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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE RIVERSIDE FREE METHODIST CHURCH DEMOLITION PROJECT, MAKING CERTAIN FINDINGS OF FACT RELATED THERETO, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, ALL PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, an application was submitted by California Baptist University for the proposed demolition of the Riverside Free Methodist Church located at 8431 Diana Avenue in the City of Riverside, California (“Project”); and

WHEREAS, in accordance with the requirements of the California Environmental Quality Act (“CEQA”) (Public Resources Code Section 21000 et seq.), the State of California CEQA Guidelines (“State CEQA Guidelines”) (California Code of Regulations Title 14, Chapter 3, Sections 15000 et seq.) and the City of Riverside (“City”) CEQA Guidelines (collectively “CEQA Regulations”) an Environmental Impact Report (“EIR”) was prepared for the Project; and

WHEREAS, in accordance with the requirements of Section 15082(a) of the State CEQA Guidelines, on December 2, 2014, the City prepared and distributed a Notice of Preparation (“NOP”) to all appropriate responsible and trustee agencies and to all organizations and individuals requesting notice, stating that an EIR would be prepared for the Project and providing for a public review period to begin on December 2, 2014, and ending on January 2, 2015; and

WHEREAS, on December 2, 2014, the NOP was sent to the State Clearinghouse (SCH NO. 2014121011); and

WHEREAS, all responses to the NOP were considered in the preparation of the Draft EIR and interested agencies and individuals were contacted to secure their input; and

WHEREAS, the Draft EIR was completed and a Notice of Completion (“NOC”) and the Draft EIR was filed with the California Office of Planning and Research on or about March 27,

1 2015, in accordance with the provisions of section 15085 of the State CEQA Guidelines; and

2 WHEREAS, copies of the Draft EIR were also sent to various public agencies,  
3 organizations and individuals, made available at the City's Planning Division, at two (2) City  
4 libraries, and on the City's website, and a Notice of Availability ("NOA") of the Draft EIR was  
5 published in the Riverside Press Enterprise, a newspaper of general circulation, mailed to a list of  
6 interested parties, and posted with the Riverside County Clerk's Office; and

7 WHEREAS, the NOC and the NOA provided a 45 day public review period commencing  
8 on March 27, 2015 and ending on May 11, 2015; and

9 WHEREAS, the City received one written comment letter on the Draft EIR during this  
10 public comment period; and

11 WHEREAS, all comments on the Draft EIR concerning environmental issues that were  
12 received during the public review period, as well as those received after the public review period,  
13 were evaluated by the City as the Lead Agency in accordance with Section 15088 of the State  
14 CEQA Guidelines; and

15 WHEREAS, the City's Cultural Heritage Board held a duly notice public hearing on the  
16 Draft EIR on May 20, 2015; and

17 WHEREAS, the City' Planning Commission held a duly noticed hearing on the Draft  
18 EIR on May 21, 2015 and made certain recommendations to the City Council; and

19 WHEREAS, the Final Environmental Impact Report ("FEIR") dated June 15, 2105, for  
20 the Project consists of a revised Draft EIR dated March 25, 2015, comments and  
21 recommendations received on the Draft EIR, responses to comments on the Draft EIR, and list of  
22 persons, organizations and public agencies commenting on the Draft EIR; and

23 WHEREAS, the FEIR contains the elements required by the CEQA Regulations,  
24 including, but not limited to: (a) identification, description and discussion of all potentially  
25 significant environmental effects of the proposed Project; (b) a description of mitigation  
26 measures proposed to minimize potential significant environmental effects on the project  
27 identified in the FEIR; (c) a description of those potential environmental effects which cannot be  
28 avoided or can be mitigated but not to a level of insignificance; (d) a description of a range of

1 reasonable alternatives to the proposed Project and evaluation of the comparative merits and  
2 potential significant environmental effects of the alternatives; (e) a discussion of cumulative  
3 impacts in accordance with the requirements of section 15130 of the State CEQA Guidelines; (f)  
4 a discussion of growth inducing impacts; (g) significant irreversible environmental changes; and  
5 (h) a list of all federal, state and local agencies, other organizations and private individuals  
6 consulted in preparing the FEIR and the firm preparing the FEIR; and

7 WHEREAS, the FEIR includes comments received on the Draft EIR and written  
8 responses to those comments, the focus of which is on the disposition of significant  
9 environmental issues raised in the comments, as specified by CEQA Guidelines section  
10 15088(b); and

11 WHEREAS, the City Council held a duly noticed hearing on the FEIR on June 23, 2015,  
12 at which time all written and oral testimony was received; and

13 WHEREAS, the City Council has been presented with and is familiar with the  
14 information in the administrative record, including the Staff Reports and the written and verbal  
15 testimony submitted thereon, and has reviewed and considered the information in the FEIR for  
16 completeness and compliance with the CEQA Regulations, has independently reviewed and  
17 analyzed the FEIR and has duly heard and considered the Staff Reports and all written and oral  
18 arguments presented at its meeting of June 23, 2015; and

19 WHEREAS, the City has made the written findings set forth in the Facts, Findings and  
20 Statement of Overriding Considerations (“Findings/SOC”) attached hereto as Exhibit “A” and  
21 incorporated herein by reference, for each potentially significant environmental impact identified  
22 in the FEIR pursuant to State CEQA Guidelines Section 15091 based upon all of the evidence in  
23 the administrative record, including, but not limited to the FEIR, written and oral testimony  
24 given at meetings and hearings, and submission of testimony from the public, organizations and  
25 regulatory agencies, and has determined that the Findings contain a complete and accurate  
26 reporting of the environmental impacts and mitigation measures associated with the Project, as  
27 well as complete and accurate reporting of the unavoidable impacts and benefits of the Project;  
28 and

1 WHEREAS, approval of the Project will result in significant effects which are identified  
2 in the FEIR that cannot be avoided or substantially lessened; and

3 WHEREAS, the City has stated in writing the specific reasons to support its action to  
4 approve the Project, despite its significant environmental impacts, based on the FEIR and other  
5 information in the record in the Findings/SOC; and

6 WHEREAS, the City Council certifies that (1) the FEIR for the Project has been  
7 completed in compliance with CEQA; (2) that the FEIR was presented to the City Council, and  
8 that the City Council reviewed and considered the information contained in the FEIR prior to  
9 making a decision on the Project; and (3) the FEIR reflects the City's independent judgment and  
10 analysis, and has reviewed and considered all comments received during the public review  
11 process and at the public hearings; and

12 WHEREAS, the City Council found that the Project identified in the FEIR incorporated  
13 alterations or mitigation measures that avoid or substantially lessen potentially significant  
14 environmental effects associated with the Project to the fullest extent feasible; and

15 WHEREAS, in accordance with the requirements of the CEQA Regulations, a Mitigation  
16 Monitoring and Reporting Program was prepared that identified (i) all feasible measures required  
17 to mitigate potentially significant impacts, and (ii) standards and requirements contained in  
18 Ordinances and State Laws with which the Project will be required to comply, which Mitigation  
19 Monitoring and Reporting Program is attached hereto as Exhibit "B" and incorporated herein by  
20 reference.

21 NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Riverside,  
22 California, and making the following findings, as follows:

23 Section 1: The above recitals are hereby found and determined to be true and correct and  
24 are hereby incorporated herein as if stated in full.

25 Section 2: The City Council hereby certifies the FEIR based on the following findings  
26 and conclusions:

- 27 (a) The FEIR for the Project has been completed and processed in compliance with  
28 the requirements of CEQA;

1 (b) The FEIR was presented to the City Council, and the City Council, as the decision  
2 making body for the City, reviewed and considered the information contained in  
3 the FEIR prior to approving the Project; and

4 (c) The FEIR reflects the City's independent judgment and analysis.

5 Section 3: The City Council hereby finds that any changes to the FEIR in response to  
6 comments received on the Draft EIR merely clarify, amplify or make insignificant modifications  
7 to an already adequate EIR pursuant to CEQA Guidelines Section 15088.5(b) and that no  
8 significant new information has been received that would require recirculation.

9 Section 4: The City Council finds that the Findings/SOC set forth in Exhibit "A,"  
10 attached hereto and incorporated by reference herein as if stated in full, are supported by  
11 substantial evidence in the administrative record and are hereby adopted by the City Council.

12 Section 5: Potential environmental effects have been studied and, except as stated in  
13 Section 9 below, there is no substantial evidence in the record, as a whole, that supports any  
14 argument that the Project, as designed and mitigated, may cause a significant effect on the  
15 environment. No facts, reasonable assumptions predicated on facts, testimony supported by  
16 adequate factual foundation, or expert opinion supported by facts has been submitted that refute  
17 the conclusions reached by the FEIR, studies, data and reports. Nor does anything in the record  
18 alter the environmental determination, as presented, based upon investigation and independent  
19 assessment of those studies, data and reports. No new significant impacts have been raised by  
20 any commenting individual or entity, nor has any significant new information been added to the  
21 FEIR that would require recirculation under State CEQA Guidelines section 15088.5.

22 Section 6: The FEIR dated June 15, 2015 for the Project reflects the independent  
23 judgment of the City based upon the findings and conclusions stated in the FEIR, staff reports,  
24 and in consideration of testimony and information received, and scientific and factual data  
25 presented in evidence during the review process.

26 Section 7: The FEIR dated June 15, 2015, for the Project has been completed and  
27 processed in compliance with the requirements of the CEQA Regulations (both state and local),  
28 and is hereby certified.

1        Section 8: The City Council Finds that the FEIR dated June 15, 2015, has fully examined  
2 the environmental impacts of the Project and, based on the information in the administrative  
3 record, including the analysis in the FEIR, has determined that the impacts on aesthetics,  
4 agriculture and forest resources, air quality, biological resources, cultural resources (except as to  
5 causing a substantial change in the significance of a historical resource), geological resources,  
6 greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land  
7 use/planning, mineral resources, noise, population and housing, public services, recreation, and  
8 transportation/traffic, utilities and service systems, either have no impact, are less than  
9 significant or are potentially significant but that with mitigation the impacts are reduced to less  
10 than significant based on the Findings/SOC set forth in Exhibit “A” attached hereto and  
11 incorporated herein by reference, as well as the findings and analysis contained in the FEIR  
12 (collectively “Findings”), which Findings are supported by substantial evidence contained  
13 therein as well as in the record, and as such, said Findings are hereby adopted by the City  
14 Council.

15        Section 9: The City Council finds that the FEIR dated June 15, 2015, has fully examined  
16 the environmental concerns associated with the Project and, based on the information in the  
17 administrative record, including the analysis in the FEIR, has determined that the following  
18 significant impacts, cultural resources – substantial adverse change in the significance of a  
19 historical resource. As explained in the Findings/SOC attached hereto as Exhibit “A” and  
20 incorporated herein by reference, the City Council finds pursuant to Public Resources Code  
21 section 21081(a)(3) that specific economic, legal, social, technological or other considerations  
22 make infeasible additional mitigation measures or alternatives that would substantially lessen  
23 such impacts. The City Council further finds, pursuant to Public Resources Code section  
24 21081(a)(1) and as explained in the Findings/SOC (Exhibit “A”) that changes or alterations have  
25 been incorporated into the Project which mitigate or avoid those significant impacts identified in  
26 the FEIR to the fullest extent feasible.

27        Section 10: With the exception of the impacts identified in Section 9 above, the City  
28 Council finds that, the Project, including all mitigation measures, conditions, permits and

1 approvals will not have any other significant adverse unmitigated impacts on the environment.  
2 Potential environmental effects have been studied and there is no substantial evidence in the  
3 record, as a whole, that supports any argument that the Project, as designed and mitigated, would  
4 cause a significant effect on the environment, except as to the impacts identified in Section 9.  
5 No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual  
6 foundation, or expert opinion supported by facts has been submitted that refute the conclusions  
7 reached by the FEIR, studies, data and reports. Nor does anything in the record alter the  
8 environmental determination, as presented, based upon investigation and independent assessment  
9 of those studies, data and reports.

