GENERAL PLAN LAND USE DESIGNATION FROM LOW-MEDIUM
DENSITY RESIDENTIAL (LMR) TO MEDIUM DENSITY RESIDENTIAL
(MDR), AND ZONE CHANGE NO. 2023-02 TO CHANGE THE ZONING
DESIGNATION FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO
MEDIUM DENSITY RESIDENTIAL (R-2) FOR AN APPROXIMATELY
33.23-ACRE SITE LOCATED IN THE LAKE ELSINORE HILLS DISTRICT**
[collectively, the “Activity”]

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ORGANIZATION OF THE ADDENDUM

This Addendum is organized as follows:

- Section 1.** States the purpose of the Addendum, summarizes it, and provides the address where documents referred to herein may be reviewed.
- Section 2.** Gives the Activity's location within the Project Area.
- Section 3.** Describes the Activity.
- Section 4.** Summarizes prior CEQA review for the Project.
- Section 5.** Overviews the application of CEQA to the Activity.
- Section 6.** Briefly explains the City's decision not to prepare a subsequent EIR for the Activity.
- Section 7.** Provides the Preliminary (checklist) Review of the Activity.

Attached to this Addendum are the following:

EXHIBIT A

Map showing the general location of the Activity Site

EXHIBIT B

RESOLUTION NO. 2011-070

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE
ELSINORE CERTIFYING RECIRCULATED PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL
PLAN UPDATE, HOUSING ELEMENT UPDATE, DOWNTOWN
MASTER PLAN AND ANNEXATION NO. 81
(SCH NO. 2005121019)

1. INTRODUCTION

A. Purpose

This Addendum to the certified FINAL RECIRCULATED PROGRAM ENVIRONMENTAL IMPACT REPORT (“PEIR”) [State Clearinghouse No. 2005121019] for the previously approved City of Lake Elsinore General Plan Update (the “Project”) addresses the potential environmental impacts that may result from approval of proposed General Plan Amendment No. 2023-02 to amend the existing General Plan Land Use designation from Low-Medium Density Residential (LMR) to Medium Density Residential (MDR), and Zone Change No. 2023-02 to change the Zoning designation from Single-family Residential (R-1) to Medium Density Residential (R-2) for an approximately 33.23-acre site located in the Lake Elsinore Hills District (collectively, the “Activity”) by the City of Lake Elsinore (“City”).

The Activity would amend the Project by making textual changes the City’s General Plan to correct a mapping error that was made during the adoption of the General Plan Update in 2011, and in turn amend the City’s zoning to make it consistent with the General Plan. The Activity would not change either the Project’s boundaries or its previously approved build-out densities.

This Addendum will be used by the City in its evaluation and analysis of the Activity. The City is designated the “lead agency” for California Environmental Quality Act (Public Resources Code § 21000 *et seq.*: “CEQA”) compliance. In accordance with Section 21067 of CEQA, the lead agency is the public agency which has the principal responsibility for carrying out or approving a project which may have significant effects upon the environment.

B. Executive Summary

The previously approved Project was an update to the City’s General Plan that:

- Replaced the existing 1990 City of Lake Elsinore General Plan;
- Incorporated revisions to the City’s Land Use Element and Land Use Map. The Plan will included 16 District Plans that covered specific, defined geographic areas within the City, to provide a more precise focus and to recognize the unique and treasured assets of the individual communities that make up the City; and
- Revised the format of the City’s General Plan by dividing the Plan into an introduction and three topical chapters.

The Activity has two parts. The first part is a proposed technical amendment to the Project to correct a mapping error that was made during its adoption in 2011. This correction would revert the General Plan Land Use Designation from Low-Medium Density Residential (LMR) to Medium Density Residential (MDR) for both the Lake Elsinore City Center Townhomes Phase II Project site and the Lakeview Villas Project site. The correction of this mapping error will not cause any physical change in the environment.

The second part is a proposed zone change to change the zoning designation from Single-Family Residential (R-1) to Medium Density Residential (R-2) which makes the zoning designation for the Site (as defined below in Section 2) consistent with the technical General Plan amendment. As authorized by Section 17.415.040.B of the Lake Elsinore Municipal Code, a zoning amendment may be initiated to clarify text, address changes mandated by State law, maintain General Plan consistency, address boundary adjustments affecting land use designation(s), or for any reason beneficial to the City. This action, taken to maintain General Plan consistency after correcting the 2011 mapping error, will likewise not cause any physical change in the environment.

In connection with the City's approval of the Project and in compliance with CEQA, the PEIR was prepared to analyze potentially significant environmental impacts that might result as a consequence of implementing the Project. The City certified the PEIR and concurrently adopted the mitigation monitoring program set forth in the PEIR. In order to ascertain whether the PEIR adequately identified and addressed any potentially significant environmental effects which may result from the Activity, City staff undertook additional analysis prior to the City taking any discretionary action in connection with the Activity.

Based upon that analysis, City staff conclude that (i) approving the Activity would not have a significant effect on the environment; (ii) the PEIR adequately disclosed the environmental issues associated with implementing the Activity; and (iii) while changes and/or additions to the PEIR are necessary, none of the conditions set forth in Section 15162 of the Guidelines for Implementation of CEQA (Title 14, California Code of Regulations § 15000 *et seq.*: "CEQA Guidelines"), have occurred. Consequently, City staff's analysis has resulted in the preparation of this "addendum" to the PEIR in accordance with Section 15164 of the CEQA Guidelines.

C. Location of Documents

Copies of the Project, its PEIR, the proposed Activity, and all documents referenced herein, are available for public review during normal working hours at City Hall, located at 150 South Main Street, Lake Elsinore, California 92530.

2. ACTIVITY LOCATION

The site of the Activity encompasses approximately 33.23 acres and is located northerly of Malaga Road and easterly of Interstate 15 (I-15), adjacent to and east of Grape Street within the Lake Elsinore Hills District and encompasses Assessor Parcel Numbers (APNs) 363-240-029, -031, -033 and -039, and 363-241-025, -050, -057 and -064 (collectively, the approximately 5.33 acre "Lake Elsinore City Center Townhomes Phase II Project Site"), and APN 363-240-006, -010, -012, -014, -015, -022, -024 and -025, and 363-250-001 through -012 (collectively, the approximately 27.9 acre "Lakeview Villas Project Site"). The "Lake Elsinore City Center Townhomes Phase II Project Site" and the "Lakeview Villas Project" site are collectively referred to herein as the "Site" and a map showing the general location of the Site is attached hereto as Exhibit A.

3. ACTIVITY DESCRIPTION

The Activity proposes the following two actions:

General Plan Amendment No. 2023-02 proposes to amend the existing General Plan Land Use Designation for the Site from Low-Medium Density Residential (LMR) (1-6 dwelling units per acre) to Medium Density Residential (MDR) (7-18 dwelling units per acre). This amendment makes textual changes the City's General Plan to correct a mapping error that was made during the adoption of the General Plan update in 2011.

Zone Change No. 2023-02 proposes to change the zoning designation for the Site from Single-Family Residential (R-1) to Medium Density Residential (R-2). This zone change amends the City's zoning to make it consistent with the corrected General Plan.

The amendment and the zone change are textual in nature and neither would result in any physical change in the environment, and any future development proposed under them would undertake its own CEQA review process.

4. PRIOR CEQA REVIEW FOR THE PROJECT

On March 9, 2004, the City Council approved General Plan Amendment No. 2003-03, Zone Change No. 2003-02, Tentative Tract Map No. 31532, Residential Design Review No. 2003-15, and Mitigated Negative Declaration No. 2004-01, for the construction of 60 attached condominium units on the Lake Elsinore City Center Townhomes Phase II Project Site.

- General Plan Amendment No. 2003-03 changed the site's Land Use Designation from Very Low Density Residential (0.5 dwelling units per acre) to Medium Density Residential (12 dwelling units per acre).
- Zone Change No. 2003-02 changed the site's Zoning Designation from Single-Family Residential (R-1) to Medium Density Residential (R-2).
- Tentative Tract Map No. 31532 (for condominium purposes) was finalized and recorded on December 8, 2005, and construction of the condominium units was completed in 2006.

On March 8, 2005, the City Council approved General Plan Amendment No. 2004-06, Zone Change No. 2004-07, Tentative Tract Map No. 32127, Residential Design Review No. 2004-05, and Mitigated Negative Declaration No. 2004-10 for the construction of 155 condominium units on the Lakeview Villas Project Site.

- General Plan Amendment No. 2004-06 changed the site's Land Use Designation from Very Low Density Residential (0.5 dwelling units per acre) to Medium Density Residential (12 dwelling units per acre).

- Zone Change No. 2004-07 changed the site's Zoning Designation from Single-Family Residential (R-1) to Medium Density Residential (R-2).
- Between 2008 and 2020, Tentative Tract Map No. 32127 received automatic legislative extension totaling 8.5 years and City discretionary approvals totaling six (6) years. Tentative Tract Map No. 32127 expired on September 8, 2022.

On December 13, 2011, the City Council of the City adopted a comprehensive update to the City's General Plan. As the California Supreme Court has noted, a city's general plan is its "constitution for all future development" within its jurisdiction and the single most important planning document governing its land use. (*Leshar Communications, Inc. v. City of Walnut Creek* (1990) 52 Cal.3d 531, 540.) Prior to adopting the General Plan, on December 13, 2011, the City certified a final EIR for it (State Clearinghouse No. 2005121019). As part of this update, however, the General Plan Land Use Designation for the Site was inadvertently changed on the Land Use Map from Medium Density Residential (MDR) to Low-Medium Density Residential (LMR).

With the mapping error still undiscovered, on August 25, 2015, the City Council approved Consistency Zoning Phase VI, which included the Lake Elsinore Hills District and, as part of this phase, the zoning designation for the Lakeview Villas Project Site changed from Medium Density Residential (R-2) to Single-Family Residential (R-1).

5. APPLICATION OF CEQA TO THE ACTIVITY

According to the California Supreme Court, "The foremost principle under CEQA is that the Legislature intended the act 'to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.'" (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376.) CEQA achieves this goal by disclosing the potentially significant environmental effects of "projects." Section 15378 of the CEQA Guidelines defines a "project" under CEQA to mean:

the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment ... The term "project" refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term "project" does not mean each separate governmental approval.

Sections 15150 and 15152 of the CEQA Guidelines encourage the use of incorporation by reference and "tiering" to eliminate repetitive discussions of the same issues and focus the analysis on the actual issues ripe for decision at each level of environmental review. "'Tiering' refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project." (CEQA § 15152(a).) Lead agencies are encouraged to tier the environmental analyses they prepare.

CEQA Guidelines Section 15153 authorizes a lead agency to employ a single EIR to describe more than one project, if the projects are essentially the same in terms of environmental impact. Further, a lead agency may use an earlier EIR prepared in connection with an earlier project to apply to a later project, if the circumstances of the projects are essentially the same.

However, on September 19, 2016, the California Supreme Court provided much needed clarification to the operation of CEQA's "subsequent review" rules in *Friends of the College of San Mateo Gardens v. San Mateo County Community College District* (2016) 1 Cal.5th 937, resolving a disagreement among appellate courts:

When an agency proposes changes to a previously approved project, CEQA does not authorize courts to invalidate the agency's action based solely on their own abstract evaluation of whether the agency's proposal is a new project, rather than a modified version of an old one. Under the statutory scheme, the agency's environmental review obligations depend on the effect of the proposed changes on the decision-making process, rather than on any abstract characterization of the project as "new" or "old." An agency that proposes project changes thus must determine whether the previous environmental document retains any relevance in light of the proposed changes and, if so, whether major revisions to the previous environmental document are nevertheless required due to the involvement of new, previously unstudied significant environmental impacts. These are determinations for the agency to make in the first instance, subject to judicial review for substantial evidence.

* * *

... [W]hether an initial environmental document remains relevant despite changed plans or circumstances – like the question whether an initial environmental document requires major revisions due to changed plans or circumstances – is a predominantly factual question. It is thus a question for the agency to answer in the first instance, drawing on its particular expertise.

To assist in answering this question, CEQA Guidelines Section 15162 provides the following test for determining if a subsequent EIR or a supplement to an EIR is required:

(a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

In turn, CEQA Guidelines Section 15168 sets out procedures for conducting CEQA review on a subsequent activity involving a site specific operation undertaken pursuant to a previously approved project.¹ According to the procedures set forth in subdivision (c) of Section 15168:

Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

(1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.

¹ In its discussion of Section 15168, the Governor's Office of Planning and Research notes that:

"Use of the program EIR also enables the Lead Agency to characterize the overall program as the project being approved at that time. Following this approach when individual activities within the program are proposed, the agency would be required to examine the individual activities to determine whether their effects were fully analyzed in the program EIR. If the activities would have no effects beyond those analyzed in the program EIR, the agency could assert that the activities are merely part of the program which had been approved earlier, and no further CEQA compliance would be required. This approach offers many possibilities for agencies to reduce their costs of CEQA compliance and still achieve high levels of environmental protection."

(2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.”

(3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.

(4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

(5) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

Following the directive of Section 15168(c)(4), City staff utilized a written checklist to document its evaluation of the Site and the Activity to determine whether the environmental effects of the Activity were covered in the PEIR; specifically, to determine whether any of the conditions or factors identified in CEQA Guidelines Section 15162 or 15163 required the preparation of either a subsequent EIR or supplement to the PEIR. (The City’s checklist is set forth below in Section 7.)

6. EXPLANATION OF DECISION NOT TO PREPARE SUBSEQUENT EIR

In evaluating the proposed Activity, the City’s focus was two-fold. First, the City compared the proposed Activity with the list of issue areas set forth in the PEIR. Second, following the Supreme Court’s guidance in *Friends of the College of San Mateo Gardens v. San Mateo County Community College District*, City staff reviewed the PEIR to determine what items discussed therein could be further clarified or elaborated since the PEIR’s certification. As a result of this investigation, City staff determined that none of the conditions described in Section 15162 of the CEQA Guidelines would occur as a result of the Activity to cause the City to prepare either a subsequent EIR or a supplemental EIR for the Activity.

Based upon a Site-specific review of the proposed Activity’s potential environmental effects, City staff concluded that the PEIR adequately analyzed, pursuant to applicable legal standards, any potentially significant environmental effects which might result from the proposed Activity, and that such effects were addressed by mitigation measures based on the PEIR’s analyses.

However, City staff also concluded from this investigation that it would be helpful to provide the public with information updating and amplifying some of the points raised in the PEIR as they pertain to the Activity. CEQA Guidelines Section 15164 provides a way for the City to update,

amplify and make changes or additions to a previously certified EIR in situations such as this where neither a subsequent EIR nor supplement to an EIR is required. According to Section 15164, the City must prepare an “addendum” to the PEIR “if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.” Consequently, preparation of this Addendum was selected as the most appropriate CEQA compliance document for the Activity utilizing the criteria set forth in Sections 15168 and 15164 of the CEQA Guidelines. This Addendum has been prepared in accordance with CEQA and the CEQA Guidelines and also complies with the appropriate rules, regulations, and procedures for the City.

7. PRELIMINARY “CHECKLIST” REVIEW [Public Resources Code § 15168(c)(4)]

(see following pages)

**CHECKLIST COMPARING THE ACTIVITY TO THE RECIRCULATED FINAL PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF LAKE ELSINORE 2011 GENERAL PLAN UPDATE**

	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing Significant Effects not Discussed in, or Substantially More Severe than Shown in, Previous EIR	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous EIR	Less Than Significant Impact / No Substantial Changes or New Information Requiring Preparation of a Subsequent EIR	No Impact
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I. AESTHETICS. Would the Activity:

a) Have a substantial adverse effect on a scenic vista?					X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
c) (For projects in non-urban areas): Substantially degrade the existing visual character or quality of the site and its surroundings? (For projects in urban areas): Conflict with applicable zoning and other regulations governing scenic quality?					X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?					X	

II. AGRICULTURE AND FORESTRY RESOURCES. Would the Activity:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?						X
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?						X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?						X
d) Result in the loss of forest land or conversion of forest land to non-forest use?						X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?						X
III. AIR QUALITY. Would the Activity:						
a) Conflict with or obstruct implementation of the applicable air quality plan?					X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?					X	

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c) Expose sensitive receptors to substantial pollutant concentrations?					X	
d) Result in other emissions (such as those adding to odors) adversely affecting a substantial number of people?					X	
IV. BIOLOGICAL RESOURCES. Would the Activity:						
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?					X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?					X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	

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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X	

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V. CULTURAL RESOURCES. Would the Activity:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?					X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?					X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?					X	

VI. ENERGY. Would the Activity:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Activity construction or operation?					X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

VII. GEOLOGY AND SOILS. Would the Activity:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:						
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.					X	
ii) Strong seismic ground shaking?					X	
iii) Seismic-related ground failure, including liquefaction?					X	
iv) Landslides?					X	
b) Result in substantial soil erosion or loss of topsoil?						X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Activity, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?					X	

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e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?					X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?					X	
VIII. GREENHOUSE GAS EMISSIONS. Would the Activity:						
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?					X	
IX. HAZARDS AND HAZARDOUS MATERIALS. Would the Activity:						
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?					X	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X	

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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	
e) For an Activity located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Activity result in a safety hazard for people residing or working in the Activity area?						X
f) For an Activity within the vicinity of a private airstrip, would the Activity result in a safety hazard for people residing or working in the Activity area?						X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?						X

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h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?					X	
X. HYDROLOGY AND WATER QUALITY. Would the Activity:						
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?					X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that the Activity may impede sustainable groundwater management of the basin?					X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:?					X	
i) result in substantial erosion or siltation on- or off-site;					X	

**CHECKLIST COMPARING THE ACTIVITY TO THE RECIRCULATED FINAL PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF LAKE ELSINORE 2011 GENERAL PLAN UPDATE**

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ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;					X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or					X	
iv) impede or redirect flood flows?					X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Activity inundation?					X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?					X	
XI. LAND USE AND PLANNING. Would the Activity:						
a) Physically divide an established community?						X
b) Cause a significant environmental impact to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					X	

**CHECKLIST COMPARING THE ACTIVITY TO THE RECIRCULATED FINAL PROGRAM
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XII. MINERAL RESOURCES. Would the Activity:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					X	

XIII. NOISE. Would the Activity result in:

a) 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?					X	
b) Generation of excessive groundborne vibration or groundborne noise levels?					X	
c) For an Activity located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?						X

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XIV. POPULATION AND HOUSING. Would the Activity:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?						X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

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

a) Fire protection?					X	
b) Police protection?					X	
c) Schools?					X	
d) Parks?					X	
e) Other public facilities?					X	

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XVI. RECREATION.

a) Would the Activity increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?					X	
b) Does the Activity include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?					X	

XVII. TRANSPORTATION/TRAFFIC. Would the Activity:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?						X
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?						X
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?						X
d) Result in inadequate emergency access?						X

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XVIII. TRIBAL CULTURAL RESOURCES. Would the Activity cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or					X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					X	

XIX. UTILITIES AND SERVICE SYSTEMS. Would the Activity:

a) Require or result in the relocation or construction of new water or wastewater treatment facilities or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?					X	
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**CHECKLIST COMPARING THE ACTIVITY TO THE RECIRCULATED FINAL PROGRAM
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b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X	
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?					X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	
XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Activity:						
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?					X	

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b) 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?					X	
c) 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?					X	
d) 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?					X	

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XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a)	Does the Activity have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					X
b)	Does the Activity have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)					X
c)	Does the Activity have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?					X

DISCUSSION OF CHECKLIST ANSWERS

I. AESTHETICS

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant aesthetics impacts and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and mitigation measure identified in the PEIR were required. Relative to conditions identified in the PEIR for the Project, no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated in the PEIR.

II. AGRICULTURE AND FORESTRY RESOURCES

The PEIR noted that, due to the minimal amount of farmland within the City still used for agricultural production, and because none of it is considered “important farmland” by the State, the Project’s impact on agriculture would be less than significant. The Site does not contain either a forest or any Prime Farmland, Unique Farmland or Farmland of Statewide Importance

III. AIR QUALITY

In certifying the PEIR, the City Council found that implementation of the Project would result in significant air quality impacts and adopted policies and mitigation measures to reduce the Project’s future operational emissions impacts; however, the Project’s air quality impacts could not be mitigated to a less than significant level. Since no adverse physical change or impact will occur from the Activity over and above those already identified and partially mitigated in the PEIR, its approval will not have an impact on air quality. Moreover, if and when future physical development consistent with the Activity occurs, it will not increase air quality impacts over and above those already identified and partially mitigated in the PEIR because, in the years since the PEIR was certified, the State has enacted legislation designed to reduce air quality impacts; for examples: the required use of low emissions construction vehicles, and the mandated transition from internal combustion engine vehicles to electric vehicles.

IV. BIOLOGICAL RESOURCES

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant biological impacts and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and the five mitigation measures identified in the PEIR were required. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have an impact on biological resources over and above those already identified and mitigated in the PEIR.

V. CULTURAL RESOURCES

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant impacts to cultural and paleontological resources and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and the ten mitigation measures identified in the PEIR were required. Since no adverse physical change or impact

will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have an impact on cultural resources over and above those already identified and mitigated in the PEIR.

VI. ENERGY

In addition to evaluating the Project, the PEIR provided a policy-level CEQA evaluation of the City's proposed Climate Action Plan (CAP) which identified and established a number of strategies for reducing energy consumption within the City. The PEIR noted that the energy-related reduction measures set forth in the CAP would

- Increase energy efficiency of new construction
- Increase energy efficiency of existing buildings
- Increase energy efficiency of municipal buildings and facilities
- Reduce water consumption
- Increase the use of renewable energy

Since no adverse physical change or impact will occur from the Activity over and above those already identified and partially mitigated in the PEIR, its approval will not have an impact on energy. Moreover, if and when future physical development consistent with the Activity occurs, it will be subject to the CAP.

VII. GEOLOGY AND SOILS

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant impacts to geology and soils and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and the three mitigation measures identified in the PEIR were required. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have an impact on geology and soils resources over and above those already identified and mitigated in the PEIR.

VIII. GREENHOUSE GAS EMISSIONS

The Climate Action Plan (CAP) is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. The PEIR provided a policy-level CEQA evaluation of the CAP. Implementation of the CAP will guide the City's actions to reduce its contribution to climate change and support the State's emissions reduction targets. The CAP is also intended to support tiering and streamlining of future projects within the City pursuant to CEQA Guidelines Sections 15152 and 15183.5. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have an impact on greenhouse gas emissions over and above those already identified and mitigated in the PEIR and CAP.

IX. HAZARDS AND HAZARDOUS MATERIALS

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant hazards and hazardous materials impacts and that no mitigation measures beyond the

goals, policies and implementation programs identified in the Project and the five mitigation measures identified in the PEIR were required. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have hazards and hazardous materials impacts over and above those already identified and mitigated in the PEIR.

X. HYDROLOGY AND WATER QUALITY

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant hydrology and water quality impacts and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and mitigation measure identified in the PEIR were required. Relative to conditions identified in the PEIR for the Project, no adverse physical change or impact will occur from the Activity creating hydrology and water quality impacts over and above those already identified and mitigated in the PEIR.

XI. LAND USE AND PLANNING

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant land use and planning impacts and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and the five mitigation measures identified in the PEIR were required. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated to a level of insignificance in the PEIR, its approval will not have land use and planning impacts over and above those already identified and mitigated in the PEIR.

XII. MINERAL RESOURCES

In certifying the PEIR, the City Council found that implementation of the Project's policies related to mineral resources ensure that future development in the City and its SOI would not have any significant adverse impacts on mineral resources nor would future mineral resource extraction have any significant adverse impacts on future development. No mineral resources exist on the Site.

XIII. NOISE

In certifying the PEIR, the City Council found that the goals, policies and implementation programs identified in the Project and the ten mitigation measures identified in the PEIR would reduce all but one of the Project's potential noise impacts to a less than significant level; implementation of the Project would result in significant and unavoidable noise impacts arising from the Project's increase in the number of vehicles utilizing the local circulation system and place new receptors (including residences, commercial developments, etc.) near roadways that experience varying levels of traffic noise. Additional vehicles on roadways would result in additional noise generated along the affected roadways, and more receptors adjacent to noisy roadways would mean that more people would potentially be affected by traffic noise conditions.

Due to the programmatic nature of the Project's noise analysis, such impacts and mitigation measures could not be identified at the time the PEIR was prepared. However, since no adverse physical change or impact will occur from the Activity over and above those already identified and partially mitigated in the PEIR, its approval will not have an impact on noise. Moreover, if and when future physical

development consistent with the Activity occurs, it will not increase noise impacts over and above those already identified and partially mitigated in the PEIR because, in accordance with the Project, such future development will be required to demonstrate compliance with the relevant noise standards, and where projects do not comply, specific mitigation measures will be required.

XIV. POPULATION AND HOUSING

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant population and housing impacts and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project were required. Relative to conditions identified in the PEIR for the Project, no adverse physical change or impact will occur from the Activity over and above those already identified and addressed in the PEIR.

XV. PUBLIC SERVICES

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant impacts on public services and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and mitigation measure identified in the PEIR were required. However, since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated in the PEIR, its approval will not have an impact on public services because if and when future physical development consistent with the Activity occurs, it will not increase public service impacts because, in accordance with mitigation measure **MM Public Services 1**, individual future projects implemented pursuant to the Activity will be required to demonstrate their avoidance of significant impacts associated with public services.

XVI. RECREATION

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant impacts on parks and recreation and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project and mitigation measure identified in the PEIR were required. However, since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated in the PEIR, its approval will not have an impact on parks and recreation because if and when future physical development consistent with the Activity occurs, it will not increase public service impacts because, in accordance with mitigation measure **MM Parks and Recreation 1**, individual future projects implemented pursuant to the Activity will be required to demonstrate their avoidance of significant impacts associated with community services related to parks and recreation by implementing specific policies.

XVII. TRANSPORTATION

In certifying the PEIR, the City Council found that the goals, policies and implementation programs identified in the Project and the five mitigation measures identified in the PEIR would reduce all but one of the Project's potential transportation and circulation impacts to a less than significant level; implementation of the Project would result in significant and unavoidable traffic volume impacts and nearly all of the PEIR's intersection analysis locations would require improvements. However, Senate Bill 743 (2019) changed the metrics for transportation impact analysis under CEQA. Effective July 1, 2020, CEQA no longer permits traffic impacts to be analyzed using LOS and instead requires traffic impacts to be analyzed using the Vehicle Miles Traveled (VMT) standard. (CEQA § 21099(b).)

“(b) Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.”

(Guidelines § 15064.3.) The Site is within one-half mile of an existing major transit stop and/or a stop along an existing high quality transit corridor, *i.e.*, Interstate 15. Therefore, the CEQA Guidelines advise that the Activity, which will not result in any adverse physical change or impact to the environment, should be *presumed* to cause less than significant traffic impacts.

XVIII. TRIBAL CULTURAL RESOURCES

Section 3.2 of the PEIR addressed cultural resources, and in response to tribal requests, revised the Project policies and goals to strengthen the Project’s protection for tribal cultural resources. Since no adverse physical change or impact will occur from the Activity, its approval will not have an impact on tribal cultural resources because if and when future physical development of the Site consistent with the Activity occurs, it will be subject to the Project’s policies and goals for protecting tribal cultural resources as well as two PEIR mitigation measures adopted to protect those resources.

XIX. UTILITIES AND SERVICE SYSTEMS

In certifying the PEIR, the City Council found that implementation of the Project would result in less than significant impacts to utilities and service systems and that no mitigation measures beyond the goals, policies and implementation programs identified in the Project were required. Relative to conditions identified in the PEIR for the Project, no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated in the PEIR.

XX. WILDFIRES

The PEIR analyzed Project’s potential impact on wildfires under its section on Hazards and Hazardous Materials, finding that, with implementation of mitigation measure **MM Hazards 5**, such impacts would be reduced to a less than significant level. Since no adverse physical change or impact will occur from the Activity over and above those already identified and mitigated in the PEIR, and the Site is not located in a Very High, High, or Moderate Fire Hazard Severity Zone, its approval will not have an impact on wildfires.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a) Does the Activity have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Based upon the PEIR, the foregoing analysis, and in comparison to the approved Project: No Impact.

- b) Does the Activity have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Based upon the PEIR, the foregoing analysis, and in comparison to the approved Project: No Impact.

- c) Does the Activity have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Based upon the PEIR, the foregoing analysis, and in comparison to the approved Project: No Impact.

