

RESOLUTION NO.

1 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE,
2 CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT
3 REPORT FOR THE WOOD AND LURIN PLANNED RESIDENTIAL
4 DEVELOPMENT PROJECT, MAKING CERTAIN FINDINGS OF FACT
5 RELATED THERETO, ADOPTING A STATEMENT OF OVERRIDING
6 CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND
7 REPORTING PROGRAM, ALL PURSUANT TO THE CALIFORNIA
8 ENVIRONMENTAL QUALITY ACT.

9 WHEREAS, Brett Crowder of Coastal Commercial Properties an submitted application for
10 a Planned Residential Development (“PRD”) of 96 homes on three parcels totaling 19 acres,
11 including a tentative tract map, diminishment of an agricultural preserve, and design review
12 (collectively the “Project”) was presented for consideration; and

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

18 WHEREAS, in accordance with the requirements of Section 15082(a) of the State CEQA
19 Guidelines, the City prepared and distributed a Notice of Preparation (“NOP”) to responsible
20 agencies, and other interested parties, stating that an EIR would be prepared for the Project; and

21 WHEREAS, on July 19, 2022, the City distributed, and the State Clearinghouse received
22 and posted, a NOP for the Project with a 30-day review period ending August 18, 2022 (SCH No.
23 2022070337); and

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

26 WHEREAS, the Draft EIR was completed and a Notice of Completion (“NOC”) and the
27 Draft EIR was filed with the State Clearinghouse on or about February 3, 2023, in accordance with
28 the provisions of section 15085 of the State CEQA Guidelines; and

WHEREAS, the Draft EIR was posted on the City’s website, and copies of the Draft EIR
were made available for review at the Riverside Main Public Library and at the Riverside Orange

1 Terrace Public Library, and available for download from the City website, and a Notice of
2 Availability (“NOA”) of the Draft EIR was published in the Riverside Press Enterprise, a
3 newspaper of general circulation, mailed to a list of interested parties, posted at City Hall and with
4 the Riverside County Clerk’s Office; and

5 WHEREAS, the NOC and the NOA provided a 45-day public review period commencing
6 on February 3, 2023, and ending on March 20, 2023; and

7 WHEREAS, the City received comments from the public and responsible agencies on the
8 Draft EIR during this public comment period; and

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

12 WHEREAS, the City Planning Commission held a duly noticed hearing on the Draft EIR
13 on March 30, 2023, and made certain recommendations to the City Council; and

14 WHEREAS, the Final Environmental Impact Report dated April 2023, for the Project
15 consists of a Draft EIR dated March 2023, comments and recommendations received on the Draft
16 EIR, responses to comments on the Draft EIR, any changes to the Draft EIR, and a Mitigation
17 Monitoring and Reporting Program (collectively “FEIR”); and

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

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

1 requirements of section 15130 of the State CEQA Guidelines; (f) a discussion of growth inducing
2 impacts; (g) a discussion of significant irreversible environmental changes; (h) a discussion of
3 energy conservation; and (i) a list of all federal, state and local agencies, other organizations and
4 private individuals consulted in preparing the FEIR and the firm preparing the FEIR; and

5 WHEREAS, the City Council held a duly noticed hearing on the FEIR on June 6, 2023, at
6 which time additional written and oral testimony was received; and

7 WHEREAS, the City Council has been presented with and is familiar with the information
8 in the administrative record, including the Staff Reports and the written and verbal testimony
9 submitted thereon, and has reviewed and considered the information in the FEIR for completeness
10 and compliance with the CEQA Regulations, has independently reviewed and analyzed the FEIR
11 and has duly heard and considered the Staff Reports and all written and oral arguments presented
12 at its meeting of June 6, 2023; and

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

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

25 WHEREAS, the City has stated in writing the specific reasons to support its action to
26 approve the Project, despite its significant environmental impacts, based on the FEIR and other
27 information in the record, including in the Findings/SOC set forth in Exhibit “A” attached hereto;
28 and

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

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

10 WHEREAS, in accordance with the requirements of the CEQA Regulations, a Mitigation
11 Monitoring and Reporting Program was prepared that identified (i) all feasible measures required
12 to mitigate potentially significant impacts, and (ii) standards and requirements contained in
13 Ordinances and State Laws with which the Project will be required to comply, which Mitigation
14 Monitoring and Reporting Program is attached hereto as Exhibit “B” and incorporated herein by
15 reference; and

16 WHEREAS, the City has not received any comments or additional information that
17 constitutes substantial new information requiring recirculation under Public Resources Code
18 section 21092.1 and State CEQA Guidelines section 15088.5; and

19 WHEREAS, all requirements of the CEQA Regulations have been satisfied by the City in
20 the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects
21 of the Project have been adequately evaluated.

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

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

26 Section 2: The City Council hereby makes the following findings and conclusions:

- 27 (a) The FEIR for the Project has been completed and processed in compliance with the
28 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 and the administrative record as a whole, which includes, but is not
4 limited to, staff reports, testimony and information received, and scientific and
5 factual data presented in evidence during the review process, prior to approving the
6 Project; and

7 (c) The FEIR reflects the City’s independent judgment and analysis.

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

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

15 Section 5: Potential environmental effects have been studied and, except as stated in
16 Section 8 below, there is no substantial evidence in the record, as a whole, that supports any
17 argument that the Project, as designed and mitigated, may cause a significant effect on the
18 environment. No facts, reasonable assumptions predicated on facts, testimony supported by
19 adequate factual foundation, or expert opinion supported by facts has been submitted that refute
20 the conclusions reached by the FEIR, studies, data and reports. Nor does anything in the record
21 alter the environmental determination, as presented, based upon investigation and independent
22 assessment of those studies, data and reports. No new significant impacts have been raised by any
23 commenting individual or entity, nor has any significant new information been added to the FEIR
24 that would require recirculation under State CEQA Guidelines section 15088.5.

25 Section 6: The FEIR dated April 2023 for the Project reflects the independent judgment
26 of the City based upon the findings and conclusions stated in the FEIR, staff reports, and in
27 consideration of testimony and information received, and scientific and factual data presented in
28 evidence during the review process.

1 Section 7: The City Council Finds that the FEIR dated April 2023 has fully examined the
2 environmental impacts of the Project and, based on the information in the administrative record,
3 including the analysis in the FEIR, has determined that the impacts on aesthetics, agricultural and
4 forestry resources, air quality, biological resources, cultural resources, energy conservation,
5 geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and
6 water quality, land use and planning, mineral resources, noise, population and housing, public
7 services, recreation, transportation and traffic (except VMT), tribal cultural resources, utilities and
8 service systems, and wildfire either have no impact, are less than significant or are potentially
9 significant but that with mitigation the impacts are reduced to less than significant based on the
10 Findings/SOC set forth in Exhibit “A” attached hereto and incorporated herein by reference, as
11 well as the findings and analysis contained in the FEIR (collectively “Findings”). The Findings
12 are supported by substantial evidence contained therein as well as in the record, and as such, said
13 Findings are hereby adopted by the City Council.

14 Section 8: The City Council finds that the FEIR dated April 2023 has fully examined the
15 environmental concerns associated with the Project and, based on the information in the
16 administrative record, including the analysis in the FEIR, has determined that the following
17 significant impacts, identified in the FEIR, cannot be mitigated to a level of insignificant: direct
18 and cumulative impacts to VMT. As explained in attached Exhibit “A” Findings/SOC, the City
19 Council finds pursuant to Public Resources Code section 21081(a)(3) that specific economic, legal,
20 social, technological or other considerations make infeasible additional mitigation measures or
21 alternatives that would substantially lessen such impacts. The City Council further finds, pursuant
22 to Public Resources Code section 21081(a)(1) and as explained in the Findings/SOC (Exhibit “A”)
23 that changes or alterations have been incorporated into the Project which mitigate or avoid those
24 significant impacts identified in the FEIR to the fullest extent feasible.

25 Section 9: With the exception of the impacts identified in Section 8 above, the City Council
26 finds that, the Project, including all mitigation measures, conditions, permits and approvals will
27 not have any other significant adverse unmitigated impacts on the environment. Potential
28 environmental effects have been studied and there is no substantial evidence in the record, as a

1 whole, that supports any argument that the Project, as designed and mitigated, would cause a
2 significant effect on the environment, except as to the impacts identified in Section 8. No facts,
3 reasonable assumptions predicated on facts, testimony supported by adequate factual foundation,
4 or expert opinion supported by facts has been submitted that refute the conclusions reached by the
5 FEIR, studies, data and reports. Nor does anything in the record alter the environmental
6 determination, as presented, based upon investigation and independent assessment of those studies,
7 data and reports.