10 Section 11: The City Council finds that three (3) alternatives were identified and  
11 analyzed in the FEIR and all were rejected as failing to meet most of the Project objectives, as  
12 introducing new/worse significant environmental impacts as compared to the Project, and/or as  
13 infeasible, due to specific economic, legal, social technological and other considerations  
14 contained in the administrative record, including the FEIR, the Findings/SOC set forth more  
15 fully in Exhibit "A" attached hereto and incorporated herein by reference, and the written and  
16 verbal testimony. Specifically:

- 17 (a) The No Project Alternative was rejected because it failed to meet any of the  
18 Project objectives and does not achieve any of the benefits of the Project.  
19 Specifically, it would not allow for the development of the site consistent with the  
20 California Baptist University Specific Plan.
- 21 (b) The Modified Site Plan Alternative was determined not to be feasible because  
22 even though it would meet some of the Project objectives, the use of the site  
23 would be potentially compromised in its ability to fully accommodate future  
24 planned uses consistent with the California Baptist University Specific Plan.
- 25 (c) The Relocation Alternative was determined not to be feasible because even  
26 though it would meet most of the Project objectives, finding a suitable location  
27 will be difficult because the historic area for relocation is develop and urbanized  
28

1 with few vacant properties. Additionally, due to the size of the church its  
2 relocation will be difficult.

3 Section 12: The City Council has balanced the benefits of the adoption of the Project  
4 against its unavoidable environmental impacts and has determined that for the reasons set forth  
5 below, the economic, legal, social, technological and other benefits of the Project outweigh the  
6 unavoidable adverse environmental effects which have been identified in the Findings discussed  
7 in Section 9 of this Resolution and in Exhibit "A" attached hereto and the adverse environmental  
8 effects are therefore considered acceptable. In making its determination, the City Council has  
9 indicated its intention to approve the Project and hereby adopts the Statement of Overriding  
10 Considerations contained in Exhibit "A" attached hereto and incorporated herein by reference,  
11 which sets forth the considerations made by the City Council. The benefits of implementing and  
12 approving the Project are summarized as follows: (a) The Project will provide development  
13 consistent with current municipal standards, codes and policies. (b) The Project provides  
14 development that improves and maximizes economic viability of a underutilized site by  
15 transitioning the project site into a productive educational and commercial use. (c) The Project  
16 improves infrastructure and public amenities by connecting to a community sewer system, and  
17 installing other utility improvements. (d) The project will allow for the development consistent  
18 with the California Baptist University Specific Plan. These findings are supported by substantial  
19 evidence and the data to support these overriding considerations are found throughout the FEIR,  
20 the supporting comments and responses section of the FEIR, and by information throughout the  
21 administrative record.

22 Section 13: The City Council further finds that the Project will provide numerous  
23 benefits to the City, as stated in Section 12 above, which outweigh its unavoidable environmental  
24 impacts and therefore adopts the Statement of Overriding Considerations as summarized and set  
25 forth in Section 12 above, and attached more fully hereto as Exhibit "A".

26 Section 14: The City Council finds that all significant environmental impacts from  
27 implementation of the Project have been identified in the FEIR and, with the implementation of  
28 the mitigation measures set forth in the Mitigation Monitoring and Reporting Program contained



1 in Exhibit "B" attached hereto and incorporated herein by reference, will be mitigated to a less-  
2 than-significant level, with the exception of the impacts identified in Section 9 above. The City  
3 Council hereby adopts the Mitigation Monitoring and Reporting Program for the Project to  
4 implement the policies, goals and implementation measures identified in the FEIR as necessary  
5 to preclude the need for further mitigation measures. Said Mitigation Monitoring and Reporting  
6 Program, contained in the FEIR and attached hereto as Exhibit "B", is hereby incorporated as  
7 part of the approval of the City Council for the adoption of the Project.

8 Section 15: Specific environmental, economic, social, legal, technical and other  
9 considerations and benefits derived from the development of the Project override and make  
10 infeasible any alternative to the Project or further mitigation measures beyond those incorporated  
11 into this Project.

12 Section 16: The City Council hereby finds that the locations of documents and other  
13 materials which constitute the record of proceedings upon which its decision is based are the  
14 Community Development Department and the City Clerk's Office located at 3900 Main Street,  
15 Riverside, California 92522, and the custodian of such records shall be the Community  
16 Development Director and the City Clerk, respectively.

17  
18 ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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21 \_\_\_\_\_  
22 WILLIAM R. BAILEY, III  
23 Mayor of the City of Riverside

24 \_\_\_\_\_  
25 COLLEEN J. NICOL  
26 City Clerk of the City of Riverside  
27  
28

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly introduced at a meeting of the City Council on the

3 day of , 2015, by the following vote, to wit:  
4

5 Ayes:

6 Noes:

7 Abstain:

8 Absent:  
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11 IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of  
12 the City of Riverside, California, this day of , 2015.  
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14  
15 COLLEEN J. NICOL  
16 City Clerk of the City of Riverside

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Exhibit “A”  
Findings of Fact

**Facts, Findings and Statement of Overriding Considerations  
Regarding the Environmental Effects and the Approval of the  
Riverside Free Methodist Church (RFMC) Demolition Project  
(State Clearinghouse No. 2014121011)**

**I. INTRODUCTION**

The City of Riverside (this “Council”), in certifying the EIR for the Riverside Free Methodist Church (RFMC) Demolition Project and approving a Certificate of Appropriateness authorizing the demolition of the RFMC (the “proposed project”), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report (“EIR”) was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act (“CEQA”). Hereafter, unless specifically identified, the Notice of Preparation (“NOP”), Notice of Availability & Completion (“NOA/NOC”), Draft EIR (“DEIR”), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR (“FEIR”), and the Mitigation Monitoring and Reporting Program (“MMRP”) will be referred to collectively herein as the “EIR.” These Findings are based on the entire record before the City, including the EIR. The City adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by the City.

**II. PROJECT SUMMARY**

**A. PROJECT DESCRIPTION**

**1. Site Location**

The approximately 3.14-acre project site is located at 8431 Diana Avenue in Riverside, California, in the southeast portion of the California Baptist University (CBU) Riverside campus, approximately 107 feet north of State Route 91 (SR-91). The site is bounded by academic facilities associated with CBU to the north, west, and east, and Diana Avenue to the south.

The proposed project site is developed as a church facility with a 3,942-square foot main sanctuary building and 2,340-square foot fellowship hall both constructed in 1963–64, and a 3,360-square foot education building constructed in 1979. The site also contains a paved parking lot, concrete

walkways, ornamental landscaping, a tot lot, and an undeveloped portion of land at the north end of the parcel.

The uses adjacent to the proposed project site are CBU facilities planning and services to the north; SR-91 to the south; a CBU recreation center, a CBU wellness center, Lancer Plaza, and commercial retail space (Harbor Freight) to the east; and CBU student housing (Lancer Arms apartments) to the west. Project location is further discussed in Chapter 2.0, Project Description, of the EIR.

## **2. Project Description**

The proposed project site lies within the California Baptist University Specific Plan (CBUSP) and is designated as Mixed Use/Urban under the CBUSP. In 2013, the City adopted a Mitigated Negative Declaration, (MND), in conjunction with the CBUSP. The MND evaluated potential impacts with the CBUSP project area that included aesthetics, biological resources, greenhouse gas emissions, air quality, land use planning, population and housing, transportation, cultural resources, hazards and hazardous materials, utility services, public services, geology and soils, hydrology, noise, and recreation. The technical, economic, and environmental characteristics evaluated in the MND remain relevant to the proposed project with the exception of an impact upon a cultural resource.

The church facility was evaluated for historical significance in a Cultural Resources survey completed with the CBUSP. The church facility site was found to be eligible for designation as a City Structure of Merit under criteria of Title 20 of the Riverside Municipal Code. Although the church facility is included in the CBUSP, the demolition of the church facility was not analyzed in the MND since CBU did not own the property at the time the MND was adopted. CBU subsequently acquired the property. The proposed project does not identify a replacement use at this time. Any future use shall be consistent with the uses allowed in the CBUSP. The proposed demolition project will consist of site grubbing and clearing; building demolition, salvage, and removal; removal of an on-site septic system; and rough grading. Project activities will take approximately 28 work days occurring over a period of two to three months. The proposed project is anticipated to occur in the latter half of 2015. The church facility has been served by an on-site septic system.. Future development (in accordance with the CBUSP) will need to be connected to the City's sewer system.

The demolition activities associated with the project are:

- Tree and landscape removal; three (3) trees will be relocated to the historic Palm Drive within the campus;

- Existing structure hazardous materials abatement;
- Removal of the on-site septic system;
- Existing structure demolition; and
- Hardscape and foundations demolition.

Tree and landscape removal and existing structure hazardous materials abatement will occur concurrently, the former lasting three days and the latter 10 days. Next, existing structure demolition will occur over approximately five days. Demolition of hardscape and foundations will follow, taking approximately 10 days.

### **3. Actions Covered by the EIR**

The EIR supports the following discretionary and non-discretionary approvals:

- Certificate of Appropriateness application is required for properties that are designated or eligible for designation in accordance with the criteria set forth in the City's Cultural Resources Ordinance (Title 20 of the Riverside Municipal Code). The Certificate of Appropriateness process is intended to ensure that the historic integrity of these properties is maintained whenever exterior improvements are made.
- Certification of the EIR.
- Approval of a Storm Water Pollution Prevention Plan ("SWPPP") to accommodate site runoff during demolition.
- A fugitive dust control plan submitted to the South Coast Air Quality Management District for approval will be required prior to issuance of grading permits (SCAQMD Rule 403).
- Demolition permit.

## **B. PROJECT OBJECTIVES**

The Project Objectives include the following:

- Prepare a site in order to maximize future use by CBU, in accordance with the approved CBU Specific Plan;

- Accommodate future growth of the CBU campus; and
- Remove an on-site septic system to enhance the use of the property and to facilitate a future sewer connection.

### **III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION**

The City has conducted an extensive review of this Project, which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the Notice of Preparation and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On December 2, 2014, the City circulated a Notice of Preparation (“NOP”) that identified the environmental issues that the City anticipated would be analyzed in the Project’s DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- The NOP public review period ran for 30 days, from December 2, 2014 to January 2, 2015. Written comments on the NOP were received from six different agencies. The scope of the issues identified in the comments expressing concern included potential impacts associated with:
  - Suggested guidelines for analyzing air quality impacts associated with demolition activities;
  - Suggested guidelines for identification and mitigation of impacts to Native American cultural resources; and
  - Potential conflicts with natural gas utilities located in the project area.
- As required by CEQA Guidelines Section 15087, a Notice of Completion (NOC) of the Draft EIR State Clearinghouse No. 2014121011 for the proposed project was filed with the State Clearinghouse on March 27, 2015, and the Notice of Availability (NOA) of the Draft EIR was filed with the County of Riverside Recorder on March 27, 2015.
- The Draft EIR was circulated for public review for a period of 45 days, from March 27, 2015 to May 11, 2015. Copies of the Draft EIR were distributed to all Responsible Agencies and to the State Clearinghouse in addition to various public agencies, citizen groups, and interested individuals. Copies of the Draft EIR were also made available for

public review at the City Planning Department, at two area libraries, and on the internet. One (1) comment letter was received on the DEIR. The comment letter was from Sempra Energy (Southern California Gas Company). The City's response to this letter is included in Section 2.0 of the FEIR.

- On June 13, 2015, Notice of the City Council hearing to consider the Project was provided in the Press Enterprise, a newspaper of general and/or regional circulation.
- June 23, 2015, the City held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the City certified the EIR, adopted these Facts, Findings and the Statement of Overriding Considerations, and the further recommendations in the Staff Report, and approved the Project (collectively the "Approvals").

#### **IV. INDEPENDENT JUDGMENT FINDING**

The City retained the independent consulting firm of LSA Associates, Inc. ("LSA") to prepare the EIR for the Project. LSA has prepared the EIR under the supervision, direction and review of the City. The City is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

**Finding:** The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c) (3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant.