EXHIBIT A

Map showing the general location of the Activity Site

EXHIBIT B

RESOLUTION NO. 2011-070

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE
ELSINORE CERTIFYING RECIRCULATED PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL
PLAN UPDATE, HOUSING ELEMENT UPDATE, DOWNTOWN
MASTER PLAN AND ANNEXATION NO. 81
(SCH NO. 2005121019)

RESOLUTION NO. 2011-070

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE
ELSINORE CERTIFYING RECIRCULATED PROGRAM
ENVIRONMENTAL IMPACT REPORT FOR THE GENERAL
PLAN UPDATE, HOUSING ELEMENT UPDATE, DOWNTOWN
MASTER PLAN AND ANNEXATION NO. 81 (SCH NO.
2005121019)**

WHEREAS, the City of Lake Elsinore initiated a comprehensive update of its General Plan, a Housing Element update, a Downtown Master Plan (consisting of the Downtown Master Plan, Downtown Code and Key to Downtown Implementation Plan), a Climate Action Plan and Annexation No. 81 (also referred to as the 3rd Street Annexation) (the "Project"); and

WHEREAS, the City of Lake Elsinore (the "City") has prepared a Program Environmental Impact Report (State Clearinghouse No. 2005121019: the "PEIR") to be prepared on the Project pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.: "CEQA"), the State Guidelines for Implementation of the California Environmental Quality Act (California Code of Regulations, Sections 15000 et seq.: the "State CEQA Guidelines"), and the City's Procedures for Implementing the State CEQA Guidelines and its other procedures relating to environmental evaluation of public and private projects; and

WHEREAS, the City transmitted for filing a Notice of Preparation of the Draft PEIR on November 15, 2005 in accordance with the CEQA Guidelines, forwarded the Draft PEIR to the State Clearinghouse again on December 5, 2005 for distribution to those agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, pursuant to CEQA Guidelines, Section 15082(c)(1), on November 30, 2005, the City held a duly noticed scoping meeting in order to expedite consultation regarding the scope and content of the environmental information in the Draft PEIR; and

WHEREAS, the City transmitted for filing a Notice of Completion of the Draft PEIR and thereafter, in accordance with the CEQA Guidelines, forwarded the Draft PEIR to the State Clearinghouse for distribution to those agencies which have jurisdiction by law with respect to the Project and to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the Draft PEIR was published in accordance with the provisions of CEQA and the State CEQA Guidelines; and

CITY COUNCIL RESOLUTION NO. 2011- 070
PAGE 2 OF 5

WHEREAS, the State Clearinghouse posted the Draft PEIR for a 45-day public comment period which ran from December 5, 2007 to January 18, 2008; and

WHEREAS, in 2008, the City began work on a substantive revision of the Project, which included revisions to the Land Use Element and Land Use Map, an updated Housing Element, a Downtown Lake Elsinore Master Plan, and a Climate Action Plan; and

WHEREAS, the combined changes to the General Plan Update made between 2008 and 2011 triggered the need to update, revise, and where necessary expand upon the analysis of General Plan Update impacts presented in the PEIR; and

WHEREAS, due to the combined changes made to the proposed project, the City determined that it was appropriate to reissue the Notice of Preparation of a Draft Environmental Impact Report; and

WHEREAS, on or about May 26, 2011, the Notice of Preparation of a Draft Environmental Impact Report (Reissued) and a revised description of potential adverse impacts were distributed to the State Clearinghouse, responsible agencies, and other interested parties; and

WHEREAS, the City transmitted for filing a Notice of Availability/Notice of Completion of a Recirculated Draft Program Environmental Impact Report ("RDP-EIR") and in accordance with the State CEQA Guidelines forwarded the RDP-EIR to the State Clearinghouse, for distribution to those agencies which have jurisdiction by law with respect to the Project, and to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, notice to all interested persons and agencies inviting comments on the RDP-EIR was published in accordance with the provisions of CEQA and the State CEQA Guidelines and posted at the Office of the County Clerk of Riverside County on September 7, 2011; and

WHEREAS, all actions required to be taken by applicable law related to the preparation, circulation, and review of the Draft PEIR and the RDP-EIR have been taken; and

WHEREAS, the Draft PEIR prepared for the Project was sent to the Planning Commission and the Planning Commission held public hearings to receive public input on the adequacy of the Draft PEIR on April 15, 2008, April 29, 2008, May 6, 2008, May 20, 2008, and September 16, 2008; and

WHEREAS, the RDP-EIR and the Final Recirculated Program EIR ("Recirculated Program EIR") were sent to the Planning Commission and the

CITY COUNCIL RESOLUTION NO. 2011- 070
PAGE 3 OF 5

Planning Commission held a public hearing to receive public input on the adequacy of the Recirculated Program EIR on November 15, 2011; and

WHEREAS, the Planning Commission has been delegated with the responsibility of making recommendations to the City Council for certifying Environmental Impact Reports, and on November 15, 2001 the Planning Commission recommended certification of the Recirculated Program EIR; and

WHEREAS, the City Council held a public hearing to receive public input on the adequacy of the Recirculated Program EIR on December 13, 2011.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council has considered and evaluated all written and oral staff reports and comments received from persons who have reviewed the Recirculated Program EIR, public testimony and such other matters as are reflected in the record of the public hearing on the Project and the Recirculated Program EIR.

SECTION 2. The City Council finds that the Recirculated Program EIR for the Project is adequate and has been completed in compliance with CEQA, the State CEQA Guidelines, and local procedures adopted by the City pursuant thereto. The City Council has reviewed and considered the information contained in the Recirculated Program EIR and finds that the Recirculated Program EIR represents the independent judgment of the City.

SECTION 3. The City Council hereby makes, adopts, and incorporates herein as its "findings of fact" regarding the potential environmental impacts of the Project, the analysis and conclusions set forth in the Recirculated Program EIR (including, without limitation, the mitigation measures therein set forth); the following summarizes those conclusions:

a. The Recirculated Program EIR determined that the Project will have no potentially significant impacts upon Greenhouse Gas Emissions, Mineral Resources, Population and Housing and Utilities and Service Systems and as a result, no mitigation measures beyond the goals, policies and implementation programs identified in the proposed General Plan Update are required for these issue areas.

b. The Recirculated Program EIR also determined that the Project will have potentially significant environmental impacts upon Aesthetics, Biological Resources, Cultural and Paleontological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use & Planning (including Agricultural Resources), Parks and Recreation and Public Services; but that these impacts will be mitigated to below a level of significance through

compliance with the goals, policies and implementation programs identified in the proposed General Plan Update and compliance with the mitigation measures set forth in the Recirculated Program EIR.

c. The Recirculated Program EIR also determined that the Project will have significant and unavoidable project-level and cumulative impacts related to Air Quality, Noise and Transportation and Circulation, which cannot be mitigated to below a level of significance.

d. All feasible mitigation measures, which are within the jurisdiction of the City, as identified in the Recirculated Program EIR have been incorporated into the Project and represent the fullest extent to which the Project-related impacts can be reasonably avoided and/or substantially lessened.

e. The Recirculated Program EIR did not identify alternatives to the Project which would reduce environmental impacts while still substantially achieving Project objectives, and as such, the proposed Project was determined to be the environmentally superior alternative.

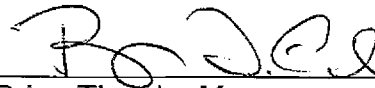
SECTION 4. A Mitigation Monitoring and Reporting Program ("MMRP") for the Project has been prepared in accordance with Section 21081.6 of CEQA, and the City Council hereby adopts the MMRP.

SECTION 5. The City Council finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the social, economic, and environmental benefits of the Project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of the unavoidable adverse environmental impacts. Therefore, a Statement of Overriding Considerations has been prepared and is attached hereto as Exhibit A (Findings of Fact) and incorporated herein by this reference.

SECTION 6. Based upon all of the evidence presented and the above findings, the City Council of the City of Lake Elsinore certifies the Recirculated Program Environmental Impact Report for the Project with Errata and Responses to Comments, the Findings of Fact and Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program.

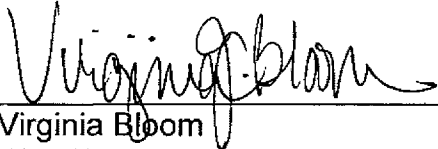
SECTION 7. This Resolution shall take effect from and after the date of its passage and adoption.

PASSED, APPROVED AND ADOPTED this 13th day of December 2011.



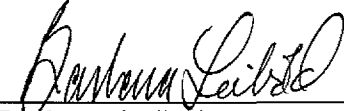
Brian Tisdale, Mayor
City of Lake Elsinore

ATTEST:



Virginia Bloom
City Clerk

APPROVED AS TO FORM:

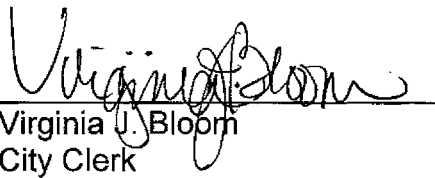


Barbara Leibold
City Attorney
City of Lake Elsinore

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Virginia J. Bloom, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2011-070 was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 13th day of December 2011, and that the same was adopted by the following vote:

AYES: Council Member Melendez, Council Member Hickman, Council
 Member Weber, Mayor Pro Tem Magee and Mayor Tisdale
NOES: None
ABSENT: None
ABSTAIN: None



Virginia J. Bloom
City Clerk

**ENVIRONMENTAL FINDINGS AND
STATEMENT OF OVERRIDING CONSIDERATIONS
REGARDING THE RECIRCULATED PROGRAM
ENVIRONMENTAL IMPACT REPORT
FOR THE CITY OF LAKE ELSINORE GENERAL PLAN
UPDATE**

SCH #2005121019

PREPARED BY:

CITY OF LAKE ELSINORE
130 SOUTH MAIN STREET
LAKE ELSINORE, CA 92530

DECEMBER 2011

**EXHIBIT A
for
RESOLUTION NO. 2011-070**

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1.0 BACKGROUND AND INTRODUCTION

1.1 PROJECT OVERVIEW

The City of Lake Elsinore has completed a Recirculated Program Environmental Impact Report ("RP-EIR") (State Clearinghouse Number 2005121019) for the Lake Elsinore General Plan Update, Annexation No. 81 (also referred to as the "3rd Street Annexation"), Downtown Master Plan, Housing Element, and Climate Action Plan. The City of Lake Elsinore (City) is the Lead Agency for the purposes of preparing and certifying this RP-EIR pursuant to Sections 15050 and 15367 of the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.)

The purpose of this RP-EIR is to evaluate the potential environmental impacts of the City of Lake Elsinore's proposed General Plan Update (GPU). The proposed GPU incorporates the City's related updated Housing Element. This RP-EIR also provides a policy-level California Environmental Quality Act (CEQA) evaluation of three related projects: the proposed Downtown Master Plan (DMP), the proposed Annexation No. 81 (referred to herein as the "3rd Street Annexation") and the proposed Climate Action Plan (CAP). The RP-EIR is an informational document intended for use by the City of Lake Elsinore decision-makers and members of the general public in evaluating the potential environmental effects of the proposed GPU and related projects.

In compliance with Section 21002.1 of CEQA and Section 15002 of the State CEQA Guidelines, the City of Lake Elsinore, as Lead Agency, has prepared this RP-EIR in order to (1) inform the general public, the local community, responsible and interested public agencies and the City's decision-making bodies and other organizations, entities, and interested persons of the potential environmental effects of the proposed project, feasible measures to reduce potentially significant environmental effects, and alternatives that could reduce or avoid the significant effects of the proposed project, (2) enable the City to consider environmental consequences when deciding whether to approve the proposed project and (3) to satisfy the substantive and procedural requirements of CEQA. Furthermore, the RP-EIR will enable the City to tier later environmental documents pursuant to State CEQA Guidelines Section 15152.

The proposed project consists of five separate parts: Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element and Climate Action Plan as summarized below.

GENERAL PLAN UPDATE

California Government Code Section 65300 requires each city and county in California to adopt a comprehensive, long-term general plan. This general plan must cover a local jurisdiction's

FINDINGS OF FACT



entire planning area and address the broad range of issues associated with its development. Pursuant to this requirement, the City of Lake Elsinore has prepared an update to its General Plan. The proposed General Plan Update would:

- Replace the existing 1990 City of Lake Elsinore General Plan;
- Incorporate revisions to the City's Land Use Element and Land Use Map. The Plan will also include 16 District Plans that cover specific, defined geographic areas within the City, to provide a more precise focus and to recognize the unique and treasured assets of the individual communities that make up the City;
- Revise the format of the City's General Plan by dividing the Plan into an introduction and three topical chapters.

The General Plan Update's planning horizon is 2030. While the General Plan Update does not present a specific plan for individual development, it establishes a framework for future projects and actions that may be taken in furtherance of the general plan's goals and policies.

ANNEXATION NO. 81

Annexation No. 81 (also referred to as the "3rd Street Annexation") consists of the proposed annexation of approximately 320 acres from the County to the City. The 3rd Street Annexation entails pre-zoning the parcels for consistency with City zones. This action will require revision of the City's Zoning Ordinance to properly implement the pre-zoning conditions. The 3rd Street Annexation territory is currently within the City's Sphere of Influence.

DOWNTOWN MASTER PLAN

The Downtown Master Plan will provide a vision and strategic framework to guide the future development of the City's downtown area. The purpose of the Downtown Master Plan is to identify the goals, objectives and desires of the community and offer approaches to implement them.

HOUSING ELEMENT

The Housing Element is one of the seven mandatory elements of the General Plan. Through its policies, procedures, and incentives, the updated Housing Element will provide an action-plan for maintaining and expanding the housing supply for all income levels in the City of Lake Elsinore. Lake Elsinore's Housing Element for the planning period of July 1, 2008 to June 30, 2014

CLIMATE ACTION PLAN

The Climate Action Plan (CAP) is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change.

1.2 PUBLIC INVOLVEMENT AND EIR SCOPING

This document complies with the provisions of CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Section 15000 et seq.) and the City's Procedures for Implementing the State CEQA Guidelines. In compliance with CEQA, the City of Lake Elsinore has solicited and considered comments from Responsible and Trustee Agencies, members of the public, and other interested parties during the proposed project's various environmental review processes:

- In accordance with CEQA Guidelines Section 15082, the City prepared and distributed a Notice of Preparation (NOP) of an EIR. The NOP was distributed on or about November 15, 2005. In furtherance of tribal consultation, the NOP was distributed to local Native American tribes in December 2005. Communications with State Clearinghouse (SCH) staff on December 2, 2005, showed that the November NOP had not been received by some agencies. Based on direction from SCH staff, the November NOP was resent for SCH distribution on December 2, 2005.
- In compliance with Section 21083.9 of CEQA and Section 15082 (c)(1) of the State CEQA Guidelines, the City held a public scoping meeting on November 30, 2005, to receive public and agency comments.
- Comments received from the public and agencies during the public review period for the NOP and the public scoping meeting were considered in the preparation of the RP-EIR prepared for the proposed project.
- In 2007, a draft Program EIR (PEIR) was prepared for the proposed project in accordance with then-current CEQA regulations and guidelines. The first draft PEIR was circulated for a 45-day public review period on or about December 6, 2007. Notification was provided to the State Clearinghouse (SCH), responsible and trustee agencies, and all interested parties and jurisdictions pursuant to the requirements of Section 15087 of the State CEQA Guidelines. Approximately 180 comments were received by the City during this original 45-day review period. These comments were evaluated and responded to in accordance with Section 15088 of the State CEQA Guidelines.
- Combined changes to the General Plan Update made between 2008 and 2011, including revisions to the Land Use Element and Land Use Map, the updating of the Traffic

Impact Study to reflect those changes, revisions to the GPU in order to incorporate an updated Housing Element that was not a part of the original General Plan scope, the provisions of a Downtown Lake Elsinore Master Plan, and a Climate Action Plan, triggered the need to update, revise, and where necessary expand upon the analysis of General Plan Update impacts presented in the first draft PEIR.

- Due to the combined changes made to the proposed project, the City of Lake Elsinore determined that it was appropriate to reissue the Notice of Preparation of a Draft Environmental Impact Report (NOP). The reissued NOP for an EIR and a revised description of potential adverse impacts were distributed to the State Clearinghouse, responsible agencies, and other interested parties on or about May 26, 2011. Comments received from the public and agencies during the public review period for the reissued NOP were considered in the preparation of the RP-EIR prepared for the proposed project.
- In 2011, a Recirculated Draft Program Environmental Impact Report ("RDP-EIR") was prepared for the proposed project was prepared pursuant to the provisions of CEQA, the State CEQA Guidelines and the City's Procedures for Implementing the State CEQA Guidelines. The RDP-EIR was circulated for a 45-day public review period on or about September 6, 2011. Notification was provided to the State Clearinghouse (SCH), responsible and trustee agencies, and all interested parties and jurisdictions pursuant to the requirements of Section 15087 of the State CEQA Guidelines. Twenty comment letters were received by the City during this 45-day review period. These comments were evaluated and responded to in accordance with Section 15088 of the State CEQA Guidelines.

1.3 FINAL EIR CERTIFICATION AND PROJECT APPROVAL PROCESS

1.3.1 FINDINGS REQUIRED UNDER CEQA

The City Council (the decision-making body) of the City of Lake Elsinore (the CEQA Lead Agency) certifies the Final RP-EIR. The Final RP-EIR, as required by State CEQA Guidelines Sections 15089 and 15132, consists of the Recirculated Draft Program Environmental Impact Report ("RDP-EIR") (SCH No. 200512019) or a revision of the RDP-EIR, comments and recommendations received on the RDP-EIR, a list of persons, organizations, and public agencies commenting on the RDP-EIR, the responses of the City of Lake Elsinore as "Lead Agency" to significant environmental points raised in the review and consultation process and any other information added by the City. Since the RDP-EIR identified potentially significant environmental impacts, the City Council must also prepare "findings" as part of its action to

certify that the Final RP-EIR has been completed in compliance with CEQA and to approve the proposed project. Pursuant to CEQA Section 21081 and State CEQA Guidelines Section 15091, no public agency shall approve or carry out a project for which an environmental impact report has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more findings for each of those significant effects, accompanied by a brief explanation of the rationale of each finding. The possible findings, which must be supported by substantial evidence in the record, 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 RP-EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the RP-EIR.

1.3.2 SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The RDP-EIR identified several significant environmental effects (or "impacts") resulting from implementation of the proposed project. Some of these significant effects can be fully avoided/mitigated through the adoption of feasible mitigation measures. For those significant impacts that cannot be mitigated to below a level of significance, the City Council is required to balance, as applicable, the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. The State CEQA Guidelines at Section 15093(a) provide that if specific economic, legal, social, technological, or other benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

As indicated in Section 6.2.4 (CEQA Findings and Statement of Overriding Considerations) of the RDP-EIR, two environmental effects of the proposed project cannot be reduced to less than significant levels by the adoption of feasible mitigation measures or feasible environmentally superior alternatives. Project-level and cumulative Air Quality, Noise and Transportation and Circulation impacts have been identified as significant and unavoidable and require the preparation of a Statement of Overriding Considerations. Section 3.0, below, describes those

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effects and outlines the City's findings with respect to the environmental effects of the proposed project.

1.3.3 MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (MMRP) has been prepared to monitor and report the implementation of the mitigation measures identified for the proposed project. The MMRP will be adopted by the City Council concurrently with these findings, and will be implemented by the City during the proposed project's planning horizon; and through the project review, construction and post-construction periods of individual development projects. To the extent that these findings conclude that all mitigation measures outlined in the RDP-EIR are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to implement these measures. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that will come into effect when the City Council formally approves the proposed project.

1.3.4 CERTIFICATION OF THE FINAL EIR AND ADOPTION OF FINDINGS

The City Council will review and consider the information contained in the Final RP-EIR, as well as submissions from public officials, public agencies and the general public. Prior to project approval, the City Council shall certify that the Final RP-EIR reflects the City's independent judgment and analysis. Having considered the foregoing information, as well as any and all other information in the record, the City Council shall make findings pursuant to CEQA Section 21081. In accordance with the provisions of CEQA and the State CEQA Guidelines, the City Council shall adopt the Findings as part of its certification of the Final RP-EIR for the proposed project.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Lake Elsinore (City) is located in the southwestern portion of Riverside County. The City encompasses approximately 43 square miles (27,747 acres). Interstate 15 (I-15) provides north-south regional access to the City and the Ortega Highway - State Route 74 (SR-74) extends in a northeast to southeast direction through the City. Surrounding cities include Canyon Lake and Menifee to the east and Wildomar to the south. The City of Lake Elsinore is also bordered to the north, east and southwest by unincorporated lands within the County of Riverside. United States Forest Service lands within the Cleveland National Forest border the City to the west. Along the I-15 corridor, the city of Corona is approximately twenty miles to the north and the cities of Murrieta and Temecula are within ten miles to the south. The city of Perris is within ten miles to the northeast of the City along the SR-74 corridor. The City's Sphere of Influence (SOI) is more than 72 square miles (46,565 acres) and includes the land within City boundaries as well as unincorporated land surrounding the City to the north, west, and south. The majority of the unincorporated land in the SOI is vacant, with limited residential, agricultural, and industrial land uses dispersed throughout.

2.2 PROJECT DESCRIPTION

The proposed project consists of five separate parts: Lake Elsinore General Plan Update, Annexation No. 81, Downtown Master Plan, Housing Element and Climate Action Plan. Summarized below, these project parts are described in more detail in the following subsections of this chapter.

2.2.1 GENERAL PLAN UPDATE

California Government Code Section 65300 requires each city and county in California to adopt a comprehensive, long-term general plan. This general plan must cover a local jurisdiction's entire planning area and address the broad range of issues associated with its development. Pursuant to this requirement, the City of Lake Elsinore has prepared an update to its General Plan. The proposed General Plan Update would:

- Replace the existing 1990 City of Lake Elsinore General Plan;
- Incorporate revisions to the City's Land Use Element and Land Use Map. The Plan will also include 16 District Plans that cover specific, defined geographic areas within the City, to provide a more precise focus and to recognize the unique and treasured assets of the individual communities that make up the City;

- Revise the format of the City's General Plan by dividing the Plan into an introduction and three topical chapters.

The City's General Plan Update is a large-scale planning update that covers all land within the City's corporate boundaries and its sphere of influence. The General Plan Update's planning horizon is 2030. While the General Plan Update does not present a specific plan for individual development, it establishes a framework for future projects and actions that may be taken in furtherance of the general plan's goals and policies.

The format of the City's General Plan Update consists of an introduction and three topical chapters. The topical chapters include:

Community Form, which includes a Strategic Framework for 2030, intended to guide the overall development of the City of Lake Elsinore by providing a set of Goals and Policies in a City-wide context. The Chapter deals with Land Use, Circulation, Growth Management, Housing, and Parks and Recreation.

Public Safety and Welfare, which addresses Air Quality, Hazards and Hazardous Materials, Community Facilities and Services, and Noise.

Resource Protection and Preservation, which addresses Biological Resources, Open Space, Water Resources, Cultural Resources and Paleontological Resources, Historic Preservation, Aesthetics, and Sustainable Environment (Greenhouse Gases/Climate Action Plan).

PROPOSED LAND USE PLAN

The proposed Land Use Plan shows the proposed land use plan that is part of the General Plan Update. The proposed Land Use Plan shows the anticipated development in the horizon year of 2030. It functions as a guide to planners, the general public, and decision makers as to the ultimate pattern of development of the City at buildout.

LAND USE DESIGNATIONS

The GPU includes 19 residential, commercial, mixed-use, industrial, and other land use designations to depict the types of land uses that will be allowed in the GPU area. Each land use designation is defined in terms of the allowable uses and density and intensity standards.

DISTRICT PLANS

The City is divided into 16 District Plans, eleven of which are for property within the existing City limits and five are for districts located within the City's Sphere of Influence but outside of

current city limits. Each District Plan contains sections on baseline conditions, planned land use, overall goals and policies as well as goals and policies related to urban design, historic preservation, transportation/circulation, and parks and recreation.

LAND USE SUMMARY

The planning horizon for the proposed GPU is 2030. The City buildout population would be 318,856. The total amount of housing at buildout is anticipated to be 94,616 dwelling units. The proposed buildout housing level represents a reduction in total housing units from that anticipated by the existing 1990 General Plan. However, due to an increase in projected average household size from 2.78 persons per dwelling unit to 3.37 persons per dwelling unit, the proposed buildout population level represents an increase in projected total population from that anticipated by the existing 1990 General Plan.

2.2.2 ANNEXATION NO. 81 (3RD STREET ANNEXATION)

In addition to the GPU and the associated alteration to land use designations throughout the City and Sphere Of Influence, the project addressed by this Program Environmental Impact Report includes Annexation No. 81 (also referred to as the "3rd Street Annexation"). Annexation No. 81 consists of the proposed annexation of approximately 320 acres from the County to the City. The 3rd Street Annexation entails pre-zoning the parcels for consistency with City zones. This action will require revision of the City's Zoning Ordinance to properly implement the pre-zoning conditions. The proposed annexation would allow increased efficiency in service provision to the area, which is almost completely surrounded by incorporated land, and would represent a more orderly planning and development pattern than would occur if the land remained in the County's jurisdiction.

The 3rd Street Annexation territory is currently within the City's Sphere of Influence and is nearly surrounded by incorporated land. The 3rd Street Annexation territory is generally bounded by State Route 74 to the northwest; recent residential development in the Ramsgate Specific Plan Area to the north; a mixture of developed and undeveloped land to the east and south; and Dexter Avenue, Cambern Avenue, and Interstate 15 to the southwest.

2.2.3 DOWNTOWN MASTER PLAN

The Downtown Master Plan will provide a vision and strategic framework to guide the future development of the City's downtown area. The purpose of the Downtown Master Plan is to identify the goals, objectives and desires of the community and offer approaches to implement them. The Downtown Master Plan will establish five distinct walkable districts centered on

Main Street (Gateway District, Garden District, Cultural District, Historic District and Waterfront District) in order to accomplish the following guiding principles:

- Celebrate the lake
- Create a vibrant and sustainable downtown
- Create a civic identity
- Improve walkability and connectivity
- Develop an urban design framework and guidelines

2.2.4 HOUSING ELEMENT

The Housing Element is one of the seven mandatory elements of the General Plan. Through its policies, procedures, and incentives, the updated Housing Element will provide an action-plan for maintaining and expanding the housing supply for all income levels in the City of Lake Elsinore. Lake Elsinore's Housing Element for the planning period of July 1, 2008 to June 30, 2014 will describe policies and programs including:

- Identification and analysis of existing and projected housing needs, resources and constraints;
- A statement of goals, policies, quantified objectives, and scheduled programs for preservation, improvement and development of housing;
- Identification of adequate sites for housing; and
- Adequate provision for existing and projected needs of all economic segments of the community, including both lower and higher incomes.

2.2.5 CLIMATE ACTION PLAN

The Climate Action Plan (CAP) is the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. The CAP will identify the activities in Lake Elsinore that generate greenhouse gas emissions, will quantify these emissions, and project their future trends. It will also describe local greenhouse gas emissions targets for the years 2020 and 2030, consistent with the State of California's emissions reduction targets, as well as strategies and measures to meet these targets. Implementation of the CAP will guide Lake Elsinore's actions to reduce its contribution to climate change and will support the State of

California's emissions reduction targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore pursuant to CEQA Guidelines Sections 15152 and 15183.5.

2.2.6 PROJECT OBJECTIVES

The proposed project involves a series of proposed changes to the General Plan's Land Use Map, land use designations, and goals, policies and implementation. The proposed project will set the standards for development within the City for the next twenty years. The City's objectives for the proposed project are as follows:

- Update the City's environmental baseline (i.e., existing) conditions to the year 2005 (2007 for the Housing Element).
- Create a General Plan consistent with state law that guides City planning until 2030 and update the General Plan development projections for the year 2030, including projections for dwelling units, non-residential square footage, population and employment.
- Update the Housing Element of the General Plan (separately bound).
- Establish District Plans as part of the Land Use Element to allow for more focused planning of the City's many diverse neighborhoods.
- Incorporate a Downtown Master Plan into the Historic District Plan to guide the future development of the City's historic downtown core.
- Establish new land use designations including Gateway Commercial, Downtown Recreational, Commercial Mixed Use, Residential Mixed Use, and Lakeside Residential
- Create a Land Use Plan that encourages the creation of a vibrant and active downtown and a lake destination.
- Create a plan to preserve the unique topography and visual character of the City through the preservation of steep slopes, ecologically significant areas, and public open space.
- Incorporate a program for sustainable development into the General Plan, drawn from the City's Climate Action Plan (2011)

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- Create a General Plan that recognizes the rich history of the City and seeks to preserve its historical resources.
- Create a user-friendly plan for City officials, staff, residents, and stakeholders of the City of Lake Elsinore.

3.0 ENVIRONMENTAL FINDINGS

3.1 FINDINGS REGARDING LESS THAN SIGNIFICANT IMPACTS IDENTIFIED IN THE PROGRAM EIR

Environmental impacts identified in the Final RP-EIR as less than significant and requiring no mitigation beyond the goals, policies and implementation programs identified in the proposed General Plan Update (GPU) and the proposed project's related documents are described in this section.

3.1.1 LAND USE AND PLANNING

- a. **Impact:** Due to the small percentage of land currently dedicated to agriculture, and the designation by the Riverside County General Plan as non-agricultural land uses, the conversion of this land will result in a less-than-significant impact.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts related to the conversion of agricultural land to non-agricultural uses are less than significant because a minimal amount of land within the City and SOI are still used for agricultural production and because none of the farmland designations applied to land within the City or SOI (Farmland of Local Importance, Grazing Land and Unique Farmland) is considered "important farmland" by the State of California.