8 Section 10: The City Council finds that three (3) alternatives, including the No Project
9 Alternative, were identified and analyzed in the FEIR and all were rejected as failing to meet most
10 of the Project objectives (No Project Alternative, Alternative Project Location, and Reduced
11 Intensity Alternative), as not sufficiently reducing environmental impacts as compared to the
12 Project (Alternative Project Location, and Reduced Intensity Alternative), and/or as infeasible, due
13 to specific economic, legal, social technological and other considerations (all alternatives). These
14 grounds are contained in the entirety of the administrative record, including the FEIR, the attached
15 Exhibit “A” Findings/SOC, and the written and verbal testimony. Specifically:

16 (a) No Project/No Build Alternative. This Alternative was rejected because it fails to
17 achieve most or all of the Project objectives to: Provide high quality residential development that
18 is consistent with the General Plan, Orangecrest Specific Plan, and zoning code; implement the
19 residential provisions of the Specific Orangecrest Specific Plan Overlay intended to take effect
20 upon diminishment of Woodcrest Agricultural Preserve No. 7 on the site; establish a well-planned
21 community that provides visual and functional compatibility with adjacent residential
22 neighborhoods; create a walkable and bikeable environment near existing bus routes; provide
23 housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified
24 by Southern California Association of Governments (SCAG) and assist in reducing the housing
25 shortage in southern California; and provide housing in areas that have family services, such as
26 schools. This alternative is rejected for failing to meet most or all of the Project objectives.

27 (b) No Project/Existing Zoning. Under this alternative, a reduction in the number of
28 residential units would be built according to the zoning code base allowable dwelling units per

1 gross area (not including PRD allowable increases). Vibration impacts would be less than the
2 proposed Project. VMT would be lower in number, but would remain the same per capita and
3 therefore remain significant and unavoidable. Other impacts would remain similar. The No
4 Project/Existing Zoning Alternative would not eliminate the significant and unavoidable impact
5 of the proposed Project or eliminate the need for mitigation.

6 This Alternative would meet the Project objectives, but not to the same extent as the
7 proposed Project. The site would provide fewer housing units to meet the City's RHNA allocation
8 and fewer residences in an area that has residential services, such as schools. This alternative is
9 rejected for failing to sufficiently meet Project objectives, while failing to reduce the significant
10 environmental impacts.

11 (c) This Reduced Project Alternative. This alternative would build a total of 70 single-
12 family residences, which is 26 fewer residences than would be developed by the proposed Project
13 (a 27% reduction). This alternative is consistent with the General Plan and Orangecrest Specific
14 Plan. As with the No Project/Existing Zoning Alternative discussed immediately above, noise and
15 vibration impacts would be less than the proposed Project. VMT transportation impacts would be
16 lower in number, but would remain the same per capita and therefore remain significant and
17 unavoidable. Other impacts would remain similar. The No Project/Existing Zoning Alternative
18 would not eliminate the significant and unavoidable impact of the proposed Project or eliminate
19 the need for mitigation. This Alternative would also meet the Project objectives, but also not to
20 the same extent as the proposed Project. The site would provide fewer housing units to meet the
21 City's RHNA allocation and fewer residences in an area that has residential services, such as
22 schools. This alternative is rejected for failing to sufficiently meet Project objectives, while failing
23 to reduce the significant environmental impacts.

24 Section 11: The FEIR dated April, 2023, for the Project has been completed and processed
25 in compliance with the requirements of the CEQA Regulations (both state and local), and based
26 on the entirety of the administrative record is hereby certified.

27 Section 12: The City Council has balanced the benefits of the adoption of the Project
28 against its unavoidable environmental impacts and has determined that for the reasons set forth

1 below, the economic, legal, social, technological and other benefits of the Project outweigh the
2 unavoidable adverse environmental effects which have been identified in attached Exhibit "A"
3 Findings/SOC and the adverse environmental effects are therefore considered acceptable. Some
4 of the benefits of implementing and approving the Project are summarized as follows:

5 (a) The Project will provide high quality residential development on an in-fill site
6 surrounded by established residential uses and that is consistent with the City's General Plan,
7 Orangecrest Specific Plan, and zoning code.

8 (b) The Project provides needed housing in the City of Riverside in areas that have
9 family services, such as schools, and in an already urbanized area where public services are
10 available, including utilities, a well-developed network of roadways, and where public transit is
11 immediately adjacent to the site.

12 (c) The Project will develop a well-planned community that provides visual and
13 functional compatibility with the adjacent residential neighborhoods.

14 (d) The Project provides approximately 1.4 acres of privately maintained and publicly
15 accessible parkland which includes amenities such as an open turf play area, a tot lot with
16 playground equipment, 2 half-court basketball courts and picnic tables in an area of the City with
17 limited availability of publicly accessible open space.

18 (e) The Project will create a walkable and bikeable environment near existing bus
19 routes and provides new landscaped sidewalks along all Project street frontages, as well as a new
20 10-foot wide multi-purpose trail within the landscape setback along the eastern side of Wood Road.

21 (f) The single-family Project will provide housing to assist the City in meeting its
22 Regional Housing Need Allocation (RHNA) as identified by Southern California Association of
23 Governments (SCAG) and assist in reducing the housing shortage in southern California.

24 (g) The overriding considerations are of even greater weight considering that the VMT
25 impacts are significant for anything but a small number of additional residences, which would be
26 a missed opportunity for the quantity and quality of housing needed in the City and the region.
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1 These findings are supported by substantial evidence and the data to support these
2 overriding considerations are found throughout the FEIR, the supporting comments and responses
3 section of the FEIR, and by information throughout the administrative record.

4 Section 13: Specific environmental, economic, social, legal, technical and other
5 considerations and benefits derived from the development of the Project override and make
6 infeasible any alternative to the Project or further mitigation measures beyond those incorporated
7 into this Project.

8 Section 14: The City Council further finds that the Project will provide numerous
9 benefits to the City, as stated in Section 12 above, which outweigh its unavoidable environmental
10 impacts and therefore adopts the Statement of Overriding Considerations set forth more fully
11 Exhibit “A” attached hereto and incorporated herein by reference.

12 Section 15: The City Council finds that all significant environmental impacts from
13 implementation of the Project have been identified in the FEIR and, with the implementation of
14 the mitigation measures set forth in the Mitigation Monitoring and Reporting Program contained
15 in Exhibit “B” attached hereto and incorporated herein by reference, will be mitigated to a less-
16 than-significant level, with the exception of the impacts identified in Section 8 above. The City
17 Council hereby adopts the Mitigation Monitoring and Reporting Program for the Project to
18 implement the policies, goals and implementation measures identified in the FEIR as necessary to
19 preclude the need for further mitigation measures. Said Mitigation Monitoring and Reporting
20 Program, contained in the FEIR and attached hereto as Exhibit “B”, is hereby incorporated as part
21 of the approval of the City Council for the adoption of the Project.

22 Section 16: The City Council hereby finds that the locations of documents and other
23 materials which constitute the record of proceedings upon which its decision is based are the
24 Community & Economic Development Department, Planning Division and the City Clerk’s Office
25 located at 3900 Main Street, Riverside, California 92522, and the custodian of such records shall
26 be the Community & Economic Development Director and the City Clerk, respectively.

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ADOPTED by the City Council this _____ day of _____, 2023.

PATRICIA LOCK DAWSON
Mayor of the City of Riverside

Attest:

DONESIA GAUSE
City Clerk of the City of Riverside

I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council on the ____ day of _____, 2023, by the following vote, to wit:

Ayes:

Noes:

Abstain:

Absent:

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this ____ day of _____, 2023.

DONESIA GAUSE
City Clerk of the City of Riverside

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EXHIBIT A
CEQA FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS

EXHIBIT A

FINDINGS AND FACTS IN SUPPORT OF FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WOOD AND LURIN PLANNED RESIDENTIAL DEVELOPMENT PROJECT RIVERSIDE, CALIFORNIA STATE CLEARINGHOUSE NO. 2022070337

Document Format

These Findings have been organized into the following sections:

Section I provides an introduction to these Findings.

Section II provides a summary of the Project and overview of the discretionary actions required for approval of the Project, and a statement of the Project's objectives.

Section III provides a summary of previous environmental reviews related to the Project area that took place prior to the environmental review done specifically for the Project, and a summary of public participation in the environmental review for the Project.

Section IV sets forth the location and custodian of the record.

Section V sets forth findings regarding environmental impacts identified in the EIR which were determined not to be significant.

Section VI sets forth findings regarding environmental impacts identified in the EIR which can feasibly be mitigated to a less than significant level through the imposition of project design features, regulatory requirements, and/or mitigation measures. In order to ensure compliance and implementation, all of these measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project which shall be adopted by the City together with these Findings in accordance with CEQA Section 21081.6. Where potentially significant impacts can be reduced to less than significant levels through adherence to project design features and regulatory requirements, these findings specify how those impacts were reduced to an acceptable level.

Section VII sets forth findings regarding cumulative impacts.

Section VIII sets forth findings regarding significant irreversible effects.

Section IX sets forth findings regarding environmental impacts identified in the EIR which were determined to be significant and unavoidable, but which may contain project design features, regulatory requirements, and/or mitigation measures. In order to ensure compliance and implementation, all of these measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project which shall be adopted by the City together with these Findings in accordance with CEQA Section 21081.6.

Section X sets forth findings regarding growth inducement.

Section XI sets forth findings regarding alternatives to the proposed Project.

Section XII sets forth findings regarding no need for recirculation.

Section XIII sets forth a statement of overriding considerations.

Section XIV sets forth the certification of the EIR.

Section XV sets forth the Mitigation Monitoring and Reporting Program.