##### **A. GENERAL FINDING ON MITIGATION MEASURES**

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted



Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

**Finding:** Unless specifically stated to the contrary in these findings, it is the City's intent to adopt all mitigation measures recommended by the EIR that are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

## **V. ENVIRONMENTAL IMPACTS AND FINDINGS**

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings, and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 of the DEIR, as modified based on the errata changes shown in Section 3.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 2.0 of the FEIR.

The EIR evaluated seven major environmental categories for potential impacts: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Noise, and Transportation and Traffic. Both project-specific and cumulative impacts were evaluated. Of these seven major environmental categories, the City concurs with the conclusions in the EIR that the six major environmental issues and sub issues discussed in Sections V.A and V.B below result in no impact, are less-than-significant without mitigation, or can be mitigated to less-than-significant. For the remaining potential environmental impact that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist that make this potential impact acceptable to the City.

## **A. NO IMPACT OR LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION**

The Riverside City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

### **1. Aesthetics**

**Potential Significant Impacts:** Whether the Project would have a substantial adverse effect on a scenic vista; whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway and/or local scenic road; whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings; and/or whether the Project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

**Findings:** Potential impacts of the Project related to aesthetics are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to aesthetics with the adherence to established City ordinances and development guidelines, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 of the DEIR, the most prominent scenic vistas that can be seen from the western Riverside area are the San Gabriel Mountains and Mount Rubidoux. Due to the topography, landscaping and surrounding buildings, these scenic vistas cannot be seen from the project site. There are no scenic highways within the City that could be potentially affected. The project would not result in a new source of substantial light or glare that would adversely affect day or nighttime views as the project consists of the demolition of existing buildings, which would occur only during daylight hours. No new lighting is proposed or required for the project and no exterior building materials are proposed that would contribute to daytime glare impacts. In addition, the proposed project is not located along or within view of a scenic boulevard, parkway, or special boulevard as designated by the City's General Plan 2025. There are no nearby scenic vistas. The proposed project consists of demolition of existing buildings within an urbanized area completely surrounded by existing development on a college campus. Therefore, all impacts related to aesthetics are less than significant. (DEIR, pg. 3.1-1).

## 2. Agriculture and Forest Resources

**Potential Significant Impacts:** Whether the Project result in the loss of forest land or conversion of forest land to non-forest use; whether the Project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural land use; whether the Project would conflict with existing zoning for agricultural use or a Williamson Act contract; and/or whether the Project would 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)).

**Findings:** Potential impacts of the Project related to agriculture and forest resources are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to agriculture and forest resources, therefore, no mitigation is required.

**Facts in Support of the Findings:** According Section 3.1 of the DEIR, the project is located within an urbanized area. A review of Figure OS-2 – Agricultural Suitability of the General Plan 2025 reveals the project site is not designated as, and is not adjacent to or in proximity to any land classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. A review of Figure 5.2-2 – Williamson Act Preserves of the General Plan (GP) 2025 Final Program Environmental Impact Report (FPEIR) reveals that the project site is not located within an area that is affected by a Williamson Act Preserve or under a Williamson Act Contract. Moreover, the project site is not zoned for agricultural use and is not next to land zoned for agricultural use. There are no agricultural resources or operations, including farmlands within proximity of the subject site. Neither the project site nor the entire City has any forest land nor is there any timberland. Therefore, the project would have no impact to agricultural and forest resources. (DEIR, pg. 3.0-1).

## 3. Air Quality

### a. **Air Quality Management Plan Consistency**

**Potential Significant Impact:** Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

**Findings:** Potential impacts of the Project related to air quality management plan consistency are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, the Citythe City finds that development of the Project will not result in significant impacts related to air quality management plan consistency and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.1 of the DEIR, the project is limited to the demolition of existing on-site buildings. The project is not considered growth-inducing because it does not involve the development of housing nor will it create new permanent employment. In addition, it will not create a new significant source of criteria air pollutants. The project is within the California Baptist University (CBU) Specific Plan (SP) area and is zoned for CBUSP Mixed/Urban uses. Future uses have already been found to be consistent with applicable air quality plans by the CBUSP Mitigated Negative Declaration (MND). As such, the project would not conflict with or obstruct implementation of the applicable air quality plan (DEIR, pgs. 4.1-18 to 4.1-19).

#### **b. Short-Term Construction-Related Emissions**

**Potential Significant Impact:** Whether the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard. For construction operations, the applicable daily thresholds are:

- 75 pounds of ROC/VOC;
- 100 pounds of NOX;
- 550 pounds of CO;
- 150 pounds of PM10;
- 55 pounds of PM2.5; and
- 150 pounds of SO2.

**Findings:** Potential impacts of the project related to short-term construction-related emissions are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to short-term construction-related emissions and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.1 of the DEIR, construction activities produce combustion emissions from various sources, such as demolition, grading, and motor vehicles transporting the construction crew. Exhaust emissions from construction activities envisioned on site would vary daily as construction activity levels change. The most recent version of the CalEEMod model (Version 2013.2.2) was used to calculate the construction emissions. Since no exceedances of any criteria pollutants are expected, no significant impacts would occur for project construction.

The use of construction equipment on site would result in localized exhaust emissions. In addition, fugitive dust (PM10 and PM2.5) emissions would primarily result from grading and site preparation activities. Consistent with SCAQMD guidelines, the project would not disturb more than five acres daily (the entire site is only 3.14 acres). The Project will be required to comply with SCAQMD Rules 402 and 403 to control fugitive dust.

Table 4.1-7 in the DEIR indicates that regional construction emissions would not exceed the daily thresholds of any criteria pollutant emission thresholds established by the SCAQMD. The project's air pollutant emissions during on-site demolition activities and rough grading do not exceed any of the thresholds of significance established by the SCAQMD or other thresholds set forth in CEQA Appendix G. Project emissions, therefore, will not generate substantial pollutant emissions or violate any air quality standards, nor will the project result in a locally significant concentration of any criteria air pollutant. (DEIR, pgs. 4.1-19 to 4.1-20)

### **c. Long-Term Project Operational Emissions**

**Potential Significant Impact:** Whether the proposed Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable Federal or State ambient air quality standard. For long-term operations, the applicable daily thresholds are:

- 55 pounds of ROC/VOC;
- 55 pounds of NO<sub>x</sub>;
- 550 pounds of CO;

**Findings:** Potential impacts of the Project related to long-term project operational emissions are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, the City finds that

development of the Project will not result in significant impacts related to long-term project operational emissions and, therefore, no mitigation is required.

**Facts in Support of the Findings:** The project is limited to the demolition of existing on-site buildings. There is no operational component of the project. Therefore, the project would not generate long-term emissions. (DEIR, pg. 4.1-20)

#### **d. Health Risk Assessment**

**Potential Significant Impact:** Whether the proposed Project would expose sensitive receptors to significant health risks.

**Findings:** Potential impacts of the Project related to health risks are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to health risks and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.1 of the DEIR, the closest off-site sensitive receptors to the project site are on-campus apartments located approximately 85 feet to the west. The project is also bordered by educational (CBU) uses to the north. Other surrounding uses, including commercial retail and transportation (SR-91) are not considered sensitive receptors.

As indicated in Table 4.1-8 in the DEIR, all criteria pollutants from the project would be below localized significance thresholds. LSTs were established in order to protect the health of sensitive receptors. As the project will generate emissions below LST criteria, it would not have a significant impact to human health. Therefore, the project would not contribute to significant localized emissions of criteria air pollutants. (DEIR, pg. 4.1-22)

#### **e. Carbon Monoxide (CO) Hotspot Impacts**

**Potential Significant Impact:** Whether the Project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. For CO, the applicable thresholds are:

- California State one-hour CO standard of 20.0 ppm; and
- California State eight-hour CO standard of 9.0 ppm.

**Findings:** Potential impacts of the Project related to long-term CO emissions are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related CO hotspots and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.1 of the DEIR, the Project would have a significant CO impact if project emissions increase 1-hour CO concentrations by 1.0 ppm or more. Similarly, the Project would also have a significant CO impact if project emissions increase 8-hour CO concentrations by 0.45 ppm or more.

Projects contributing to adverse traffic impacts may result in the formation of such CO hotspots. The project's Traffic Analysis (LSA 2014; see Appendix G of the DEIR) evaluated whether there would be increased congestion at local intersections and roadways. The analysis concluded that the project would not have any significant effects to the circulation network, with all roadways and intersections operating at a satisfactory level with project implementation. Per the Caltrans CO Protocol, a CO hotspot analysis would not be required for project study intersections and potential impacts related to high levels of CO concentrations are not anticipated.

Since the project will not significantly increase congestion in the project area, potential for CO hotspot formation is low. In addition, background CO levels in the project area are well below applicable ambient air quality standards (see Table 4.1-3 in the DEIR). Given the extremely low level of CO concentrations in the project area, project-related vehicles are not expected to result in the CO concentrations exceeding the State or Federal CO standards. Because no CO hot spot would occur, there would be no project-related impacts on CO concentrations and therefore no significant impacts (DEIR, pgs. 4.1-22 to 4.1-23)

#### **f. Odors**

**Potential Significant Impact:** Whether the Project would create objectionable odors affecting a substantial number of people.

**Findings:** Potential impacts of the Project related to objectionable odors are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, diesel-powered vehicles and equipment in use on the site would create odors. However, these odors are temporary and not likely to

be noticeable beyond the project boundaries. Therefore, odors from the proposed project would have a less than significant impact. (DEIR, Appendix A-1)

**g. Cumulative Air Quality Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probably future projects would incrementally affect air quality.

**Findings:** Potential impacts of the Project related to cumulative air quality impacts are discussed in detail in Section 6.4.1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts due to cumulative air quality impacts and, therefore, no mitigation is required.

**Facts in Support of the Findings:** Section 6.4.1 of the DEIR indicates that the project is consistent with the Southern California Association of Governments (SCAG) growth projections anticipated in SCAQMD's 2012 Air Quality Master Plan (AQMP) since it does not involve a permanent increase in employment or vehicle trips. In addition, demolition emissions would not result in the significant emissions of any criteria air pollutants. As a result, implementation of the proposed project would result in a less than significant cumulative impact to air quality. (DEIR, pg. 6.0-4).

**4. Biological Resources**

**a. Riparian Habitat or Other Sensitive Natural Communities**

**Potential Significant Impact:** Whether the Project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

**Findings:** Potential impacts of the Project related to riparian habitat or other sensitive natural communities are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to riparian habitat or other sensitive natural communities and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the DEIR, the project site is not within or adjacent to an MSHCP Criteria Cell, Public/Quasi Public lands, NEPSSA or CASSA, additional species survey areas, and does not contain riparian/riverine or vernal pool resources. As a result, there would be no impact to riparian habitat or other sensitive natural communities with implementation of the proposed project. (DEIR, pg. 4.2-5 to 4.2-6).



**b. Jurisdictional Waters/Wetlands**

**Potential Significant Impact:** Whether the Project would 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.

**Findings:** Potential impacts of the Project related to jurisdictional waters/wetlands are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to jurisdictional waters/wetlands and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the DEIR, the project area consists of three buildings and improvements consisting of a paved parking lot, concrete walkways, ornamental landscaping, and a tot lot. The site also contains a disturbed, undeveloped lot. The project site has all been previously graded and is entirely flat. No drainage features, ponded areas, or riparian habitat potentially subject to jurisdiction by the CDFW, U.S. Army Corps of Engineers (USACE), and/or Regional Water Quality Control Board (RWQCB) were found within the project site. Thus, the project will not affect potential wetlands and would have no impact to federally protected wetlands. (DEIR, pg. 4.2-6)

**c. Habitat Fragmentation/Wildlife Movement**

**Potential Significant Impact:** Whether the Project would 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.

**Findings:** Potential impacts of the Project related to habitat fragmentation and wildlife movement are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to habitat and wildlife movement and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the DEIR, the project site is not within or adjacent to an MSHCP Criteria Cell, Public/Quasi Public lands, NEPSSA or CASSA, additional species survey areas, and does not contain riparian/riverine or vernal pool resources (LSA 2015). The project site is not within an established native resident or migratory wildlife corridor, and does not contain any native wildlife nursery sites. Therefore, any impacts related to the movement of native or migratory species are considered less than significant and no mitigation is required. (DEIR, pg. 4.2-6).