Reference: RP-EIR pages 3.1-41 through 3.1-42.

3.1.2 AESTHETICS

- a. **Impact:** Implementation of the proposed project, including the Land Use Plan, the District Plans and within the 3rd Street Annexation area will result in less than significant impacts to scenic resources.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

FINDINGS OF FACT



Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon scenic resources will be less than significant because the following policies of the GPU Resource Protection and Preservation Chapter, Aesthetics Section, protect views of the City's natural open space areas:

- Policies 11.2, 11.3, and 12.3 which encourage the dedication of open space in hillside development to preserve view opportunities from transportation corridors and surrounding development as well as improve the quality of existing landscaping in parkways, parks, civic facilities, rights-of-ways, and other public open areas.
- There are goals and policies that specifically address open space within the City and also preserve the visual character of these areas.
- The Resource Protection and Preservation Chapter, Open Space Section, Policies 3.1, 3.2 and 3.4 maximizes the City's MSHCP conservation areas, ensures that passive and active open space uses are incorporated into development areas and preserves the City's visual character in the surrounding hillsides.

These policies ensure that the City will implement the MSCHP and preserve valuable open space, which thereby preserves the visual character of open space in the City.

References: RP-EIR pages 3.3-27 through 3.3-40; General Plan Chapter 4.0 (Resource Protection and Preservation) Goal 3, Policies 3.1, 3.2 and 3.4, Goal 11, Policies 11.2 and 11.3 and Goal 12, Policy 12.3 and related Implementation Programs.

- b. **Impact:** Implementation of the proposed project, including the Land Use Plan, the District Plans and within the 3rd Street Annexation area will result in less than significant impacts to the existing visual character of the City and its SOI.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon the visual character of the City and its SOI because goals and policies have been incorporated into each district plan to minimize impacts on the visual character of the City and its SOI. With the implementation of the goals, policies and implementing programs of the proposed project, including the goals and policies of the individual district plans, impacts visual character will be reduced to a less-than-significant level.

Additionally, Resource Protection and Preservation Chapter, Aesthetics Section, Goals 10, 11, and 12 of the GPU protect visual character by minimizing activities, development, and landform modification that could distract viewers from the City's visual character. Policies 11.2 and 11.3 of the Resource Protection and Preservation Chapter, Aesthetics Section, preserves the City's visual character, in particular the surrounding hillsides, which topographically define the lake region. In addition, the following policies regarding design requirements ensure maintenance of the visual quality of planned development:

- Policy 11.4 states that the City shall establish a series of community gateways for individual communities to promote the visual character of the area. These goals and policies of the GPU protect the citywide visual character from potentially significant impacts of buildout of the GPU.
- Policies 10.1, 10.2, 10.3, 11.1 and 12.3 require design and landscaping for new development and redevelopment, including architectural and streetscape, in order to preserve the City's visual character.

References: RP-EIR pages 3.3-41 through 3.3-45; General Plan Chapter 4.0 (Resource Protection and Preservation) Goals, 10, 11 and 12, Policies 10.1, 10.2, 10.3, 11.1, 11.2, 11.3 and 12.3, and related Implementation Programs.

- c. **Impact:** Implementation of the proposed project, including the Land Use Plan, the District Plans and within the 3rd Street Annexation area and compliance with the regulatory requirements of the City's Zoning Code will result in less than significant impacts from light and glare.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon the visual character of the City and its SOI because Resource Protection and Preservation Chapter, Aesthetics Section, Policy 12.2 states that the City shall discourage uses or development that entails excessive light and glare visible from private and public viewpoints. Additionally, compliance with Section 17.112.040 and Section 17.148.110 of the City's Zoning Code require that lighting shall be designed to preclude light shining into the sky above a horizontal plane passing through the luminaire and encourage the use of low pressure sodium lighting in non-residential development. Thus compliance with Policy 12.2 and the zoning code will reduce any potential impacts from light and glare to a less-than-significant level.

References: RP-EIR, pages 3.3-45 through 3.3-49; General Plan Chapter 4.0 (Resource Protection and Preservation) Goal 12, Policy 12.2 and related Implementation Program; Lake Elsinore Municipal Code, Section 17.112.040 and Section 17.148.110.

3.1.3 TRANSPORTATION AND CIRCULATION

- a. **Impact:** Implementation of the proposed project would not result in significant impacts related to airport traffic patterns.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less-than-significant impacts related to airport traffic patterns because no features of the GPU or the Land Use Plan would conflict with requirements of the FAA regarding proximity of development to airports. Additionally, all future development proposed within proximity to the airport would be required to comply with FAA regulations to ensure that future residents or employees are not subject to significant hazards.

Reference: RP-EIR, pages 3.4-109, 3-10-10, 3-10-11, and 3-10-15.

- b. **Impact:** The proposed project will not increase hazards due to design features or incompatible uses, result in inadequate emergency access, or result in inadequate parking capacity.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result in inadequate emergency access and would not substantially increase hazards from a design feature or incompatible uses and impacts are less than significant; because the improvements included in the Traffic Study (Appendix D of the RP-EIR) ensure sufficient capacity of roadways and intersections for efficient utilization by both normal vehicle traffic and emergency vehicle traffic.

Reference: RP-EIR, pages 3.4-109 and 3.4-110.

- c. **Impact:** Implementation of the proposed project will not result in inadequate emergency access.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not result inadequate emergency access because the proposed project would be required to meet all applicable local and State regulatory standards for adequate emergency access.

Reference: RP-EIR, page 3.4-110

3.1.4 GREENHOUSE GAS EMISSIONS

- a. **Impact:** The proposed Climate Action Plan is consistent with and built upon the goals, policies and implementation programs contained in the proposed GPU. Therefore, the proposed project would be consistent and not conflict with an applicable GHG reduction plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation: No mitigation measures beyond implementation of the strategies and measures set forth in the proposed Climate Action Plan and compliance with the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that potential impacts due to conflicts with an applicable GHG reduction plan will be less than significant because as part of the proposed project, the City of Lake Elsinore has prepared a Climate Action Plan. The City of Lake Elsinore Climate Action Plan (CAP) is a long-range plan to reduce community-wide greenhouse gas (GHG) emissions from activities within the City limits. Specifically, the CAP is designed to:

- Benchmark Lake Elsinore's existing (2008) GHG emissions and projected emissions relative to statewide emissions targets.
- Establish GHG emissions reduction strategies and measures to reduce the City's proportionate share of emissions to meet the statewide targets identified in Assembly Bill (AB) 32 and Executive Order S-3-05.

- Set forth procedures to monitor and verify the effectiveness of the CAP and require amendment if the CAP is not achieving targeted levels of emissions.
- Mitigate Lake Elsinore's GHG emissions impacts (by reducing GHG emissions consistent with the State of California via the California Environmental Quality Act [CEQA] Guidelines, AB 32, and Executive Order S-3-05). The CEQA Guidelines encourage the adoption of plans or mitigation programs as a means of comprehensively addressing the cumulative impacts of projects (see CEQA Guidelines, Sections 15064(h)(3), 15130(c)).

The proposed Climate Action Plan (Appendix G of the RP-EIR) is consistent with and built upon the goals, policies and implementation programs contained in the proposed GPU. Therefore, the proposed project would be consistent and not conflict with an applicable GHG reduction plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

References: RP-EIR, pages 3.7-32 through 3.7-34 and Table 3.14-6 (Climate Action Plan Strategies and Measures), pages 4.0-11 through 4.0-12; General Plan Chapter 4.0 (Resource Protection and Preservation) Goal 14, Policies 14.1 through 14.4 and related Implementation Program.

- b. **Impact:** Inasmuch as the City will be able to achieve established AB 32 and Executive Order S-3-05 target GHG emission reduction levels, the proposed project will result in less-than-significant cumulative impacts associated with GHG emissions.

Mitigation: No mitigation measures beyond implementation of the strategies and measures set forth in the proposed Climate Action Plan and compliance with the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Greenhouse Gas (GHG) emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contribute substantially to the phenomenon of global climate change and its associated environmental impacts and as such is addressed only as a cumulative impact. Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will result in less-than-significant cumulative impacts associated with Greenhouse Gas Emissions for the following reason:

RP-EIR Table 3.7-8 (Summary of Greenhouse Gas Reduction Measure Potential) provides a summary of the GHG reductions that would result from the state-level and

local measures listed in RP-EIR Table 3.7-6 (Climate Action Plan Strategies and Measures). Together, the measures would reduce emissions by 399,244 MT CO₂e by 2020 and 768,105 MT CO₂e by 2030. As a result, 2020 emissions would be 665,341 MT CO₂e or 4.6 MT CO₂e/SP in 2020 and 1,263,966 MT CO₂e or 4.2 MT CO₂e in 2030. Therefore, GHG reductions would exceed the target reductions; thereby reducing potential greenhouse gas emissions to below the level of significance.

References: RP-EIR, pages 3.7-24 through 3.7-32, Table 3.7-8 (Summary of Greenhouse Gas Reduction Measure Potential), Table 3.7-9 (Reductions Relative to Targets) and Table 3.14-6 (Climate Action Plan Strategies and Measures), pages 4.0-11 through 4.0-12; General Plan Chapter 4.0 (Resource Protection and Preservation) Goal 14, Policies 14.1 through 14.4 and related Implementation Program.

3.1.5 BIOLOGICAL RESOURCES

- a. **Impact:** Implementation of the future projects permitted pursuant to the proposed project could result in the removal of significant local heritage trees such as significant palm trees and native oak trees.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts associated with the removal of local heritage trees will be less than significant because the City has in place a palm tree preservation program (Chapter 5.116 of the Lake Elsinore Municipal Code). The purpose of the program is for the protection of the City's plant life heritage for the benefit of all citizens in Lake Elsinore. The City recognizes the value of significant palm trees within the City of Lake Elsinore as natural aesthetic resources, which help define the history and character of the City. In addition, all future projects developed pursuant to the GPU Land Use Plan would need to demonstrate consistency with the applicable Goals and Policies of the proposed GPU and its District Plans and satisfy the requirements of the City's Municipal Code before being allowed to proceed.

References: RP-EIR, pages 3.8-34, 3.8-52 through 3.8-53.

- b. **Impact:** Inasmuch as the proposed project includes goals, policies and implementation programs that implement the MSHCP and support implementation of the SKR HCP, the proposed project does not conflict with the provisions of an adopted habitat

conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project does not conflict with an adopted habitat conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan because the City of Lake Elsinore is signatory to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and is, therefore, required to review development projects having impacts on identified sensitive biological resources in conformance with all the applicable regulations and mitigation requirements of the MSHCP. The GPU establishes City policies that encourage development while remaining sensitive to biological resources concerns. Adherence to the MSHCP and coordination with the resource agencies is required by the policies of the GPU.

Additionally, Chapter 19.04 (Habitat Conservation) of the Lake Elsinore Municipal Code addresses the City's implementation of the Stephens' Kangaroo Rat Habitat Conservation Plan in western Riverside County. No development permit for real property located within the boundaries of the plan area shall be issued or approved without the payment of the impact and mitigation fee and the submission of the biological survey as required by Chapter 19.04. Chapter 4 (Resource Protection and Preservation) of the GPU, Biological Resources Section, Goal 1 and Goal 2 and associated policies state the City's intention to identify and conserve important biological habitats where feasible.

References: RP-EIR, pages 3.8-26 through 3.8-34, 3.8-53 through 3.8-55; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 1, Policies 1.1-1.8 and related Implementation Program.

3.1.6 HYDROLOGY AND WATER QUALITY

- a. **Impact:** Implementation of the proposed Land Use Plan will result in the increase in the number of persons residing and the amount of construction within the high inundation zone of the Railroad Canyon Dam. Although failure of the Railroad Canyon Dam is an extremely unlikely event, portions of the City would be subject to flooding possibly necessitating evacuation of the area.

Implementation of the proposed Land Use Plan will result in the increase in the number of persons residing and the amount of construction within areas that have the potential for mudflows/debris flows.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that implementation of the proposed Land Use Plan will result in the increase in the number of persons residing within the high inundation zone of the Railroad Canyon Dam and an increase in the number of persons residing in and the amount of construction within areas that have the potential for mudflows/debris flows. Although failure of the Railroad Canyon Dam is an extremely unlikely event, portions of the City would be subject to flooding and/or mudflows/debris flows possibly necessitating evacuation of the affected areas. Such emergency evacuations could preclude injury and loss of life, but not property damage. However, the City Council finds that such potential impacts are less than significant because, as described in more detail in Section 3.10 (Hazards and Hazardous Materials) of the RP-EIR, the proposed GPU will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The feasibility of evacuation and the improbability of dam failure support the conclusion that impacts associated with potential dam failure and mudflows/debris flows will be less than significant.

References: RP-EIR, pages 3.9-6, 3.9-7, 3.9-35 through 3.9-37.

3.1.7 HAZARDS AND HAZARDOUS MATERIALS

- a. **Impact:** The proposed project itself will not directly result in any specific development project. However, individual development projects implemented pursuant to the proposed project could be affected by sites that were once or in the future may be listed on a hazardous materials site list.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less than significant impacts related to sites that were once or in the future may be listed on a hazardous materials site list because Implementation Program for Goal 3 in Chapter 3.0 (Public Safety and

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Welfare) of the proposed GPU states that through project review and the CEQA process the City shall assess new development and reuse applications for potential hazards, and shall require compliance with the County Hazardous Waste Management Plan and collaboration with its Department of Environmental Health. Through compliance with the goals, policies and implementation programs of the proposed GPU, this impact will be less than significant.

References: RP-EIR, pages 3.10-23 and 3.10-24; General Plan Chapter 3.0 (Public Safety and Welfare), Goal 3 and related Implementation Program.

- b. **Impact:** Implementation of the proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan because the proposed project does not propose any changes to the City's Emergency Preparedness Plan or the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan. All applicable local and State regulatory standards for adequate emergency access will be met. Additionally, pursuant to Policies 8.1 and 8.2 of the Community Facilities and Protection Services section of Chapter 3.0 (Public Safety and Welfare), as described in Section 3.14 (Public Services) of the RP-EIR, the City will continue to work with the Riverside County Fire Department to follow the most current guidelines to achieve standard response times and staffing levels and with the County of Riverside to provide adequate police service and staffing levels. New developments associated with the buildout of the proposed General Plan Update would be required to comply with all applicable fire code requirements for construction and access to the site.

References: RP-EIR, page 3.10-25 and 3.10-26, General Plan Chapter 3.0 (Public Safety and Welfare), Goal 3, Goal 8, Policies 8.1 and 8.2, and related Implementation Programs.

3.1.8 GEOLOGY AND SOILS

- a. **Impact:** Clearing and grading for construction associated with future development in the City and its SOI could result in short-term soil erosion by wind and water, and loss

of topsoil. Through compliance with regulatory requirements and implementation of the proposed project's goals, policies and implementation programs potential impacts related to soil erosion or loss of topsoil are considered less than significant.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have no significant impacts related to soil erosion or loss of topsoil because erosion-related effects can be minimized through compliance with LEMC provisions that address soil erosion including LEMC Chapter 14.08, Stormwater/Urban Runoff Management and Discharge Controls which requires that development be designed and constructed to provide facilities for the proper conveyance, treatment, and disposal of storm water. Additionally, development sites encompassing an area of one or more acres would require compliance with a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) including the use of Best Management Practices in compliance with Goal 1 and Policy 1.1 of the Public Safety and Welfare chapter of the GPU and Policies 4.1 and 4.3 of the Resource Protection and Preservation chapter to control erosion and protect surface water and groundwater from the adverse effects of construction activities. Through compliance with regulatory requirements and implementation of the proposed project's goals, policies and implementation programs potential impacts related to soil erosion or loss of topsoil are considered less than significant.

References: RP-EIR, pages 3.11-32 and 3.11-33; General Plan Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1 and related Implementation Program, Chapter 4.0 (Resource Protection and Preservation), Goal 4, Policies 4.1 and 4.3 and related Implementation Program.

- b. **Impact:** The proposed project would not result in the installation of septic tanks or alternative waste water disposal systems in soils incapable of adequately supporting such sewage disposal systems.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less than significant impacts

resulting from the installation of septic tanks or alternative waste water disposal systems because prior to the installation of such systems, project applicants would be required to comply with applicable City requirements. Future development allowed under the proposed project will be required to comply with the provisions of Chapter 16.24, Chapter 16.34 and Chapter 16.56 of the City's Municipal Code.

References: RP-EIR, page 3.11-23 and 3.11-34.

3.1.9 MINERAL RESOURCES

- a. **Impact:** Implementation of the proposed General Plan policies related to mineral resources ensure that future development in the City and its SOI would not have any significant adverse impacts on mineral resources nor would future mineral resource extraction have any significant adverse impacts on future development.

Implementation of the proposed General Plan policies related to mineral resources ensure that future development in the City and its SOI would not have any significant adverse impacts on mineral resources nor would future mineral resource extraction have any significant adverse impacts on future development. This cumulative impact would be less than cumulatively considerable.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project will have less than significant impacts on mineral resources because mineral extraction within some areas of the City and its SOI is planned be phased out over time and the areas converted to other land uses, such as residential and commercial. This land use designation change has already been approved, and therefore, development under the GPU would not significantly affect the availability of known mineral resources that would be of value to the region and the residents of the state. The proposed GPU includes an Extractive Overlay designation located in the Alberhill District, the Business District, and the North Central Sphere District which provides for continued operations of extractive uses, such as aggregates, coal, clay mining, and certain ancillary uses. Reclamation Plans are required in conjunction with mining permits as particular projects come forward.

Additionally, the policies within the proposed General Plan pertaining to mineral resources seek to conserve areas identified as containing significant mineral deposits for potential use. The policies will maintain the availability of mineral resources while

continuing to encourage proper reclamation and enhancement of areas impacted by extractive/mining activities for the public's health, safety and welfare.

References: RP-EIR, pages 3.12-1 through 3.12-12, 4.0-16 and 4.16-17; General Plan Chapter 2.0 (Community Form) Goal 1, Policy 1.4, Chapter 4.0 (Resource Protection and Preservation), Goal 5, Policies 5.1 through 5.3 and related Implementation Program.

3.1.10 POPULATION AND HOUSING

- a. **Impact:** The projected population is based on the land use categories and density assumptions included in the Land Use Plan. Though the projected population with buildout of both the incorporated and unincorporated portions of the GPU is 318,856, projected buildout for the incorporated area only is 209,756. This is in direct comparison with the adopted SCAG population forecast for 2030 of 85,376 in the incorporated area. The GPU population projections are considered consistent with the projections being considered by SCAG for several key reasons. First, the SCAG population forecast is not based upon buildout pursuant to the City's General Plan, but rather on projected annual growth rates; second, the greater range set forth in the GPU allows for greater flexibility in providing affordable housing, a state mandated program; and, third, the GPU will require a jobs-housing balance that meets or exceeds the regional goals.

The proposed project establishes goals, policies and implementation programs that will reduce potential growth-related impacts. Therefore, the proposed project will direct growth and development so that it occurs in a manner that is manageable for the City and avoids significant physical impacts that result from population growth.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project establishes goals, policies and implementation programs that will reduce potential growth-related impacts. Compliance with these goals, policies and implementation programs and with federal, State and local regulatory requirements will assure that necessary services and infrastructure sufficient to serve the planned growth will be development over the projected buildout period of 20 years. Therefore, the proposed project will direct growth and development so that it occurs in a manner that is manageable for the City and avoids significant physical impacts that result from population growth.

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References: RP-EIR, 3.13- 20 through 3.13-22; General Plan Chapter 2.0 (Community Form), Goal 1, Policies 1.2 through 1.6, 1.8 and 1.9, Goal 7, Policy 7.1 and related Implementation Program, Chapter 4.0 (Resource Protection and Preservation, Goal 14, Policy 14.1 through 14.4 and related Implementation Program; Housing Element Goal #1 through Goal #7 and related Policies.

b. **Impact:** Approval of the proposed project would not result in the direct displacement of existing housing or people, since the proposed project will only result in the adoption of land use designations and associated goals, policies and implementation programs; rather than individual development projects. Development of vacant land would not displace residential units or persons; therefore, no impact would occur. However, redevelopment of existing developments has the potential to result in some displacement of housing or people. Without the exact location of new development, it is not possible to determine whether it will displace residential units or persons and any such analysis would be speculative.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that potential impacts associated with the displacement of existing housing or people will be less than significant because development of vacant land would not displace residential units or persons; therefore, no impact would occur. However, redevelopment of existing developments has the potential to result in some displacement of housing or people. Individual development projects that implement the proposed Land Use Plan will be reviewed pursuant to CEQA and the GPU's goals, policies and implementation programs. In the event that there is a potential for the displacement of housing and people, as required by state and federal law, a relocation analysis must be prepared and adequate and appropriate compensation provided. Adherence to applicable County, state and/or federal regulations related to the provision of replacement housing would reduce potential impacts associated with this issue to a less-than-significant level.

References: RP-EIR, pages 3.13-22 and 3.13-23.

- c. **Impact:** Subsequent land use activities associated with the implementation of the proposed project, in addition to existing, approved, proposed and reasonably foreseeable development, could result in a cumulative increase in the population and housing growth in western Riverside County.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that cumulative impacts related to population and housing will be less than significant because the proposed project establishes goals, policies and implementation programs that will reduce potential growth-related impacts. Compliance with these goals, policies and implementation programs and with federal, State and local regulatory requirements will assure that necessary services and infrastructure sufficient to serve the planned growth will be development over the projected buildout period of 20 years. It is important to note that the proposed GPU does not include any policy provisions that require its buildout potential be attained. Therefore, the proposed project will direct growth and development so that it occurs in a manner that is manageable for the City and avoids significant physical impacts that result from population growth.

References: RP-EIR, pages 4.0-20 through 4.0-22; General Plan Chapter 2.0 (Community Form), Goal 1, Policies 1.2 through 1.6, 1.8 and 1.9, Goal 7, Policy 7.1 and related Implementation Program, Chapter 4.0 (Resource Protection and Preservation, Goal 14, Policy 14.1 through 14.4 and related Implementation Program; Housing Element Goal #1 through Goal #7 and related Policies.

3.1.11 UTILITIES AND SERVICE SYSTEMS

- a. **Impact:** Implementation of the proposed project result in population increases due to increased development throughout the City and SOI in accordance with the proposed Land Use Plan. This increased development would generate increased wastewater flows that will require treatment at Elsinore Valley Municipal Water District (EVMWD) facilities.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon ability of the service provider to treat wastewater generated as a result of implementation of the proposed project will be less than significant because the Elsinore Valley Municipal Water District's Wastewater Master Plan provides a long-range assessment of existing and future wastewater generation for its service area, which includes the City and its SOI, and a capital

improvements plan describing proposed improvements programs designed to address future wastewater collection system demands. In developing its Wastewater Master Plan, EVMWD used a 2030 service area population, household and employment projections developed by the Riverside County Center for Demographics Research (RCCDR). Future development would be reviewed by the City on a project-by-project basis to ensure that adequate wastewater treatment capacity is available to serve the project at the time of its construction. EVMWD will determine whether sufficient sewer capacity exists to serve a specific development. EVMWD's utility rates and connection fees are collected to pay off debt financing, to fund capital improvements, and to pay operations and maintenance costs. Connection fees will also be collected by EVMWD on new developments, for recovering the capital costs of public facilities needed to service those developments. Title 16 of the Lake Elsinore Municipal Code (LEMC) requires the construction of wastewater facilities as needed to serve future construction with such facilities of such size and design to adequately satisfy the sanitary sewer requirements of the development.

Through compliance with EVMWD's Wastewater Master Plan, payment of established EVMWD utility rates and connection fees, and compliance with Chapter 16 of the LEMC, wastewater-related impacts associated with the proposed project would be reduced to a less-than-significant level.

References: RP-EIR, pages 3.16-1, and 3.16-18 through 3.16-20.

- b. **Impact:** Implementation of the proposed project result in population increases and increases in commercial, industrial and other non-residential uses due to increased development throughout the City and SOI in accordance with the proposed Land Use Plan. This increased development would generate increased demand for water.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon the availability of water to meet future demand within the City and its SOI will be less than significant because the EVMWD Urban Water Management Plan (UWMP) indicates that there are sufficient water supplies and water shortage contingency plans to protect existing and future water needs within its service area. Through compliance with EVMWD's UWMP and Water Distribution System Master Plan, Chapter 16 of the LEMC and the City's Water Efficient Landscaping Requirements (LEMC Chapter 19.08), and payment of established EVMWD utility rates

and connection fees, water supply and infrastructure associated with the proposed project would be reduced to a less-than-significant level.

References: RP-EIR, pages 3.16-2 through 3.16-5, 3.16-9 through 3.16-10, 3.16-12 through 3.16-13, and 3.16-21 through 3.16-28, Appendix I (EVMWD UWMP).

- c. **Impact:** Implementation of the proposed project result in population increases and increases in commercial, industrial and other non-residential uses which would potentially impact solid waste disposal services and the capacity of landfill facilities that serve the City. However, through compliance with City and County waste reduction programs and compliance with applicable State and local laws and regulations, potential impacts will be reduced to less-than-significant levels.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon impacts upon solid waste disposal services and the capacity of landfill facilities that serve the City will be less than significant because recycling of construction and demolition waste generated during construction will greatly reduce the amount of such waste that is directed into landfills and given the limited contribution of construction-related solid waste anticipated to be generated by the proposed project over its construction period, development of the project site will not substantially contribute to the exceedance of the permitted capacity of the designated landfills.

The goals, policies and implementing programs pertaining to solid waste disposal in the GPU include measures to ensure quality services that meet the needs of the population as it grows and establishment of a long-term solid waste management plan. These policies from the Public Safety and Welfare chapter, Community Facilities and Protection Services section, require:

- requesting the City's franchise trash hauler(s) to establish long-term solid waste management plans that includes goals for recycling and source reduction programs (Policy 13.1), and
- requesting the City's franchise trash hauler(s) to provide a public education program on recycling and source reduction techniques for homes and businesses (Policy 13.2).

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- through the project review and CEQA processes, the City shall condition projects to provide adequate disposal of solid waste generated by the project. (Implementation Program)
- through the franchise renewal process, the City shall request cooperation in meeting recycling and source reduction goals. (Implementation Program)

Therefore, through compliance with City and County waste reduction programs and compliance with applicable State and local laws and regulations, potential impacts will be reduced to less-than-significant levels.

References: RP-EIR, pages 3.16-5 through 3.16-6, 3.16-29 through 3.16-32; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 13, Policies 13.1 through 13.3 and related Implementation Programs.

- d. **Impact:** The increase in development allowed under the proposed Land Use Plan would require increases in the availability and adequacy of electrical and natural gas service, and telecommunications services.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon potential impacts on electrical and natural gas service, and telecommunications services will be less than significant because both SCE and The Gas Company (Southern California Gas Company) anticipate the ability to accommodate future growth within the City of Lake Elsinore. Development proposals would be required to formally request "will serve" letters on an individual basis for electrical, natural gas, and telecommunications service. The proposed project's goals, policies and implementation programs will reduce potential impacts on electrical and natural gas service, and telecommunications services as development continues by ensuring that these services will be provided. Therefore, impacts would be considered less than significant at a programmatic level.

References: RP-EIR, pages 3.16-33 through 3.16-34; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 12, Policies 12.1 through 12.3 and related Implementation Program.

- e. **Impact:** With implementation of the goals, policies and implementation programs of the proposed project and compliance with existing regulatory requirements and service

provider Master Plans; potential cumulative impacts on utilities and service systems will be less than significant.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that impacts upon cumulative impacts on utilities and service systems will be less than significant because the EVMWD UWMP indicates that there are sufficient water supplies and water shortage contingency plans to protect existing and future water needs within its service area. EVMWD has also prepared a Wastewater Master Plan to provide long range planning for the provision of wastewater services. Through compliance with EVMWD's UWMP and Water Distribution System Master Plan, EVMWD's Wastewater Master Plan, Chapter 16 of the LEMC and the City's Water Efficient Landscaping Requirements (LEMC Chapter 19.08), and payment of established EVMWD utility rates and connection fees, impacts upon water supply, wastewater-related impacts and infrastructure associated with the proposed project will have a less than cumulatively considerable impact.

Additionally, compliance with City and County waste reduction programs and compliance with applicable State and local laws and regulations, the proposed project's contribution to cumulative impacts upon landfills is considered to be less than cumulatively considerable; and both Southern California Edison and The Gas Company (Southern California Gas Company) anticipate the ability to accommodate future growth within the City of Lake Elsinore.

References: RP-EIR; pages 4.0-23 through 4.0-24;

3.2 FINDINGS REGARDING ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO LEVEL OF LESS THAN SIGNIFICANT

Environmental impacts identified in the Final RP-EIR as potentially significant but which the City finds can be mitigated to a level of less than significant through the imposition of feasible mitigation measures identified in the Final RP-EIR and set forth herein, are described in this section.