I. INTRODUCTION TO CEQA FINDINGS OF FACT

The California Environmental Quality Act, Public Resources Code Section 21000 et seq. and the State CEQA Guidelines, 14 Cal. Code of Regs. Section 15000 et seq. (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091, implementing CEQA Section 21081, provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed and considered the Draft Environmental Impact Report (DEIR) and the Final Environmental Impact Report (FEIR) for the Wood and Lurin Planned Residential Project, SCH No. 2022070337 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) are hereby adopted by the City of Riverside (City) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the City for the development of the Project. These actions include the approval of the Tentative Tract Map (TTM), Planned Residential Development Permit (PRD), Design Review (DR), and the Diminishment of Woodcrest Agricultural Preserve No. 7. (AP) per the Orangecrest Specific Plan Environmental Impact Report (EIR). These actions are collectively referred to herein as the Project.

II. PROJECT SUMMARY

A. Project Location

The Project site is located in the southern portion of the City of Riverside in the northwest portion of the County of Riverside. The Project site is comprised of 18.92 acres of vacant and disturbed land, located northeast of the intersection at Wood Road and Lurin Avenue (Assessor’s Parcel Numbers [APNs] 266-130-016, 266-130-024, and 266-130-023). The Project site has been previously disturbed and is generally undeveloped and vacant except for a vacant single-family residence and associated shed structure located in the southeast corner of the Project site, along Lurin Avenue.

Regional access to the Project site is provided by Interstate 215 (I-215) to the east of the site and State Route 91 (SR-91) to the northwest. Local access to the site is provided from Van Buren Boulevard, Wood Road and Krameria Avenue.

B. Project Description

The applicant, Coastal Commercial Properties, has submitted applications to the City of Riverside for a TTM, PRD, DR, and Diminishment of Woodcrest AP No.7 per the Orangecrest Specific Plan EIR for the Project referred to as the Wood and Lurin Planned Residential Project. The TTM would subdivide 18.92 acres into 96 single-family residential lots and lettered lots for common open space and private streets. The PRD would permit the establishment of detached single-family dwellings, common open space, and private streets. The DR would provide approval of the proposed site design and building elevations. The AP would diminish the Woodcrest Agricultural Preserve No.7.

The proposed 96 single-family residences would include three different two-story floor plan options. The residences would range in size from 2,651 to 3,121 square feet and would provide 4 bedroom/3.5 bathrooms and 5 bedrooms/4 bathrooms. Each residence would have a front porch and rear yard/private open space area. Minimum setbacks for each parcel would be 13 foot front building setbacks (not including any proposed porch structures) and 5 foot side building setbacks.

Architecture. The proposed two-story single-family residences would be a maximum of 35 feet in height and designed with Modern Agrarian, Coastal, and Santa Barbara architectural elements with multi-level pitched rooflines, and earth tone color schemes. The residences would incorporate vertical and horizontal siding, shingle siding, stone veneer, stucco finishes, decorative gables and columns, detailed roof elements, porch details, accent tiles, shutters, iron railings, corbel details, and decorative windows and doors in the exterior design.

Landscaping. The proposed Project would install ornamental trees along Wood Road, Krameria Avenue, Lurin Avenue, the interior Project streets, and in the onsite common open space areas. The proposed landscaping includes a variety of drought tolerant shrubs, ground covers, and City-approved street tree species ranging from 24- to 36-inch box specimens.

Open Space. The Project would provide onsite open space and recreational areas including:

- A 61,909 square foot common open space recreation area with an open turf play area, a tot lot with playground equipment, 2 half-court basketball courts, park benches, picnic tables, overhead trellis, and landscaping; and
- A 10-foot-wide multi-purpose trail recreational trail within the landscaped setback along the eastern side of Wood Road.

Site Access. The Project would be accessed from both Krameria Avenue and Lurin Avenue. The proposed onsite street system would include 5-foot-wide concrete sidewalks and pedestrian street crossings to provide safe pedestrian circulation. The Project also includes a 35-foot setback would be located along Wood Road that would have a 10-foot-wide multi-purpose trail.

Parking. The proposed Project would provide garage, driveway, and on-street parking. Each residence would have a minimum of a two-car garage and a minimum of two driveway parking spaces. The Project would also provide 110 on-street parking spaces to be used by residences and visitors.

Infrastructure Improvements. The Project would construct new internal private streets, curb, gutter, sidewalks, storm drain, wet and dry utilities, and related infrastructure improvements. The proposed Project would install onsite 8-inch water and sewer lines that would be located within each of the residential streets and serve each of the proposed residences. The new onsite water lines would connect to the existing 12-inch water line in Wood Road and the existing 8-inch and

24-inch lines Krameria Avenue. The new onsite sewer lines would connect to the existing 8-inch sewer line in Lurin Avenue. The Project would install an onsite stormwater drainage system that would convey runoff to catch basins throughout the site that would convey flows to proposed two bioretention basins that would treat and infiltrate runoff. One bioretention basin would be located in the western portion of the site adjacent to Wood Road and the other would be located in the southern portion of the site along Lurin Avenue. The basins would connect to a detention pipe system and would discharge runoff to the existing storm drain line within Wood Road. In an addition, a basin culvert would provide an overflow outlet to Wood Road.

Walls and Fences. The Project site would be bound by a 6-foot-high decorative masonry wall with an 8-inch pilaster cap and the single family residences would be separated by 5-foot, 6-inch high vinyl fences. In addition, decorative masonry walls would be installed at all returns between the residences and the property lines.

C. Required Approvals:

Implementation of the Project would require, but is not limited to, the following discretionary approvals by the City (Lead Agency):

- Certification of the Final EIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Tentative Tract Map
- Planned Residential Development Permit
- Design Review
- Agricultural Preserve Diminishment

D. Statement of Project Objectives

The following objectives have been identified in order to aid decision makers in their review of the proposed Project and its associated environmental impacts.

- Provide high quality residential development that is consistent with the General Plan, Orangecrest Specific Plan, and Zoning Code.
- Implement the residential provisions of the Specific Orangecrest Specific Plan Overlay intended to take effect upon diminishment of Woodcrest Agricultural Preserve No. 7 on the site.
- Establish a well-planned community that provides visual and functional compatibility with adjacent residential neighborhoods.
- Create a walkable and bikeable environment near existing bus routes.
- Provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.
- Provide housing in areas that have existing family services, such as schools.

III. PROCEDURAL COMPLIANCE WITH CEQA

The FEIR includes the Draft Environmental Impact Report (Draft EIR) dated February 2023, written comments on the Draft EIR that were received during the public review period, written responses to those comments, and changes to the Draft EIR. In conformance with CEQA and the

State CEQA Guidelines, the City of Riverside conducted an extensive environmental review of the Wood and Lurin Planned Residential Project, including the following:

- Completion of the Notice of Preparation (NOP), which were released for an initial 30-day public review period from July 19, 2022, through August 18, 2022. The NOP was posted at the City of Riverside, Community & Economic Development Department on July 19, 2022. The notice was mailed to reviewing agencies and to city residents and owners within a 300-foot radius from the Project Site. Copies of the Initial Study were made available for public review on the City's website at: <https://riversideca.gov/cedd/planning/development-projects-and-ceqa-documents>.
- Completion of a scoping process, in which the public was invited by the City to participate. The scoping meeting for the EIR was held virtually on August 3, 2022, at 6:00PM through Zoom, accessed through the following link: <https://us06web.zoom.us/j/87592584862>.
- Preparation of a Draft EIR by the City, which was made available for a 45-day public review period (February 3, 2023, to March 20, 2023). The Draft EIR consisted of the analysis of the Wood and Lurin Planned Residential Project and appendices, including the NOP and responses to the NOP. The Notice of Availability (NOA) for the Draft EIR was sent to all property owners and occupants within a 300-foot radius from the Project Site, all persons, agencies and organizations on the interest list interested persons, posted to the State Clearinghouse website for distribution to public agencies, and published in the Press Enterprise. The NOA was posted at the Riverside City Hall in the Community and Economic Development Department, Planning Division on February 3, 2023. Copies of the Draft EIR were made available for public review at the Riverside Main Public Library, the Riverside Public Library, Orange Terrace Branch, and it was available for download via the City's website at <https://riversideca.gov/cedd/planning/development-projects-and-ceqa-documents>.
- Preparation of a Final EIR, including the Comments and Responses to Comments on the Draft EIR, occurred. The Final EIR/Response to Comments contains comments on the DEIR, responses to those comments, revisions to the Draft EIR, and appended documents. The Final EIR Response to Comments will be released for a 10-day agency review period prior to certification of the Final EIR on June 6, 2022.
- Public hearings were held for the proposed Project, including a Planning Commission hearing and a City Council Hearing.
 - A notice of the Planning Commission hearing for the Project was mailed to all property owners of record within a 300-foot radius from the Project site and all individuals that requested to be notified and posted at the site and at the City of Riverside, Community & Economic Development Department, Planning Division's Office as required by established public hearing posting procedures. A notice of the Planning Commission hearing was also published in The Press Enterprise on March 3, 2023.
 - A notice of the Land Use, Sustainability and Resiliency Committee for the Project was posted to the City of Riverside's website prior to the meeting on April 10, 2023. An agenda and report of the Committee meeting was also published to the City's website.
 - A notice of the City Council hearing for the Project was mailed to all property owners of record within a 300-foot radius from the Project site and all individuals that requested to be notified. A notice for the City Council hearing was posted at the site

and at the Riverside City Hall in the Community and Economic Development Department's office as required by established public hearing posting procedures. Additionally, the notice for the City Council hearing will be published in The Press Enterprise on May 26, 2023.