**d. Adopted Policies and/or Ordinances**

**Potential Significant Impact:** Whether the project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

**Findings:** Potential impacts of the project related to adopted plans and/or policies are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to adopted plans and/or policies and, therefore, no mitigation is required.

**Facts in Support of the Findings:** As part of demolition activities, existing on-site vegetation will also be cleared. Removal of trees will follow the requirements of the Riverside Urban Tree Forest Manual. The General Plan 2025 includes policies to ensure that future development would not conflict with any local policies or ordinances protecting biological resources, including tree preservation policies. This project has been reviewed against these policies and found to be in compliance with the policies. For these reasons, the project will have no impact on local policies or ordinances protecting biological resources. (DEIR, pgs. 4.2-6 to 4.2-7).

**e. Adopted Habitat Conservation Plans**

**Potential Significant Impact:** Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

**Findings:** Potential impacts of the Project related to adopted habitat conservation plans are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in conflict with to adopted habitat conservation plans and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.2 of the DEIR, the project site is within the Cities of Riverside and Norco Area Plan of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). However, the project site is not within or adjacent to an MSHCP Criteria Cell, Public/Quasi Public lands, NEPSSA or CASSA, additional species survey areas, and does not contain riparian/riverine or vernal pool resources. The project is not subject to MSHCP mitigation fees because demolition projects are exempt from the provisions of the MSHCP. The project is within the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP) fee boundary, but is not within a SKR HCP core

reserve. However, since this project is a demolition project it is not subject to the provisions of the SKR HCP and a payment of fees is not required. (DEIR, pg. 4.2-7).

**f. Cumulative Biological Impacts**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probably future projects would incrementally affect biological resources.

**Findings:** Potential impacts of the Project related to cumulative biological impacts are discussed in detail in Section 6.4.2 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant cumulative impacts to biological resources and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to DEIR Section 6.4.2, the combined construction of projects within the vicinity could deprive the affected species of a significant amount of habitable space. However, it is anticipated that species that are potentially affected by related projects would also be subject to the same requirements of CEQA as the proposed project. These determinations would be made on a case-by-case basis and the effects of cumulative development on nesting birds would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Additionally, as discussed in Section 4.2 of the DEIR, the project is consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Consistency with the MSHCP results in the ability of the project to rely on the MSHCP for mitigation related to cumulative biological impacts. Therefore, cumulative adverse effects on 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 would be less than significant. (DEIR, pg. 6.0-5).

**5. Cultural Resources**

**a. Paleontological Resources**

**Potential Significant Impact:** Whether the project would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

**Findings:** Potential impacts of the Project related to paleontological resources are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to paleontological resources and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, project site has been previously developed and is unlikely to contain any paleontological resources. In addition, the project consists of demolition of existing church buildings. Demolition does not involve a large amount of earthmoving. Therefore, impacts to unique paleontological resources are less than significant and no mitigation is required. (DEIR Appendix A-1).

**b. Human Remains**

**Potential Significant Impact:** Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

**Findings:** Potential impacts of the Project related to human remains are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts to human remains and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, due to the project site being previously developed the likelihood of encountering human remains is minimal. In addition, the California Health and Safety Code states that if human remains are discovered on site, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition. Disposition of the human remains should occur in the manner provided in Section 5097.98 of the *Public Resources Code*. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. As adherence to State regulations is required for all development, no mitigation is required in the unlikely event that human remains were discovered on the site. Therefore, impacts associated with the discovery of human remains would be less than significant. (DEIR Appendix A-1).

**c. Cumulative Cultural Resources**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would have a cumulative significant impact on cultural resources.

**Findings:** Potential impacts of the Project related to cumulative cultural resources are discussed in detail in Section 6.4.3 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant cumulative impacts to cultural resources and, therefore, no mitigation is required.

**Facts in Support of the Findings:** Cumulative impacts on cultural resources evaluate whether impacts of the proposed project and related projects, when taken as a whole, substantially diminish the number of historic or archeological resources within the same or similar context or property type. However, impacts to cultural resources tend to be site-specific. The historic resource on the site is not part of an existing or known grouping or district of other historic resources that are proposed to be affected as part of the cumulative impacts of other projects in the area. In addition, there are no other known projects currently within the City that propose to demolish a designated or eligible historic building. It is anticipated that if cultural resources were potentially affected by related projects they would also be subject to the same requirements of CEQA as the proposed project and mitigate for their impacts, if applicable. These determinations would be made on a case-by-case basis and the effects of cumulative development on historic resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, the proposed project would not contribute to any potential cumulative impacts, and cumulative impacts on cultural resources would be less than significant. No additional mitigation is required (DEIR, pg. 6.0-6).

## **6. Geology and Soils**

**Potential Significant Impacts:** Whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Maps issued by the State Geologist for the area or based on other substantial evidence of a known fault; whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong ground shaking; whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic ground failure; whether the Project would expose persons or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides; whether the Project would result in substantial soil erosion or the loss of topsoil; and/or whether the Project would 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.

**Findings:** Potential impacts of the project related to geology and soils are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the project will not result in significant impacts related to fault rupture and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to DEIR Section 3.0, the project site does not contain any known fault lines and the potential for fault rupture is low. The San Jacinto Fault Zone, located northeast of the City, and the Elsinore Fault Zone, located south of the City, have the potential to cause moderate to large earthquakes that would cause intense ground shaking. The project site is located in an area with low to moderate liquefaction potential, per the GP 2025 Liquefaction Zones Map – Figure PS-2. The project site is also not located in an area of high shrink-swell potential, per the GP 2025 Soils with High Shrink Swell Potential Map – Figure PS-3. The project site and its surroundings have generally flat topography and are not located in an area prone to landslides, per Figure 5.6-1 of the GP 2025 FPEIR. In summary, the project site is not subject to high risk of landslides, lateral spreading, subsidence, liquefaction, or collapse. Additionally, the project consists of the demolition of existing buildings and does not involve the construction of new buildings or structures. Therefore, it would not expose people or structures to geologic hazards and all impacts would be less than significant.

Erosion and loss of topsoil could occur as a result of the project. State and Federal requirements call for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) establishing erosion and sediment controls for construction activities. The project site includes approximately 3.14 acres and, therefore, must also comply with the National Pollutant Discharge Elimination System (NPDES) regulations. In addition, the project must comply with the City Grading Code (Title 17 of the Riverside Municipal Code), which requires the implementation of measures designed to minimize soil erosion. Compliance with State and Federal requirements and Title 17 will ensure that impacts relating to soil erosion or loss of topsoil will be less than significant. (DEIR, pg. 3.0-2).

## **7. Greenhouse Gas Emissions and Climate Change**

### **a. Greenhouse Gas Plan, Policy, Regulation Consistency**

**Potential Significant Impact:** Whether the Project would conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

**Findings:** Potential impacts of the Project related to greenhouse gas plans, policies, and regulations are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to greenhouse gas plans, policies, and regulations and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to DEIR Section 4.4, at this time, no mandatory State or local plans, policies, or regulations intended to reduce GHG emissions would apply to implementation of

this project, and no conflict with an applicable plan would occur. The project does not include the creation of a new long-term source of GHG emissions. Impacts relating to the project's potential conflicts with an applicable plan, policy, or regulation would be less than significant. (DEIR, pg. 4.4-20).

## **8. Hazards and Hazardous Materials**

### **a. Existing or Proposed Schools**

**Potential Significant Impact:** Whether the Project would create hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

**Findings:** Potential impacts of the Project related to existing or proposed schools are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to existing or proposed schools and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.5 of the DEIR, the project site is bordered by California Baptist University facilities to the north, west, and east. There are no other schools located within one-quarter mile of the project site.

The site's current use as a church facility does not involve the handling of hazardous or acutely hazardous materials. The database search conducted by EDR found that the site was not listed in any of the environmental records searched. The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school. Impacts would be considered less than significant and no mitigation is required. (DEIR, pg. 4.5-10).

### **b. Located on a List of Hazardous Material Sites**

**Potential Significant Impact:** Whether the Project would 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.

**Findings:** Potential impacts of the Project related to hazardous material sites are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts due to hazardous material sites and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.5 of the DEIR, a database review was conducted for the Phase 1 Environmental Site Assessment (ESA) conducted for the Project site. The Project site is not listed in any of the searched regulatory databases provided by Environmental Data Resources (EDR) or the State Cortese List (CGC 65962.5). Additionally, the Phase 1 ESA concluded that there are no recognized environmental conditions at the project site. The project site and adjoining properties were not listed on any of the databases searched by EDR. Off-site hazardous materials sites identified in the database are expected to have a low potential to affect the project site. The proposed project is not considered a hazardous materials site and therefore would not create a significant hazard to the public or the environmental. Therefore, impacts are less than significant and no mitigation is required. (DEIR, pg. 4.5-11).

**c. Within Two Miles of a Private Airport or Within an Airport Land Use Plan or Within Two Miles of a Public Airport**

**Potential Significant Impact:** Whether the Project would be 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, resulting in a safety hazard for people residing or working in the project area; and/or whether the project would be within the vicinity of a private airstrip, resulting in a safety hazard for people residing or working in the project area.

**Findings:** Potential impacts of the Project related to airport vicinity are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts due to vicinity of airports and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, the project site is not in the vicinity of a private airstrip. The project site is located in Zone E of the Riverside Municipal Airport Land Use Plan. Zone E of the Riverside Municipal Airport Land Use Plan has the least amount of restrictions on proposed land uses. General restrictions in Zone E include airspace review for objects greater than 100 feet tall, discouragement of major spectator oriented sports stadiums, amphitheaters, and concert halls, and hazards to flight such as tall objects, electronic forms of interference, and land uses that will may attract birds. The proposed project is the demolition of existing buildings. Therefore, the project does not include any features that are considered a hazard to flight or are not allowed in Zone E. Impacts are less than significant and no mitigation is required. (DEIR Appendix A-1).



**d. Emergency Response Plan**

**Potential Significant Impact:** Whether the Project would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Findings:** Potential impacts of the Project related to emergency response plans are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to emergency response plans and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, demolition activities may temporarily restrict vehicular traffic. As part of the demolition permit the City will require that the developer submit a Traffic Management Plan (TMP) that will provide appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level, and no mitigation is required. (DEIR Appendix A-1).

**e. Wildland Fires**

**Potential Significant Impact:** Whether the Project would 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 wildland.

**Findings:** Potential impacts of the Project related to wildland fires are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that development of the Project will not result in significant impacts related to wildland fires and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, project site is not in or near a fire hazard zone as identified in the City's General Plan. Therefore, the project would have no impact related to wildland fires and no mitigation is required. (DEIR Appendix A-1).

**f. Cumulative Impacts from Hazards and Hazardous Materials**

**Potential Significant Impact:** Whether the Project in connection with past, current, and probable future projects would cumulatively increase the risk of hazardous materials and exposure to hazardous materials.

**Findings:** Potential impacts of the Project related to cumulative hazardous materials impacts are discussed in detail in Section 6.4.5 of the DEIR. Based on the entire record before us, the City finds that

development of the Project will not result in significant impacts related to cumulative hazardous materials and, therefore, no mitigation is required.

**Facts in Support of the Findings:** As discussed in Section 6.4.5 of the DEIR, risks associated with hazardous materials are generally site-specific and localized, and are thus limited to the project site. The ESA found no evidence of present or potential recognized environmental concerns. While off-site hazardous materials sites are located within a mile of the project site, their potential to affect the project site is considered low.