3.2.1 LAND USE AND PLANNING

- a. **Impact:** The community character of the area could significantly change with the implementation of individual projects in accordance with the proposed Land Use Plan.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the City of Lake Elsinore has several key aspects of community character that add economic or aesthetic value for the benefit of the City's residents and visitors. The Historic District is an important resource to the City. The proposed project includes a Downtown Master Plan and a Historic District Plan within the GPU that preserve historic resources and enhance and improve the characteristic aspects of the area.

The City has existing commercial and industrial areas adjacent to I-15 that included in the GPU to continue supporting the strong central commercial and industrial area that provides jobs within the City. The overall character of this area will not be substantially changed with the implementation of the GPU. The GPU ensures that the Lake Elsinore is preserved as a water resource and recreational center that attracts visitors and adds economic value to the City. The GPU adds value to the lake rather than changing the current character in a negative way by adding recreational opportunities and encouraging the enhancement of the aesthetic value of the lake. Development carried out pursuant to the specific plans will change the character of these areas which are currently predominantly vacant. Residential development within these Specific Plan Areas is relatively consistent to other residential developments that have been recently

planned or constructed within the City and SOI; therefore, the community character would not be substantially altered.

Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the goals and policies of GPU Chapter 2.0 (Community Form), Chapter 3.0 (Public Safety and Welfare) and Chapter 4.0 (Resource Protection and Preservation). With implementation of these goals and policies individual development proposed in accordance with the Land Use Plan would not result in significant impacts upon community character.

References: RP-EIR, pages 3.1-14 thorough 3.1-15; General Plan Chapter 2.0 (Community Form), Chapter 3.0 (Public Safety and Welfare) and Chapter 4.0 (Resource Protection and Preservation) goals, policies and implementation programs.

- b. **Impact:** Overall implementation of individual projects in accordance with the Land Use Plan's land use designations could result in significant adverse land use compatibility impacts.

Mitigation: No mitigation measures beyond the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that overall implementation of individual projects in accordance with the Land Use Plan's land use designations could result in significant adverse land use compatibility impacts. Residential land use designations would result in a population increase in areas characterized by vacant land that could create indirect impacts on community character associated with increased traffic, noise and impacts on community services such as utilities and recreational opportunities. Implementation of the Land Use Plan would also convert vacant land to commercial and industrial uses that could also create indirect impacts on community character related to increased traffic, development of structures that may impact the visual quality of an area as well as potential impacts of commercial development on existing public infrastructure. However, as discussed further below land use incompatibility impacts would be avoided or minimized through implementation of features of the Land Use Plan land use designations and through implementation of goals and policies of GPU Chapter 2.0 (Community Form), Chapter 3.0 (Public Safety and Welfare) and Chapter 4.0 (Resource Protection and Preservation).

FINDINGS OF FACT



References: RP-EIR, pages 3.1-15 thorough 3.1-19; General Plan Chapter 2.0 (Community Form), Chapter 3.0 (Public Safety and Welfare) and Chapter 4.0 (Resource Protection and Preservation) goals, policies and implementation programs.

- c. **Impact:** The projected population with buildout of the Land Use Plan is 318,856. The buildout for the proposed GPU within currently incorporated land only is projected to be 209,756. SCAG has projected the population to be 85,376 based on the 2008 Regional Transportation Plan within incorporated areas of the city only. The variance between the Land Use Plan and the SCAG forecast is considered to be in substantial conformance with the SCAG population forecasts with the understanding that the greater population figure correlates to additional housing opportunities to provide affordable housing, and the GPU contains policies that require a job-housing balance.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Land Use 1: The Growth Management Program developed by the City provides a strategy for developing a pattern and rate of growth to ensure that adequate public facilities and infrastructure can be provided to meet the rate of new construction and population growth. The goals and policies under the Growth Management section of the Community Form chapter provide principles for a growth management section. Implementation of the development pattern provided in the Growth Management Program and implementation of policies from the Growth Management Section of the Community Form chapter, in association with future development, would reduce impacts related to the population and housing forecasts.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that Table 3.1-5 (Consistency with SCAG's Regional Comprehensive Plan and Guide Policies) in the RP-EIR describes the consistency of the GPU Land Use Plan and associated goals and policies with SCAG's Regional Comprehensive Plan and Guide Policies and shows that the GPU goals and policies are consistent with the SCAG Regional Comprehensive Plan in all areas with the exception of the provision of productive agricultural land. Therefore, the variance between the Land Use Plan and the SCAG forecast is considered to be in substantial conformance with the SCAG population forecasts with the

understanding that the greater population figure correlates to additional housing opportunities to provide affordable housing, and the GPU contains policies that require a job-housing balance.

References: RP-EIR, pages 3.1-19 thorough 3.1-30 and 4.0-15 through 4.0-16; General Plan Chapter 2.0 (Community Form), Goal 1, Policies 1.1 through 1.9 and related Implementation Program and Goal 7, Policy 7.1 and related Implementation Program.

- d. **Impact:** Implementation of individual projects in accordance with the Land Use Plan could result in significant inconsistencies with the MSHCP.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Land Use 2: Implementation of the GPU, the Land Use Plan, and District Plans could result in significant impacts related to disturbance of areas described for conservation in the MSHCP. Individual projects implemented pursuant to the Land Use Plan and District Plans in accordance with the Resource Protection and Preservation Chapter, Biological Resources Section, Goal 1, Policies 1.1-1.11 will be required to demonstrate their avoidance of significant impacts associated with areas described for conservation in the MSHCP Conservation Areas. Future projects may be allowed to alter the Conservation Area boundaries through criteria refinement, minor amendments, or other means, but would be required to do so in conformance with all regulations and mitigation requirements of the MSHCP.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with implementation of the goals and policies in Section 4.2 (Biological Resources) of Chapter 4.0 (Resources Protection and Preservation) of the GPU (for the protection of biological habitats and long-term survival of plant and animal wildlife species) future development proposed in accordance with the Land Use Plan would not result in any significant inconsistencies with the MSHCP. The policies ensure that the City is consistent with the programs and policies set forth in the MSHCP, including those set forth in the Section 10(a) incidental take permit conditions issued for western Riverside County. In addition, the City must deny grading plans that modify slope extending into

MSCHP areas; enforce usage restrictions for MSCHP areas; ensure that development occurs in a manner that is compatible with MSHCP habitat conservation goals; protect existing and planned riparian habitat communities; restrict development in areas as consistent with the MSHCP, including those with relatively low levels of biological function and values that are planned for restoration in the long-term planning goals of the MSHCP; provide buffering in MSHCP adjacent areas; encourage revegetation with native plants to create areas compatible with natural surrounding habitat; coordinate with appropriate county, state, and federal agencies regarding planning decisions affecting MSHCP areas; and require development proposals to consider a project's direct and indirect potential impacts on a biological habitat area. With implementation of the policies set forth in the GPU, the document would be consistent with the biological resources preservation goals of the MSHCP.

References: RP-EIR, pages 3.1-31 and 3.8-53 through 3.8-55; General Plan Chapter 4.0 (Resources Protection and Preservation, Goal 1, Policies 1.1 through 1.8 and related Implementation Program, Goal 2, Policies 2.1 and 2.2 and related Implementation Program.

- e. **Impact:** Development consistent with the proposed GPU and the District Plans could result in the potential for incompatibility of proposed land uses with current land uses throughout the City and SOI.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Land Use 3: *Each project within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be reviewed for its consistency with the Airport Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. The feasibility of the proposed mitigation measures must be determined on a project-specific level.*

MM Land Use 4: *If the motocross track is relocated, future development within the East Lake District Plan shall be required to comply with mitigation measures identified in the East Lake Specific Plan EIR. However, additional project-specific CEQA environmental analysis and review will be required when a detailed project is proposed at the new motocross site. This project-level review will include an analysis of potential land use compatibility issues.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that Development consistent with the proposed GPU and the District Plans could result in the potential for incompatibility of proposed land uses with current land uses throughout the City and SOI. Land use changes in these District Plans could result in impacts on traffic, air quality, noise, community services, and natural resources. Potential traffic, air quality, and noise impacts caused by changes in land use designations would be attributed to an increase in residential development in place of vacant land. Increased residential land would increase the number of residents, thereby increasing vehicle travel trips and travel time, which will increase emissions and noise. Potential community services impacts would also be related to a conversion of vacant land to residential land, as an increase in residents would necessitate an increase in the provision of public services and facilities. Potential impacts on natural resources would result from the conversion of open space and vacant land to developed uses, mainly residential uses. As described in Table 3.1-6 (District Plan Land Use Impacts) of the RP-EIR, goals and policies are set forth in the GPU that would decrease the effects of land use changes and potential incompatibility between proposed uses. With implementation of the District Plan land use designations, significant adverse land use incompatibility impacts would not result.

References: RP-EIR, pages 3.1-31 through 3.1-41 Final RP-EIR, pages 2.0-108 through 2.0-110 and 3.0-2; General Plan's District Plan Goals and Policies.

- f. **Impact:** The GPU includes goals and policies that, in combination with a growth management strategic plan, will reduce increased development and density impacts. Implementation of the growth management plan would reduce impacts related to the inconsistency of the GPU with the population and housing forecasts of SCAG to below a level of significance. Potential cumulative impacts related to the loss of agricultural lands are less than significant.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Land Use 1 through MM Land Use 4-is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the land use designations set forth in the Proposed Land Use Plan allow for a substantial increase in population from existing conditions and from that anticipated for the area by SCAG. The Growth Management Program developed by the City provides a strategy for developing a pattern and rate of growth to ensure that adequate public facilities and infrastructure can be provided to meet the rate of new construction and population growth. The goals and policies under the Growth Management section of the Community Form chapter provide principles for a growth management section. Implementation of the development pattern provided in the Growth Management Program and implementation of policies from the Growth Management Section of the Community Form chapter, in association with future development, would reduce impacts related to the population and housing forecasts to less-than-significant levels.

References: RP-EIR, pages 3.1-19 thorough 3.1-30 and 4.0-15 through 4.0-16; General Plan Chapter 2.0 (Community Form), Goal 1, Policies 1.1 through 1.9 and related Implementation Program and Goal 7, Policy 7.1 and related Implementation Program, and General Plan's District Plan Goals and Policies.

3.2.2 CULTURAL AND PALEONTOLOGICAL RESOURCES

- a. Impact: Implementation of the proposed project, including the General Plan Update's Land Use Plan and District Plans and the Downtown Master Plan, and within the 3rd Street Annexation area could result in impacts on significant historic resources as defined in California Code of Regulations, Section 15064.5.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Cultural/Paleontological Resources 1: Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Land Use Policies 4.1-4.4, Cultural and Paleontological Resources Policy 6.1, and Historic Preservation Policies 9.1-9.4, and 10.1-10.4. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that it is the intent of the proposed project that buildings on this inventory be preserved from demolition and, where necessary, restored/improved in order to promote the City's historic character. Cultural Resources Goal 9 Policy 9.1 sets forth the intent to prevent loss or compromise of significant historical resources. Policies identify the requirement to conduct a literature search and site survey for any project that would demolish a structure with potential historical value to the community. Cultural Resources Goal 8 and its related policies emphasize the City's intent to promote its heritage through preservation of historical sites and structures.

Although it is the intent of the GPU to promote the City's historical heritage by preserving and restoring existing sites and structures, individual projects implemented pursuant to the Land Use Plan may result in significant impacts on resources considered significant historic resources as defined in Section 15064.5 of the CEQA Guidelines that cannot be specifically identified here. Project applicants would be required to provide mitigation for these potential impacts, as dictated by City guidelines. Impacts and mitigation would be quantified by project-specific cultural resources review.

Additionally, compliance with federal, State and local regulations pertaining to historical resources and compliance with Land Use Policies 4.1-4.4, Cultural and Paleontological Resources Policies 7.1-7.5, and Historic Preservation Policies 9.1-9.4, and 10.1-10.4 at a programmatic level, will prevent the proposed project, including the GPU, the District Plans and the 3rd Street Annexation from resulting in significant impacts to historical resources. Specific projects that implement the proposed project must demonstrate that the specific project will not result in significant impacts to historical resources through implementation of mitigation measures identified in this RP-EIR.

References: RP-EIR, pages 3.2-24 through 3.2-31 and 3.2-36 through 3.2-41; Final RP-EIR, pages 2.0-88 and 3.0-5; General Plan Chapter 2.0 (Community Form), Goal 4, Policies 4.1 through 4.4 and related Implementation Program, Chapter 4.0 (Resource Protection and Preservation), Goal 6, Policy 6.1 and related Implementation Program, Goal 9, Policies 9.1 through 9.4 and related Implementation Program, Goal 10, Policies 10.1 through 10.4 and related Implementation Program and General Plan's District Plan Goals and Policies.

FINDINGS OF FACT



- b. **Impact:** Implementation of the proposed project, including the General Plan Update's Land Use Plan and District Plans and the Downtown Master Plan, and within the 3rd Street Annexation area could result in impacts on significant archeological resources as defined in California Code of Regulations, Section 15064.5.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Cultural/Paleontological Resources 2: *Prior to issuance of grading permit(s) for the project, the project applicant shall retain an archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources. Any newly discovered cultural resource deposits shall be subject to a cultural resources evaluation.*

MM Cultural/Paleontological Resources 3: *At least 30 days prior to seeking a grading permit, the project applicant shall contact the appropriate tribe to notify that Tribe of grading, excavation and the monitoring program, and to coordinate with the City of Lake Elsinore and the Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.*

MM Cultural/Paleontological Resources 4: *Prior to issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City and County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in MM Cultural/Paleontological Resources 2, the archaeological monitor's authority to stop and redirect grading will be exercised in consultation with the appropriate tribe in order to evaluate the significance of any archaeological resources discovered on the property. Tribal monitors shall be allowed to monitor all grading, excavation and ground breaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archeologist.*

MM Cultural/Paleontological Resources 5: *The landowner shall relinquish ownership of all cultural resources, including sacred items, burial goods and all archaeological artifacts that are found on the project area to the appropriate tribe for proper treatment and disposition.*

MM Cultural/Paleontological Resources 6: All sacred sites, should they be encountered within the project area, shall be avoided and preserved as the preferred mitigation, if feasible.

MM Cultural/Paleontological Resources 7: If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the appropriate tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the Developer and the Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Community Development Director (CDD) for decision. The CDD shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate tribe. Notwithstanding any other rights available under the law, the decision of the CDD shall be appealable to the City of Lake Elsinore.

MM Cultural/Paleontological Resources 8: Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Cultural and Paleontological Resources Policies 6.2-6.4 and 7.1-7.5. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that projects conducted pursuant to the proposed project have the potential to affect archaeological resources (including those known and unknown) by disturbing earth in which the resources lie. Disturbance of an archaeological resource that is considered significant pursuant to California Code of Regulations Section 15064.5 would be a significant impact. It is the intent of the proposed project that development conducted pursuant to the General Plan Update, the Downtown Master Plan and within the boundaries of the 3rd Street Annexation avoids all significant impacts on archaeological resources. Cultural Resources Policy 6.1 sets forth the City's intent to prevent the loss or compromise of significant archaeological resources. Policies related to Goal 6 of the Resource Protection and Preservation chapter require the applicant to consult with local Native American tribes as to the sensitivity of the site, require the applicant to conduct archaeological literature search and survey for projects proposed within potentially sensitive resource areas, and outline the necessary procedures if resources are discovered to exist on the site.

Although it is the intent of the proposed project to minimize archaeological resources impacts, projects implemented pursuant to the proposed project may result in significant impacts with respect to such resources that cannot be identified or quantified here. Applicants of implementing development project will be required to provide mitigation for these potential impacts, as dictated by State and City guidelines and in consultation with local tribes. Impacts and mitigation would be quantified by project-specific cultural resources review.

Additionally, compliance with federal, State and local regulations addressing archaeological resources and compliance with Cultural and Paleontological Resources Policies 7.1-7.5, at a programmatic level, will prevent the proposed project, including the GPU, the District Plans and the 3rd Street Annexation from resulting in significant impacts to archaeological resources. Specific projects that implement the proposed project must demonstrate that the specific project will not result in significant impacts to historical resources through implementation of mitigation measures identified in this PEIR.

References: RP-EIR, pages 3.2-24 through 3.2-31 and 3.2-41 through 3.2-48; Final RP-EIR, pages 2.0-88 and 3.0-5; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 6, Policies 6.1 through 6.4, Goal 7, Policies 7.1 through 7.5 and related Implementation Program, and General Plan's District Plan Goals and Policies.

- c. **Impact:** Implementation of the proposed project, including the General Plan Update's Land Use Plan and District Plans and the Downtown Master Plan, and within the 3rd Street Annexation area could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Cultural/Paleontological Resources 9: *Individual projects implemented in accordance with the Land Use Plan shall also demonstrate compliance with Cultural and Paleontological Resources Policy 8.1. As well as compliance with applicable District Plan Policies related to cultural and paleontological resources.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the region's rich prehistoric and historic heritage and the known presence of paleontological resources means that development planned throughout the City and the SOI pursuant to the GPU may unearth or damage sensitive paleontological resources. Cultural Resources Policy 8.1 requires survey and study of project impacts on paleontological resources for projects within "High" and "Undetermined" areas and implementation of proper measures to reduce impacts. Although it is the intent of the GPU to minimize paleontological resources impacts, GPU projects may result in significant impacts with respect to such resources that cannot be identified or quantified here. Project applicants would be required to provide mitigation for these potential impacts, as recommended by Society for Vertebrate Paleontology guidelines. Impacts and mitigation would be quantified by project-specific paleontological resources review.

Additionally, compliance with federal, State and local regulations pertaining to paleontological resources and compliance with Cultural and Paleontological Resources Policy 8.1, at a programmatic level, will prevent the proposed project, including the GPU, the District Plans and the 3rd Street Annexation from resulting in significant impacts to paleontological resources. Specific projects that implement the proposed project must demonstrate that the specific project will not result in significant impacts to paleontological resources through implementation of mitigation measures identified in this RP-EIR.

References: RP-EIR, pages 3.2-24 through 3.2-31 and 3.2-48 through 3.2-49; Final RP-EIR, pages 2.0-88 and 3.0-5; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 8, Policy 8.1 and related Implementation Program.

- d. **Impact:** Implementation of the proposed project, including the General Plan Update's Land Use Plan and District Plans and the Downtown Master Plan, and within the 3rd Street Annexation area could result in impacts due to the accidental discovery of human remains.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

MM Cultural/Paleontological Resources 10: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the coroner shall

contact the Native American Heritage Commission within 24 hours. Subsequently, the Native American Heritage Commission shall identify the person or persons it believes to be the "most likely descendant." The most likely descendant may then make recommendations, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that several Indian tribes identified the City and its SOI as being within either their traditional use area or one in which they have cultural ties. Inasmuch as archaeological resources, as described above, have been documented within the project area, there is the potential that human remains, including those interred outside of formal cemeteries, are located within the project area. Therefore, ground-disturbing activities associated with development that occurs during implementation of the proposed project, including the General Plan Update (Land Use Plan and District Plans), the Downtown Master Plan and the 3rd Street Annexation, have the potential to disturb as yet undiscovered human remains.

However, compliance with federal, State and local regulations pertaining to Native American resources and human remains and compliance with Cultural and Paleontological Resources Policies 6.2, 6.3, and 7.1 at a programmatic level, will prevent the proposed project, including the GPU, the District Plans and the 3rd Street Annexation from resulting in significant impacts to regarding the accidental discovery of human remains. Specific projects that implement the proposed project must demonstrate that the specific project will not result in significant impacts related to the accidental discovery of human remains through implementation of mitigation measures identified in this PEIR.

References: RP-EIR, pages 3.2-24 through 3.2-31 and 3.2-49 through 3.2-50; Final RP-EIR, pages 2.0-88, 2.0-97, 2.0-98, 3.0-4 and 3.0-5; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 6 Policies 6.1 through 6.4 and related Implementation Program and Goal 7, Policy 7.1.

- e. **Impact:** With implementation of the proposed project's goals, policies and implementation programs and compliance with regulatory requirements, any potential cumulative impacts related to historical, cultural and paleontological resources will be mitigated to a less-than-significant level.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Cultural/Paleontological 1 through MM Cultural/Paleontological 10 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that federal regulations such as the National Historic Preservation Act and State regulations such as CEQA and Senate Bill 18 provide substantial guidance for identifying significant cultural and historical resources. These existing state and federal regulations in place that require identification of significant resources and mitigation for impacts on those resources that must be complied with for all future development projects. Compliance of future development projects with these regulations would minimize cumulative impacts on those resources. The GPU includes policies under Cultural Resources Goal 5 affirming the City's intent to prevent the loss of cultural resources. The policy ensures the proper identification and treatment of cultural resources, thereby avoiding contribution to any cumulative impact on archaeological resources.

The City's GPU policies under Cultural Resources Policy 6.1 and Goal 7 highlight the importance to the City of historical resources and ensure the proper identification, treatment, and preservation of such resources—both known and unknown—thereby avoiding contribution to any cumulative regional impact on historical resources that could occur.

Areas of paleontological sensitivity throughout the County have been delineated by the Riverside County General Plan. Areas identified as "high" or "undetermined" may contain important paleontological resources; therefore, technical analysis by a qualified paleontologist is required in these areas, ensuring the proper identification and treatment of resources. The City's GPU policies under Cultural Resources Goal 7 reflect the City's participation in this program, which will ensure any contribution to the cumulative loss of paleontological resources is less than significant.

Since all local jurisdictions, including the City of Lake Elsinore, are subject to the regulatory requirements described in Section 3.2 (Cultural and Paleontological Resources) of this RP-EIR including CEQA, the National Historic Preservation Act

(NHPA) of 1966 and Senate Bill 18, potential cumulative impacts to cultural and paleontological resources should not occur.

References: RP-EIR, pages 3.2-24 through 3.2-31 and 4.0-8 and 4.0-9; Final RP-EIR, pages 2.0-88 and 3.0-5; General Plan Chapter 2.0 (Community Form), Goal 4, Policies 4.1 through 4.4 and related Implementation Program, Chapter 4.0 (Resource Protection and Preservation), Goal 6, Policy 6.1, Goal 7, Policies 7.1 through 7.5, Goal 8, Policy 8.1, Goal 9, Policies 9.1 through 9.4, Goal 10, Policies 10.1 through 10.4, and related Implementation Programs and General Plan's District Plan Goals and Policies.

3.2.3 AESTHETICS

- a. **Impact:** Buildout of the proposed project would have potentially significant adverse impacts on views of hillsides and mountains. The impacts on views from I-15 looking toward the lake and hillsides are potentially significant.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Aesthetics 1: Future development projects will be required to prepare visual simulations demonstrating compliance with the applicable GPU goals and policies. Preparation of visual simulations demonstrating compliance with the GPU goals and policies would be required for future development projects located in scenic viewsheds along the I-15 corridor and other areas at the discretion of the Director of Community Development.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that views of the larger Santa Ana Mountains in the distance would not be affected by the proposed project. However the hillsides to the south and west are planned for hillside residential uses and this development would result in a significant impact on views of hillsides. The character of the I-15 corridor as it is developed with commercial and industrial uses would be protected through the designation of similar uses as an extension of the existing uses. Views from I-15 would also be potentially affected by hillside residential development.

Policies are included in Chapter 4.0 of the proposed GPU to protect and mitigate these impacts potential impacts. Policies 3.3 and 3.4 require contour grading on steep slopes and set forth the policy to preserve the City's visual character in the surrounding hillsides. Policies 10.1-10.6, 11.1-11.3, and 12.1-12.3 protect views and specify design requirements for new development to minimize visual impacts. Specifically, the policies require the creation of a program to identify specific visual resources and valued views within the City, discourage development that blocks or substantially alters public views of Lake Elsinore and local ridgelines, encourage the dedication of open space in hillside development, encourage new development and redevelopment to incorporate views of Lake Elsinore, and encourage application to Caltrans for official designation of I-15 and SR-74 as state scenic highways. With implementation of the goals, policies and implementation programs of the GPU, potentially significant impacts on the visual character of mountains and hillsides and upon the visual quality of views from I-15 will be reduced to a less-than-significant level.

References: RP-EIR, pages 3.3-27 through 3.3-40; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 3, Policies 3.1 through 3.4, Goal 10, Policies 10.1 through 10.7, Goal 11, Policies 11.1s through 11.5, Goal 12, Policies 12.1 through 12.3, and related Implementation Programs, and General Plan's District Plan Goals and Policies.

- b. **Impact:** Implementation of the proposed project would not result in cumulatively considerable aesthetic impacts.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measure MM Aesthetics 1 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that future developments within the City and the SOI will be required to comply with GPU goals, policies and implementation programs to ensure that impacts on visual quality from public viewsheds and vantage points are minimized. These policies ensure that the City will implement the MSCHP and preserve valuable open space, which thereby preserves the visual character of open space in the City. Development within the City and SOI in

combination with other development in the County would contribute to changes in views to motorists on I-15. With development in the region it is inevitable that views from I-15 will be modified from existing conditions. However, measures by the proposed GPU that must be incorporated into future development within the City and SOI would minimize impacts on views from I-15. With adherence to GPU goals and policies, the contribution of development within the City to County-wide cumulative effects to views from I-15 would be less than significant.

Although sources of light and glare will increase within the project area, the Chapter 4.0 (Resource Protection and Preservation) Policy 12.2 states that the City shall discourage uses or development that entails excessive light and glare visible from private and public viewpoints. Additionally, compliance with Section 17.112.040 and Section 17.148.110 of the City's Zoning Code require that lighting shall be designed to preclude light shining into the sky above a horizontal plane passing through the luminaire and encourage the use of low pressure sodium lighting in non-residential development. Thus compliance with Policy 12.2 and the zoning code will reduce any potential impacts from light and glare to a less-than-significant level. Light and glare within the area surrounding the project area is controlled by regulatory requirements, including but not limited to Riverside County Ordinance No. 655 (Regulating Light Pollution) and City of Murrieta Development Code Section 16.18.110 (Mount Palomar Lighting Standards), which have the effect of reducing the impact of nighttime lighting in the cumulative area to less-than-significant levels.

References: RP-EIR, pages 3.3-27 through 3.3-40 and 4.0-3 through 4.0-4; General Plan Chapter 4.0 (Resource Protection and Preservation), Goal 3, Policies 3.1 through 3.4, Goal 10, Policies 10.1 through 10.7, Goal 11, Policies 11.1s through 11.5, Goal 12, Policies 12.1 through 12.3, and related Implementation Programs, and General Plan's District Plan Goals and Policies.

3.2.4 TRANSPORTATION AND CIRCULATION

- a. **Impact:** Implementation of individual projects and associated population growth anticipated in accordance with the Land Use Plan could result in significant impacts on existing bikeways or create hazards by failing to support alternative modes of transportation

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Transportation 4: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed GPU Circulation Section of the Community Form Chapter proposes changes to the existing bikeway plan that will provide for additional bikeways within the City. Implementation of these modifications would not conflict with adopted policies and programs supporting alternative transportation.

Additionally, implementation of individual projects and associated population growth anticipated in accordance with the Land Use Plan could result in significant impacts on existing bikeways or create hazards by failing to support alternative modes of transportation. However, with implementation of General Plan goals, policies and implementation programs, individual projects implemented in accordance with the GPU and associated population growth anticipated in accordance with the Land Use Plan would not result in significant and unavoidable adverse impacts on bikeways and will provide adequate opportunities for alternative transportation by providing additional bikeways within the City.

References: RP-EIR, pages 3.4-111 through 3.4-121; General Plan Chapter 2.0 (Community Form), Goal 6, Policy 6.4, Goal 9, Policy 9.1 and related Implementation Programs, and General Plan's District Plan Goals and Policies.

- b. **Impact:** Implementation of individual projects and associated population growth anticipated in accordance with the Land Use Plan could result in significant impacts on existing truck routes or create hazards by failing to provide adequate truck routes.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Transportation 5: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that implementation of individual projects and associated population growth anticipated in accordance with the Land Use Plan could result in significant impacts on existing truck routes or create hazards by failing to provide adequate truck routes. However, with implementation of General Plan goals, policies and implementation programs, individual projects implemented in accordance with the GPU and associated population growth anticipated in accordance with the Land Use Plan would not result in significant and unavoidable adverse impacts on bikeways and will provide adequate opportunities for alternative transportation by providing additional bikeways within the City. However, with implementation of General Plan goals, policies and implementation programs, individual projects implemented in accordance with the GPU and associated population growth anticipated in accordance with the Land Use Plan would not result in significant and unavoidable adverse impacts on existing and planned truck routes.

References: RP-EIR, pages 3.4-111 through 3.4-121; General Plan Chapter 2.0 (Community Form), Goal 6, Policy 6.1 through 6.5 and related Implementation Programs, and General Plan's District Plan Goals and Policies.

3.2.5 NOISE

- a. **Impact:** The GPU proposes commercial development that would generate noise related to such sources as delivery operations, parking lots, and human activity.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 2: For projects proposing new commercial uses in the vicinity of sensitive receptors, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project allows commercial uses that could generate noise received by residences and other sensitive receptors in excess of relevant standards set forth in the City's Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards. Placement of new uses that exceed relevant noise standards would be considered a significant impact.