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- The Initial Study and NOP and all other public notices issued by the City in conjunction with the proposed Project;
- The Final EIR (includes Draft EIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the public review comment periods on the Draft EIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the Draft EIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR;
- The Ordinances and Resolutions adopted by the City in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the City, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other material that constitute the record of proceedings on which these findings are based are located at the City of Riverside, Community & Economic Development Department, Planning Division, 3900 Main Street, Third Floor, Riverside, CA 92522. The custodian for these documents is the City of Riverside. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code Regulations Section 15091(e).

IV. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials which constitute the administrative record for the City's actions related to the Project are located at the City of Riverside, Community & Economic Development Department, Planning Division, 3900 Main Street, Third Floor, Riverside, CA 92522. The City of Riverside is the custodian of the administrative record for the Project.

V. FINDINGS FOR ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED NOT TO BE SIGNIFICANT

Based upon the Initial Study prepared for the Project, the City determined that the Project would have no impact or a less than significant impact on the following environmental topic areas and that no further, detailed analysis of these topics was required in the EIR:

-
- | | |
|---|---|
| <ul style="list-style-type: none"> • Aesthetics • Agriculture and Forest Resources • Air Quality • Energy • Geology and Soils • Greenhouse Gas Emissions • Hazards and Hazardous Materials | <ul style="list-style-type: none"> • Hydrology and Water Quality • Land Use and Planning • Mineral Resources • Population and Housing • Public Services • Recreation • Utilities/Service Systems • Wildfire |
|---|---|

The evidence in support of the finding that the Project will not have a significant impact on these environmental topic areas are set forth in the Draft EIR which is incorporated by reference.

For those environmental impacts that were analyzed in the Draft EIR, the City determined, based upon the CEQA threshold criteria for significance, that the Project would have no impact or a less than significant impact to the following environmental topic areas, and that no mitigation measures were required. This determination is based upon the environmental analysis in the Draft EIR and the comments received on the Draft EIR. No substantial evidence was submitted to or identified by the City which indicated that the Project would result in a significant impact related to the following.

Biological Resources:

Threshold A: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Less than Significant.

Facts in Support of Findings: The Project site comprised of disturbed/developed and ruderal areas that do not include riparian habitats or other sensitive natural communities. The onsite soils do not allow for water pooling on the site for any significant length of time after rain events. No vernal pools, swales, or vernal pool mimics such as ditches, borrow pits, cattle troughs, or cement culverts with signs of pooling water were on the site. Thus, impacts to these resources would not occur from implementation of the proposed Project. (Draft EIR Page 5.1-13).

Threshold C: Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than Significant

Facts in Support of Findings: The Project site is comprised of disturbed/developed and ruderal areas and there are no wetland features within or adjacent to the Project site. Further, the Project site does not support jurisdictional resources, including wetlands, marsh, vernal pool, etc., pursuant to Section 1602 of the California Fish and Game Code as regulated by the California

Department of Fish and Wildlife (CDFW) and pursuant to Sections 404/401 of the Clean Water Act as regulated by the U.S. Army Corps of Engineers (USACE) and Santa Ana Regional Water Quality Control Board (RWQCB). Thus, impacts to federally protected wetlands would not occur from implementation of the proposed Project. (Draft EIR Page 5.1-13).

Threshold E: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less than Significant

Facts in Support of Findings: The City's General Plan Open Space and Conservation Element includes Policies LU-7.4, OS-5.2, OS-5.4, and OS-5.6 that are related to participation in the MSHCP, protection of native plant communities, and protection and enhancement of wildlife migratory corridors. The Project would be consistent with the MSHCP and implement the required burrowing owl surveys. Also, the site does not include either native plant communities or wildlife migratory corridors. Therefore, the proposed Project would not conflict with the City's General Plan Policies related to biological resources. Further, the proposed Project includes installation of trees throughout the common areas of the Project site which would comply with the Tree Policy Manual ensure by the city's review process. Therefore, potential impacts related to local policies or ordinances protecting biological resources would be less than significant (Draft EIR Page 5.1-14).

Cultural Resources

Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Finding: Less than Significant

Facts in Support of Finding: The Project site is undeveloped except for a vacant single-family residence that was constructed in 1927 and is located on the southeast corner of the Project site. The proposed Project would demolish the existing residence and the associated improvements for development of the Project. The Historic Resources Assessment (Appendix C) conducted for the Project site determined that the residential structure is of common design and has been extensively modified by the enclosure of the front porch and inappropriate repair, replacement, or modification of character-defining features, including windows and window openings, main entry, eaves, and wall cladding. Thus, alterations have significantly compromised the structure's integrity and redefined its design and important associations have not been established, precluding eligibility for local designation under Title 20 of the Riverside Municipal Code. Due to the poor condition, common design, and extensive alteration the structure retains no historic integrity and is not considered a historic resource. Thus, demolition and removal of this structure and associated improvements as part of the Project would not result in impacts to a historic resource.

In addition to the structure itself, the historically related setting of the Project site and its vicinity have been compromised by subdivisions of the larger agricultural area, and historically related agricultural uses do not exist. Further, the Project site is not strongly associated with events that have made a significant contribution to the broad patterns of our national or state history or with significant persons in our past. Therefore, the Project site and residential structure are not eligible for listing in the National Register of Historic Places, California Register of Historical Resources,

or historic designation at the local level; and is not considered a historic resource under CEQA. Implementation of the proposed Project would result in a less than significant impact related to historic resources (Draft EIR Page 5.2-10).

Threshold C: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Finding: Less than Significant

Facts in Support of Finding: The Project site is vacant and undeveloped, with exception of one small residence at the southeast corner of the site; and the site has no history of previous cemetery uses. Project site soils have been extensively disturbed by agricultural earthmoving activities, including plowing and regular disking. Thus, human remains on the Project site are unlikely, as they typically would have been identified during previous agricultural and disking activities. Therefore, impacts would be less than significant.

However, in the unanticipated event that human remains are found during Project construction activities compliance with California Health and Safety Code Section 7050.5 that is enforced through a City Standard Condition of Approval would ensure that human remains would be treated with dignity and as specified by law, which would reduce the impact to a less than significant level (Draft EIR Page 5.2-11).

The following Regulatory Requirement will be implemented:

Discovery of Human Remains. In the event that human remains (or remains that may be human) are discovered at the Project site during grading or earthmoving, the construction contractors, Project Archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Riverside Community & Economic Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b) unless more current State law requirements are in effect at the time of the discovery. Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The County Coroner will notify the Native American Heritage Commission in accordance with California Public Resources Code 5097.98.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). The disposition of the remains shall be determined in consultation between the Project proponent and the MLD. In the event that the Project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)).

Noise

Threshold A: Would the Project generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than Significant

Facts in Support of Finding:

Construction

Noise generated by construction activities would include a combination of trucks, power tools, concrete mixers, and portable generators that generate high noise levels. Construction equipment used for the Project generates noise up to 89.6 dBA at a distance of 50 feet from the noise source. Typical operating cycles for construction equipment involves one or two minutes of full power operation followed by three to four minutes at lower power settings and turned off when not in use. Thus, construction equipment noise would not be continuous.

The Project would comply with construction-related noise standards including Municipal Code Section 7.35.020(G), which prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between the hours of 5:00 p.m. and 8:00 a.m. on Saturdays, or at any time on Sunday or a federal holiday.

The increase in ambient noise at nearby sensitive receptors from the Project construction activities to determine if a substantial increase in noise would occur. Because construction would occur throughout the Project site, the distances to the sensitive noise receptors were based on the acoustical center of the proposed construction activity. Construction noise levels were calculated for each phase. To be conservative, the noise generated by each piece of equipment was added together within each phase. However, it is unlikely (and unrealistic) that all of the equipment will be used at the same time.

As shown in Draft EIR Table 5.3-9, the noisiest construction phase is anticipated to occur during grading, where the highest modeled construction noise levels could reach up to 74.3 dBA Leq at the façade of the closest residential receptors located northwest of the site (in the vicinity of STNM2), which would not exceed the 80 dBA threshold. Other receptors located further from the center of construction activity would experience lower noise levels. Therefore, construction noise impacts would be less than significant.