Per Mitigation Measure HAZ-1 all asbestos and lead-based paint materials would be identified and remediated per the requirements identified by the County of Riverside Department of Environmental Health (DEH). Similarly, all cumulative projects would be expected to comply with Federal, State, and local statutes and regulations applicable to hazardous materials. Implementation of the proposed project will not, therefore, create a cumulative impact related to exposing the public to hazardous materials. For these reasons, cumulative impacts to the public or environment resulting from the accidental release of hazardous materials would be less than significant. (DEIR, pg. 6.0-7).

## **9. Hydrology, Drainage, and Water Quality**

**Potential Significant Impacts:** Whether the Project would substantially alter the existing local drainage patterns of the site and substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on site or off site; whether the Project would create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; whether the Project would expose people or structure to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; whether the Project would expose people or structure to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow; whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level; whether the Project would place within a 100-year flood hazard area structures that would impede or redirect flood flows; and/or whether the Project would place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

**Findings:** Potential impacts of the Project related to hydrology, drainage, and water quality are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City

finds that development of the Project will not result in significant impacts related to hydrology, drainage, and water quality and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, the project site is currently developed with mostly impervious structures and some landscaped areas. The project consists of the demolition of the three existing buildings and will involve site clearing, demolition, and rough grading. The site clearing and grading phases will disturb vegetation and surface soils, potentially resulting in erosion and sedimentation. If left exposed and with no vegetative cover, the site's bare soil would be subject to additional wind and water erosion. Since the project involves over an acre of ground disturbance, the project is subject to NPDES requirements and must implement a Storm Water Pollution Prevention Plan (SWPPP). Implementation of site-specific Best Management Practices (BMPs) as established by the SWPPP will ensure all impacts related to erosion and sedimentation from ground disturbance are less than significant. Furthermore, no new runoff will be generated from the project because it does not involve an increase in impervious surfaces. No existing streams, rivers, or other drainage features exist on the site. Further, drainage patterns on the site would not be altered substantially since the site is already flat and has been previously graded. Urban runoff is currently and will continue to be conveyed by local drainage facilities developed throughout the City to regional drainage facilities, and then ultimately to the receiving waters. The proposed project does not involve any use of groundwater supplies. To address potential water quality issues, the project is required to comply with applicable Federal, State, and local water quality regulations. Compliance with existing regulation will ensure all impacts related to hydrology and water quality will be less than significant. Since no structures or habitable dwellings are proposed as part of the project, it will not result in the exposure of structures or people to a significant risk of loss, injury, or death from flooding. (DEIR, pg. 3.0-1).

## **10. Land Use and Planning**

**Potential Significant Impacts:** Whether the Project would physically divide an established community; whether the Project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and/or whether the Project would conflict with any applicable habitat conservation plan or natural community conservation plan.

**Findings:** Potential impacts of the Project related to land use and planning are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that

development of the Project will not result in significant impacts related to land use and planning and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, the project site is located within the California Baptist University Specific Plan (CBUSP). The existing zoning for the site is Mixed Use/Urban. The area west of the project site is zoned Mixed Use/Residential and Mixed Use/Academic, zoning to the east is Mixed Use/Urban, and to the north Mixed Use/Academic. The project is currently served by fully improved public streets and other infrastructure and does not involve the subdivision of land or the creation of streets that could alter the existing surrounding pattern of development or an established community. The project site is located within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). However, according to the General Plan 2025 Open Space Element Figure OS-7, the project site is not located in any MSHCP habitat core or habitat linkage area. The project only consists of demolition activities, and any potential future use of the site has already been analyzed in the CBUSP MND, which found that the SP was consistent with the City's General Plan. The project would therefore not conflict with any applicable land use plan and impacts related to land use and planning are all less than significant. (DEIR, pg. 3.0-3).

## **11. Mineral Resources**

**Potential Significant Impacts:** Whether a Project would 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; and/or whether the Project would 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 plans.

**Findings:** Potential impacts of the Project relating to loss of important mineral resources are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to important mineral resources and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, state-classified Mineral Resource Zones (MRZ) MRZ-2 and MRZ-4 are shown in Figure 5.10-1, Mineral Resources of the GP 2025 FPEIR. The proposed project is located in MRZ-4, which indicates that there is insufficient data to know whether mineral resources can be found on site. The project site is currently developed with three buildings and surrounding landscaping. The demolition project will not create ground disturbance beyond that which has already occurred. Therefore, the project would have no impact to mineral resources. (DEIR, pg. 3.0-3 to 3.0-4).

## **12. Noise**

### **a. Groundborne vibration**

**Potential Significant Impacts:** Whether the project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

**Findings:** Potential impacts of the project relating to permanent increases in ambient noise are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to airport noise will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.6 of the DEIR, loaded trucks and other heavy-tracked construction equipment generate approximately 92 VdB of groundborne vibration when measured at 50 feet, based on the FTA's Transit Noise and Vibration Impact Assessment (2006). Receptors at 100, 200, and 300 feet from the construction activity may be exposed to groundborne vibration up to 86, 80, and 76 VdB, respectively. The nearest sensitive uses are approximately 85 feet from the project demolition area and would not result in experience any potential vibration damage impacts. As a result, project vibration impacts are less than significant. No mitigation measures are required. (DEIR pgs. 4.6-13 to 4.6-14).

### **b. Permanent increase in noise**

**Potential Significant Impacts:** Whether the project would result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

**Findings:** Potential impacts of the project relating to permanent increases in ambient noise are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the Citythe City finds that no significant impacts related to airport noise will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, the project site is approximately 90 feet north the 91 Freeway and 0.3 miles north of the Metrolink railroad. According to the General Plan Noise Element the project site is within or near the noise contours of the freeway, the railroad, and the Riverside Municipal Airport. However, these are all existing conditions of the site. The proposed project would increase the ambient noise levels in the project vicinity for a short time during demolition of the existing church buildings. After demolition ambient noise levels would return to

existing levels. Therefore, the project would have a less than significant impact related to permanent increases in ambient noise levels. (DEIR Appendix A-1).

**c. Airport Noise**

**Potential Significant Impacts:** Whether a project 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 result in exposure of people residing or working in the project area to excessive noise levels. Or if a project within the vicinity of a private airstrip, would expose people residing or working in the project area to excessive noise levels.

**Findings:** Potential impacts of the project relating to airport noise are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to airport noise will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, the project site is not within the vicinity of a private airstrip. The project site is located in the Riverside Municipal Airport Land Use Plan. However, the project site is outside the Riverside Airport Noise contour. In addition, the only on-site receptors that would be impacted by potential airport noises are construction workers that are not considered sensitive receptors. For these reasons, the project would have a less than significant impact related to airport noise. (DEIR Appendix A-1).

**d. Cumulative Noise Impacts**

**Potential Significant Impact:** Whether the project in connection with past, current, and probable future project would cause cumulative noise or vibration impacts within the City.

**Findings:** Potential impacts of the project related to cumulative noise and vibration are discussed in detail in Section 6.4.6 of the DEIR. Based on the entire record before us, the City finds that no significant cumulative impacts related to noise will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** As discussed in Section 6.4.6 of the DEIR, activities associated with demolition of existing structures would exceed City Noise Ordinance standards and have the potential to adversely affect adjacent noise-sensitive uses. However, these impacts could be mitigated to level that is less than significant through implementation of Mitigation Measures (MM) Noise-1 through Noise-4. No construction projects are proposed in the vicinity of the project that would occur simultaneously. The

project has no operational component and therefore cannot contribute to cumulatively considerable operational noise impact. Other foreseeable construction projects within the vicinity of the CBU campus would not be close enough to create a combined excessive generation of groundborne vibrations. Therefore, the project would have any cumulatively significant impacts to noise and vibration (DEIR, pg. 6.0-8).

### **13. Population and Housing**

#### **a. Population Growth**

**Potential Significant Impact:** Whether the project would induce substantial population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure); and/or whether the project would displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere.

**Findings:** Potential impacts of the project related to population growth and housing are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to population growth or housing will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, the project is in an urbanized area and does not propose new homes or businesses that would directly induce substantial population growth, and does not involve the addition of new roads or infrastructure that would indirectly induce substantial population growth. No impacts related to population and housing are expected. (DEIR, pg. 3.0-4).

### **14. Public Services**

**Potential Significant Impacts:** Whether the project would result in substantial adverse physical impacts associated with the provision of new or physically altered law enforcement facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services; whether the project would result in substantial adverse physical impacts associated with the provision of new or physically altered fire-fighting facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire services; and/or whether the project would result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school

facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives.

**Findings:** Potential impacts of the project related to public services are discussed in detail in Section 3.0 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to public services will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.0 and Appendix A-1 of the DEIR, the proposed project will be adequately served by the City's Fire Department Station 10 and City's Police Department. The proposed project is not an intensification of land use and therefore would not result in an increased demand for school services, parks, and other public facilities. Any future use of the site was already encompassed within the CBUSP. Therefore, no impacts to public services are expected. (DEIR, pg. 3.0-4).

## **15. Recreation**

**Potential Significant Impacts:** Whether the project would result in increased use of existing neighborhood and regional parks or other recreational facilities (e.g., trails) where substantial physical deterioration would occur or be accelerated; and/or whether the project would result in construction or expansion of recreational facilities that would have an adverse physical effect on the environment.

**Findings:** Potential impacts of the project related to recreation are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to recreation will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, the proposed project does not include any uses that would increase the existing neighborhood and regional parks, nor does it include plans for the construction of new recreational facilities. Any future use of the site was already encompassed within the CBUSP. Therefore, there would be no impact to recreational facilities under the proposed project. (DEIR, pg. 3.0-4).



## **16. Transportation**

### **a. Construction and Operation Traffic Impacts**

**Potential Significant Impact:** Whether the project would conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

**Findings:** Potential impacts of the project related to existing traffic conditions are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to traffic conditions will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.7 of the DEIR, during demolition of the existing church complex, a total of 72 daily trips would occur with eight trips occurring in the a.m. peak hour and eight trips occurring during the in the p.m. peak hour. Remaining trips would occur outside of peak hours. Since existing traffic volumes at the project driveway are nominal during the a.m. and p.m. peak hours, they were not subtracted from the project trip generation and are included in existing with project analysis as a conservative approach.

All study intersections analyzed in the DEIR would operate at a satisfactory level under existing and existing with project conditions. In addition, Diana Avenue operates at a satisfactory LOS under existing and existing with project conditions. Impacts to intersections and roadway segments are considered less than significant and no mitigation is required.

The proposed project only consists of activities related to the demolition of three existing on-site buildings and has no long-term component. Traffic impacts associated with development of the CBUSP have already been addressed by the CBUSP MND. Therefore, any future development at the project site will result in circulation impacts that are either less than significant or less than significant with mitigation incorporated.

Therefore, project traffic impacts at intersections are considered less than significant and no mitigation is required. (DEIR, pg. 4.7-9 to 4.7-13).

#### **b. Congestion Management Program**

**Potential Significant Impact:** Whether the project would conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

**Findings:** Potential impacts of the project related to existing traffic conditions are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to traffic conditions will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 4.7 of the DEIR, the County of Riverside Congestion Management Plan (CMP) has an adopted LOS standard of E. All project study area roadway segments and intersections will operate at LOS D and above with project implementation. Therefore, the project will not conflict with the CMP. All future build out impacts related to future use of the project site have been addressed in the CBUSP MND. As a result, impacts are less than significant and no mitigation is required. (DEIR, pg. 4.7-14).

#### **c. Air Traffic Patterns**

**Potential Significant Impact:** Whether the project would result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

**Findings:** Potential impacts of the project related to air traffic patterns are discussed in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to air traffic patterns will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, the project site is located in the Riverside Municipal Airport land use plan. However, the project is the demolition of an existing building that is not located on airport property. Therefore, the project will have no impact on air traffic patterns. (DEIR Appendix A-1).

#### **d. Design Features or Incompatible Uses**

**Potential Significant Impact:** Whether the proposed project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

**Findings:** Potential impacts of the project related to design features or incompatible uses are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to design features or incompatible uses will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, proposed project does not include any new roadways. The project includes only the demolition of existing church buildings. Therefore, the project will have no impact that will substantially increase hazards due to a design feature or incompatible use. (DEIR Appendix A-1).