However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to noise levels from commercial operations to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. The City noise standards contain specific requirements for reducing noise levels associated with commercial projects. Existing standards include restrictions on activities and limits on operational hours that reduce noise levels associated with commercial uses. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-40, 3.5-43 and 3.5-45; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1, Policy 7.2 and related Implementation Program, Eastlake District Goal 1 and Policy EL 1.1.

- b. **Impact:** The GPU would entail construction of new schools that have the potential to receive noise exceeding state standards. Exceeding state standards for school noise would be considered a significant impact.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 3: For residential projects proposed adjacent to schools, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

The City shall require all school projects to conduct site-specific noise analysis in accordance with State requirements.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that GPU proposes new residential development that could receive noise from adjacent schools in excess of relevant standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards. Placement of new uses that exceed relevant noise standards would be considered a significant impact. The GPU would entail construction of new schools that have the potential to receive noise exceeding state standards. Exceeding state standards for school noise would be considered a significant impact.

However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to noise levels from school operations to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts from schools on sensitive land uses would be mitigated to a less-than-significant level. Existing standards include restrictions on the types of land uses that can be located in the vicinity of a school and include measures that can be incorporated into the design of a project that would

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-40, 3.5-43 and 3.5-45; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1, and related Implementation Program.

- c. **Impact:** The GPU proposes new or enhanced recreational uses that may generate noise conditions received off-site, as well as new residential and commercial development in

proximity to existing and proposed recreational uses, which may in turn be affected by recreational noise.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 4: For projects proposing new recreational uses or increased intensity of recreational activity in proximity to sensitive receptors, the City shall require the project applicant to demonstrate the residential use's compliance with City noise standards with respect to the existing recreational areas. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

For projects proposing new residential uses in proximity to recreational areas, the City shall require the project applicant to demonstrate the recreational use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the GPU proposes new or enhanced recreational uses that may generate noise conditions received off-site, as well as new residential and commercial development in proximity to existing and proposed recreational uses, which may in turn be affected by recreational noise. Such noise received from within recreational areas or generated by recreational areas has the potential to exceed relevant standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards and to minimize recreational noise. Placement of new uses or increased intensity of existing uses that exceeds relevant noise standards would be considered a significant impact.

However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to noise levels from recreation use operations

to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts from recreation uses on sensitive land uses would be mitigated to a less-than-significant level. Existing standards include restrictions on the types of land uses that can be located in the vicinity of recreation uses and include measures that can be incorporated into the design of a project that would reduce noise levels within the land uses surrounding recreation facilities to acceptable levels.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-41, 3.5-43 and 3.5-45 through 3.5-46; Final RP-EIR, pages 2.0-110, 2.0-111 and 3.0-5; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and related Implementation Program.

- d. **Impact:** The GPU proposes industrial and mining uses in various places throughout the City and SOI that may generate noise received off-site.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 5: For projects proposing new industrial/mining operations in the vicinity of sensitive receptors or projects that propose new sensitive uses in the vicinity of industrial/mining operations, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that GPU projects have the potential to place new industrial and mining operations in proximity to sensitive receptors, and vice versa, such that relevant noise standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards would be exceeded. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards and to discourage the juxtaposition of noisy industrial/mining uses with sensitive uses. Placement of new uses that exceed relevant noise standards would be considered a significant impact.

However, the mitigation measure listed above would reduce potential impacts of the Proposed Land Use Plan and GPU related to noise levels from industrial and mining operations to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts from mining and industrial operations would be mitigated to a less than significant level. Existing standards include restrictions on activities and limits on operational hours that reduce noise levels associated with these types of activities.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-41, 3.5-44 and 3.5-46; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and related Implementation Program, Alberhill District Goal 1 and Policy AH 1-5.

- e. **Impact:** The 3rd Street Annexation would entail individual projects that would generate construction noise. The 3rd Street Annexation project also proposes new commercial uses in proximity to residential development; commercial uses can generate noise that would be received by residential uses.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Noise 6: The City shall require 3rd Street Annexation project applicants to demonstrate their compliance with City standards regarding construction noise. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the construction noise to acceptable levels.

For 3rd Street Annexation projects placing noise-sensitive land uses adjacent to or in the vicinity of I-15, SR-74, Cambern Avenue, and Camino del Norte, the City shall require the project applicant to demonstrate the new use's compliance with City standards regarding traffic noise received on the site. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

For 3rd Street Annexation projects proposing new commercial uses in the vicinity of sensitive receptors, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

FINDINGS OF FACT



Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the 3rd Street Annexation project proposes new development that may receive traffic noise levels in excess of relevant standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. Excess of City noise standards would be considered a significant impact.

The 3rd Street Annexation project has the potential to place new commercial uses in proximity to residential development, or vice versa, which may result in the reception of commercial noise in these residential areas in excess of relevant standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. Generation of noise in excess of City noise standards would be considered a significant impact.

However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to noise levels within the 3rd Street Annexation area to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts would be mitigated to a less-than-significant level. The City shall require 3rd Street Annexation project applicants to demonstrate their compliance with City standards regarding construction noise, noise sensitive land uses in proximity to I-15, and commercial operations. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the construction noise to acceptable levels.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-42, 3.5-44 and 3.5-46; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and related Implementation Program.

- f. **Impact:** GPU projects have the potential to generate vibration during future construction and grading activities.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 7: For projects that have a potential to generate construction-related groundborne vibration (e.g., use of pile drivers, rock drills, and pavement breakers), the City shall require the project applicant to submit a construction-related vibration mitigation plan to the City for review and approval. The mitigation plan shall depict the location of the construction equipment and activities and how the vibration from this equipment and activity would be mitigated during construction of the project. The City shall require binding mitigation measures implementing the approved mitigation plan.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed, distance to the affected structures and soil type. Buildings in the vicinity of the construction site respond to these vibrations, with varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels. The construction activities that typically generate the most severe vibrations are blasting and impact pile-driving.

However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to construction-related vibration to less-than-significant levels. Pursuant to this mitigation measure, the City shall require project applicants of projects that have a potential to generate construction-related groundborne vibration to submit a construction-related vibration mitigation plan to the City for review and approval. The mitigation plan shall depict the location of the construction equipment and activities and how the vibration from this equipment and activity would be mitigated during construction of the project. The City shall require binding mitigation measures implementing the approved mitigation plan in order to assure that construction vibration impacts are reduced to less-than-significant levels.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-46 through 3.5-49; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and Policy 7.2 and related Implementation Program.

- g. **Impact:** GPU projects have the potential to place new industrial and mining operations in proximity to sensitive receptors, and vice versa, such that the sensitive receptors would be subject to vibration that would be annoying to people in buildings.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 8: For projects proposing new industrial/mining operations in the vicinity of sensitive receptors or projects that propose new sensitive uses in the vicinity of industrial/mining operations, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines there is a potential for significant vibration-related impacts, the City shall require binding mitigation measures that will reduce the vibration received to acceptable levels.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project proposes industrial and mining uses in various places throughout the City and SOI that may generate groundborne vibration and groundborne noise levels. However, the mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to the vibration impacts of new industrial and mining operations to less-than-significant levels. Pursuant to this mitigation measure, the City shall require project applicants of new industrial/mining operations in the vicinity of sensitive receptors or projects to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that there is a potential for significant vibration-related impacts, the City shall require binding project-specific mitigation measures in order to assure that vibration impacts are reduced to less-than-significant levels.

Additionally, Goal 7 from Section 3.4 (Noise) of General Plan Chapter 3.0 (Public Safety and Welfare) sets forth the City's overall goal of maintaining an environment free of unhealthy, obtrusive, or otherwise excessive noise conditions. Industrial and mining uses would be required to adhere to the City's Zoning Code, including with respect to hours of operation and allowable noise levels. The GPU establishes an Implementation Program in Section 3.4 (Noise) of General Plan Chapter 3.0 (Public Safety and Welfare) requiring new development proposals to analyze the off-site reception of noise from their operations, and to incorporate noise-reducing mitigation measures, wherever necessary. In accordance with GPU Policy 7.1 projects (including non-noise-generating projects placed adjacent to noise-generating uses) must demonstrate their compliance

with the General Plan's Noise and Land Use Compatibility Matrix and the City's Interior and Exterior Noise Standards. Adherence to the above mitigation measure, the City Zoning Code, proper project-specific analysis of noise impacts, and incorporation of project-specific mitigation measures determined as a part of that analysis will ensure that future development of industrial and mining uses pursuant to the GPU would not result in significant ground-borne vibration and ground-borne noise impacts.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-46 through 3.5-49; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and Policy 7.2 and related Implementation Program.

- h. **Impact:** Implementation of the GPU has the potential to result in temporary construction noise received by nearby residents, schools, commercial areas, and other receptors that could exceed acceptable levels set forth in the Zoning Code. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 9: The City shall require project applicants to demonstrate their compliance with City standards regarding construction noise. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the construction noise to acceptable levels.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that it is inevitable that noise from construction will be heard at various places throughout the City over the course of the implementation of the proposed project. The City has established regulations in Chapter 17.176 (Noise Control) of its Zoning Code (Title 17 of the Lake Elsinore Municipal Code) that limit the allowable hours of operation and the duration of noise-producing construction activities. The Zoning Code also maintains schedules of allowable (where technically and economically feasible) construction noise levels received by residential and commercial land uses. All construction pursuant to the proposed project would be required to demonstrate conformance to these schedules.

FINDINGS OF FACT



Additionally, the mitigation measure listed above would reduce potential impacts of the Proposed Land Use Plan and GPU related to construction-related noise levels to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts construction-related noise impacts to a less-than-significant level by requiring project applicants to demonstrate their compliance with City noise standards during construction. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.

References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-49 through 3.5-51; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and Policy 7.2 and related Implementation Program.

- i. **Impact:** The GPU proposes development adjacent to Skylark Airport that would generate noise received off-site.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 10: *For projects proposing sensitive uses that may receive airport noise, the City shall require the project applicant to demonstrate the new use's compliance with City noise standards. Where project-specific analysis determines that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the noise received to acceptable levels.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project proposes development that could receive noise from adjacent airfields. However, through implementation of mitigation measure MM Noise 10, the airport-related noise will not be in excess of relevant standards set forth in the City's Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts from airport noise on sensitive uses would be mitigated to a less-than-significant level.

Existing standards include restrictions on the types of land uses that can be located in the vicinity of an airport.

References: RP-EIR, pages 3.5-19 through 3.5-22, and 3.5-51; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policy 7.1 and Policy 7.2 and related Implementation Program, General Plan's East Lake District Plan Policy EL 1.1.

3.2.6 AIR QUALITY

- a. **Impact:** New development and increased growth that would be accommodated over the next 20 years under the GPU would result in construction activity that would cause an increase in temporary construction-related emissions (particulate matter, CO, NO_x, SO₂, and VOCs) by the operation of construction equipment. Fugitive dust (PM₁₀) would be emitted by activities that disturb the ground, such as grading and excavation, road construction, and building construction. These emissions could result in temporary or intermittent health and nuisance-type impacts in the immediate vicinity of individual construction sites.

Construction emissions would not directly obstruct implementation of the AQMP, but construction projects associated with implementation of the proposed Land Use Plan have the potential to exceed emissions thresholds established by the SCAQMD.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Air Quality 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts on air quality from construction activities through implementation of regulatory requirements and the goals and policies set forth in the proposed GPU. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that new

development and increased growth that would be accommodated over the next 20 years under the proposed project including the GPU would result in construction activity that would cause an increase in temporary construction-related emissions (particulate matter, CO, NO_x, SO₂, and VOCs) by the operation of construction equipment. Fugitive dust (PM₁₀) would be emitted by activities that disturb the ground, such as grading and excavation, road construction, and building construction. These emissions could result in temporary or intermittent health and nuisance-type impacts in the immediate vicinity of individual construction sites.

Construction projects associated with implementation of the proposed project would also emit O₃ and particulate matter, for which the SCAB is a nonattainment area. Excessive emissions of these pollutants would be considered a significant impact. Therefore, implementation of individual projects anticipated in accordance with the proposed Land Use Plan could result in potentially significant short-term impacts associated with construction emissions and inconsistency with SCAQMD thresholds.

However, with implementation of GPU goals, policies and implementation measures, potential short-term impacts on air quality associated with construction of projects proposed in accordance with the GPU and Land Use Plan would be reduced to a less-than-significant level. The mitigation would reduce the impacts associated with future projects because individual projects implemented pursuant to the Proposed Land Use Plan will be required to demonstrate their avoidance of significant impacts on air quality from construction activities through implementation of regulatory requirements and the goals and policies set forth in the proposed GPU. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.

References: RP-EIR, pages 3.6-14 through 3.6-20, and 3.6-24 through 3.6-25, General Plan Chapter 3.0 (Public Safety and Welfare) Goal 1, Policy 1.1.

- b. **Impact:** The proposed GPU will allow the types and quantity of land uses that have the potential to create objectionable odors.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Air Quality 6: Through the City's project review process, individual projects implemented pursuant to the Land Use Plan will be evaluated to determine their potential for creating

objectionable odors that would potentially impact a substantial number of persons. Where project-specific analysis determines that objectionable odors will occur, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.

Finding/Facts in Support of the Finding Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed GPU will allow the types and quantity of land uses that have the potential to create objectionable odors. As development proposals occur, project-level analysis of odor impacts will be addressed. Additionally, future industrial and commercial development which implements the proposed Land Use Plan that could generate potentially objectionable odors will be subject to SCAQMD Rule 402 governing odor emissions. Any objectionable odor may be reported to the SCAQMD, which resolves complaints through investigation. A Notice to Comply/Notice of Violation will be issued when necessary.

However, through implementation of mitigation measure MM Air Quality 6, potential impacts associated with objectionable odors will be reduced to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because individual projects implemented pursuant to the Proposed Land Use Plan will be evaluated to determine their potential for creating objectionable odors that would potentially impact a substantial number of persons. Where project-specific analysis determines that objectionable odors will occur, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.

References: RP-EIR, pages 3.6-14 through 3.6-20, and 3.6-35.

3.2.7 GREENHOUSE GAS EMISSIONS

- a. **Impact:** Under forecasted business-as-usual conditions, and accounting for the full extent of the growth permitted under the General Plan, Lake Elsinore's GHG emissions are projected to increase to 1,064,565 MT CO₂e in 2020, which is equivalent to 7.4 MT CO₂e per resident or employee in the City's service population, and to 2,028,819 MT CO₂e in 2030, which equates to 6.7 MT CO₂e per resident or employee in the City's service population.

The combination of state-level measures and local strategies and measures identified in the CAP will allow Lake Elsinore to meet, if not exceed, the overall service population target of 6.6 MT CO₂e/SP in 2020 and 4.4 MT CO₂e/SP in 2030.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

No mitigation measures beyond implementation of the strategies and measures set forth in the proposed Climate Action Plan and compliance with the goals, policies and implementation programs identified in the proposed GPU are required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that greenhouse gas (GHG) emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate enough GHG emissions to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects contribute substantially to the phenomenon of global climate change and its associated environmental impacts.

As part of the proposed project, the City of Lake Elsinore has prepared a Climate Action Plan. The City of Lake Elsinore Climate Action Plan (CAP) is a long-range plan to reduce community-wide greenhouse gas (GHG) emissions from activities within the City limits. The CAP is designed to:

- Benchmark Lake Elsinore's existing (2008) GHG emissions and projected emissions relative to statewide emissions targets.
- Establish GHG emissions reduction strategies and measures to reduce the City's proportionate share of emissions to meet the statewide targets identified in Assembly Bill (AB) 32 and Executive Order S-3-05.
- Set forth procedures to monitor and verify the effectiveness of the CAP and require amendment if the CAP is not achieving targeted levels of emissions.
- Mitigate Lake Elsinore's GHG emissions impacts (by reducing GHG emissions consistent with the State of California via the California Environmental Quality Act [CEQA] Guidelines, AB 32, and Executive Order S-3-05). The CEQA Guidelines encourage the adoption of plans or mitigation programs as a means

of comprehensively addressing the cumulative impacts of projects (see CEQA Guidelines, Sections 15064(h)(3), 15130(c)).

Table 3.7-8 in the RP-EIR provides a summary of the GHG reductions that would result from the state-level and local measures listed above in Table 3.7-6 of the RP-EIR. Together, the measures would reduce emissions by 399,244 MT CO₂e by 2020 and 768,105 MT CO₂e by 2030. As a result, 2020 emissions would be 665,341 MT CO₂e or 4.6 MT CO₂e/SP in 2020 and 1,263,966 MT CO₂e or 4.2 MT CO₂e in 2030. Therefore, implementation of the strategies and measures set forth in the proposed Climate Action Plan and compliance with the proposed GPU goals, policies and implementation measures will reduce potential greenhouse gas emissions to below target levels and will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, inasmuch as the City will be able to achieve established AB 32 and Executive Order S-3-05 target GHG emission reduction levels, the proposed project will result in less-than-significant impacts associated with GHG emissions.

References: RP-EIR, pages 3.7-32 through 3.7-34 and Table 3.14-6 (Climate Action Plan Strategies and Measures), pages 4.0-11 through 4.0-12; General Plan Chapter 4.0 (Resource Protection and Preservation) Goal 14, Policies 14.1 through 14.4 and related Implementation Program.

3.2.8 BIOLOGICAL RESOURCES

- a. **Impact:** Implementation of the proposed project would result in permanent impacts on the various habitats present throughout the City and SOI that support candidate, sensitive, or special status plant and animal species. Habitat impacts include direct removal through clearing and development, as well as indirect encroachment by new uses placed in or adjacent to natural areas, which in turn would affect plant and wildlife species residing within the area, including special-status species.

Although it is the intent of the proposed project to minimize habitat impacts, future projects permitted by the GPU Land Use Plan may result in significant impacts and could result in inconsistencies between City policy and land use decision-making and the adopted policies and goals of the MSHCP.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Biological Resources 1: Project-specific analysis of plant and wildlife impacts and habitat impacts completed in accordance with the MSHCP will be required to determine the significance of impacts and identify mitigation measures to reduce the impacts of future developments on plant and wildlife species and vegetation communities to less-than-significant levels.

MM Biological Resources 2: Project-specific analysis of habitat impacts and impacts on special-status wildlife species completed in accordance with the MSHCP and the Resource Protection and Preservation Chapter, Biological Resources Section, Goal 1, Policies 1.1-1.8 and Policy 2.2 will be required to determine the significance of impacts and identify mitigation measures to minimize the impacts to less-than-significant levels.

Finding/ Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that implementation of the proposed project would result in permanent impacts on the various habitats present throughout the City and SOI that support candidate, sensitive, or special status plant and animal species. Habitat impacts include direct removal through clearing and development, as well as indirect encroachment by new uses placed in or adjacent to natural areas, which in turn would affect plant and wildlife species residing within the area, including special-status species. Although it is the intent of the proposed project to minimize habitat impacts, future projects permitted by the GPU Land Use Plan may result in significant impacts and could result in inconsistencies between City policy and land use decision-making and the adopted policies and goals of the MSHCP.

However, sufficient safeguards are in place in the form of federal, state, regional, and local laws, ordinances, plans, and policies to ensure the maximum feasible preservation of, and minimum feasible adverse impacts upon, sensitive habitats and candidate, sensitive, and/or endangered species within the GPU planning area and to ensure project-level consistency with MSHCP as well as the requirements of other resource agencies charged with habitat and species protection. With implementation of the mitigation measures listed above, project impacts will be reduced to less-than-significant levels. The mitigation will reduce the impacts associated the proposed project because individual projects implemented pursuant to the Proposed Land Use Plan will be required identify project-specific impacts as required by LEMC Chapter 19.04 (Habitat Conservation) and would be conditioned to provide mitigation for these potential impacts. In addition, future projects will be required to demonstrate a reduction in impacts to habitat through implementation of the City's continued participation in the

MSHCP including the completion of a MSHCP consistency analysis pursuant to the City's LEAP program, and the MSHCP. The consistency analysis requires site-specific biological surveys and jurisdictional delineations pursuant to existing federal, state, regional, and local regulations and ordinances.

References: RP-EIR, pages 3.8-20 through 3.8-34 and 3.8-46 through 3.8-48; General Plan Chapter 4.0 (Resource Protection and Preservation, Goal 1, Policies 1.1 through 1.8, Goal 2, Policies 2.1 through 2.3 and Policy 3.1, and related Implementation Programs, General Plan District Plan Goals and Policies.

- b. **Impact:** Future development proposed in accordance with the proposed project could result in temporary and/or permanent impacts on wetland habitat and wetland features within the City and the SOI, including Lake Elsinore, the San Jacinto River, and the Temescal Wash. Project development could disturb wetland habitat, result in dredge/fill activities in creeks and rivers, or result in increased sedimentation to wetland features that could adversely affect the feature's viability as a biological resource as a result of site grading, and project drainage. In addition, adverse impacts could occur as a result of activities such as watercourse modification, development-required hardening of slopes adjacent to sensitive watercourses, construction of bridges and crossings, and the introduction of non-native invasive species into wetland or vernal pool habitats. Due to the programmatic level of environmental analysis conducted for this RP-EIR and the lack of site-specific information available, such as grading plans for potential future development projects, the full extent of potential biological impacts resulting from the implementation of the proposed project is not quantifiable at this time.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Biological Resources 3: Individual environmental review conducted for future development projects will be required to identify any impacts on riparian areas and wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

FINDINGS OF FACT



Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that development proposed in accordance with the proposed project has the potential to result in significant wetland impacts. Individual environmental review conducted for future development projects must identify any impacts on wetlands and, in consultation with the appropriate resource agencies, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.

However, existing federal, State, regional and local regulatory environment as well as the implementation of the goals, policies and implementation programs of the MSHCP and the City GPU provide sufficient protection to riparian areas and wetlands within the proposed project planning area, including all District Plan areas and the 3rd Street Annexation Area. Therefore, with the implementation of the mitigation measure listed above, the proposed project and future development projects pursuant to proposed project will have a less-than-significant impact on riparian areas and wetlands. The mitigation would reduce the impacts associated with future projects implemented pursuant to the Proposed Land Use Plan because individual environmental review conducted for future development projects will be required to identify any impacts on wetlands and, in consultation with the appropriate resource agencies and applicable regional plans, must ensure incorporation of adequate mitigation to preserve the viability of these important biological resources.

References: RP-EIR, pages 3.8-20 through 3.8-34 and 3.8-48 through 3.8-50; General Plan Chapter 4.0 (Resource Protection and Preservation, Goal 1, Policies 1.1 through 1.8, Goal 2, Policies 2.1 through 2.3 and Policy 3.1, and related Implementation Programs, General Plan District Plan Goals and Policies.

- c. **Impact:** Implementation of the future projects permitted pursuant to the proposed project could result in the loss of established wildlife movement corridors and the loss or disturbance of nesting habitat for avian species protected by the Migratory Bird Treaty Act.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Biological Resources 4: *Not more than thirty days prior to construction activities that occur between February 1 and August 15 of any year, surveys for nesting bird species shall be conducted by a qualified biologist selected by the developer and approved by the City. If no active*

avian nests are identified on or within 250 feet of the limits of the construction area, up to the limits of the project site, no further mitigation is necessary. Alternatively, to avoid impacts, the City may allow individual projects the option of beginning construction after the previous breeding season for bird species has ended (after August 15) and before the next breeding season begins (before February 15).

MM Biological Resources 5: If active nests for avian species are found within the construction footprint of any future project, construction activities shall be delayed within a minimum 250-foot buffer zone surrounding nests of other special-status avian species until the young have fledged. This buffer zone shall not extend beyond the project site. No action other than avoidance shall be taken without CDFG consultation.

Findings/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that implementation of the future projects permitted pursuant to the proposed project could result in the loss of established wildlife movement corridors and the loss or disturbance of nesting habitat for avian species protected by the Migratory Bird Treaty Act.

However, all future projects within the City's jurisdiction, implemented pursuant to proposed project are subject to the provisions of the California Fish and Game Code, the California Endangered Species Act, and the federal Migratory Bird Treaty Act. Through compliance with the goals, policies and implementation measures of the proposed project and through compliance with the applicable provisions of the MSHCP and with implementation of the above-listed mitigation measures, the potential for adverse impacts to migratory birds as defined by the MBTA and to wildlife corridors would be reduced to a less-than-significant level. The proposed mitigation measures shall apply to activities in all District Plan areas and in the 3rd Street Annexation Area.

References: RP-EIR, pages 3.8-20 through 3.8-34 and 3.8-51 through 3.8-52; General Plan Chapter 4.0 (Resource Protection and Preservation, Goal 1, Policies 1.1 through 1.8, Goal 2, Policies 2.1 through 2.3 and Policy 3.1, and related Implementation Programs, General Plan District Plan Goals and Policies.

- d. **Impact:** Implementation of existing State, federal, regional, and local regulatory requirements, including GPU goals, policies and implementation programs, together with implementation of applicable mitigation measures contained herein, would ensure that implementation of the proposed project, and the future development projects

FINDINGS OF FACT



derived from it, would not make a cumulatively considerable contribution to cumulative biological resource impacts within either the Elsinore Area Plan jurisdiction area or the area covered by the LESJWA.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Biological Resources 1 through MM Biological Resources 5 is required.

Findings/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the proposed project is consistent with implementation of MSHCP and with the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) and therefore will have a less-than-significant impact upon the provisions of an adopted habitat conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

While the proposed project would not result in any specific development project, the proposed GPU Land Use Plan could facilitate future developments. Future development activities could result in potential conflicts with plans and policies that are designed to mitigate avoid potential environmental affects. However, implementation of existing State, federal, regional, and local regulatory requirements, including GPU goals, policies and implementation programs, together with implementation of the above-listed mitigation measures, would ensure that implementation of the proposed project, and the future development projects derived from it, would not make a cumulatively considerable contribution to cumulative biological resource impacts within either the Elsinore Area Plan jurisdiction area or the area covered by the LESJWA, and is therefore impacts upon biological resources are not considered to be cumulatively significant.

References: RP-EIR, pages 3.8-20 through 3.8-34 and 4.0-7 through 4.0-8; General Plan Chapter 4.0 (Resource Protection and Preservation, Goal 1, Policies 1.1 through 1.8, Goal 2, Policies 2.1 through 2.3 and Policy 3.1, and related Implementation Programs, General Plan District Plan Goals and Policies.

3.2.9 HYDROLOGY AND WATER QUALITY

- a. **Impact:** Development consistent with the GPU could result in increased non-point source and point source contamination from common urban sources, construction activity, and vehicle use. This pollution could have a potentially significant impact on surface and groundwater quality.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Hydrology 1: *The following goals and policies of the GPU must be implemented as a part of future development to mitigate potential impacts associated with 1) alteration of drainage patterns and associated erosion; 2) development within the 100 year floodplain and 3) water quality:*

- *Flooding and Floodplains Policies 5.1-5.2*
- *Water Resources Policies 4.1-4.4*
- *Biological Resources Policies 1.1-1.8 and 2.1-2.2*

Findings/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that development consistent with the GPU could result in increased non-point source and point source contamination from common urban sources, construction activity, and vehicle use. The increased pollutants carried in runoff into the streams, rivers, and lake in and around the City is a potentially significant impact of the implementation of the GPU. Impacts on surface water quality also affect groundwater quality because groundwater is recharged through percolation in the watercourses and in exposed soils.

GPU Biological Resources Policies 1.1-1.4 require the City to adhere to MSHCP policies and encourage barriers between development and MSHCP Conservation Areas. These policies protect the water and hydrology of the San Jacinto River, which is proposed to have a buffer of open space and floodway designation. In addition, Policy 2.2 discourages development in riparian areas, which will help protect the natural drainages from alteration. Water Resources Policies 4.1, and 4.2 require development

projects to obtain an NPDES permit and implementing BMPs is an effective way to reduce the amount of pollutants being discharged into the drainage system. Biological Resources Policies 1.1 through 1.4 call for implementation of the MSHCP to preserve wetlands and natural drainages which drain into Lake Elsinore, such as the waterways of the San Jacinto River. In addition, project level assessment must be prepared for any future development for hydrology or groundwater and surface water quality impacts. Because the lake is polluted, Water Resources Goal 4 and its related policies, address protecting and improving the water quality of the lake. Implementing Flooding and Floodplains Policies 5.1-5.2 at the project level would ensure that projects avoid exposing people or property to flooding. Compliance with the goals, policies and implementation programs of the proposed project and implementation of mitigation measure MM Hydrology 1 will reduce potential impacts to less-than-significant-levels.

References: RP-EIR, pages 3.9-18 through 3.9-33; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 5, Policies 5.1 and 5.2 and related Implementation Program, Chapter 4.0 (Resources Protection and Preservation) Goal 1, Policies 1.1 through 1.4, Policy 2.2, Goal 4, Policies 4.1 through 4.4 and related Implementation Program.