Operation

On-Site Stationary Source Noise

Operational noise would occur from stationary equipment such as heating, ventilation, and air conditioning (HVAC) units that would be installed for the new residences. The typical noise from air conditioning units is intermittent and approximately 66.5 dBA Leq at 5 feet. The Project design includes perimeter walls and building setbacks. Noise levels from the HVAC units would be reduced by approximately 5 dBA (61.5 dBA Leq) due to the proposed 6-foot-high perimeter wall, and further reduced to 49.5 dBA as a result of the 20-foot building setback from the public right-of-way to the HVAC units. The 20-foot minimum building setback from the Project perimeter is the Planned Residential Development standard for the R-1 Zone that the Project would adhere to, and HVAC units are assumed to be adjacent to the residential structures. Therefore, noise levels generated from on-site HVAC units would not exceed the City's exterior daytime (7:00 a.m. to 10:00 p.m.) ambient noise standard of 55 dBA and the intermittent noise increase would not

exceed the City's nighttime (10:00 p.m. to 7:00 a.m.) 30-minute noise standard of up to 50 dBA (45 dBA plus 5 decibels). In addition, the location of mechanical equipment and related noise would be reviewed as part of the building plan submittal to ensure compliance with the City's municipal code requirements. Therefore, noise impacts related to HVAC and other mechanical equipment that could be used by the proposed residences would be less than significant.

Traffic Noise

The proposed Project is estimated to generate a total of 906 daily trips. Of these trips, 72 would occur in the a.m. peak hour and 95 would occur in the p.m. peak hour. The increase in traffic resulting from implementation of the Project would result in a limited increase the ambient noise levels in proximity to the Project area. The significance of the Project's traffic noise impacts is determined by comparing existing ambient noise levels with Project-related noise levels. As utilized in the City's General Plan EIR, if Project-related traffic would increase the CNEL at a sensitive receptor by 5 dBA, a significant impact could occur.

The noise traffic noise levels that would be generated by the Project were calculated using the FHWA's Highway Traffic Noise Prediction Model (FHWA-RD-77-108). As shown in Draft EIR Table 5.3-10, the proposed Project would increase noise levels at sensitive receptor sites by a maximum of 0.3 dBA Leq. This increase would not exceed the 5 dBA threshold; thus, impacts related to traffic noise increases would be less than significant (Draft EIR Page 5.3-17).

Transportation

Threshold A: Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Finding: Less than Significant

Facts in Support of Finding:

Construction

Construction of the proposed Project is anticipated to occur over an 18-month period. Construction-related trips generated on a daily basis throughout various construction activities would be derived from construction workers and delivery of materials. It is anticipated Project construction would generate haul trips distributed throughout the day. During construction, there would also be passenger car construction trips associated with crew arrivals and departures. The building construction phase of construction would generate the most vehicular trips per day from approximately 175 workers and 50 vendors per day, which would result in a total of 450 daily trips. This equates to 50 percent of the daily trips that would be generated by operation of the Project. Operation of the Project would not result in an inconsistency with the City's traffic criteria. Therefore, 50 percent of the daily trips would also not result in an inconsistency with the City's traffic criteria. Furthermore, the construction traffic would be temporary and intermittent depending on the phase of construction. Through compliance with Riverside Municipal Code Section 7.35.010, construction impacts related to conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system would be less than significant.

Operation

The City requires projects to identify potential impacts to the LOS standards designated in its general plan, and requires LOS improvements for congestion relief as CEQA mitigation measures, as needed. The LOS analysis and number of vehicular trips described within this EIR, is provided for public disclosure regarding vehicular trips in the developing area of the City. As detailed previously, per the City's TIA Preparation Guide, projects that generate less than 100 peak hour trips, and single-family residential tract projects of less than 100 lots, that are consistent with the existing General Plan would not result in an LOS related General Plan policy inconsistency.

The proposed Project would develop 96 single-family residences, which is fewer than 100 units. Also, the proposed Project would not exceed the City's 100 peak hour trip screening criteria. Vehicle trips for the Project were generated by using the trip rates from the Institute of Transportation Engineers (ITE) Trip Generation (10th Edition, 2017). The Project is anticipated to generate 72 a.m. peak hour and 95 p.m. peak hour trips. Thus, the proposed Project would not exceed the City's LOS related screening criteria.

Transit, Bicycle, and Pedestrian Facilities

As described previously, the RTA currently provides bus services in the city and western Riverside County. Bus Route 22 is located along Wood Road, with stops adjacent to the Project site. Route 22 provides services between the Perris Station Transit Center, which is a Metrolink stop to the southeast of the site and downtown Riverside, which is to the northwest of the site. Route 22 provides service 7 days per week, between 5:46 a.m. and 8:18 p.m. The existing bus services would allow Project site residents to convenient access to transit and may reduce VMT. The proposed Project would not alter or conflict with existing bus stops and schedules, and impacts related to RTA transit services would not occur.

There are no existing bicycle lanes or pedestrian facilities adjacent to the Project site. However, sidewalks are located throughout the newly developed single-family tracts that are located to the north of the site across Krameria Avenue and to the west of the site across Wood Road.

The Project includes 5-foot-wide concrete sidewalks and pedestrian street crossings throughout the Project site to provide for safe pedestrian circulation. In addition, a 35-foot setback would be located along Wood Road that would include a 10-foot-wide multi-purpose trail that would provide for pedestrian and bicycle circulation. The Project would provide new sidewalks along Wood Road, Lurin Avenue, and Krameria Avenue that would provide pedestrian transportation opportunities for new and existing residents of the area. The Project would provide additional facilities and would not conflict with any existing facilities. Therefore, impacts to transit, bicycle, and pedestrian facilities would be less than significant (Draft EIR Page 5.4-5).

Threshold C: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than Significant

Facts in Support of Finding: The Project would also not increase any hazards related to a geometric design feature. As shown on the conceptual site plan (Figure 3-5), the proposed onsite street system prohibits straight cut-through traffic and is designed to be traffic calming, as both left-turns and right-turns are required to drive through the site. All of the proposed improvements would be required to be installed in conformance with City design standards. The City's construction permitting process includes review of Project site plans to ensure that no potentially hazardous transportation design features would be introduced by the Project. The internal circulation of the site would be consistent with similar developments in the City and would allow parking (driveway and on-street) and access for residents. Building setbacks would be consistent

with the development standards of the PRD Permit and base zoning designations and would not block line of sight views for vehicles exiting the site onto Lurin Avenue and Krameria Avenue. Implementation of the proposed Project would not substantially increase hazards due to a geometric design feature or incompatible use. As a result, impacts related to vehicular circulation design features would be less than significant (Draft EIR Page 5.4-16).

Threshold D: Would the Project result in inadequate emergency access?

Finding: Less than Significant

Facts in Support of Finding:

Construction

The proposed construction activities, including equipment and supply staging and storage, would occur within and adjacent to the Project area and would not restrict access of emergency vehicles to the Project site or adjacent areas. The roadway improvements and installation of sidewalks and utilities could require the temporary closure of travel lanes, but full roadway closure and traffic detours are not expected to be necessary. In addition, construction activities would be required to implement measures to facilitate the passage of persons and vehicles through/around any required temporary road restrictions and ensure the safety of passage in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. Thus, implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and would ensure potential construction related emergency access impacts are less than significant.

Operation

Operation of the proposed Project would also not result in an inadequate emergency access. Direct access to the Project site would be provided from Krameria Avenue and Lurin Avenue, which are adjacent to the Project site. The Project is required to design and construct internal access roads of sufficient size to accommodate emergency vehicles and provide fire suppression facilities (e.g., hydrants, fire sprinklers and fire-resistant construction materials) in conformance with the City Municipal Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). Compliance with appropriate code specifications would be verified by the City's Building and Safety Department during the construction and occupancy permitting process. Thus, potential impacts related to inadequate emergency access during Project operation would be less than significant (Draft EIR Page 5.4-17).

VI. FINDINGS FOR IMPACTS IDENTIFIED AS SIGNIFICANT BUT MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

The following potentially significant environmental impacts were analyzed in the Draft EIR, which determined that project design features, compliance with existing laws, codes and statutes, regulatory requirements, and implementation of the identified feasible mitigation measures would reduce potentially significant impacts to a level of less than significant. The City has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a) (1) that "Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment," which is referred to herein as "Finding 1".

Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features, standard conditions, and plans, programs, or policies, these measures are considered "incorporated into the project," which mitigate or avoid

the potentially significant effect, and in these situations, the City also makes “Finding 1” even though no mitigation measures are required.

Biological Resources

Threshold B: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measure BIO-1 (Draft EIR Page 5.1-13)

Facts in Support of Finding: The General Biological Assessment identified that the Project site is heavily disturbed, continuously maintained for weed abatement, and used by off-road vehicles and dumping. In addition, no potentially suitable habitat for special status plant species was identified onsite. Multiple special status wildlife species are known to have the potential to occur within or adjacent to the Project site; however, habitat for these species does not exist on the site and none of the animal species were observed during the field survey. A habitat assessment for burrowing owls was conducted on December 15, 2020, which did not identify any signs of either burrowing owl or ground squirrel on the Project site. Due to the high level of disturbance and lack of ground squirrel activity, the habitat assessment concluded that burrowing owl are not present on the Project site. However, because the Project site is located within the MSHCP burrowing owl survey area, a 30-day preconstruction survey is required prior to the commencement of Project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding Project activities. This is included as Mitigation Measure BIO-1. Therefore, the potential of Project impacts related to special-status species would reduce potentially significant impacts to a less than significant level (Draft EIR Page 5.1-13).