**e. Inadequate Emergency Access**

**Potential Significant Impact:** Whether the project would result in inadequate emergency access.

**Findings:** Potential impacts of the project related to emergency access are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts related to emergency access will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, demolition activities may temporarily restrict vehicular traffic. As part of the demolition permit the City will require that the developer submit a Traffic Management Plan (TMP) that will provide appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures would reduce potential impacts related to this issue to a less than significant level, and no mitigation is required. (DEIR Appendix A-1).

**f. Alternative Transportation**

**Potential Significant Impact:** Whether the proposed project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**Findings:** Potential impacts of the project related to alternative transportation are discussed in detail in Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant

impacts related to alternative transportation will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Appendix A-1 of the DEIR, proposed project does not include any new roads, buildings, or need for mass transit, bicycle, or pedestrian facilities. Therefore, the project would have no impact on any adopted policies, plans, or programs related to public transit, bicycle, or pedestrian facilities. (DEIR Appendix A-1).

**g. Cumulative Traffic Impacts**

**Potential Significant Impact:** Whether the project in connection with past, current, and probable future project would cause cumulative traffic impacts.

**Findings:** Potential impacts of the project related to cumulative traffic impacts are discussed in detail in Section 6.4.7 of the DEIR. Based on the entire record before us, the City finds that no significant cumulative impacts related to traffic will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** Cumulative impacts refer to incremental effects of an individual project when viewed in connection with the effects of past projects, current projects, and probable future projects. Cumulative projects are identified in Table 6.0-1 of the DEIR. Cumulative impacts associated with traffic volumes are determined based the addition of traffic volumes from approved and pending projects in the area and projected traffic growth to existing traffic volumes. A temporary increase in traffic during demolition would occur and all project area intersections and roadways would continue to operate at a satisfactory level of service. Since the project is limited to the short-term demolition of existing structures on site, it would have no long-term contribution to cumulative traffic impacts. Traffic impacts associated with development of the CBUSP have already been addressed by the CBUSP MND. Therefore, any future development at the project site will result in circulation impacts that are either less than significant or less than significant with mitigation incorporated. As a result, all cumulative traffic impacts related to the proposed project are considered less than significant. (DEIR, pgs. 6.0-8 to 6.0-9).

**17. Utilities and Service Systems**

**Potential Significant Impacts:** Whether the project would exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB); whether the project would require the construction of new water treatment facilities or expansion of existing facilities, the construction of which would cause significant environmental effects; whether the project would have sufficient water supplies

available to serve the project from existing entitlements and resources, or whether new or expanded entitlements are needed; whether the project would result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; whether the project would result in a determination by the wastewater treatment provider, which serves or may serve the project, that it lacks adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; whether the project would be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or whether the project would fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste.

**Findings:** Potential impacts of the project related to utilities and service systems are discussed in detail in Section 3.1 and Appendix A-1 of the DEIR. Based on the entire record before us, the City finds that no significant impacts that would cause the construction or expansion of water treatment facilities will occur as a result of development of the project and, therefore, no mitigation is required.

**Facts in Support of the Findings:** According to Section 3.1 and Appendix A-1 of the DEIR, currently, the church facility at the project site is served by an on-site septic system. The proposed project will remove the septic system. Since the project does not include any connection to wastewater utilities, it will have no effect on demand of wastewater treatment. The project is located on a previously developed site within an urbanized area where no increase in impervious surfaces will occur that would require or result in the construction of new storm water drainage facilities or expansion of existing facilities. The project will not create any demand for water. Therefore, impacts to storm water, wastewater, and water supply utilities would be less than significant.

Debris from the project will be transported to the Badlands Landfill, located east of the City of Moreno Valley. Based on the capacity and daily load of the landfill, it has sufficient permitted capacity to accommodate the project's solid waste disposal needs. The proposed project must comply with the City's waste disposal requirements as well as the California Green Building Code. For these reasons, the project would not conflict with any Federal, State, or local regulations related to solid waste. Therefore, impacts to solid waste are expected to be less than significant. (DEIR, pg. 3.0-4).

## **B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT**

*Public Resources Code* Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

1. Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
2. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
3. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including biological resources, cultural and paleontological resources, geology, greenhouse gases, hazards, hydrology, drainage, and water quality, noise, transportation, and utilities were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. The City hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program (MMRP) adopted by the City. Specific findings of the City for each category of such impacts are set forth in detail below.

### **1. Biological Resources**

#### **a. Candidate, Non-listed Sensitive, or Other Special Status Species**

**Potential Significant Impact:** The EIR evaluated and concluded that the project has the potential to impact sensitive species such as nesting birds during grading.

**Finding:** Implementation of the following mitigation measures will reduce the potential adverse impacts to sensitive or special status species to less than significant:

**MM BIO-1:** *Initial ground-disturbing activities (e.g., demolition, grading) should be conducted outside the bird nesting season (February 15 through August 31). If project activities are planned during the bird nesting season, nesting bird surveys should be conducted within 30 days prior to disturbance to ensure birds protected under the MBTA are not disturbed by demolition-related activities such as noise and increased human presence.*

*The survey shall consist of full coverage of the on-site trees. If no active nests are found, no additional measures are required. If active nests are found, the nest locations shall be mapped by the biologist utilizing GPS equipment. The nesting bird species will be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging). The biologist shall establish a no-disturbance buffer around each active nest. The buffer will be determined by the biologist based on the species present and surrounding habitat. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume.*

**Facts in Support of the Finding:** According to Section 4.2 of the DEIR, no species identified as a candidate, sensitive, or special-status species occur on the project site. However, trees and shrubs on site may provide nesting habitat for nesting birds. Therefore, the project may have direct and indirect effects to migratory birds. Direct effects may result from the removal and destruction of nesting bird habitat (e.g., trees and shrubs), and indirect effects may result from increased noise and human presence during construction activities that may cause birds to abandon nests or that may negatively affect nestlings.

Common native urban bird species that may nest in ornamental landscaping include lesser goldfinch, Brewer's blackbird (*Euphagus cyanocephalus*), northern mockingbird, common raven, American crow, Anna's hummingbird, house finch (*Carpodacus mexicanus*), and hooded oriole (*Icterus cucullatus*). In addition, there is reasonable potential for existing buildings to support nesting opportunities for native birds that are common in urbanized areas, such as American kestrel (*Falco sparverius*), house finch, black phoebe (*Sayornis nigricans*), cliff swallow (*Petrochelidon pyrrhonota*), northern rough-winged swallow (*Stelgidopteryx serripennis*), and white-throated swift (*Aeronautes saxatalis*). A few species, primarily killdeer (*Charadrius vociferus*), may choose to nest on bare ground within the project site and study area.

The ornamental trees and shrubs that occur in the developed area of the site may support nests utilized by birds protected under MBTA or the California Fish and Game Code (Sections 3503, 3503.5, and 3515), as discussed previously. Thus, the potential exists for direct and indirect construction-related disturbance for

nesting birds. **Mitigation Measure (MM) BIO-1** requires that nesting bird surveys are conducted prior to any ground-disturbing activities. Impacts to biological resources would be less than significant with this mitigation incorporated. (DEIR, pgs. 4.2-5).

## **2. Cultural Resources**

### **a. Archaeological Resources**

**Potential Significant Impact:** The EIR evaluated and concluded that the project has the potential to affect known or previously undetected subsurface archaeological resources.

**Finding:** Implementation of the following mitigation measures will reduce the impact to unique archaeological resources to less than significant:

**MM CUL-6:** *Should archaeological resources be unearthed during project activities, all work must be halted and redirected until a qualified archaeologist can examine the site and determine an appropriate course of action.*

**Facts in Support of the Finding:** According to Section 4.3 of the DEIR, records search at the EIC identified no known archaeological resources on the project site. Consultation with the NAHC also identified no known Native American sites on the church property. There is a chance subsurface deposits related to the farm may exist on this property; however, previous disturbance for grading and construction of church improvements make the likelihood somewhat remote. Nonetheless, since there is potential for subsurface archaeological deposits, Mitigation Measure CUL-6 shall be implemented in order to preserve any unearthed archaeological resources. Adherence to the above **Mitigation Measure CUL-6** would reduce potential impacts to archaeological resources to a less than significant level. (DEIR, pg. 4.3-17)

## **3. Greenhouse Gases**

### **a. Greenhouse Gas Emissions**

**Potential Significant Impact:** Whether the project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

**Findings:** Potential impacts of the project related to greenhouse gas emissions are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, the City finds that development of the project will not result in significant impacts related to greenhouse gas emissions and, therefore, no mitigation is required.



**Facts in Support of the Findings:** According to DEIR Section 4.4, demolition activities would be the primary source of GHG emissions during the project, as the project has no operational component. GHGs would be emitted through the operation of construction equipment and from worker and vendor vehicles, each of which typically uses fossil fuels to operate. As shown in Table 4.4-3 of the DEIR, total project GHG emissions would be approximately 100 MT CO<sub>2</sub>E. The traffic study determined that there would be six workers daily. The GHG emissions rate of 100 amortized over 30 years divided by the service population of six results in 0.56 MT/SP/yr, less than the SCAQMD draft efficiency metric threshold of 4.8 MT/SP/yr. Therefore, the project's GHG emissions are considered less than significant. (DEIR, pgs. 4.4-17 to 4.4-18).

**b. Cumulative Greenhouse Gas Impacts**

**Potential Significant Impact:** The EIR evaluated and concluded that the project could have an adverse effect due to cumulative generation of greenhouse gas emissions (GHGs).

**Findings:** Implementation of the following mitigation measures will reduce the impact related to cumulative greenhouse gas emissions:

**MM GHG-1** *To ensure reductions below the expected "Business As Usual" (BAU) scenario, the project will implement a variety of measures that will reduce its greenhouse gas (GHG) emissions. To the extent feasible, and to the satisfaction of the City of Riverside (City), the following measure will be incorporated into the project construction:*

- *Divert at least 50 percent of the demolished and/or grubbed construction materials (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).*

**Facts in Support of the Findings:** The analysis contained in DEIR Section 6.4.4 concluded that the proposed project would result in an incremental increase in GHG emissions relative to existing conditions. The proposed project would incorporate project design features that would divert demolition waste from landfills. In addition, several statewide GHG reduction measures would reduce GHG emissions associated with motor vehicles and electrical generation over time. The benefits of these measures are compared to the GHG emissions that would be generated under a business-as-usual scenario.

Under CEQA, a project would have a significant cumulative impact caused by the combined impact of past, present, and probable future projects if its incremental impact represents a "cumulatively

considerable” contribution to such cumulative impacts (14 CCR 15064(h)). So long as levels of GHG emissions in the atmosphere are generally at levels that create adverse impacts (i.e., climate change), the emissions of a particular project, even if not significant in terms of thresholds, may nonetheless contribute to an adverse, unavoidable impact because other projects do not meet such standards. The degree to which a project’s contribution to a cumulative impact is considered cumulatively considerable is necessarily relative in terms of the size and impacts of a project or development. Given the relatively small size of the project and the fact that it would not generate long-term GHG emissions, the project’s cumulative contribution to climate change is considered less than significant. While the project’s contribution to cumulative GHG emissions would be considered less than significant, Mitigation Measure (MM) GHG-1 is recommended to further reduce GHG emissions. ((DEIR, pgs. 6.0-6 to 6.0-7).