- b. **Impact:** Development consistent with the GPU could result in altered drainage patterns, significantly increasing the potential for erosion throughout the City, especially where hillsides are developed with residential uses.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Same as mitigation measure MM Hydrology 1, above.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that development consistent with the GPU could result in altered drainage patterns, significantly increasing the potential for erosion throughout the City, especially where hillsides are developed with residential uses. Alteration of drainage patterns would result in substantial erosion within the City. Impacts on drainage patterns within the City and SOI can be mitigated by goals and policies of the GPU. The following goals and policies for biological resources, open space, and water quality address the hydrologic resources issues. Biological Resources Policies 1.1-1.4 require the City to adhere to MSHCP policies and encourage barriers between development and areas described for

conservation as a part of the MSHCP. These policies protect the water and hydrology of the San Jacinto River, which is proposed to have a buffer of open space and MSHCP land. In addition, Policy 2.2 discourages development in riparian areas, which will help protect the natural drainages from alteration. Therefore, compliance with the goals, policies and implementation programs of the proposed project and implementation of mitigation measure MM Hydrology 1 will reduce potential impacts to less-than-significant-levels.

References: RP-EIR, pages 3.9-33 through 3.9-34; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 5, Policies 5.1 and 5.2 and related Implementation Program, Chapter 4.0 (Resources Protection and Preservation) Goal 1, Policies 1.1 through 1.4, Policy 2.2, Goal 4, Policies 4.1 through 4.4 and related Implementation Program.

- c. **Impact:** Increased development throughout the City and SOI would potentially result in significant alteration of the drainage patterns by altering or extending grading within any of these streams. Any development within the 100-year floodplain would be subject to potentially significant flooding impacts.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

Same as mitigation measure MM Hydrology 1, above.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that portions of future development consistent with the GPU would be subject to 100-year flooding within the City and development within the 100-year floodplain would be a potentially significant impact. However, the following GPU policies avoid exposing people or property to flooding: Flooding and Floodplains Policies 5.1-5.2. These policies require new development to be constructed above the 100-year base flood elevation, in conformance with all applicable provisions of the National Flood Insurance Program and that the City utilize the Capital Improvement Program for storm drainage projects and maintenance and improvement of local storm drain systems including channels, pipes, and inlets to ensure capacity for maximum runoff flows. Therefore, compliance with existing regulatory requirements and implementation of mitigation measure MM Hydrology 1 will reduce potential impacts to less-than-significant levels.

References: RP-EIR, page 3.9-34; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 5, Policies 5.1 and 5.2 and related Implementation Program.

- d. **Impact:** Increased development throughout the project area and throughout western Riverside County could result in increased non-point source and point source contamination from common urban sources, construction activity, and vehicle use. Additionally, more people could be exposed to potential flooding and impacts from debris flows. However, through compliance with existing regulatory requirements, compliance with the goals, policies and implementation programs of the proposed GPU and implementation of mitigation measure MM Hydrology 1 potential cumulative impacts related to hydrology and water quality will be less than significant.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measure MM Hydrology 1 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that development consistent with the GPU could result in increased non-point source and point source contamination from common urban sources, construction activity, and vehicle use. The increased pollutants carried in runoff into the streams, rivers, and lake in and around the City is a potentially significant impact of the implementation of the GPU. Impacts on surface water quality also affect groundwater quality because groundwater is recharged through percolation in the watercourses and in exposed soils.

GPU Biological Resources Policies 1.1-1.4 require the City to adhere to MSHCP policies and encourage barriers between development and MSHCP Conservation Areas. These policies protect the water and hydrology of the San Jacinto River, which is proposed to have a buffer of open space and floodway designation. In addition, Policy 2.2 discourages development in riparian areas, which will help protect the natural drainages from alteration. Water Resources Policies 4.1, and 4.2 require development projects to obtain an NPDES permit and implementing BMPs is an effective way to reduce the amount of pollutants being discharged into the drainage system. Biological Resources Policies 1.1 through 1.4 call for implementation of the MSHCP to preserve wetlands and natural drainages which drain into Lake Elsinore, such as the waterways

of the San Jacinto River. In addition, project level assessment must be prepared for any future development for hydrology or groundwater and surface water quality impacts. Because the lake is polluted, Water Resources Goal 4 and its related policies, address protecting and improving the water quality of the lake. Implementing Flooding and Floodplains Policies 5.1-5.2 at the project level would ensure that projects avoid exposing people or property to flooding. Compliance with the goals, policies and implementation programs of the proposed project and implementation of mitigation measure MM Hydrology 1 will reduce potential impacts to less-than-significant-levels.

References: RP-EIR, pages 4.0-14 through 4.0-15; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 5, Policies 5.1 and 5.2 and related Implementation Program, Chapter 4.0 (Resources Protection and Preservation) Goal 1, Policies 1.1 through 1.4, Policy 2.2, Goal 4, Policies 4.1 through 4.4 and related Implementation Program.

3.2.10 HAZARDS AND HAZARDOUS MATERIALS

- a. **Impact:** Increased development throughout the City and SOI in accordance with the Land Use Plan could expose people to potentially significant hazards from use of hazardous materials and the disposal of hazardous waste.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Hazards 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with use and storage of hazardous materials and disposal of hazardous waste through implementation of Policies 3.1 through 3.4 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter.

MM Hazards 2: Individual projects implemented pursuant to the Land Use Plan within the District Plans will be required to demonstrate their avoidance of significant impacts associated with exposure to hazardous materials through implementation of Policy 3.5 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter. Proposed development projects on or adjacent to the SARI line in these districts would be required to analyze risks specific to sensitive land uses and the extent of the subsurface components involved with building in these locations.

MM Hazards 3: Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate their avoidance of significant impacts associated with use and storage of hazardous materials and disposal of hazardous waste through implementation of Policies 3.1 through 3.4 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that an increase in the generation, storage, and disposal of household hazardous wastes would be associated with buildout of the GPU. In addition to increased household sources of hazardous materials and waste, new commercial and industrial land uses proposed under the GPU could also indirectly increase hazardous materials use and waste generation as more facilities are built. Commercial and industrial generators of hazardous waste are strictly regulated by the Riverside County Fire Department and applicable federal, state, and local regulations. All new development allowed under the GPU would be subject to these regulations. In addition to regulations, the policies under Goal 3 of the Hazardous Materials section of the Public Safety and Welfare chapter provide measures to ensure that waste reduction programs are implemented by waste generators and that regulations are strictly adhered to and regular inspections are performed to ensure that safe use and storage practices are in place for commercial and industrial operations. Potential impacts from population increase under the GPU and potential hazards from the use, handling, and disposal of hazardous materials; exposure of employees to hazardous working conditions; and the creation of a substantial risk to public health or safety due to unusual risk of accident would be potentially significant.

Therefore, through compliance with the goals, policies and implementation programs of the proposed GPU and implementation of the mitigation measures listed above would reduce the potential hazards and hazardous materials impacts of the proposed project, including the Proposed Land Use Plan and GPU, to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because Goal 3 and its associated policies under the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter of the GPU include measures to keep all hazardous materials generators within the City and SOI in compliance with regulations and continue to avoid any public health and safety impacts. Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with use and storage of hazardous materials and disposal of

hazardous waste through implementation of Policies 3.1 through 3.4 of the Hazards and Hazardous Materials section of the Public Safety and Welfare chapter. These policies require continuation of household hazardous waste collection and education programs. Hazardous waste generators must also be in compliance with the Riverside County Hazardous Waste Management Plan.

References: RP-EIR, pages 3.10-12, 3.10-16, and 3.10-20 through 3.10-23; General Plan Chapter 3.0 (Public Safety and Welfare), Goal 3, Policies 3.1 through 3.5 and related Implementation Program.

- b. **Impact:** The Land Use Plan would allow development of residential and commercial uses in the vicinity of the airport. However, no features of the GPU or the Land Use Plan would conflict with requirements of the FAA regarding proximity of development to airports. All future development proposed within proximity to the airport would be required to comply with FAA regulations to ensure that future residents or employees are not subject to significant hazards.

The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a potentially significant land use compatibility impact at a programmatic level.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Hazards 4: Proposed development projects within the Skylark Airport Influence Area, as shown on Figure 2.7 of the General Plan, will be evaluated for consistency with continued operations at the airport. The project applicant of each such development project shall comply with the applicable requirements of the Federal Aviation Administration (FAA) regarding any encroachment into the airport's navigable airspace in accordance with Federal Aviation Regulations (FAR) Part 77.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the Land Use Plan would allow development of residential and commercial uses in the vicinity of the

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airport. However, no features of the GPU or the Proposed Land Use Plan would conflict with requirements of the FAA regarding proximity of development to airports. All future development proposed within proximity to the Skylark Airport would be required to comply with FAA regulations to ensure that future residents or employees are not subject to significant hazards.

Within the traffic pattern zone of Skylark Airport, the Caltrans Division of Aeronautics' Airport Land Use Planning Handbook recommends no more than 3 du/acre and exclusion of areas that attract large assemblages of people to minimize hazards including fuel spills. Low-medium residential areas (1-6 du/acre) currently exist and are designated in the Land Use Plan adjacent to the airport use area. The potential inconsistencies of future development with the densities allowed for in the Land Use Planning Handbook are considered to be a potentially significant land use compatibility impact at a programmatic level. However, each project will be reviewed for its consistency with the Land Use Planning Handbook Recommendations when individual projects are proposed. This review will include analysis and subsequent review under CEQA. Therefore, through compliance with applicable regulatory requirements and mitigation measure listed above, potential impacts related to Skylark Airport will be less than significant.

References: RP-EIR, pages 3.10-10, 3.10-11, 3.10-15, and 3.10-24 through 3.10-25; Final RP-EIR, pages 2.0-114 and 3.0-9.

- c. **Impact:** New development under the GPU would extend into areas of the SOI that are considered highly susceptible to wildfires.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Hazards 5: Individual projects implemented pursuant to the Land Use Plan in each District and within the 3rd Street Annexation Area will be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through implementation of all policies under the Wildfire Hazards section of the Public Safety and Welfare chapter.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the wildfire susceptibility of the City and its SOI is defined as ranging from moderate to very high. New development under the GPU would extend into areas of the SOI that are considered highly susceptible to wildfires. A fire that ignites in these areas has the potential to spread to areas within the SOI. Therefore, a substantial risk of loss and damage exists to new developments in these areas. However, with prevention strategies and response programs, these risks can be reduced greatly. Nevertheless, increased development throughout the City and SOI in accordance with the proposed Land Use Plan could expose more people and additional development to potentially significant hazards from wildfires.

However, the mitigation measure listed above would reduce potential impacts of the Proposed Land Use Plan and GPU related to wildfire hazards to less than significant. The mitigation would reduce the impacts associated with future projects because Goal 4 and its associated policies in Chapter 3.0 (Public Safety and Welfare), Section 3.4 (Wildfire Hazards) of the GPU include measures to prevent and be sufficiently prepared for wildfire occurrences in the City and SOI. Individual projects implemented pursuant to the Proposed Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with wildfire hazards through implementation of all policies under the Wildfire Hazards section of the Public Safety and Welfare chapter. The policies in this chapter require brush clearance, use of low fuel landscaping and fuel modification zones, and fire resistant building techniques.

References: RP-EIR, pages 3.10-14 through 3.10-17, and 3.10-26 through 3.10-27; General Plan Chapter 3.0 (Public Safety and Welfare), Goal 4, Policies 4.1 through 4.4 and related Implementation Program.

- d. **Impact:** With implementation of the policies of the GPU, all project-related impacts related to hazards and hazardous materials would be reduced to less than significant levels. State, federal, regional and local regulations would apply to development within the project area and throughout western Riverside County, thereby reducing the potential for cumulative impacts associated with hazards and hazardous materials to a less than significant level. The proposed project's incremental contribution to these impacts would be less than cumulatively considerable.

Mitigation: The impact will be mitigated with implementation of the following mitigation:

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In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Hazards 1 through MM Hazards 5 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the increase in local population and employment that will occur with implementation of the proposed project in conjunction with development elsewhere in western Riverside County; would result in the increased use of hazardous household, commercial and industrial materials and increased exposure from use of hazardous materials and the disposal of hazardous waste and to hazards related to wildland fires and airport operations.

With implementation of the policies of the GPU, all project-related impacts related to hazards and hazardous materials would be reduced to less-than-significant levels. State, federal, regional and local regulations would apply to development within the project area and throughout western Riverside County, thereby reducing the potential for cumulative impacts associated with hazards and hazardous materials to a less-than-significant level. The proposed project's incremental contribution to these impacts would be less than cumulatively considerable.

References: RP-EIR, pages 4.0-13 through 4.0-14; General Plan Chapter 3.0 (Public Safety and Welfare), Goal 3, Policies 3.1 through 3.5, Goal 4, Policies 4.1 through 4.4, goal 5, Policies 5.1 and 5.2 and the related Implementation Programs.

3.2.11 GEOLOGY/SOILS

- a. **Impact:** Increased development throughout the City and SOI in accordance with proposed project has the potential to cause impacts involving exposure of people or property to the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, landslides, lateral spreading, subsidence, or collapse.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Geology and Soils 1: Individual projects implemented pursuant to the proposed project will be required to demonstrate their avoidance of significant impacts associated with seismic hazards including ground-shaking, liquefaction, landslides, subsidence and collapse through implementation of all goals and policies under the Land Use section of the Community Form Chapter and the Seismic Activity section of the Public Safety and Welfare chapter of the GPU.

MM Geology and Soils 2: The City shall continue to enforce the seismic design provisions for Seismic Zone 4 of the California Building Code, including near-source seismic conditions for all new construction in the City.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that increased development throughout the City and SOI in accordance with proposed project has the potential to cause impacts involving exposure of people or property to the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, landslides, lateral spreading, subsidence, or collapse.

However, the City regulates development (and reduces potential seismic impacts) under the requirements of the 2010 California Building Code (CBC) (adopted and modified by the Elsinore Municipal Code Title 15) and project-specific mitigation measures. The potential seismic hazards would be sufficiently mitigated for buildings designed and constructed in conformance with current CBC and industry-accepted engineering standards. Moreover, the General Plan Update proposes, through implementation of Chapter 3, Policy 6.1, to take actions to encourage structural repairs to buildings and structures to meet current Building Code standards related to seismic safety. This action could reduce potential structural damage, particularly of existing, aging structures.

Additionally, future development would be subject to compliance with the provisions of Chapters 17.28 and 17.32 of the City's Zoning Code (Title 17 LEMC) that would reduce seismic hazards to less-than-significant levels. Among other requirements, applicants of future development within the City would be required to prepare geological and geotechnical investigations in areas of potential seismic or geologic hazards, as part of the environmental impact and development review process. Regulatory requirements

and GPU goals, policies and implementation programs that would be implemented during the project review process include:

- Continue to require Alquist-Priolo and other seismic analyses be conducted for new development to identify the potential for ground shaking, liquefaction, slope failure, seismically induced landslides, expansion and settlement of soils, and other related geologic hazards for areas of new development in accordance with the Fault Rupture Hazard Overlay District adopted by the City of Lake Elsinore Zoning Code. The City may require site-specific remediation measures during permit review that may be implemented to minimize impacts in these areas. [GPU Public Safety and Welfare Policy 6.3, LEMC Chapter 17.32 and Title 15]
- Through project review and the CEQA processes the City shall assess new development and reuse applications for potential hazards, and shall require compliance with Alquist-Priolo and other guidelines where appropriate. The City shall not approve proposals and projects for development or redevelopment, which do not provide for mitigation of seismic or geologic hazards to the satisfaction of the reviewing departments and agencies. [GPU Public Safety and Welfare Implementation Program, LEMC Chapters 17.28 and 17.32]
- The City shall require preliminary geological investigations of tract sites by State-registered geotechnical engineers and certified engineering geologists (in accordance with the California Building Code). [LEMC Title 15]

Therefore, with project-level compliance with the goals, policies and implementation programs of the proposed project, provisions of the City's Municipal Code, and the 2010 CBC, and implementation of the above-listed mitigation measures, there would be less than significant impacts involving the exposure of people or structures to potential substantial adverse effects involving seismic hazards, including strong seismic ground shaking, ground lurching/settlement, and liquefaction/lateral spreading.

References: RP-EIR, pages 3.11- 20 through 3.11-24 and 3.11- 26 through 3.11-32; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 6, Policies 6.1 and 6.2 and related Implementation Program.

- b. **Impact:** Increased development throughout the City and SOI in accordance with the proposed project would increase the potential for significant exposure of people or property to the risk of property loss, injury, or death resulting from expansive and corrosive soils hazards.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Geology and Soils 3: Individual projects implemented pursuant to the proposed project will be required to demonstrate their avoidance of significant impacts associated with expansive or corrosive soils through implementation of the policies under the Seismic Activity section of the Public Safety and Welfare chapter.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that expansive and corrosive soils are widely distributed throughout Riverside County and likely exist within the City and its SOI. Increased development throughout the City and SOI in accordance with the proposed project would increase the potential for significant exposure of people or property to the risk of property loss, injury, or death resulting from expansive and corrosive soils hazards.

The potential impacts associated with expansive and corrosive soils would be sufficiently mitigated for buildings designed and constructed in conformance with current CBC and industry-accepted engineering standards. Additionally, in accordance with Policy 6.2 of the Seismic Activity section of the Public Safety and Welfare chapter of the GPU applicants for future development within the City and its SOI would be required to prepare geological and geotechnical investigations in areas of potential seismic or geologic hazards, as part of the environmental impact and development review process. With project-level compliance with the goals, policies and implementation programs of the proposed project, the cited provisions of the Municipal Code, and 2010 CBC requirements, and implementation of the mitigation measure listed above, there would be less-than-significant impacts involving risks associated with expansive and corrosive soils.

References: RP-EIR, pages 3.11- 20 through 3.11-24 and 3.11- 33; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 6, Policies 6.1 and 6.2 and related Implementation Program.

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- c. **Impact:** With implementation of the policies of the GPU as, previously cited, the applicable provisions of the LEMC, and proposed mitigation measures, potential cumulative impacts related to geotechnical hazards, expansive soils, corrosive soils, landslides and subsidence within the City and SOI would be less than significant with mitigation incorporated.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Geology and Soils 1 through MM Geology and Soils 3 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that future development pursuant to the General Plan Update within the City and its SOI, considered with other cumulative projects in the region, could incrementally increase in the number of people and properties potentially exposed to impacts involving seismic or geologic hazards. However, the City would regulate future cumulative development under the requirements of the Title 15, Title 17.28 and 17.32 of the LEMC, the goals, policies and implementation programs of the GPU, and project-specific mitigation measures. Impacts involving seismic and geologic hazards would be sufficiently addressed by designing and constructing buildings in conformance with current California Building Cod (CBC) and industry-accepted engineering standards.

Additionally, all future development in the GPU planning area would be subject to compliance with GPU Public Safety and Welfare and Land Use policies and properties that are exposed to higher risk would be required to comply with the provisions of LEMC Title 17.32 and 17.28 and thus would be required to prepare geological and geotechnical investigations in areas of potential seismic or geologic hazards, as part of the environmental impact and development review process. With adherence to the cited GPU policies, the mitigation measures listed above, the provisions of the cited sections of the LEMC, and CBC requirements for all future development within the City and its SOI, the General Plan Update's contribution to geologic cumulative effects is considered less than cumulatively considerable and potential impacts will be less than significant.

References: RP-EIR, pages 4.0-9 through 4.0-11; General Plan Chapter 3.0 (Public Safety and Welfare) Goal 6, Policies 6.1 and 6.2 and related Implementation Program.

3.2.12 PUBLIC SERVICES

- a. **Impact:** Potential impacts would result from population increase and increased development throughout the City and SOI in accordance with the proposed Land Use Plan and potential substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for police, fire, school, library, and animal control would be potentially significant. Individual projects implemented pursuant to the Land Use Plan would also result in potentially significant impacts associated with public services related to police, fire, school, library, and animal control.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Public Services 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with public services related to 1) police service, 2) fire protection, 3) schools, 4) libraries, , and 5) animal control through implementation of the following:

- Compliance with applicable State and local laws and regulations,
- Policy 1.6 of the Community Form chapter, Land Use section,
- Policies 8.1 through 8.4 under Goal 8 of the Community Facilities and Protection Services section of the Public Safety and Welfare chapter, and
- Goals 9 through 11 and associated policies of the Community Facilities and Protection Services section of the Public Safety and Welfare chapter addressing schools, libraries, and animal control services.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the increase

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in development allowed under the proposed Land Use Plan would require increases in the availability and adequacy of public services including police and fire protection, schools, libraries, and animal control services. Potential substantial adverse physical impacts associated with the provision and construction of new or physically altered governmental facilities would result from implementation of the district plans in accordance with the proposed Land Use Plan. These impacts would occur as a result of maintaining acceptable service ratios, response times, or other performance objectives for these public services and facilities.

However, with implementation of the goals, policies and implementation programs of the GPU and the mitigation measure listed above, potential impacts on public facilities and services within the City and SOI would be mitigated to a less-than-significant level. The mitigation would reduce the impacts associated with future projects because the goals and policies of the GPU require coordination with the responsible agencies to ensure that future projects would provide adequate facilities and would not adversely affect the ability of the agency to meet existing or future demand.

References: RP-EIR, pages 3.14-11, 3.14-12 and 3.14-15 through 3.14-22; General Plan Chapter 2.0 (Community Form) Goal 1, Policy 1.6, Chapter 3.0 (Public Safety and Welfare), Goal 8, Policies 8.1 through 8.4, Goal 9, Policies 9.1 through 9.2, Goal 10, Goal 11, Policies 11.1 and 11.1, and related Implementation Programs, General Plan Country Club Heights District Plan Goal 6a, Policy CCH 6.1 and related Implementation Program, and Lake View District Plan Goal 1.

- b. **Impact:** With the population growth allowed by the Proposed Land Use Plan, cumulative impacts are inevitable. With the provisions made in the goals and policies in planning efforts by County agencies and other service providers, implementation of future development in accordance with the Proposed Land Use Plan would not have significant cumulative impacts upon these services.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Public Services 1 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that future regional growth would result in increased demand for public services including police and fire protection, schools, libraries, and animal control. Currently, the City of Lake Elsinore contracts with the County of Riverside Sheriff's Department for police services and with the Riverside County Fire Department for fire protection services. These agencies also provide service in unincorporated areas and other cities in western Riverside County. The City of Lake Elsinore is part of the Riverside County Library System and it contracts with a private company called Animal Friends of the Valley (AFV) for all animal control services. Planning efforts by these County service providers and by affected school districts take anticipated growth of the planning area and neighboring cities and unincorporated County areas into account.

The applicable goals and policies for each public service in the proposed GPU and implementation of the above-cited mitigation measure ensure adequacy and availability of these services and facilities as development occurs. With the population growth allowed by the Proposed Land Use Plan, cumulative impacts are inevitable. With the provisions made in the goals and policies in planning efforts by County agencies and other service providers, implementation of future development in accordance with the Proposed Land Use Plan would not have significant cumulative impacts upon these services.

References: RP-EIR, pages 4.0-22 through 4.0-23; General Plan Chapter 2.0 (Community Form) Goal 1, Policy 1.6, Chapter 3.0 (Public Safety and Welfare), Goal 8, Policies 8.1 through 8.4, Goal 9, Policies 9.1 through 9.2, Goal 10, Goal 11, Policies 11.1 and 11.1, and related Implementation Programs, General Plan Country Club Heights District Plan Goal 6a, Policy CCH 6.1 and related Implementation Program, and Lake View District Plan Goal 1.

3.2.13 PARKS AND RECREATION

a. **Impact:** The population increase associated with increased development throughout the City and SOI in accordance with the proposed Land Use Plan would potentially result in substantial adverse physical impacts associated with the increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

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In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Parks and Recreation 1: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with community services related to parks and recreation through implementation of the following:

- Policies under Goals 8 and 9 of the Parks and Recreation section of the Community Form chapter.
- Policies 1.1 and 2.1 of the Community Form chapter, Land Use section.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the increase in development allowed under the Land Use Plan would require increases in availability and adequacy of parks and other recreational facilities would potentially result in substantial adverse physical impacts associated with the increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The goals and policies pertaining to parks and recreation in the GPU include extensive measures to provide adequate parkland, programs, and recreational facilities and opportunities and establish funding mechanisms to ensure quality recreational services that meet the needs of the population as it grows. These policies and implementation programs require that the City:

- continue to utilize the City of Lake Elsinore Parks and Recreation Master Plan as a guide for decision-making and implementation of the Parks and Recreation Program,
- meet parkland acreage requirements,
- require accessibility for special needs individuals,
- develop a trails network for equestrians and hikers,
- utilize the development review process to examine existing and future needs for park facilities and programs to ensure adequate quantity, quality, type and distribution,

- require parkland in-lieu or exaction fees or parkland dedication for new developments, and
- explore the use of public-private partnerships, corporate sponsorships, and leasing agreements that provide for additional parks and recreational facilities.
- utilize the development review process to examine existing and future needs for park facilities and programs to ensure adequate quantity, quality, type and distribution.
- include Policies 1.1 and 2.1 of the Community Form chapter, Land Use section because policies pertaining to land use include measures that require open space dedication and encourage development of recreational uses; Policy 2.1 also encourages development of parks around the Lake.

The land use designations shown on the proposed Land Use Plan and the goals, policies and implementation programs under the Parks and Recreation section and the Land Use section of the Community Form chapter and the District Plans of the GPU include measures to reduce potential impacts on parks, recreation, and open space. Therefore, with implementation of those goals, policies and implementation programs and the mitigation measure listed above, potential impacts would be considered less than significant at a programmatic level. Individual projects implemented pursuant to the Proposed Land Use Plan will be required to demonstrate their avoidance of significant impacts associated with community services related to parks and recreation through implementation of these goals and policies.

References: RP-EIR, pages 3.15-18 through 3.15-23; General Plan Chapter 2.0 (Community Form) Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.5, Goal 8, Policies 8.1 through 8.7, Goal 9, Policy 9.1 and related Implementation Programs, and General Plan District Plan Goals and Policies.

- b. **Impact:** The proposed project will provide sufficient acreage to meet the projected parks needs of the residents of the City of Lake Elsinore. Inasmuch as the City will be able to provide adequate park and recreation services to serve its future population, potential impacts are not considered to be cumulatively significant.

Mitigation: The impact will be mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measure MM Parks and Recreation 1 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the increase in development allowed under the proposed Land Use Plan would require increases in availability and adequacy of parks and other recreational facilities. The goals and policies pertaining to parks and recreation in the GPU include extensive measures to provide adequate parkland, programs, and recreational facilities and opportunities and establish funding mechanisms to ensure quality recreational services that meet the needs of the population as it grows.

There are 16 existing park facilities (approximately 125.1 acres) and four recreational facilities totaling 21,000 square feet in the City of Lake Elsinore, with 12 additional parks and three recreational facilities slated for future development. However, the dominant parkland in the City is Lake Elsinore. Lake Elsinore is the largest natural freshwater lake in southern California with 3,000 surface acres and over 14 miles of shoreline and includes the 86-acre Lake Elsinore Recreational Area Campground. Although not designated as recreational land by the proposed Land Use Plan, this property is and will for perpetuity be used for public park and recreation purposes. Therefore, the proposed project will provide sufficient acreage to meet the projected parks needs of the residents of the City of Lake Elsinore. Inasmuch as the City will be able to provide adequate park and recreation services to serve its future population, potential impacts are not considered to be cumulatively significant. With implementation of the policies of the GPU and the above-cited mitigation measure, potential cumulative impacts related to parks and recreation within will be less than significant.

References: RP-EIR, pages 3.15-2 through 3.15-9, pages 4.0-19 through 4.0-20; General Plan Chapter 2.0 (Community Form) Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.5, Goal 8, Policies 8.1 through 8.7, Goal 9, Policy 9.1 and related Implementation Programs, and General Plan District Plan Goals and Policies.

3.3 FINDINGS REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

Environmental impacts identified in the Final RP-EIR as potentially significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final RP-EIR and set forth herein, are described

in this section. The applicable environmental issue areas include Transportation and Circulation, Noise and Air Quality.

3.3.1 TRANSPORTATION AND CIRCULATION

- a. **Impact:** With implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. Therefore, implementation of the GPU and Land Use Plan could result in potentially significant impacts on traffic levels within the City and SOI.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measures are required:

MM Transportation 1: *The intersection of Old Franklin Street at Auto Center Drive shall be configured as a through street parallel to I-15, with the overcrossing of the freeway forming a "T" intersection.*

MM Transportation 2: *Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts through implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program as well as the goals and policies set forth by the Circulation Section of the Community Form Chapter. With implementation of these goals and policies, individual projects implemented in accordance with the GPU and Land Use Plan would not result in significant and unavoidable adverse impacts on traffic levels.*

MM Transportation 3: *Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate their avoidance of significant impacts through:*

- *implementation of the ultimate roadway and intersection classifications and improvements shown on the Land Use Plan and the Capital Improvement Program;*
- *the goals and policies set forth by the Circulation Section of the Community Form Chapter;*
- *implementation of improvements to signalization and the curve radius for the alignment from 2nd Street to Camino Del Norte identified in the Traffic Study.*

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. Therefore, implementation of the GPU and Land Use Plan could result in potentially significant impacts on traffic levels within the City and SOI.