The following Mitigation Measure will be implemented:

Mitigation Measure BIO-1: Burrowing Owl. Prior to commencement of construction activities (i.e., demolition, earthwork, clearing, and grubbing), a 30-day pre-construction survey for burrowing owls shall occur in accordance with the Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan. The results of the single one-day survey shall be submitted to the City Planning Division, for review and acceptance, prior to obtaining a grading permit. If burrowing owls are not detected during the pre-construction survey, no further mitigation is required. If burrowing owls are detected during the pre-construction survey, a Burrowing Owl Protection and Relocation Plan shall be prepared for and approved by the Regional Conservation Authority (RCA) and the Wildlife Agencies prior to initiating ground disturbance. If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed and shall be submitted to the City Planning Division, for review and acceptance.

The City finds that Mitigation Measure BIO-1 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds

that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and Mitigation Measure BIO-1, impacts would be less than significant.

Threshold D: Would the Project 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?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measure BIO-2 (Draft EIR Page 5.1-13)

Facts in Support of Findings: The Project is not located within a designated wildlife corridor or linkage nor were any wildlife movement corridors found to be present on or adjacent to the Project site. Thus, impacts to wildlife movement corridors would not occur from implementation of the proposed Project. The Project site has the potential to support songbird and raptor nests due to the presence of shrubs, ground cover, and trees. Project activities could disturb or destroy active migratory bird nests including eggs and young. As such, direct impacts to breeding birds (e.g., through nest removal) or indirect impacts (e.g., by noise causing abandonment of the nest) could result in a potentially significant impact. Therefore, Mitigation Measure BIO-2 is included to require a nesting bird survey if vegetation is removed during nesting season, which would reduce potentially significant impacts to a less than significant level (Draft EIR Page 5.1-13).

The following Mitigation Measure will be implemented:

Mitigation Measure BIO-2: Nesting Birds. To the extent possible, vegetation removal shall occur outside of the general bird nesting season, which is February 15 through September 15; and January 1 through August 31 for raptors. If vegetation removal, site clearing, and grubbing) must occur during the general bird nesting season, a qualified biologist shall perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and Fish and Game Code. The pre-construction survey shall be performed no more than three days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by the qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted.

If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until said qualified biologist determines that all young have fledged (i.e., no longer reliant upon the nest).

The City finds that Mitigation Measure BIO-2 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to

this issue, as identified in the EIR. With implementation of proposed Project design considerations and Mitigation Measure BIO-2, impacts would be less than significant.

Threshold F: Would the Project conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measure BIO-1 (Draft EIR Page 5.1-14)

Facts in Support of Findings: The Project site is located within the Lake Mathews/Woodcrest Area Plan of the Western Riverside County MSHCP. The Project site is not located within a Criteria Cell or Cell Group. A discussion of the applicable Western Riverside County MSHCP requirements by MSHCP section is provided below:

The Project site does not contain habitat that may be considered riparian/riverine areas as defined in Section 6.1.2 of the MSHCP. Due to the lack of suitable riparian habitat on the Project site, focused surveys for riparian/riverine bird species listed in Section 6.1.2 of the MSHCP are not warranted. The Biological Assessment did not identify any vernal pools, swales, or vernal pool mimics such as ditches, borrow pits, cattle troughs, or cement culverts with signs of pooling water. In addition, the site does not contain areas that show signs of ponding water, hydrophytic vegetation, or soils typical of vernal pools that would be suitable for large branchiopods.

The Project site is not located within the Western Riverside County MSHCP Narrow Endemic Plant Species Survey Area (NEPSSA) pursuant to Section 6.1.3 of the MSHCP. Therefore, the NEPSSA requirements are not applicable to the Project.

The Project site is not located within or adjacent to a Western Riverside County MSHCP Conservation Area; therefore, the Urban/Wildlands Interface requirements are not applicable to the Project.

The Project site is not located within the Western Riverside County MSHCP Additional Survey Areas for amphibians, mammals, or any special linkage areas. In addition, the Project site is not located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA) pursuant to Section 6.3.2 of the Western Riverside County MSHCP.

However, the Project site is located within the Western Riverside County MSHCP Additional Survey Area for burrowing owls. As described previously, a habitat assessment for burrowing owl was conducted on the site that did not identify signs of either burrowing owl or ground squirrels and determined that no suitable habitat for this species present on the site. Because the Project site is located within the Western Riverside County MSHCP burrowing owl survey area, a 30-day preconstruction survey is required prior to the commencement of vegetation clearing, clearing and grubbing, tree removal, site watering to ensure that no owls have colonized the site in the days or weeks preceding Project activities. This requirement has been included as Mitigation Measure MM BIO-1. Therefore, impacts would be less than significant with mitigation incorporated (Draft EIR Page 5.1-14).

The following Mitigation Measure will be implemented:

Mitigation Measure BIO-1: Burrowing Owl. As listed previously.

The City finds that Mitigation Measure BIO-1 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and Mitigation Measure BIO-1, impacts would be less than significant.

Cultural Resources

Threshold B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measures CUL-1 through CUL-5 (Draft EIR Page 5.2-11).

Facts in Support of Finding: There are 28 previously identified prehistoric resources (all bedrock milling features) within a 1-mile radius of the Project site; nine of which are within 0.25-mile to 0.5-mile of the Project site. However, no known archaeological resources are located on the site. Further, the Phase I Cultural Resources Assessment describes that the modification and disturbance associated with prior agricultural uses and current disking has eradicated any near-surface record of prehistoric, ethnohistoric, or historic-era behavioral activities that may have otherwise been preserved as archaeological sites, deposits, or features.

However, because previously recorded prehistoric resources have been identified within 0.25-mile of the Project site, it is possible that archaeological resources could be uncovered during earthmoving activities. As such, the Phase I Cultural Resources Assessment determined that the site has a low to moderate potential for archaeological resources. Therefore, Mitigation Measures CUL through CUL-5 have been included. Mitigation Measure CUL-1 requires that a qualified archaeologist monitor initial ground-disturbance activities. Mitigation Measure CUL-2 states that if inadvertent discoveries of archaeological resources occur, work shall temporarily halt until agreements are executed with consulting tribe. Mitigation Measures CUL-3 through CUL-5 outline protocols for tribal monitoring, treatment and disposition of tribal cultural resources, and cultural sensitivity training. Therefore, impacts would be less than significant with mitigation incorporated.

The following Mitigation Measures will be implemented:

MM CUL-1: Archaeological Monitoring. At least 30 days prior to application for a grading permit and before any grading, excavation, and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.

The Project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop and implement an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the Project site. Details in the plan shall include:

- a. Project grading and development scheduling;
- b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant and the Project archaeologist for designated Native American

- Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists;
- c. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation;
 - d. In conjunction with the Archeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources;
 - e. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and
 - f. The requirements (including scheduling and timing) of a preconstruction Cultural Sensitivity Training.

MM CUL-2: Native American Coordination. Prior to grading permit issuance, if there are any changes to Project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of any identified cultural resources on the Project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place any cultural and paleontological resources that are identified on the Project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.

MM CUL-3: Native American Monitor: Prior to issuance of grading permit, the developer/permit applicant shall engage each of the consulting tribe(s) regarding Native American Monitoring. The developer/permit applicant shall provide evidence to the City that they have reached an agreement with each of the consulting tribe(s) regarding the following:

- a. The treatment of known cultural resources;
- b. The treatment and final disposition of any tribal cultural resources, sacred sites, human remains or archaeological and cultural resources inadvertently discovered on the Project site;
- c. Project grading, ground disturbance (including but not limited to excavation, trenching, cleaning, grubbing, tree removals, grading and trenching) and development scheduling; and
- d. The designation, responsibilities, and participation of professional Tribal Monitor(s) during grading, excavation and ground disturbing activities.

If the developer/permit applicant and the consulting tribe(s) are unable to reach an agreement regarding compensation, the mitigation measure shall be considered satisfied if the developer/permit applicant provides sufficient documented evidence that they have

made a reasonable good faith effort to reach an agreement, as determined by the City with the consulting tribes with regards to items a-d, as listed above).

MM CUL-4: Treatment and Disposition of Cultural Resources. In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project, the following procedures will be carried out for treatment and disposition of the discoveries:

1. **Consulting Tribes Notified:** within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the city evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation.
2. **Temporary Curation and Storage:** During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the Project archaeologist. The removal of any artifacts from the Project site shall require the approval of the consulting Tribes and all resources subject to such removal must be thoroughly inventoried with a tribal monitor from each consulting tribe to oversee the process; and
3. **Treatment and Final Disposition:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:
 - a. Preservation-in-place of the cultural resources, if feasible as determined through coordination between the project archeologist, developer/applicant, and consulting tribal monitor(s). Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources in perpetuity;
 - b. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed, with an exception that sacred items, burial good and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains and grave goods. Any reburial process shall be culturally appropriate. List of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV report shall be prepared by the project archeologist and shall be filled with the City under a confidential cover and not subject to a Public Records Request. The Tribe(s) should be able to access these areas in the future through enforceable agreement;
 - c. If reburial is not feasible, a curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility

- within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and
- d. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the Project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.

MM CUL-5: Cultural Sensitivity Training. The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder's contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

The City finds that Mitigation Measures CUL-1 through CUL-5 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and mitigation measure Mitigation Measures CUL-1 through CUL-5, impacts would be less than significant.