#### **4. Hazards**

##### **a. Routine Transport, Use, or Disposal of Hazardous Materials and Reasonable Foreseeable Upset and Accident Conditions**

**Potential Significant Impact:** The EIR evaluated and concluded that the project could create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials and the project could create a significant hazard to the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

**Findings:** Implementation of the following mitigation measures will reduce the impact to on-site conditions involving hazardous materials to less than significant:

**HAZ-1** *Prior to demolition activities of the proposed project, a lead-based paint and asbestos survey shall be conducted. Should lead-based paint or asbestos-containing materials be identified during survey, abatement of these materials will be accomplished in accordance with local, State, and Federal guidelines.*

**Facts in Support of the Findings:** According to DEIR Section 4.5, on-site structures potentially contain lead-based paint (LBP) and asbestos-containing materials (ACM). If not properly handled and removed, asbestos can become airborne during demolition activities and pose a health hazard. Additionally, lead-based paint can pose an ingestion hazard if it becomes entrained into the air or water during demolition activities. Therefore, since it is unknown whether there is asbestos or lead-based paint in the buildings on-site, implementation of Mitigation Measure (MM) HAZ-1 shall be incorporated, which will ensure that all

asbestos and lead-based paint materials are identified and remediated per the requirements identified by the County of Riverside Department of Environmental Health (DEH). Impacts would be considered less than significant with mitigation incorporated. (DEIR, pgs. 4.5-9 to 4.5-10).

## 5. Noise

### a. Short-Term Construction Noise

**Potential Significant Impacts:** Demolition on the project site would expose noise-sensitive uses in the project vicinity to noise levels reaching up to 87 dBA  $L_{max}$ . The increase in noise is in excess of City standards and would generate substantial temporary increase in noise levels in the project vicinity. Construction-related noise impacts from the proposed project would therefore be potentially significant.

**Finding:** Implementation of the following mitigation measures will reduce potential short-term construction noise impacts to less than significant:

**MM NOISE-1:** *During all project site excavation and grading on site, demolition contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. All stationary equipment shall be placed so that emitted noise is directed away from the campus apartments nearest the project site.*

**MM NOISE-2:** *Equipment staging areas shall be located as far as feasible from the on-campus apartments.*

**MM NOISE-3:** *Haul truck deliveries shall be limited to the demolition hours. Haul routes shall not pass sensitive land uses, to the extent feasible.*

**MM NOISE-4:** *Haul truck deliveries shall be limited to the demolition hours. Haul routes shall not pass sensitive land uses, to the extent feasible.*

**Facts in Support of the Finding:** According to Section 4.6 of the DEIR, the project would not have long term noise impacts since it has no operational component. Two types of short-term noise impacts could occur during the demolition of the on-site buildings, however. First, construction crew commutes and the transport of construction equipment to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 87 dBA  $L_{max}$ ), the effect on longer term (hourly or daily) ambient noise levels would

be small. The effect on the traffic noise would be a less than 0.5 dBA increase over the 24-hour period. This change is not perceptible to the human ear in an outdoor environment.

The second type of short-term noise impact is related to noise generated during demolition of buildings on the project site. The existing on-campus apartments are the closest noise-sensitive uses in the project vicinity. Because the apartments are approximately 85 feet from the building demolition area, distance divergence would provide for at least 6 dBA of noise reduction. Demolition on the project site would, therefore, not expose noise-sensitive uses in the project vicinity to noise levels exceeding 87 dBA Lmax. Even with the effects of distance and masking, however, noise levels reaching the on-campus apartments are still considered potentially significant and mitigation is required. Therefore, construction noise impacts are potentially significant and mitigation is required. With implementation of the proposed **Mitigation Measures MM NOISE-1 through MM NOISE-4**, potential short-term construction noise impacts would be reduced below the level of significance (DEIR, pgs. 4.6-12 to 4.6-13).

## **B. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT**

The Riverside City Council finds the following environmental impact (cultural, historic resources) identified in the EIR remain significant even after application of all feasible mitigation measures. In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment opportunities to highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

### **1. Cultural Resources**

#### **a. Historic Resource Impacts**

**Significant Unavoidable Impact:** The EIR evaluated and concluded that the project would demolish a significant historical resource.

**Finding:** Based on the entire record before us, the City finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that **Mitigation Measures (MM) CUL-1 through CUL-5** are incorporated into the MMRP for the project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the project will have a significant impact due to the demolition of the RFMC, which is a historic resource under CEQA.

**Facts in Support of the Finding:** According to Section 4.3 of the DEIR, the RFMC Sanctuary and Fellowship are contributors to the on-site historic resource. The two structures are eligible for Structure of Merit status and based on this, Title 20 defines the property as a Cultural Resource, which is a historic resource under CEQA. The proposed project consists of the demolition of on-site buildings, site clearing, and rough grading in preparation for future uses consistent with the CBUSP. Under CEQA, the demolition of a historic resource cannot be mitigated to a level of less than significant. Therefore, even after mitigation, impacts to historic resources would be significant and unavoidable.

**(MM) CUL-1 through CUL-5** would reduce impacts to the historic resource as follows:

**MM CUL-1:** *Prior to the issuance of a demolition permit, California Baptist University (CBU) shall produce evidence it has hired a qualified professional and funded the preparation of a HABS Level II (35 mm photography) documentation of the property. The report shall be submitted to the City of Riverside Historic Preservation staff for review and approval prior to the issuance of a demolition permit.*

**MM CUL-2:** *Prior to issuance of a demolition permit, and in cooperation with the RFMC, CBU shall produce evidence it has hired a qualified graphic arts professional and funded the preparation of a digital version of the church history book titled "The Riverside Free Methodist Church Record." CBU shall secure RFMC's approval of the final design of the document. CBU shall also provide the church with a copy of the digital file and 125 bound copies of the document prior to the issuance of a building permit for the future use of the property.*

**MM CUL-3:** *Prior to issuance of a demolition permit, CBU shall produce evidence it has hired a qualified professional to design an interpretive plaque, describing and illustrating the history of RFMC. The design and text of the plaque shall be subject to the approval of the Riverside Historic Preservation staff and RFMC. The design, fabrication, and installation shall be paid for by CBU, and shall be coordinated with the design and*

*completion of the future use of the site. The interpretive plaque shall be on or in the immediate vicinity of the RFMC site.*

**MM CUL-4:** *Prior to issuance of a demolition permit, CBU shall provide for architectural salvage from the Sanctuary, with the first priority given to RFMC. Once RFMC has identified what it wants to salvage, CBU shall give a nonprofit historic preservation advocacy group an opportunity to identify what it wants to salvage. All salvage operations shall be completed within 45 days of notice to RFMC and the historic preservation advocacy group identified CBU.*

**MM CUL-5:** *CBU shall annotate on the demolition plans for the RFMC property, the relocation of the two Phoenix canariensis and one of the Washingtonia robusta palm trees from the church property to fill in gaps among the trees on Palm Drive as specified in Figure 31 of the WHS cultural resources report.*

While MM CUL-1 through CUL 5 would reduce impacts to the historic resource, this impact is still significant and unavoidable since the demolition of a historic resource cannot be mitigated to a less than significant level. (DEIR, pgs. 4.3-13 to 4.3-16).

## **C. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES**

The EIR analyzed three alternatives to the project as proposed, and evaluated these alternatives for their ability to meet the project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the project. The No Project Alternative assumes that the project site would not be modified and the existing church facilities would remain and continue in operation. Adaptive reuse and relocation are also considered as alternatives to demolition of the RFMC. CEQA requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when the City is evaluating the alternatives.

### **1. No Project Alternative**

**Description:** The No Project Alternative assumes that the project site would not be modified and the existing church facilities would remain and continue in operation. The two on-site historic buildings

(church and fellowship hall) would not be removed or demolished. The church would continue to operate despite the project site being zoned with CBUSP uses. (DEIR, pg. ES-12).

**Impacts:** The No Project Alternative, as discussed in Section 6.0 of the DEIR, would result in less impacts when compared to the project. This alternative would eliminate the significant impact associated with the demolition of RFMC (DEIR, pg. ES-13).

**Objectives:** Under the No Project Alternative, the No Project Alternative would impede the development of the CBUSP land use of the site. Therefore, this alternative would not meet any of the project objectives.

**Finding:** Under the No Project Alternative, the existing RFMC would continue operations. This alternative would reduce impacts to most resource areas relative to the proposed project. However, this alternative would not meet any of the project's basic objectives. (DEIR, pg. 7.0-9). Because the No Project Alternative results in none of the project objectives being met in comparison to the project, the City Council hereby rejects the No Project Alternative.

## **2. Alternative 1 – Modified Site Plan Alternative**

**Description:** Alternative 1 proposes to preserve the historic buildings and utilize them for planned CBUSP uses. Under this alternative, the church and fellowship building would not be demolished, but the existing uses would change to accommodate the CBU land use.

**Impacts:** Overall, this alternative would have reduced impacts as a result of not having to demolish existing structures. Since the RFMC would not be demolished, there would be no significant and unavoidable impacts.

**Objectives:** This alternative would address most basic objectives of the project; however, without demolishing the church the site would be potentially compromised in its ability to fully accommodate future planned uses.

**Finding:** The Adaptive Reuse Alternative would eliminate the one significant impact of the project (i.e., demolition of the historic RFMC). It is assumed the other mitigation measures under the project would be implemented for this alternative as well. While this Alternative meets most project objectives, it will not result in any building demolition or site clearing. Therefore, it would limit the ability of CBU to fully utilize the site. Therefore, although this alternative is feasible, it does not fully meet the basic project

objectives. The City Council also finds that this consideration constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

## **2. Alternative 2 – Relocation**

**Description:** Alternative 2 would involve the relocation of the Church and Fellowship Hall. This alternative would allow for the project site to be fully cleared for future development.

**Impacts:** Overall, this alternative would have slightly reduced impacts as a result of not having to demolish existing structures. Since the RFMC would not be demolished, there would be no significant and unavoidable impacts.

**Objectives:** Alternative 2 meets the core objectives of the project by rendering the site available for future CBU uses. It would also allow for the removal of the on-site septic system.

**Finding:** The Relocation Alternative would eliminate the one significant impact of the project (i.e., demolition of the historic RFMC). It is assumed the other mitigation measures under the project would be implemented for this alternative as well. This Alternative would meet all project objectives. However, the feasibility of Alternative 2 is limited primarily by two factors: finding a suitable location and relocation structural capability of the historic buildings. The surrounding vicinity of the project site, including historic districts, is developed and urbanized, with few vacant properties available that could house the RFMC. Due to the size of the church and resulting difficulty in its relocation, this alternative is not considered feasible. The City Council also finds that these considerations constitute a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

## **4. Environmentally Superior Alternative**

The No Project Alternative would result in the least environmental impacts, and based on this would be considered the environmentally superior alternative. However, Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Of the two remaining Alternatives, the Adaptive Reuse Alternative would result in the least environmental impacts, and based on this would be considered the environmentally superior alternative. However, the Adaptive Reuse Alternative does not meet the major goal of the project because it would not allow CBU to fully utilize the site. While relocation would meet all major goals, it is considered infeasible due to technical constraints with moving the building. Therefore, no feasible alternatives have



been identified that meet the project objectives. (see Section 7.4). Therefore, the City, as lead agency, is not necessarily required to select the environmentally superior alternative instead of the project.

#### **D. GROWTH-INDUCING IMPACTS**

Section 15126.2(d) of the CEQA Guidelines requires a discussion of how the potential growth-inducing impacts of the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct employment, population, or housing growth of a project (14 CCR 15000 et seq.). If a project has characteristics that “may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively,” then these aspects of the project must be discussed as well. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place in the absence of the proposed project. Typically, the growth-inducing potential of a project would be considered significant if it stimulates population growth or a population concentration above what is assumed in local and regional land use plans, or in projections made by regional planning authorities, such as the Southern California Association of Governments.

The CEQA Guidelines also indicate that growth should not be assumed to be either beneficial or detrimental (14 CCR 15126.2(d)). According to Section 15126.2(d) of the CEQA Guidelines, a project may foster economic or population growth, or additional housing, either indirectly or directly, in a geographical area if it meets any one of the following criteria:

- The project would remove obstacles to population growth.
- Increases in the population may tax existing community service facilities, causing significant environmental effects.
- The project would encourage and facilitate other activities that could significantly affect the environment.

As discussed in Section 8.0 of the DEIR, proposed project would involve the demolition of the RFMC, site clearing, and rough grading at the proposed project site. The proposed project is limited to demolition activities and would not involve the development of additional housing. There is no operational component of the proposed project.