However, through implementation of the GPU goals, policies and implementation programs and the above-listed mitigation measures, all study area intersections would operate at acceptable LOS during peak hours after implementation of the proposed improvements. In addition, some intersections currently warrant a traffic signal and additional intersections would warrant a traffic signal with buildout of the GPU.

The actual construction of the required intersection and roadway improvements cannot be determined with certainty. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed project's traffic and circulation impacts to below the level of significance. Therefore, the proposed project will cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) and even after mitigation, will remain significant.

References: RP-EIR, pages 3.4-64 through 3.4-109 and Appendix C (3rd Street Annexation Environmental Initial Study) and Appendix D (Traffic Studies); General Plan Chapter 2.0 (Community Form), Goal 6, Policies 6.1 through 6.5 and related Implementation Program, and General Plan District Plan's Goals and Policies.

- b. **Impact:** With implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed project's traffic and circulation impacts to below the level of significance. Therefore, cumulative impacts will remain significant and unavoidable.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Transportation 1 through MM Transportation 5 is required.

Finding/Facts in Support of the Finding Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that with implementation of the GPU, all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements assuming buildout of the City and growth in the region by the 2030 horizon. With implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. However, through implementation of the GPU goals, policies and implementation programs and the above-listed mitigation measures, all study area intersections would operate at acceptable LOS during peak hours after implementation of the proposed improvements.

However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed project's traffic and circulation impacts to below the level of significance. Therefore, the proposed project will cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) and even after mitigation, cumulative impacts will remain significant and unavoidable

References: RP-EIR, pages 3.4-64 through 3.4-109, pages 4.0-24 through 4.0-26 and Appendix C (3rd Street Annexation Environmental Initial Study) and Appendix D (Traffic Studies); General Plan Chapter 2.0 (Community Form), Goal 6, Policies 6.1 through 6.5 and related Implementation Program, and General Plan District Plan's Goals and Policies. v

3.3.2 NOISE

- a. **Impact:** Implementation of the GPU would increase the number of vehicles utilizing the local circulation system and place new receptors (including residences, commercial developments, etc.) near roadways that experience varying levels of traffic noise. Additional vehicles on roadways would result in additional noise generated along the affected roadways, and more receptors adjacent to noisy roadways would mean that more people would potentially be affected by traffic noise conditions.

In accordance with the GPU, projects will be required to demonstrate their compliance with the relevant noise standards, but where projects do not comply, specific mitigation measures will be required. Due to the programmatic nature of noise analysis on this project, such impacts and mitigation measures cannot be identified at this time.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Noise 1: In accordance with the policies of the Lake Elsinore General Plan Update and the City's Zoning Code, the City shall require the applicant for any future development to analyze the impacts of increased traffic volume on noise conditions along affected roadways. Where project-specific analysis concludes that noise standards may be exceeded, the City shall require binding mitigation measures that will reduce the traffic noise to acceptable levels.

For projects placing noise-sensitive land uses adjacent to or in the vicinity of a major roadway, the City shall require the project applicant to demonstrate the new use's compliance with City standards regarding traffic noise received on the site. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the noise received to acceptable levels. However, in some cases where realignments or upgrades of roadways are proposed or traffic levels will increase substantially like that anticipated for I-15, SR-74, Riverside Drive, Grand Avenue, Lakeshore Drive, and Lake Street there may be no mitigation that would adequately reduce future traffic noise as experienced by existing land uses or future development projects, resulting in significant and unmitigated impacts at the project level.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that an increase in traffic volume throughout the local and regional circulation system as a result of GPU implementation has the potential to generate noise levels along roadway corridors that would exceed standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. The corridors of I-15, SR-74, and Railroad Canyon Road are particularly sensitive to additional traffic noise due to the substantial noise levels currently generated along these routes. Considering that at project buildout the 65 Ldn contour would extend beyond existing conditions, additional existing and planned residential areas in proximity to major public roadways could be subject to exterior noise levels that exceed City standards. As a result, traffic levels at buildout of the GPU could result in significant noise impacts on existing land uses.

Additionally, developments implemented in accordance with the proposed project have the potential to place new receptors in areas that would receive traffic noise (both existing and future) exceeding standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards and to reduce traffic-related noise. Placement of new uses in areas subject to excessive traffic noise would also be considered a significant impact.

The proposed project addresses the potential significant noise impacts that may result from its implementation in its Proposed Land Use Plan by avoiding juxtaposition of incompatible future uses wherever possible and by requiring consideration of the City's noise standards set forth in the General Plan and the City's Zoning Code. The mitigation measure listed above would reduce the potential impacts of the Proposed Land Use Plan and GPU related to traffic-related noise levels to less-than-significant levels. The mitigation would reduce the impacts associated with future projects because compliance with City standards would ensure that potential impacts would be mitigated to a less-than-significant level. The City shall require project applicants for any future development to analyze the impacts of increased traffic volume on noise conditions along affected roadways. Where project-specific analysis determines that noise standards may be exceeded, then the City shall require binding mitigation measures that will reduce the traffic noise to acceptable levels. However, in some cases where realignments or upgrades of roadways are proposed or traffic levels will increase substantially like that anticipated for I-15, SR-74, Riverside Drive, Grand Avenue, Lakeshore Drive, and Lake Street there may be no mitigation that would adequately reduce future traffic noise as experienced by existing land uses or future development projects, resulting in significant and unmitigated impacts at the project level.

FINDINGS OF FACT



References: RP-EIR, pages 3.5-19 through 3.5-22, 3.5-25 through 3.5-40, and 3.5-44 through 3.45; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policies 7.1 through 7.5 and related Implementation Program.

- b. **Impact:** Since the traffic associated with the proposed project in conjunction with the increased traffic generated by cumulative growth would extend the 70 dBA, 65 dBA and 60dBA Ldn contours beyond existing conditions, cumulative long-term traffic-related noise impacts would be significant and unavoidable.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Noise 1 through MM Noise 10 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that an increase in traffic volume throughout the local and regional circulation system as a result of GPU implementation has the potential to generate noise levels along roadway corridors that would exceed standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. The corridors of I-15, SR-74, and Railroad Canyon Road are particularly sensitive to additional traffic noise due to the substantial noise levels currently generated along these routes. Traffic-related cumulative noise impacts were considered as part of the noise analysis provided in Section 3.5 (Noise) of the RP-EIR, since the future traffic projections used for the noise analysis were generated by a traffic model that considered growth under the proposed project in conjunction with projected area-wide traffic. Considering that the 65 Ldn contour would extend beyond existing conditions, additional existing and planned residential areas in proximity to major public roadways could be subject to exterior noise levels that exceed City standards. Since the traffic associated with the proposed project in conjunction with the increased traffic generated by cumulative growth would extend the 70 dBA, 65 dBA and 60dBA Ldn contours beyond existing conditions, cumulative long-term traffic-related noise impacts would be significant and unavoidable.

On a programmatic basis, all noise impacts would be less than significant if GPU policies and the above-cited mitigation measures are implemented. It is the ultimate intent of the GPU policies and the mitigation measures detailed above to reduce significant noise impacts for GPU and 3rd Street Annexation projects to less-than-significant levels. However, due to the programmatic level of noise analysis for this EIR it is impossible to make a definitive statement that all noise-related impacts associated with increased traffic noise on existing land uses and future development projects would be reduced to a less-than-significant level through policies proposed in the GPU. This increased traffic noise would be contributing to significant and unavoidable cumulative impacts.

References: RP-EIR, pages 3.5-19 through 3.5-22, 4.0-17 through 4.0-19; General Plan Chapter 3.0 (Public Health and Welfare), Goal 7, Policies 7.1 through 7.5 and related Implementation Program.

3.3.3 AIR QUALITY

- a. **Impact:** The development shown in the proposed Land Use Plan will generate additional regional area- and mobile-source emissions over time from both stationary sources and mobile sources.

GPU buildout would drastically exceed project-level emissions thresholds established by the SCAQMD. The discrepancy between thresholds and estimated emissions are somewhat misleading, however, as the thresholds are intended to identify individual projects that emit excessive amounts of regulated pollutants, and the GPU is a much larger endeavor than a stand-alone development project.

Buildout of the GPU would also result in emission of pollutants for which the SCAB is in nonattainment of federal and/or state standards.

The GPU would obstruct implementation of the AQMP by not contributing to its goals of regional reductions of air pollutant emissions in the region, and it would conflict with the AQMP in its inconsistency with AQMP projections for pollutant emissions.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

FINDINGS OF FACT



MM Air Quality 2: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate a reduction in impacts on air quality from operational emissions through implementation of goals and policies listed within the General Plan. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that GPU buildout would drastically exceed project-level emissions thresholds established by the South Coast Air Quality Management District (SCAQMD). The discrepancy between thresholds and estimated emissions are somewhat misleading, however, as the thresholds are intended to identify individual projects that emit excessive amounts of regulated pollutants, and the GPU is a much larger endeavor than a stand-alone development project. Buildout of the GPU would also result in emission of pollutants for which the South Coast Air Basin (SCAB) is in nonattainment of federal and/or state standards. The GPU would obstruct implementation of the Air Quality Management Plan (AQMP) by not contributing to its goals of regional reductions of air pollutant emissions in the region, and it would conflict with the AQMP in its inconsistency with AQMP projections for pollutant emissions

Implementation of the policies set forth in the GPU and the above-cited mitigation measure would reduce operational emissions impacts associated with future development in the City; however, considering that the region is in federal and state nonattainment status for certain criteria pollutants, such policies do not ensure that future development and associated emissions will not continue to contribute to regional nonattainment status for these pollutants. As a result, no mitigation is available that would reduce this impact to a less-than-significant level.

References: RP-EIR, pages 3.6-14 through 3.6-20 and 3.6-24 through 3.6-34; General Plan Chapter 2.0 (Community Form) Goal 6, Policy 6.4, Goal 7, Policy 7.1 and related Implementation Program, Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.3 and related Implementation Programs, Chapter 4.0 (Resource Protection and Preservation) Policy 14.2.

- b. **Impact:** The regional and cumulative impacts on CO, NO_x, and O₃ concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP, and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would be considered significant.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Air Quality 3: Individual projects implemented pursuant to the Land Use Plan within each District Plan will be required to demonstrate a reduction in impacts on air quality from operational emissions through implementation of the General Plan's goals and policies. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that the 2007 AQMP established a program to reduce the SCAB's emissions based on 2004 SCAG population projections. As discussed in Section 3.1 (Land Use and Planning) and Section 3.13 (Population and Housing) of the RP-EIR, the GPU would accommodate a population increase that surpasses current SCAG projections. GPU would accommodate a population increase that surpasses current SCAG projections. The GPU would obstruct implementation of the AQMP by not contributing to its goals of regional reductions of air pollutant emissions in the region, and it would conflict with the AQMP in its inconsistency with AQMP projections for pollutant emissions. Control measures in the AQMP include: promotion of lighter color roofing and road materials; requiring clean fuels, supporting alternative fuels, and reducing petroleum dependency; pursuit of long-term advanced technologies measures; process modifications and improvements; best management practices; and market incentives. However, no mitigation is available that would make the GPU consistent with the AQMP and reduce this impact to a less-than-significant level. This obstruction and conflict are a significant air quality impact

that cannot be mitigated through implementation of the air quality-related measures set forth in the GPU.

Non-vehicular operational emissions resulting from activities associated with residential and nonresidential development anticipated under the GPU would incrementally add to total air emissions. Implementation of the policies set forth in the GPU would reduce operational emissions impacts associated with future development in the City; however, considering that the region is in federal and state nonattainment status for certain criteria pollutants, such policies do not ensure that future development and associated emissions will not continue to contribute to regional nonattainment status for these pollutants. As a result, the contribution of development and associated operational emissions anticipated with buildout of the GPU to violation of state and federal ambient air quality standards would be a significant impact on air quality.

The above-cited mitigation measure and the proposed project's policies would reduce the impact of implementation of the GPU in association with the future development process. However, the regional and cumulative impacts on other criteria pollutants concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would still be considered significant.

References: RP-EIR, pages 3.6-14 through 3.6-20 and 3.6-24 through 3.6-34; General Plan Chapter 2.0 (Community Form) Goal 6, Policy 6.4, Goal 7, Policy 7.1 and related Implementation Program, Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.3 and related Implementation Programs, Chapter 4.0 (Resource Protection and Preservation) Policy 14.2.

- c. **Impact:** The land use designation changes would result in more commercial areas, which could increase traffic emissions. Development proposed in accordance with the Land Use Plan within the 3rd Street Annexation could result in short- and long-term impacts related to air quality that would be considered significant.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Air Quality 4: Individual projects implemented pursuant to the Land Use Plan within the 3rd Street Annexation will be required to demonstrate a reduction in impacts on air quality from

operational emissions through compliance with the General Plan's goals and policies. Where project-specific analysis determines that air quality standards may be exceeded, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable. All applicants for future development shall comply with AQMP control measures so as to reduce this impact to the greatest extent possible.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that GPU buildout within the boundaries of the 3rd Street Annexation would exceed project-level emissions thresholds established by the South Coast Air Quality Management District (SCAQMD). The discrepancy between thresholds and estimated emissions are somewhat misleading, however, as the thresholds are intended to identify individual projects that emit excessive amounts of regulated pollutants, and the GPU and the 3rd Street Annexation is a larger endeavor than a stand-alone development project. Buildout would also result in emission of pollutants for which the South Coast Air Basin (SCAB) is in nonattainment of federal and/or state standards.

Implementation of the policies set forth in the GPU and the above-cited mitigation measure would reduce air quality impacts associated with future development in the 3rd Street Annexation Area; however, considering that the region is in federal and state nonattainment status for certain criteria pollutants, such policies do not ensure that future development and associated emissions will not continue to contribute to regional nonattainment status for these pollutants. As a result, no mitigation is available that would reduce this impact to a less-than-significant level.

References: RP-EIR, pages 3.6-14 through 3.6-20 and 3.6-34; General Plan Chapter 2.0 (Community Form) Goal 6, Policy 6.4, Goal 7, Policy 7.1 and related Implementation Program, Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.3 and related Implementation Programs, Chapter 4.0 (Resource Protection and Preservation) Policy 14.2.

- d. **Impact:** New development under the GPU could result in the exposure of sensitive receptors to air pollutants.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, the following mitigation measure is required:

MM Air Quality 5: Individual projects implemented pursuant to the Land Use Plan will be required to demonstrate avoidance of significant impacts on air quality emissions associated with sensitive land uses. Where project-specific analysis determines that air quality emissions will adversely affect sensitive receptors, the City shall require mitigation measures that will reduce the emissions to the greatest extent practicable.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that new development under the GPU could result in the exposure of sensitive receptors to air pollutants. Commercial land uses are planned in proximity to sensitive receptors such as residential and recreational land uses. The SCAQMD and the CARB monitor most stationary sources of air pollutants that would be associated with commercial and industrial development through the issuance of emissions permits and monitoring of operations. Goals and policies within the GPU would mitigate the potential effects of exposure of sensitive receptors to air pollutants by providing buffers between emissions sources and sensitive receptors and requiring that air quality mitigation measures are incorporated into design features for sensitive receptors.

However, even with the assessment of implementing development projects for potential air quality impacts upon sensitive receptors, implementation of mitigation measure MM Air Quality 5 and compliance with the goals, policies and implementation programs of the proposed GPU, impacts related to exposure of sensitive receptors to substantial pollutant concentrations may not be reduced to below the level of significance. Therefore, this impact would be considered to be significant.

References: RP-EIR, pages 3.6-14 through 3.6-20 and 3.6-34; General Plan Chapter 2.0 (Community Form) Goal 6, Policy 6.4, Goal 7, Policy 7.1 and related Implementation Program, Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.3 and related Implementation Programs, Chapter 4.0 (Resource Protection and Preservation) Policy 14.2.

- e. **Impact:** The policies would reduce the impact of implementation of the GPU in association with the future development process. However, the regional and cumulative

impacts on other criteria pollutants concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would be considered significant.

Mitigation: The impact will be partially mitigated with implementation of the following mitigation measure(s):

In addition to implementation of the goals, policies and implementation programs identified in the proposed GPU, implementation of mitigation measures MM Air 1 through MM Air 6 is required.

Finding/Facts in Support of the Finding: Changes or alterations have been required in or incorporated into the proposed project which will reduce potentially significant effects on the environment, however, there are no feasible mitigation measures available that will lessen these significant impacts to a less-than-significant level.

Based upon the analysis presented in the RP-EIR and considering the information contained in the Record of Proceedings, the City Council hereby finds that additional development under the proposed project would contribute to regional growth and increase the emission of criteria pollutants in the South Coast Air Basin (SCAB). Emission sources would increase with additional development. The emission sources from anticipated development by the GPU would include stationary sources, consumer products, and mobile sources. The emissions associated with mobile sources would be attributable to a population increase, causing increased traffic within the City limits and trips originating outside the City limits. Increased traffic, lower average speeds, and increased idling times can lead to an increase in local CO concentrations. The portion of the SCAB within which the project area is located is designated as a nonattainment area for ozone (O₃), PM₁₀ and PM_{2.5} under State standards. Under federal standards, the area is designated as a nonattainment area for ozone (O₃), PM₁₀ and PM_{2.5} and serious maintenance for carbon monoxide (CO) under federal standards.

As shown in Table 3.6-10 of the RP-EIR, GPU buildout would drastically exceed project-level emissions thresholds established by the SCAQMD for all criteria pollutants resulting in significant adverse impacts. The goals, policies and implementation programs contained within the proposed GPU include measures that will reduce criteria pollutant emissions, including the reduction of vehicle trips through compatible land use planning, encouragement of alternative transportation methods, and improvement of traffic infrastructure to increase efficiency through coordination with regional and state governments. Future development projects in the City will be evaluated for conformance with the GPU policies related to air quality. These measures include

cooperating with regional and state governments to develop mitigation measures region-wide, and reducing air quality emissions from future development.

However, implementation of the GPU policies related to air quality do not ensure that increased traffic and operational emissions associated with buildout of the General Plan would not contribute to future nonattainment of federal and state standards for criteria pollutants. Therefore the impact of buildout of the GPU related to increased air quality emissions is considered to be significant and not fully mitigated.

References: RP-EIR, pages 3.6-14 through 3.6-20 and 3.6-34, and 4.0-4 through 4.0-7; General Plan Chapter 2.0 (Community Form) Goal 6, Policy 6.4, Goal 7, Policy 7.1 and related Implementation Program, Chapter 3.0 (Public Safety and Welfare), Goal 1, Policy 1.1, Goal 2, Policies 2.1 through 2.3 and related Implementation Programs, Chapter 4.0 (Resource Protection and Preservation) Policy 14.2.

3.4 FINDINGS REGARDING ALTERNATIVES TO THE PROJECT

CEQA requires that the RP-EIR describe a range of reasonable alternatives to the proposed project, or to the location of the project, which could feasibly attain the basic objectives of the project and to evaluate the comparative merits of the alternatives. Section 15126.6(b) of the State CEQA Guidelines states that the *"...discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."*

The proposed project has been compared to three alternative development scenarios, including the No Project alternative as prescribed by CEQA. These alternatives include: 1) No Project (Existing General Plan) Alternative; 2) Alternative 1 - Low Density Alternative and 3) Alternative 2 - High Density Alternative. A comparison of the alternatives is presented below.

Alternatives Comparison

SOCIO-ECONOMIC VARIABLE	QUANTITY DWELLING UNITS			
	PROPOSED LAND USE PLAN	NO PROJECT/ EXISTING GENERAL PLAN ALTERNATIVE ¹	ALTERNATIVE 1 - LOW DENSITY ALTERNATIVE ²	ALTERNATIVE 2 - HIGH DENSITY ALTERNATIVE ²
Total Dwelling Units	94,616	103,395	45,099	99,559
Projected Population	318,856	287,400	151,984	335,514

¹ Source: City of Lake Elsinore 1990 General Plan, page III-15. Assumes 2.78 persons per dwelling unit.
² Assumes 3.37 persons per dwelling unit.

3.4.1 NO PROJECT/NO DEVELOPMENT (NO PROJECT ALTERNATIVE)

CEQA requires that the EIR address a No Project Alternative. For purposes of this RP-EIR, the No Project Alternative is defined as the existing conditions plus the projects that had received planning approvals but were not completed prior to preparation of the Draft GPU. The No Project Alternative also consists of implementing the existing General Plan, zoning and other City regulations, and ordinances without a GPU. At buildout of the existing General Plan, there would be approximately 103,395 dwelling units and a population of 287,400 people.

SUMMARY OF MAJOR ENVIRONMENTAL EFFECTS

Under the No Project Alternative, the City would continue to function under the direction of the existing adopted General Plan policies. As a result certain policies of the proposed project that may result in a reduction of impacts from those associated with the existing general plan, including those in the proposed GPU, Housing Element, Downtown Master Plan and Climate Action Plan, would not be implemented. Considering that implementation of the No Project Alternative would also allow for increased development within the City that would exceed that proposed as a part of the Proposed Land Use Plan the No Project Alternative would not reduce the severity of impacts from that identified for the Proposed Land Use Plan. Additional details regarding potential impacts of the No Project alternative compared with that of the Proposed Land Use Plan and the GPU are provided in Section 5.0 of the RP-EIR. The following is a summary comparison of the No Project Alternative with the Proposed Land Use Plan as well as the new goals and policies of the GPU.

- Greater aesthetic impacts. This alternative would not include General Plan policies that would include improvements to the visual quality of the City or creation of well-defined

public space. Overall, impact would be greater than the proposed project due to having fewer policies to protect scenic resources.

- Greater impacts to air quality. The No Project Alternative would permit as much or more development than the Proposed Land Use Plan and would result in increased air quality impacts;
- Greater greenhouse gas emissions impacts. The No Project Alternative would not include a Climate Action Plan with strategies and measures that would reduce greenhouse gas emissions to below the overall service population target.
- Greater impacts to biological resources. The No Project Alternative would result in greater biological impacts than the Proposed Land Use Plan. The GPU has specific policies that implement the MSHCP which protect biological resources in the region that are not contained in the No Project Alternative and includes open space within and outside the MSHCP planning area which would not be included in the No Project Alternative.
- Similar historic, cultural and paleontological resources impacts.
- Similar impacts to geology and soils and mineral resources.
- Similar impacts relating to hazards and hazardous materials.
- Similar impacts to population and housing.
- Greater impacts to hydrology and water quality. The No Project Alternative would increase offsite runoff due to increased surface coverage by pavements and structures, and the increase could be greater due to unregulated growth in the City.
- Similar impacts to land use.
- Similar agriculture and farmland impacts.
- Similar noise impacts.
- Greater impacts to public services, parks and recreation, and utilities and service systems. Under the No Project Alternative, existing General Plan policies would apply and development would continue to increase, putting additional demand on public services. There may be a larger increase in demand than for the Proposed Land Use Plan with this alternative, considering the projected housing level at buildout is higher.
- Greater impacts to transportation and circulation. Buildout of the City in accordance with the existing General Plan would result in greater impacts on traffic compared with the Proposed Land Use Plan. As shown in Table 5.0-4 of the RP-EIR, the existing General Plan's total number of housing units is greater than the Proposed Land Use

Plan. As a result, the traffic levels anticipated under the existing General Plan would be greater than the Proposed Land Use Plan.

PROJECT OBJECTIVES

Implementation of the No Project Alternative would not meet the objective of the General Plan Update to create a General Plan consistent with state law that guides city planning until 2030. Specifically the City is required by state law to periodically update the General Plan. In addition, under the No Project alternative, the City would continue to function under the direction of the existing adopted General Plan policies.

Certain policies of the proposed project that may result in a reduction of impacts from that associated with the existing general plan would not be implemented. As a result, implementation of the No Project Alternative would not allow the City to achieve the following objectives of the proposed project:

- Update the City's environmental baseline (i.e., existing) conditions to the year 2005 (2007 for the Housing Element).
- Update the Housing Element of the General Plan.
- Establish District Plans as part of the Land Use Element to allow for more focused planning of the City's many diverse neighborhoods.
- Incorporate a Downtown Master Plan into the Historic District Plan to guide the future development of the City's historic downtown core.
- Establish new land use designations including Gateway Commercial, Downtown Recreational, Commercial Mixed Use, Residential Mixed Use, and Lakeside Residential.
- Create a Land Use Plan that encourages the creation of a vibrant and active downtown and a lake destination.
- Create a plan to preserve the unique topography and visual character of the City through the preservation of steep slopes, ecologically significant areas, and public open space.
- Incorporate a program for sustainable development into the General Plan, drawn from the City's Climate Action Plan (2011).
- Create a General Plan that recognizes the rich history of the City and seeks to preserve its historical resources.
- Create a user-friendly plan for City officials, staff, residents, and stakeholders of the City of Lake Elsinore.

FINDINGS OF FACT



In addition, implementation of the No Project Alternative would not eliminate or substantially reduce impacts of the Proposed Land Use Plan. Considering that implementation of the No Project Alternative would also allow for increased development within the City that would exceed that proposed as a part of the Proposed Land Use Plan the No Project Alternative would not reduce the severity of impacts from those identified for the Proposed Land Use Plan.

FEASIBILITY

This alternative is feasible.

COMPARATIVE MERITS

Implementation of the No Project Alternative which consists of implementation of the existing General Plan has no comparative merits to implementing the Proposed Land Use Plan and the goals and policies of the proposed project. Certain policies of the proposed project that may result in a reduction of impacts from that associated with the existing general plan would not be implemented. Considering that implementation of the No Project Alternative would also allow for increased development within the City that would exceed that proposed as a part of the Proposed Land Use Plan, the No Project Alternative would not reduce the severity of impacts from that identified for the Proposed Land Use Plan.

3.4.2 ALTERNATIVE 1 - LOW DENSITY ALTERNATIVE

The Low Density Alternative allows for up to 18 dwelling units per acre. The Low Density Alternative includes the low end of the ranges of permitted density/intensity of use per acre in each land use designation. The Low Density Alternative differs from the Proposed Land Use Plan because the densities are lower than the mid-range densities of the Proposed Land Use Plan. This alternative would allow for fewer dwelling units for those lands designated residential, including hillside, low, low-medium, medium, high, residential mixed use, and commercial mixed use. The Low Density Alternative includes commercial, industrial, and other non-residential. Under the Low Density Alternative, there would be approximately 45,099 dwelling units and a population of 135,159 people at buildout.

SUMMARY OF MAJOR ENVIRONMENTAL EFFECTS

The following is a summary comparison of Alternative 1 - Low Density Alternative with the Proposed Land Use Plan as well as the new goals and policies of the GPU.

- Less aesthetic impacts.

- Less impacts to air quality. Significant and unavoidable impacts to air quality would not be avoided by implementation of this alternative.
- Less greenhouse gas emissions impacts. Since the Low Density Alternative will generate a lower level of greenhouse gas emissions than that of the Proposed Land Use Plan, implementation of the Climate Action Plan (CAP) would enable the City to more easily meet or exceed the overall service population target set forth in the CAP.
- Less impacts to biological resources. A uniform reduction in permitted density would not in and of itself result in substantially different impacts compared to those anticipated under buildout of the Proposed Land Use Plan. If development on more environmentally sensitive parcels was more highly restricted, this alternative could have less impact than the proposed project on those parcels; however, these impacts would still be potentially significant.
- Similar historic, cultural and paleontological resources impacts.
- Similar impacts to geology and soils and mineral resources.
- Less impacts relating to hazards and hazardous materials.
- Less impacts to population and housing.
- Less impacts to hydrology and water quality.
- Less impacts to land use. At its maximum, the Low Density Alternative allows for up to 18 dwelling units per acre. This alternative includes the low end of the ranges of dwelling units per acre in each land use designation. The Low Density Alternative differs from the Proposed Land Use Plan because the residential land use densities are lower than the mid-range densities than the Proposed Land Use Plan. As a result there would be substantially less housing units than that proposed by the Proposed Land Use Plan. Overall, the community character of the area would not significantly change with the implementation of the Low Density Alternative Land Use Plan, but rather would be enhanced, updated, and improved. Established communities will not be divided or changed significantly in a negative way with the implementation of the Low Density Alternative.
- Similar agriculture and farmland impacts.
- Less noise impacts.
- Less impacts to public services, parks and recreation, and utilities and service systems.
- Less impacts to transportation and circulation.

PROJECT OBJECTIVES

Implementation of Alternative 1 - Low Density Alternative would not meet the objective of the General Plan Update to Create a General Plan consistent with state law that guides City planning until 2030. The proposed project is intended to provide adequate housing and commercial services for the anticipated growth within the City and surrounding Sphere of Influence. Implementation of the Low Density Alternative and the associated reduction in the number of housing units would not allow the City to achieve housing goals anticipated for the City and Sphere of Influence as a part of the proposed Housing Element.