Noise

Threshold B: Would the Project generate excessive groundborne vibration or groundborne noise levels?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measure NOI-1 (Draft EIR Page 5.3-23).

Facts in Support of Finding:

Construction

Construction activities would include demolition, excavation, and grading activities, which have the potential to generate low levels of groundborne vibration. The nearest existing structures to the Project boundary are the residential structures located adjacent to the northern portion of the Project site, approximately 5 feet from the Project site boundary. To be conservative, this distance

represents the closest a piece of equipment could come to the building façade of the sensitive receptors as the equipment passes by the Project boundary. Other vibration sensitive land uses are located further from the Project site and would experience lower impacts.

Construction of the proposed Project would not require the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The highest degree of groundborne vibration that would be generated during construction would be from operation of a vibratory roller and a large bulldozer. At a distance of 5 feet vibratory roller operations are estimated to be approximately 2.348 inch-per-second peak particle velocity (PPV) and large bulldozer operations are estimated to be 0.995 inch-per-second PPV, which exceeds the Federal Transit Administration (FTA) significance thresholds (i.e., 0.2 inch-per-second PPV for potential structural damage to non-engineered timber and masonry buildings).

However, at a distance of 120 feet, the vibration level from a vibratory roller is 0.02 inch per second PPV, and at a distance of 68 feet, the vibration level from a large bulldozer is 0.02 inch per second PPV, which meets the criteria to reduce potential structural damage to a less than significant level (vibration calculations provided in Appendix F). Therefore, to avoid the potential for any structural damage to the adjacent buildings during construction, Mitigation Measure NOI-1 has been included to restrict use of a vibratory roller within 120 feet of the existing offsite buildings and restrict use of a large bulldozer within 68 feet of the existing offsite buildings. With the implementation of Mitigation Measure NOI-1, construction impacts from groundborne vibration would be reduced to a level of less than significant with mitigation incorporated.

Vibration Annoyance

At a distance of 5 feet, use of a vibratory roller would generate vibration of approximately 114.97 vibration decibels (VdB) and use of a bulldozer would be expected to generate 107.97 VdB, which would exceed the 75 VdB threshold for human annoyance. However, at a distance of 110 feet, use of a vibratory roller would generate 74.7 VdB and at a distance of 63 feet use of a bulldozer would generate 74.96 VdB (vibration calculations provided in Appendix F). At these distances, annoyance-based impacts from groundborne vibration would be less than significant. At the distances required by Mitigation Measure NOI-1, impacts related to human annoyance would be less than the 75 VdB threshold, and less than significant with mitigation incorporated.

Operation

Operation of the proposed residential uses would include heavy trucks for residents moving in and out of the residences, product deliveries, and garbage trucks for solid waste disposal. Typical vibration levels for the heavy truck activity at normal traffic speeds would be approximately 0.006 in/sec PPV (63 VdB), based on the FTA Transit Noise Impact and Vibration Assessment. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than the vibration threshold of 0.20 in/sec PPV for non-engineered timber and masonry buildings and 75 VdB for human annoyance, and therefore, would be less than significant with mitigation incorporated (Draft EIR Page 5.3-20).

The following Mitigation Measure will be implemented:

Mitigation Measure NOI-1: Construction Vibration: Construction plans and specifications for the Project shall specify that bulldozers (greater than 80,000 pounds) shall not be used within 68 feet of offsite residential structures and vibratory rollers shall not be used within 120 feet of offsite residential structures. The City will ensure plans and

specifications include requirements during plan check. Construction activity that must occur within 120 feet of the offsite residential structures would need to be performed with small rubber-tired or alternative equipment that does not exceed the vibration threshold of 0.2 in/sec PPV at offsite residences. The site shall be staked (or other visible demarcation) to mark the limits for bulldozing and vibratory rolling activities while equipment is in use.

The City finds that Mitigation Measure NOI-1 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and mitigation measure Mitigation Measure NOI-1, impacts would be less than significant.

Tribal Cultural Resources

Threshold A: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measures CUL-1 through CUL-5 (Draft EIR 5.5-7).

Facts in Support of Finding: The Phase I Cultural Resources Assessment determined that the site has a low to moderate potential for archaeological resources. Also, two Native American tribes (the Rincon Band of Luiseño Indians and the Pechanga Band of Luiseño Mission Indians) identified the potential of resources being located within the Project region and requested tribal and archaeological monitoring occur during project excavation. The Phase I Cultural Resources Assessment and the tribal consultations did not identify any tribal cultural resources on the site. However, due to the number of previously identified bedrock milling features within 1-mile of the site it is possible that tribal cultural resources exist on the site. Thus, to avoid a potential adverse effect to tribal cultural resources, Mitigation Measure CUL-1 has been included to require that a qualified archaeologist monitor initial ground-disturbance activities. In addition, Mitigation Measures CUL-2 through CUL-5 require Native American coordination of Project plans, treatments of any uncovered resources, and a pre-grading cultural resources sensitivity training for construction personnel implementation of protocols in the event a potential tribal cultural resource is uncovered. Therefore, potential impacts related to tribal cultural resource that are listed or eligible for listing in the California Register of Historical Resources, or other register of historical resources would be less than significant with mitigation.

The following Mitigation Measure will be implemented:

Mitigation Measure CUL-1: Archaeological Monitoring. As listed previously.

Mitigation Measure CUL-2: Native American Coordination. As listed previously.

Mitigation Measure CUL-3: Native American Monitor. As listed previously.

Mitigation Measure CUL-4: Treatment and Disposition of Cultural Resources. As listed previously.

Mitigation Measure CUL-5: Cultural Sensitivity Training. As listed previously.

The City finds that Mitigation Measures CUL-1 through CUL-5 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and mitigation measure Mitigation Measures CUL-1 through CUL-5, impacts would be less than significant.

Threshold B: Would the Project cause a substantial adverse change in the significance of a resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, that considers the significance of the resource to a California Native American tribe?

Finding: Potential impacts would be less than significant with implementation of Mitigation Measures CUL-1 through CUL-5 (Draft EIR 5.5-8).

Facts in Support of Finding: The Phase I Cultural Resources Assessment determined that the site has a low to moderate potential for archaeological resources. In addition, the Rincon Band of Luiseño Indians and the Pechanga Band of Luiseño Mission Indians stated that there is potential of resources being located within the Project region and requested tribal and archaeological monitoring occur during Project excavation.

Therefore, to avoid a potential adverse effect to tribal cultural resources, Mitigation Measure CUL-1 has been included to require that a qualified archaeologist monitor initial ground-disturbance activities. In addition, Mitigation Measures CUL-2 through CUL-5 require Native American coordination of Project plans, treatments of any uncovered resources, and a pre-grading cultural resources sensitivity training for construction personnel implementation of protocols in the event a potential tribal cultural resource is uncovered.

Also, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the Project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, with implementation of the prescribed mitigation and the existing regulations, impacts to TCRs would be less than significant with mitigation.

The following Conditions of Approval will be implemented:

Discovery of Human Remains. In the event that human remains (or remains that may be human) are discovered at the Project site during grading or earthmoving, the construction contractors, Project Archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Riverside Community & Economic Development Department immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b) unless more current State law requirements are in effect at the time of the discovery. Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those

of a Native American. If human remains are determined as those of Native American origin, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). The coroner shall contact the NAHC to determine the most likely descendant(s). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.

The following Mitigation Measures will be implemented.

Mitigation Measure CUL-1: Archaeological Monitoring. As listed previously.

Mitigation Measure CUL-2: Native American Coordination. As listed previously.

Mitigation Measure CUL-3: Native American Monitor. As listed previously.

Mitigation Measure CUL-4: Treatment and Disposition of Cultural Resources. As listed previously.

Mitigation Measure CUL-5: Cultural Sensitivity Training. As listed previously.

The City finds that Mitigation Measures CUL-1 through CUL-5 is feasible, can be adopted, and would reduce impacts associated with this issue to a level of less than significant. Accordingly, the City finds that pursuant to Public Resources Code section 21081(a)(1) and State CEQA Guidelines section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project that mitigate or avoid the potentially significant impacts of the proposed Project related to this issue, as identified in the EIR. With implementation of proposed Project design considerations and mitigation measure Mitigation Measures CUL-1 through CUL-5, impacts would be less than significant.

VII. FINDINGS REGARDING CUMULATIVE IMPACTS

Consistent with CEQA's requirements, the EIR includes an analysis of cumulative impacts, which include the impacts of the proposed Project plus all other pending or approved projects within the affected area for each resource. The discussion of cumulative impacts must reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts attributable to a project alone (State CEQA Guidelines Section 15130(b)).

CEQA Guidelines Section 15130(b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of the following, or a reasonable combination of the two:

- A list of past, present, and probable future projects producing related or cumulative impacts, including those projects outside the control of the lead agency; or
- A summary of projections contained in an adopted local, regional, or statewide plan or related planning document that describes or evaluates conditions contributing to the cumulative effect.