While the proposed project itself does not involve any development on the site, it would remove an impediment to future growth of the California Baptist University (CBU) campus. Future development on the site would be consistent with CBU Specific Plan (SP). The CBUSP MND analyzed the growth-inducing effects of the SP. While the SP would induce population not considered by the General Plan (GP) 2025, all effects associated with this growth could be mitigated to levels that are less than significant. Therefore, since the project only consists of demolition activities and future uses have already been analyzed, the proposed project would not result in any significant growth-inducing impacts.

#### **E. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

CEQA Guidelines mandate that the EIR must address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (14 CCR 15126(c)). An impact would fall into this category if:

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

Determining whether the project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Project demolition activities would result in the use of nonrenewable resources and energy sources, including fossil fuels. Fossil fuels would be used to power demolition equipment, as well as delivery and demolition employee vehicles. Use of these energy sources would be considered a permanent commitment of resources. However, the project has no operational component; therefore, a long-term permanent commitment of nonrenewable energy sources would not occur. The proposed project's energy consumption would be relatively minor compared to other local and regional projects. Therefore, this would not be considered a significant irreversible environmental effect. (DEIR pg. 5.0-2)

## **VI. STATEMENT OF OVERRIDING CONSIDERATIONS**

The City adopts this Statement of Overriding Considerations with respect to the significant unavoidable impact associated with adoption of the project as addressed in the EIR, specifically cultural resource impacts due to the demolition of the RFMC.

The City hereby declares that, pursuant to CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed project against any significant and unavoidable environmental impacts in determining whether to approve the proposed project. If the benefits of the proposed project outweigh the unavoidable adverse environmental impacts, those impacts are considered “acceptable.”

The City hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(C) herein.

The City hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the project.

The City hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the project that would prohibit the realization of specific economic, social, and other benefits that this City finds outweigh the unmitigated impacts.

The City further finds that except for the project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the project objectives and/or specific economic, social or other benefits that this City finds outweigh any environmental benefits of the alternatives or the other alternatives do not substantively reduce the severity of unavoidable and significant impacts.

The City hereby declares that, having reduced the adverse significant environmental effects of the project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the project and having weighed the benefits of the project against its unavoidable significant impact after mitigation, the City has determined that the social, economic and environmental benefits of the project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The project will provide development consistent with current municipal standards, codes and policies;
- The project provides development that improves and maximizes economic viability of a underutilized site by transitioning the project site into a productive educational and commercial use;
- The project improves infrastructure and public amenities by connecting to a community sewer system, and installing other utility improvements.
- The project will allow for the development consistent with the California Baptist University Specific Plan.

As the CEQA Lead Agency for the proposed action, the City has reviewed the project description and the alternatives presented in the EIR, and fully understands the project and project alternatives proposed for development. Further, the City finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. The City also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the project is appropriate.

The City has identified economic and social benefits and important policy objectives, Section V above, which result from implementing the project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the project. Given the substantial social and economic benefits that will accrue from the project, the City finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code Section 21002 provides: “In the event specific economic, social and other conditions make infeasible such project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof.” Section 21002.1(c) provides: “In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency...” Finally, CEQA Guidelines Section 15093 (a) states: “If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.”

The City hereby declares that the foregoing benefits provided to the public through approval and implementation of the project outweighs the identified significant adverse environmental impact of the project that cannot be mitigated. The City finds that each of the project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

## **VII. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT**

The City finds that it has reviewed and considered the FEIR in evaluating the project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City .

The City declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies, amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City hereby certifies the EIR based on the following findings and conclusions:

### **A. Findings**

#### **1. CEQA Compliance**

The City has reviewed and considered the information contained in the Findings and supporting documentation. The City determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the project as detailed in the Statement of Overriding Considerations. The City finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

#### **2. Significant Unavoidable Impacts/Statement of Overriding Considerations**

The project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City. The following significant environmental impacts have been

identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(C) of these Findings: *Cultural Resources- Historic Resource Impacts*.

The City has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

### **3. Conclusions**

- a. All potentially significant environmental impacts from implementation of the proposed project have been identified in the EIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impact identified in Section V(C) above.
- b. Other reasonable alternatives to the proposed project that could feasibly achieve the basic objectives of the proposed project have been considered and rejected in favor of the proposed project.
- c. Environmental, economic, social and other considerations and benefits derived from the implementation of the proposed project override and make infeasible any alternatives to the proposed project or further mitigation measures beyond those incorporated into the proposed project.

## **VII. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM**

Pursuant to *Public Resources Code* Section 21081.6, the City hereby adopts, as conditions of approval of the project, the Mitigation Monitoring and Reporting Plan (MMRP) set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

Exhibit “B”

Mitigation Monitoring and Reporting Program

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## **CHAPTER 4.0**

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

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#### **4.1 INTRODUCTION**

The California Public Resources Code, Section 21081.6, requires that a lead or responsible agency adopt a mitigation monitoring plan when approving or carrying out a project when an Environmental Impact Report (EIR) identifies measures to reduce potential adverse environmental impacts. As lead agency for the project, the City is responsible for adoption and implementation of the mitigation monitoring plan.

A Draft EIR for the project has been prepared to address the potential environmental impacts and, where appropriate, recommend measures to mitigate these impacts. As such, a mitigation monitoring plan is required to ensure that the adopted mitigation measures are successfully implemented. This plan lists each mitigation measure, describes the methods for implementation and verification, and identifies the responsible party or parties.

#### **4.2 MONITORING AND REPORTING PROCEDURES**

The City will be responsible for administering the mitigation monitoring plan and ensuring that all parties comply with its provisions. The City may delegate monitoring activities to staff, consultants, or contractors. The City will also ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Table 4-1 lists each mitigation measure included in the Draft EIR. Certain inspections and reports may require preparation by qualified individuals and these are specified as needed. The timing and method of verification for each measure are also specified.



**TABLE 4-1**  
**MITIGATION MONITORING AND REPORTING PROGRAM SUMMARY**

<b>Mitigation Measure No.</b>	<b>Mitigation Measure</b>	<b>Timing of Implementation</b>	<b>Responsible Party</b>
<b>BIO-1:</b>	<p>Initial ground-disturbing activities (e.g., demolition, grading) should be conducted outside the bird nesting season (February 15 through August 31). If project activities are planned during the bird nesting season, nesting bird surveys should be conducted within 30 days prior to disturbance to ensure birds protected under the MBTA are not disturbed by demolition-related activities such as noise and increased human presence.</p> <p>The survey shall consist of full coverage of the on-site trees. If no active nests are found, no additional measures are required. If active nests are found, the nest locations shall be mapped by the biologist utilizing GPS equipment. The nesting bird species will be documented and, to the degree feasible, the nesting stage (e.g., incubation of eggs, feeding of young, near fledging). The biologist shall establish a no-disturbance buffer around each active nest. The buffer will be determined by the biologist based on the species present and surrounding habitat. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume.</p>	Prior to issuance of demolition permit	City Planning Division
<b>CUL-1:</b>	Prior to the issuance of a demolition permit, California Baptist University (CBU) shall produce evidence it has hired a qualified professional and funded the preparation of a HABS Level II (35 mm photography) documentation of the property. The report shall be submitted to the City of Riverside Historic Preservation staff for review and approval prior to the issuance of a demolition permit.	Prior to issuance of demolition permit	City of Riverside Historic Preservation Staff
<b>CUL-2:</b>	Prior to issuance of a demolition permit, and in cooperation with the Riverside Free Methodist Church (RFMC), California Baptist University (CBU) shall produce evidence it has hired a qualified graphic arts professional and funded the preparation of a digital version of the church history book titled "The Riverside Free Methodist Church Record." CBU shall secure RFMC's approval of the final design of the document. CBU shall also provide the RFMC with a copy of the digital file and 125 bound copies of the document prior to the issuance of a building permit for the future use of the property.	Prior to issuance of demolition permit	California Baptist University
<b>CUL-3:</b>	Prior to issuance of a demolition permit, California Baptist University (CBU) shall produce evidence it has hired a qualified professional to design an interpretive plaque, describing and illustrating the history of the Riverside Free Methodist Church (RFMC). The design and text of the plaque shall be subject to the approval of the Riverside Historic Preservation staff and RFMC. The design, fabrication, and installation shall be paid for by CBU, and shall be	Prior to issuance of demolition permit	Riverside Historic Preservation staff, California Baptist University, and Riverside Free Methodist Church

**TABLE 4-1**  
**MITIGATION MONITORING AND REPORTING PROGRAM SUMMARY**

<b>Mitigation Measure No.</b>	<b>Mitigation Measure</b>	<b>Timing of Implementation</b>	<b>Responsible Party</b>
	coordinated with the design and completion of the future use of the site. The interpretive plaque shall be on or in the immediate vicinity of the RFMC site.		
<b>CUL-4:</b>	Prior to issuance of a demolition permit, California Baptist University (CBU) shall provide for architectural salvage from the Sanctuary, with the first priority given to Riverside Free Methodist Church (RFMC). Once RFMC has identified what it wants to salvage, CBU shall give a nonprofit historic preservation advocacy group an opportunity to identify what it wants to salvage. All salvage operations shall be completed within 45 days of notice to RFMC and the historic preservation advocacy group identified CBU.	Prior to issuance of demolition permit	California Baptist University
<b>CUL-5:</b>	California Baptist University (CBU) shall annotate on the demolition plans for the Riverside Free Methodist Church (RFMC) property, the relocation of the two Phoenix canariensis and one of the Washingtonia robusta palm trees from the RFMC property to fill in gaps among the trees on Palm Drive as specified in Figure 31 of the WHS cultural resources report.	Prior to issuance of demolition permit and during demolition	City Planning Division
<b>CUL-6:</b>	Should archaeological resources be unearthed during project activities, all work must be halted and redirected until a qualified archaeologist can examine the site and determine an appropriate course of action.	During demolition and grading	City Planning Division
<b>GHG-1:</b>	To ensure greenhouse gas (GHG) reductions below the expected "Business As Usual" (BAU) scenario, the project will implement a variety of measures that will reduce its GHG emissions. To the extent feasible, and to the satisfaction of the City of Riverside, the following measure will be incorporated into the project demolition plans: • Divert at least 50 percent of the demolished and/or grubbed construction materials (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).	Prior to issuance of demolition permit and during demolition	City Planning Division
<b>HAZ-1:</b>	Prior to demolition activities of the proposed project, a lead-based paint and asbestos survey shall be conducted by California Baptist University (CBU) and submitted to the City of Riverside. Should lead-based paint or asbestos-containing materials be identified during the survey, abatement of these materials will be accomplished in accordance with local, State, and Federal guidelines.	Prior to issuance of demolition permit	City Planning Division
<b>NOISE-1:</b>	During all project site excavation and grading on site, demolition contractors shall equip all equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. All stationary equipment shall be placed so that emitted noise is directed away from the campus apartments nearest the project site. Stationary equipment shall be identified on the project demolition plans.	Prior to issuance of demolition permit and during demolition	City Planning Division
<b>NOISE-2:</b>	Equipment staging areas shall be located as far as feasible from the on-campus apartments.	Prior to issuance of demolition permit and	City Planning Division

**TABLE 4-1**  
**MITIGATION MONITORING AND REPORTING PROGRAM SUMMARY**

<b>Mitigation Measure No.</b>	<b>Mitigation Measure</b>	<b>Timing of Implementation</b>	<b>Responsible Party</b>
<b>NOISE-3:</b>	Equipment staging areas shall be identified on the project construction plans. Haul truck deliveries shall be limited to the demolition hours. Haul routes shall not pass sensitive land uses, to the extent feasible. Truck delivery hours shall be identified on the project demolition plans.	during demolition Prior to issuance of demolition permit and during demolition	City Planning Division
<b>NOISE-4:</b>	On-campus residents shall be notified, via postings on the project site, 24 hours before major demolition-related noise impacts commence. Notification shall be identified on the project demolition plans.	Prior to issuance of demolition permit and during demolition	City Planning Division