The goals and policies of the proposed project would not change with implementation of the Low Density Alternative. As a result, it is anticipated that the following objectives of the proposed project could be achieved with implementation of the Low Density Alternative:

- Update the City's environmental baseline (i.e., existing) conditions to the year 2005 (2007 for the Housing Element).
- Create a General Plan consistent with state law that guides City planning until 2030 and update the General Plan development projections for the year 2030, including projections for dwelling units, non-residential square footage, population and employment.
- Update the Housing Element of the General Plan (separately bound).
- Establish District Plans as part of the Land Use Element to allow for more focused planning of the City's many diverse neighborhoods.
- Incorporate a Downtown Master Plan into the Historic District Plan to guide the future development of the City's historic downtown core.
- Establish new land use designations including Gateway Commercial, Downtown Recreational, Commercial Mixed Use, Residential Mixed Use, and Lakeside Residential
- Create a Land Use Plan that encourages the creation of a vibrant and active downtown and a lake destination.
- Create a plan to preserve the unique topography and visual character of the City through the preservation of steep slopes, ecologically significant areas, and public open space.
- Incorporate a program for sustainable development into the General Plan, drawn from the City's Climate Action Plan (2011)
- Create a General Plan that recognizes the rich history of the City and seeks to preserve its historical resources.

- Create a user-friendly plan for City officials, staff, residents, and stakeholders of the City of Lake Elsinore.

FEASIBILITY

Although initially identified as a potentially feasible alternative, this alternative is infeasible because it does not enable the City to meet its affordable housing targets under the Regional Housing Needs Allocation (RHNA) Plan adopted by the Southern California Association of Governments (SCAG) for the 2008-2014 "fourth" planning period. The City's RHNA was addressed in the City's draft Housing Element which was recently approved by the California Department of Housing and Community Development (HCD). The Low Density Alternative is infeasible because it includes only 67 percent of the High Density Residential land uses that are permitted in the proposed Project which, in turn, reflects the approved Housing Element.

The High Density Residential land use acreage shown on the proposed project is required because density is a critical factor in the development of affordable housing. As a practical matter, maintaining low densities typically increases the cost of construction and land per unit, decreasing the likelihood that the market will produce affordable housing and increasing the amount of public subsidy needed to induce such development. Conversely, higher density development lowers per-unit land cost, thereby facilitating affordable housing construction in a market-driven economy of scale.

The highest residential density permitted by the City's General Plan is 24 units per acre in the High Density Residential land use designation. Density bonuses allow for a density of up to 35 units per acre in the High Density Residential categories. These density ranges encourage the development of housing for low- and very-low income households given factors such as land values and construction costs in Lake Elsinore and the surrounding area are substantially lower than in other Metropolitan Statistical Areas, such as Los Angeles County. Therefore, the reduction in the amount of land designated for High Density Residential uses will adversely affect the City's ability to provide affordable housing and meet its RHNA targets.

Additionally, this alternative is infeasible because although the Low Density Alternative Land Use Plan reflects most of the existing land use entitlements that were established by the City's 18 adopted Specific Plans and existing Development Agreements, it does not include all of the adopted Specific Plans and Development Agreements densities. Inasmuch as the Low Density Alternatives does not reflect all of these land use commitments it could not be implemented without amending Specific Plans and breaching existing Development Agreements, and therefore is found to be infeasible.

COMPARATIVE MERITS

Implementation of Alternative 1 - Low Density Alternative would reduce impacts of the Proposed Land Use Plan related to aesthetics, air quality, greenhouse gas emissions, biological resources, hazards and hazardous materials, population and housing, hydrology and water quality, land use, noise, transportation and circulation, public services, parks and recreation and utilities and service systems due to the decrease in the amount of housing and population anticipated within the City and Sphere of Influence. Potential impacts related to historic, cultural and paleontological resources, geology and soils and mineral resources, and agriculture and farmland would be similar to those of the proposed project. However, implementation of this alternative would not avoid significant and unavoidable impacts of the Proposed Land Use Plan related to air quality, noise and transportation and circulation.

3.4.3 ALTERNATIVE 2 - HIGH DENSITY ALTERNATIVE

The High Density Alternative allows for a buildout that reflects the high end of the ranges of permitted density/intensity of use per acre in each land use designation described in the proposed GPU. This alternative is different from the Proposed Land Use Plan in that the densities for land use designations are higher and would allow a larger number of dwelling units for those areas designated residential, including hillside, low, low-medium, medium, high, residential mixed use, and commercial mixed use. The High Density Alternative includes commercial, industrial, and other non-residential uses. Under the High Density Alternative, there would be approximately 99,559 dwelling units and a population of 296,703 people at buildout.

SUMMARY OF MAJOR ENVIRONMENTAL EFFECTS

The following is a summary comparison of Alternative 1 - Low Density Alternative with the Proposed Land Use Plan as well as the new goals and policies of the GPU.

- Greater aesthetic impacts.
- Greater impacts to air quality. However significant and unavoidable impacts of the High Density Alternative would be similar to those of the Proposed Land Use Plan.
- Greater greenhouse gas emissions impacts. Since this alternative will generate a higher level of greenhouse gases than that of the proposed project, it would be more difficult for the City to meet or exceed the overall service population target described in the Climate Action Plan.
- Greater impacts to biological resources.
- Greater historic, cultural and paleontological resources impacts.

- Similar impacts to geology and soils and mineral resources.
- Greater impacts relating to hazards and hazardous materials.
- Greater impacts to population and housing.
- Greater impacts to hydrology and water quality.
- Greater impacts to land use.
- Similar agriculture and farmland impacts.
- Greater noise impacts.
- Greater impacts to public services, parks and recreation, and utilities and service systems.
- Greater impacts to transportation and circulation.

PROJECT OBJECTIVES

The goals and policies of the GPU would not change with implementation of Alternative 2 - High Density Alternative. As a result it is anticipated that the following objectives of the GPU could be achieved with implementation of the High Density Alternative:

- Update the City's environmental baseline (i.e., existing) conditions to the year 2005 (2007 for the Housing Element).
- Create a General Plan consistent with state law that guides City planning until 2030 and update the General Plan development projections for the year 2030, including projections for dwelling units, non-residential square footage, population and employment.
- Update the Housing Element of the General Plan (separately bound).
- Establish District Plans as part of the Land Use Element to allow for more focused planning of the City's many diverse neighborhoods.
- Incorporate a Downtown Master Plan into the Historic District Plan to guide the future development of the City's historic downtown core.
- Establish new land use designations including Gateway Commercial, Downtown Recreational, Commercial Mixed Use, Residential Mixed Use, and Lakeside Residential
- Create a Land Use Plan that encourages the creation of a vibrant and active downtown and a lake destination.

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- Incorporate a program for sustainable development into the General Plan, drawn from the City's Climate Action Plan (2011)
- Create a General Plan that recognizes the rich history of the City and seeks to preserve its historical resources.
- Create a user-friendly plan for City officials, staff, residents, and stakeholders of the City of Lake Elsinore.

However, visual impacts on aesthetics would be greater under the High Density Alternative than under the Proposed Land Use Plan. This alternative would allow for more development at a higher density, which would likely block more views because of height or proximity to adjacent development. Fewer view corridors would exist between buildings, which would impact views. Development of vacant or underutilized land under this alternative could also result in a significant change to the visual character of the City. Light and glare impacts associated with development of vacant land would be more than the proposed project. As a result, it is not anticipated that the following objective would be achieved with implementation of Alternative 2 - High Density Alternative:

- Create a plan to preserve the unique topography and visual character of the City through the preservation of steep slopes, ecologically significant areas, and public open space.

FEASIBILITY

This alternative is feasible.

COMPARATIVE MERITS

Implementation of Alternative 2 - High Density Alternative would result in greater impacts than the Proposed Land Use Plan related to aesthetics, air quality, greenhouse gas emissions, biological resources, historic, cultural and paleontological resources, hazards and hazardous materials, population and housing, hydrology and water quality, land use, noise, public services, parks and recreation, utilities, service systems and transportation and circulation, due to the increase in the amount of housing and population anticipated with the City and Sphere of Influence. Potential impacts related to geology and soils and mineral resources, and agriculture and farmland would be similar to those of the proposed project. Implementation of this alternative would also result in the same significant and unavoidable impacts as the Proposed Land Use Plan related to air quality, noise and transportation and circulation.

4.0 RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project consists of the following documents, at a minimum:

- The November 15, 2005 and December 5, 2005 Notice of Preparation (NOP) issued by the City in conjunction with the proposed project.
- All comments and correspondence submitted by public agencies and members of the public during a City-hosted public scoping meeting held on November 30, 2005.
- The December 2007 Draft Program EIR and April 2008 Draft Final Program EIR, including appendices and technical studies included or referenced in the December 2007 Draft Program EIR.
- All comments submitted by agencies or members of the public during the 45-day public comment period on the Draft Program EIR which began on or about December 6, 2007.
- All comments and correspondence submitted by members of the public during a City-hosted public meeting on the GPU and Draft EIR held on January 10, 2008.
- All comments and correspondence submitted to the City with respect to the proposed project and the December 2007 Draft Program EIR during public hearings held before the Planning Commission and the City Council.
- The May 26, 2011 Notice of Preparation of a Draft Environmental Impact Report (Reissued) distributed to the State Clearinghouse, responsible agencies, and other interested parties on or about May 26, 2011.
- All comments received from the public and agencies during the public review period for the Reissued NOP.
- The August 2011 Recirculated Draft Program Environmental Impact Report ("RDP-EIR") and December 2011 Final Recirculated Program Environmental Impact Report ("RP-EIR"), including appendices and technical studies included or referenced in the August 2011 RDP-EIR.
- All comments and correspondence submitted by responsible and trustee agencies, interested parties and jurisdictions, or members of the public during the 45-day public comment period on the RDP- EIR which began on or about September 7, 2011.

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- The mitigation monitoring and reporting program (MMRP) for the proposed project.
- All findings and resolutions adopted by the City decision makers in connection with the proposed project, and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed project.
- All documents and information submitted to the City by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the proposed project, the August 2011 Recirculated Draft Program Environmental Impact Report ("RDP-EIR") or the December 2011 Final Recirculated Program Environmental Impact Report ("RP-EIR") through the date the City Council approved the proposed project.
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations.
- Any documents expressly cited in these findings, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code section 21167.6, subdivision (e).

The custodian of the record of proceedings is the City of Lake Elsinore Community Development Department, Planning Division, whose office is located at 130 South Main Street, Lake Elsinore, CA 92530.

The City has relied on all of the documents listed above in reaching its decision on the proposed project, even if every document was not formally presented to the City Council decision-makers as part of the City's files generated in connection with the proposed project.

5.0 STATEMENT OF OVERRIDING CONSIDERATIONS

5.1 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL EFFECTS

The Final Environmental Impact Report (EIR) for the General Plan Update has identified and discussed significant effects that may occur as a result of the proposed project. With implementation of the proposed project including its goals, policies and implementation programs and project-specific mitigation measures identified for each environmental topic, most of the potentially significant impacts can be reduced to a level considered less than significant, except for unavoidable significant impacts as discussed below and in Section 3.0 of the Findings.

The City of Lake Elsinore has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the proposed project. Impacts, in these and all other cases, have been mitigated to the extent considered feasible. Environmental impacts identified in the Final EIR as potentially significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth herein, are described in this section.

5.1.1 TRANSPORTATION AND CIRCULATION

The City, County of Riverside, and Caltrans use different standards to define intersection deficiency. The majority of the study intersections are located within the City (and are thus subject to City criteria for intersection deficiency); four intersections are in the County of Riverside (subject to County criteria). Twelve intersections located on SR 74 have been evaluated based on Caltrans' LOS criteria.

The City of Lake Elsinore, in general, requires that peak-hour intersections operate at LOS "D" or better to be considered acceptable. Therefore, any City intersection operating at LOS "E" or LOS "F" will be considered deficient. However, LOS "E" will be considered acceptable in both the Main Street Overlay area and the Ballpark District Planning Districts in an effort to increase activity and revitalize these areas. Any intersection operating at LOS "F" will be considered deficient.

The Riverside County General Plan established, as a countywide target, a minimum LOS "C" on all County-maintained roads and conventional state highways. As an exception, LOS "D" may be allowed in Community Development areas, at intersections with any combination of Secondary Highways, Major Highways, Arterials, Urban Arterials, Expressways, conventional state highways, or freeway ramp intersections. LOS "E" may be allowed in designated

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community centers to the extent that it would support transit-oriented development and walkable communities.

Caltrans defines LOS "D" with delay less than 45 seconds per vehicle (mid-point of LOS "D") at signalized intersections to be acceptable; any delay longer than this is deficient.

At buildout of the proposed GPU in 2030, all study area intersections are projected to operate at acceptable LOS during the peak hours with improvements that are consistent with the proposed roadway system and the implementation of the GPU Circulation Element and Capital Improvements Program. Therefore, with implementation of the improvements and goals and policies set forth by the Circulation Section of the Community Form Chapter and implementation of the City-wide Capital Improvements Program as a part of future development, impacts of the project on traffic levels would be reduced to less than significant.

However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. It is anticipated that as development that implements the proposed Land Use Plan proceeds, each development will pay for and construct general plan level road improvements on roads adjacent to the development sites. However, the timing of road improvements needed to improve level of service on a regional basis will be determined by the City of Lake Elsinore, other cities in western Riverside County, the County of Riverside and the Riverside County Transportation Commission based upon need and the availability of funding. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed project's traffic and circulation impacts to below the level of significance. Therefore, the proposed project will cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) and even after mitigation, project-related and cumulative impacts will remain significant and unavoidable.

5.1.2 NOISE

An increase in traffic volume throughout the local and regional circulation system as a result of GPU implementation has the potential to generate noise levels along roadway corridors that would exceed standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. The corridors of I-15, SR-74, and Railroad Canyon Road are particularly sensitive to additional traffic noise due to the substantial noise levels currently generated along these routes. At 2030 traffic levels associated with buildout of the GPU, the ADT on the freeways and roadways would increase. As shown by comparing Figures 3.5-2 and 3.5-4 in the RP-EIR, the increase in traffic at GPU buildout would extend the 70 dBA, 65 dBA and 60dBA Ldn contours beyond existing conditions. As

shown in Table 3.5-4 and Table 3.5-5 in the RP-EIR, residential uses are generally incompatible within the 65 Ldn contour. Considering that the 65 Ldn contour would extend beyond existing conditions, additional existing and planned residential areas in proximity to major public roadways could be subject to exterior noise levels that exceed City standards. As a result, traffic levels at buildout of the GPU could result in significant noise impacts on existing land uses.

The intent of the GPU and the Zoning Code is to provide relevant objectives, policies, and standards that would be applied to individual development projects to reduce the traffic noise associated with buildout of the GPU to a less-than-significant level. Many future development projects implemented pursuant to the policies of the GPU and zoning regulations will require project-level analysis of traffic noise impacts, and any related impacts will require project-specific mitigation to assure that receptors are not exposed to traffic noise exceeding allowable levels. However, in some cases where realignments or upgrades of roadways are proposed or traffic levels will increase substantially, such as that anticipated for I-15, Riverside Drive, and Grand Avenue, there may be no mitigation that would adequately reduce future traffic noise as experienced by existing land uses or future development projects, leading to identification of significant and unmitigated impacts at the project level.

Developments implemented in accordance with the GPU have the potential to place new receptors in areas that would receive traffic noise (both existing and future) exceeding standards set forth in the Zoning Code and the General Plan's Noise and Land Use Compatibility Matrix and Interior and Exterior Noise Standards. GPU policy sets forth the City's intent to enforce the Zoning Code and other noise standards and to reduce traffic-related noise. Placement of new uses in areas subject to excessive traffic noise would be considered a significant impact.

On a programmatic basis, all noise impacts would be less than significant if GPU policies are followed. It is the ultimate intent of the GPU policies and the mitigation measures detailed above to reduce significant noise impacts for GPU and 3rd Street Annexation projects to less-than-significant levels. However, due to the programmatic level of noise analysis for this EIR it is impossible to make a definitive statement that all noise-related impacts associated with increased traffic noise on existing land uses and future development projects would be reduced to a less-than-significant level through policies proposed in the GPU. This increased traffic noise would be contributing to significant and unavoidable cumulative impacts.

5.1.3 AIR QUALITY

As shown in Table 3.6-10 in the RP-EIR, GPU buildout would drastically exceed project-level emissions thresholds established by the SCAQMD for all criteria pollutants resulting in significant adverse impacts. The goals, policies and implementation programs contained within

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the proposed GPU, including those listed in Table 3.6-8 and Table 3.4-5 in the RP-EIR include measures that will reduce criteria pollutant emissions, including the reduction of vehicle trips through compatible land use planning, encouragement of alternative transportation methods, and improvement of traffic infrastructure to increase efficiency through coordination with regional and state governments. Future development projects in the City will be evaluated for conformance with the GPU policies related to air quality. These measures include cooperating with regional and state governments to develop mitigation measures region-wide, and reducing air quality emissions from future development. The regional and cumulative impacts on CO, NO_x, and O₃ concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP, and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would be considered significant.

The 2007 AQMP established a program to reduce the SCAB's emissions based on 2004 SCAG population projections. As discussed in Section 3.1 (Land Use and Planning) and Section 3.13 (Population and Housing) of this PEIR, the GPU would accommodate a population increase that surpasses current SCAG projections. The GPU would obstruct implementation of the AQMP by not contributing to its goals of regional reductions of air pollutant emissions in the region, and it would conflict with the AQMP in its inconsistency with AQMP projections for pollutant emissions. Control measures in the AQMP include: promotion of lighter color roofing and road materials; requiring clean fuels, supporting alternative fuels, and reducing petroleum dependency; pursuit of long-term advanced technologies measures; process modifications and improvements; best management practices; and market incentives. However, no mitigation is available that would make the GPU consistent with the AQMP and reduce this impact to a less-than-significant level. This obstruction and conflict are a significant air quality impact that cannot be mitigated through implementation of the air quality-related measures set forth in the GPU.

Non-vehicular operational emissions resulting from activities associated with residential and nonresidential development anticipated under the GPU would incrementally add to total air emissions. Implementation of the policies set forth in the GPU would reduce operational emissions impacts associated with future development in the City; however, considering that the region is in federal and state nonattainment status for certain criteria pollutants, such policies do not ensure that future development and associated emissions will not continue to contribute to regional nonattainment status for these pollutants. As a result, the contribution of development and associated operational emissions anticipated with buildout of the GPU to violation of state and federal ambient air quality standards would be a significant impact on air quality.

5.2 OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits" of the proposed project against its unavoidable environmental risks" in determining whether to approve the project. If the specific benefits of the proposed project outweigh the unavoidable adverse environmental effects, those environmental effects may be considered "acceptable."

Having reduced the adverse significant environmental effects of the proposed project to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the proposed project against its unavoidable adverse impacts after mitigation in regards to air quality, noise and transportation and circulation. While recognizing that the unavoidable adverse impacts regarding air quality, noise and transportation and circulation are significant under CEQA thresholds, the City Council finds that the unavoidable adverse impacts that will result from adoption and implementation of the proposed project are acceptable and outweighed by specific social, economic and other benefits of the project. The City Council further finds that except for the proposed project, all other alternatives set forth in the RP-EIR are infeasible because they would prohibit the realization of project objectives and/or of specific economic, social, and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the proposed project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceedings, as defined in Section 4.0.

The City Council finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts.

5.2.1 PROJECT BENEFITS

- The proposed project will create a General Plan that is consistent with State law and which will guide City planning until 2030.

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- The proposed project and Proposed Land Use Plan would create a user-friendly plan for City officials, staff, and the community of Lake Elsinore.
- The Community Form chapter of the GPU would provide goals and policies as well as a strategic framework to ensure that future development will be designed to encourage land use compatibility, and implementation of an adequate transportation and circulation systems as well as provision of parks and recreation, housing, growth management strategies, and district plans.
- The Public Safety and Welfare chapter of the GPU includes goals and policies to ensure that future development will address issues associated with the safety and welfare of the City's general public. The sections include air quality, hazards and hazardous materials (including natural disasters), community facilities and services and noise.
- The Resource Protection and Preservation chapter sets forth policies and programs to ensure that future development will be designed to encourage preservation of biological resources, open space, water resources, cultural, historical and paleontological resources, aesthetics and a sustainable environment.
- The proposed project and Proposed Land Use Plan would create a General Plan that recognizes the rich history of the City and preserves historical resources.
- The proposed project would create a Land Use Plan and policies that encourage the creation of a vibrant and active downtown and a lake destination.
- The proposed project includes the adoption of a Downtown Master Plan which creates a vision and strategy that benefits the City of Lake Elsinore by identifying the goals, objectives and desires of the community and developing an urban design framework and guidelines that implement them; thereby assuring that future development within the plan area will celebrate the lake, create a vibrant and sustainable downtown, create a civic identity, and improve walkability and connectivity.
- The proposed project and Proposed Land Use Plan will provide housing for the City of Lake Elsinore and Inland Empire's growing population.
- The proposed project and Proposed Land Use Plan will provide for a variety of housing opportunities, ranging in size and affordability to meet the housing needs of the region.
- The proposed project includes an updated Housing Element that is consistent with State law and which will provide an action-plan for maintaining and expanding the housing supply for all income levels in the City of Lake Elsinore for the planning period of July 1,

2008 to June 30, 2014. The Housing Element includes policies and programs that provide for the Identification and analysis of existing and projected housing needs, resources and constraints; a statement of goals, policies, quantified objectives, and scheduled programs for preservation, improvement and development of housing; Identification of adequate sites for housing; and adequate provision for existing and projected needs of all economic segments of the community, including both lower and higher incomes.

- The GPU and Proposed Land Use Plan will provide for increased acreage for recreation uses and open space.
- The proposed project establishes goals, policies and implementation programs that will reduce potential growth-related impacts by providing the framework for a growth management strategy that promotes and maximizes mobility, livability, prosperity, and sustainability in the City. Compliance with these goals, policies and implementation programs and with federal, State and local regulatory requirements will assure that necessary services and infrastructure sufficient to serve the planned growth will be development over the projected buildout period of 20 years. Therefore, the proposed project will direct growth and development so that it occurs in a manner that is manageable for the City and avoids significant physical impacts that result from population growth.
- The proposed project includes a Climate Action Plan (CAP) which will be the City of Lake Elsinore's long-range plan to reduce local greenhouse gas emissions that contribute to climate change. Implementation of the CAP will guide Lake Elsinore's actions to reduce its contribution to climate change and will support the State of California's emissions reduction targets. The CAP is also intended to support tiering and streamlining of future projects within Lake Elsinore pursuant to CEQA Guidelines Sections 15152 and 15183.5.
- The proposed GPU provides for an estimated 19,420,687 square feet of commercial uses, 16,424,826 square feet of industrial uses and 9,344,617 square feet of public institutional uses. By GPU buildout in 2030, there would be an estimated 118,792 employees working within the City and its SOI. The jobs-to-housing ratio based on the GPU would be 1.26, compared to 0.68 based on current SCAG projections. The proposed project's framework for improving the Jobs/Housing Balance in the City of Lake Elsinore will benefit the environment by reducing commute times and distances between residential areas and employment centers and associated environmental effects such as noise, air quality and traffic and will create a higher quality of life for current and future residents of the City.

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- Implementation of the existing General Plan has no comparative merits to implementing the Proposed Land Use Plan and the goals and policies of the proposed project. The total number of housing units permitted with the existing general plan would be 103,395 compared with 94,616 for the Proposed Land Use Plan. The proposed buildout housing level represents a reduction in total housing units from that anticipated by the existing 1990 General Plan. The population projected within the City under the existing General Plan would be 287,400 compared with 318,856 for the Proposed Land Use Plan. However, this is due to an increase in projected average household size from 2.78 persons per dwelling unit to 3.37 persons per dwelling unit. Otherwise due to the overall reduction in the number of housing units, the projected buildout population level would be anticipated to be less than that anticipated by the existing 1990 General Plan. Considering that implementation of the Existing General Plan would allow for increased development and population growth within the City that would exceed that proposed as a part of the Proposed Land Use Plan, development in accordance with the existing General Plan alternative would result in greater impacts to the environment from that identified for the Proposed Land Use Plan.
- The proposed project will facilitate completion of Annexation No. 81 (also referred to as the "3rd Street Annexation") consisting of the proposed annexation of approximately 320 acres from the County to the City. The proposed annexation would allow increased efficiency in service provision to the area, which is almost completely surrounded by incorporated land, and would represent a more orderly planning and development pattern than would occur if the land remained in the County's jurisdiction.

6.0 CERTIFICATION OF THE FINAL RP-EIR

The City of Lake Elsinore has reviewed and considered the Final RP-EIR in evaluating the proposed project. The City Council finds that the Final RP-EIR is an accurate and objective statement that fully complies with CEQA (California Public Resources Code, Sections 21000 et seq.), the State CEQA Guidelines and the City's Procedures for Implementing the State CEQA Guidelines; and that the Final RP-EIR reflects the independent judgment of the City of Lake Elsinore; and that no new significant impacts as defined by State CEQA Guidelines Section 15088.5 have been received by the City after circulation of the Recirculated Draft Program EIR which would require recirculation.

The City Council certifies the Recirculated Program Environmental Impact Report based on the following findings and conclusions:

6.1 FINDINGS

The following significant environmental impacts have been identified in the RP-EIR and, although subject to all goals, policies and implementation programs set forth in the proposed project and all applicable and feasible mitigation measures, the impacts cannot be mitigated to less-than-significant levels:

6.1.1 TRANSPORTATION AND CIRCULATION

- a. **Impact:** With implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. Therefore, implementation of the GPU and Land Use Plan could result in potentially significant impacts on traffic levels within the City and SOI.
- b. **Impact:** With implementation of the Land Use Plan all roadways within the study area would be expected to have substantial traffic volumes and nearly all of the intersection analysis locations would require improvements. However, the actual construction of the required intersection and roadway improvements cannot be determined with certainty. Thus, it is possible that the required improvements will not be constructed in time to mitigate the proposed project's traffic and circulation impacts to below the level of

6.1.2 NOISE

- a. **Impact:** Implementation of the GPU would increase the number of vehicles utilizing the local circulation system and place new receptors (including residences, commercial developments, etc.) near roadways that experience varying levels of traffic noise. Additional vehicles on roadways would result in additional noise generated along the affected roadways, and more receptors adjacent to noisy roadways would mean that more people would potentially be affected by traffic noise conditions.

In accordance with the GPU, projects will be required to demonstrate their compliance with the relevant noise standards, but where projects do not comply, specific mitigation measures will be required. Due to the programmatic nature of noise analysis on this project, such impacts and mitigation measures cannot be identified at this time.

- b. **Impact:** Since the traffic associated with the proposed project in conjunction with the increased traffic generated by cumulative growth would extend the 70 dBA, 65 dBA and 60dBA Ldn contours beyond existing conditions, cumulative long-term traffic-related noise impacts would be significant and unavoidable.

6.1.3 AIR QUALITY

- a. **Impact:** The development shown in the proposed Land Use Plan will generate additional regional area- and mobile-source emissions over time from both stationary sources and mobile sources.

GPU buildout would drastically exceed project-level emissions thresholds established by the SCAQMD. The discrepancy between thresholds and estimated emissions are somewhat misleading, however, as the thresholds are intended to identify individual projects that emit excessive amounts of regulated pollutants, and the GPU is a much larger endeavor than a stand-alone development project.

Buildout of the GPU would also result in emission of pollutants for which the SCAB is in nonattainment of federal and/or state standards.

The GPU would obstruct implementation of the AQMP by not contributing to its goals of regional reductions of air pollutant emissions in the region, and it would conflict with the AQMP in its inconsistency with AQMP projections for pollutant emissions.

- b. **Impact:** The regional and cumulative impacts on CO, NO_x, and O₃ concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP, and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would be considered significant.
- c. **Impact:** The land use designation changes would result in more commercial areas, which could increase traffic emissions. Development proposed in accordance with the Land Use Plan within the 3rd Street Annexation could result in short- and long-term impacts related to air quality that would be considered significant.
- d. **Impact:** New development under the GPU could result in the exposure of sensitive receptors to air pollutants.
- e. **Impact:** The policies would reduce the impact of implementation of the GPU in association with the future development process. However, the regional and cumulative

impacts on other criteria pollutants concentrations related to conflicts or obstruction of the applicable air quality plan, violation of air quality standards set forth by the SCAQMD AQMP and contributions to a cumulatively considerable net increase of a criteria pollutant in a nonattainment region would be considered significant.

6.2 CONCLUSIONS

1. All significant environmental impacts from the implementation of the proposed project have been identified in the RP-EIR and will be mitigated to less-than-significant levels with implementation of the identified mitigation measures, except for the impacts listed above and described in the Statement of Overriding Considerations.
2. Other reasonable alternatives to the proposed project that could feasibly achieve most of the basic objectives of the project have been considered. Some of the alternatives were feasible but did not meet the project objectives; others met the project objectives but were determined not to be feasible. Since the alternatives considered either did not serve to reduce or avoid potentially significant impacts, or because the alternatives offer no feasible means of avoiding the significant effects identified in the Statement of Overriding Considerations, the alternatives are rejected in favor of the proposed project. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed project override and make infeasible any alternatives to the project or further mitigation measures beyond those incorporated into the project.