The cumulative analysis for biological resources, noise, and transportation relies on adopted local, regional, or statewide plans to be implemented to reduce the cumulative effects on the environment from development projects and growth throughout the region. This includes Western Riverside County Multiple Species Habitat Plan (MSHCP) for biological resources, and the Riverside County Transportation Analysis Model (RIVTAM) includes cumulative (2040) scenarios to calculate project VMT and traffic noise. The cumulative analysis for cultural resources, noise, and tribal cultural resources relies on a list of projects.

Biological Resources

This cumulative impact analysis considers development of the Project in conjunction with other development projects in the geographic area covered by the MSHCP pursuant to buildout of the anticipated land use plans. As the Project consists of development of the site pursuant to the existing General Plan, Specific Plan, and zoning code requirements. The primary effects of the proposed Project are considered with the buildout of long-range plans in the geographic area covered by the MSHCP and would be the cumulative loss of habitat for sensitive species and/or cumulatively considerable impacts to sensitive species throughout the MSHCP area. Although the Project site is disturbed, it is still largely undeveloped and provides open space for foraging, refuge, and potentially nesting habitat for birds. As such, it is the projected cumulative effect of future development that has required the preparation and implementation of the MSHCP to protect multiple habitats and multiple endangered species.

Pursuant to the MSHCP, a habitat assessment was conducted for burrowing owl that determined that the site does not provide suitable habitat for the species, preconstruction surveys would be completed, and no other biological surveys are required by the MSHCP. Because the MSHCP provides coverage for potential cumulative impacts and the Project would comply with MSHCP, which would be verified through the City's development permitting process, potential cumulative impacts to sensitive biological resources would be less than significant. Furthermore, the Project compliance with the MBTA and Fish and Game Code Section 3503 would reduce potentially cumulatively considerable impacts to nesting bird species to a less than significant level.

Cultural Resources

The Project's contribution to cumulative impacts to historical resources was analyzed in context with historic resources within the County. Record searches and field surveys indicate the absence of significant historical sites and resources within the Project site and vicinity, and the Historic Resources Assessment (Appendix C) determined that the existing residential structure on the site is not a historic resource. Therefore, Project implementation would have no potential to contribute towards a significant cumulative impact to historical resources. Thus, cumulatively considerable historic resource related impacts would not occur.

The cumulative study area for archaeological resources includes the southern California region, which contains the same general prehistoric uses and migration trends as the Project site. Cumulative development projects in the region would involve ground disturbances that could reveal buried archaeological resources. However, as detailed previously, the soils within the Project site have been substantially disturbed and the site has a low to moderate potential for archaeological resources and the Project would implement Mitigation Measure CUL-1 through CUL-5 to ensure that impacts would not occur in the case of an inadvertent discovery of a potential resource, including a tribal cultural resource. The mitigation measure ensures that the Project

would not contribute to a cumulative loss of archaeological resources; therefore, Project impacts would be less than cumulatively significant.

Mandatory compliance with the provisions of California Health and Safety Code § 7050.5, Public Resources Code § 5097 et seq., and CEQA Guidelines Section 15064.5 that is enforced through the City's standard Condition of Approval would assure that all future development projects treat human remains that may be uncovered during development activities in accordance with prescribed, respectful, and appropriate practices, thereby avoiding significant cumulative impacts.

Noise

Cumulative noise assessment considers development of the proposed Project in combination with ambient growth and other development projects within the vicinity of the Project site. As noise and vibration are localized phenomena, and drastically reduce in magnitude as distance from the source increases, only projects and ambient growth in the nearby area could combine with the proposed Project to result in cumulative noise impacts. The closest cumulative projects to the Project site are located across Lurin Avenue. Cumulative projects 6, 7, and 10 (see Draft EIR Figure 5-1) consist of residential developments that are currently under construction and may be within hearing distance of the Project site; however, these projects are in different stages of development, and concurrent construction of the same activities are not anticipated to occur.

In addition, Municipal Code Section 7.35.020 prohibits construction activities between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, between the hours of 5:00 p.m. and 8:00 a.m. on Saturdays, or at any time on Sunday or a federal holiday. Thus, no cumulative construction noise or vibration would occur during the evening hours. Also, with Mitigation Measure NOI-1, the Project would not exceed applicable standards or significance thresholds and cumulative noise and vibration impacts would be less than significant.

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed Project and related projects within the study area. Therefore, cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the traffic volumes on the roadways in the Project vicinity. The noise levels associated with these traffic volumes with the proposed Project were identified previously in Table 5.3-10. As shown, the proposed Project would increase local noise levels by a maximum of 0.2 dBA CNEL. As the increase is much lower than 5 dBA threshold, cumulative impacts associated with traffic noise would be less than significant.

Transportation

The cumulative traffic study area for the proposed Project includes the transportation analysis zone (TAZ) where the Project is located. The proposed Project is consistent with the existing General Plan, and thus, would be consistent with the cumulative volume of anticipated traffic on the area roadways. In addition, the proposed Project also would not exceed the City's 100 peak hour trip or 100 single-family residence tract screening criteria. Thus, cumulative level of service (LOS) related General Plan policy consistency impacts would be less than significant.

Cumulative impacts related to VMT are evaluated as part of the Riverside County Traffic Analysis (RIVTAM). RIVTAM socioeconomic database provides cumulative (2040) scenarios to calculate Project VMT. As shown in in Draft EIR Table 5.4-3, in the cumulative (2040) condition, the Project

VMT per capita is approximately 89 percent higher than the threshold. Therefore, the Project would result in a cumulatively considerable significant impact. As detailed previously, VMT reducing measures, such as sidewalks and multipurpose trails are included in the Project; however, no feasible mitigation exists to reduce the cumulative (2040) VMT below the threshold. Therefore, cumulative VMT impacts would be significant and unavoidable (Draft EIR 5.4-17).

Tribal Cultural Resources

The cumulative study area for tribal cultural resources (TCRs) includes the southern California region, which contains the same general tribal historic setting, as detailed previously in Draft EIR Section 5.5.3, *Environmental Setting*. Other projects in the vicinity of the Project would involve ground disturbances that could reveal, or impact buried TCRs.

Cumulative impacts to TCRs would be reduced by compliance with applicable regulations and consultations required by AB 52. The Project site and vicinity is not known to contain TCRs; however, Mitigation Measures CUL-1 through CUL-5 would be implemented to ensure that impacts would not occur in the case of an inadvertent discovery of a potential TCR. These mitigation measures would provide that the Project would not contribute to a cumulative loss of TCRs. Therefore, cumulatively considerable impacts would be less than significant.

VIII. FINDINGS FOR SIGNIFICANT IRREVERSIBLE EFFECTS

Section 15126.2(c) of the CEQA Guidelines requires that an EIR discuss “any significant irreversible environmental changes which would be involved in the proposed action should it be implemented.” Generally, a project would result in significant irreversible environmental changes if one of the following scenarios is involved:

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

As outlined in Section 5.6.3 of the Draft EIR, the Project site would be committed to single-family residential uses once the proposed buildings are constructed. Secondary effects associated with this irreversible commitment of land resources include:

- Changes in views associated with construction of the new buildings and associated development (see Initial Study Section 1, *Aesthetics*).
- Increased traffic on area roadways (see Section 5.1 *Transportation*).
- Emissions of air pollutants associated with Project construction and operation (see Initial Study Section 3, *Air Quality*).
- Consumption of non-renewable energy associated with Project development and operation due to use of trucks, lighting, heating and cooling systems, and the like (see Initial Study Section 6, *Energy*).
- Increased ambient noise associated with an increase in activities and traffic associated with the Project (see Initial Study Section 13, *Noise*).

- Construction of the proposed Project as described in Section 3.0, *Project Description*, would require the use of energy produced from non-renewable resources and construction materials.

In regard to energy usage from the proposed Project, as demonstrated in the analyses contained in the Initial Study Section 6, *Energy*, the proposed Project would not involve wasteful or unjustifiable use of non-renewable resources, and conservation efforts would be enforced during construction and operation of proposed development through the City's permitting process. The proposed development would incorporate energy-generating and conserving project design features, including those required by the California Building Code, California Energy Code Title 24, which specify green building standards for new developments.

IX. FINDINGS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS

Public Resources Code section 21002 states that "it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

Section 15364 of the State CEQA Guidelines defines "feasible" as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors."

The City Council hereby finds that, despite the incorporation of feasible measures outlined in the Final Subsequent EIR, the following impacts cannot be fully mitigated to a less than significant level. Despite these significant and unavoidable impacts, the City nevertheless approves the Project because of the benefits described in the Statement of Overriding Considerations included herein.

Transportation

Threshold B: The Project would conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b). Impacts are significant and unavoidable.

Finding: Potential impacts would significant and unavoidable.

Facts in Support of Finding: The project would be input into the TAZ where the project is located or a new zone would be created for the project. The model would then be run to determine the project generated VMT per capita and the projects effect on VMT within the City limits. Based on the City's VMT analysis guidelines for residential development projects, the City's current baseline VMT per capita include baseline (2012) and cumulative (2040) conditions.

A VMT analysis using the above methodology was recently prepared for the Cole Single-Family Development Project (TTM37731), located at the southwest corner of Cole Avenue and Lurin Avenue; within the same TAZ as the proposed Project (TAZ 3574). Because the Cole Development Project is a single-family residential project within the same TAZ as the proposed Project, the VMT per capita is the same. In the baseline condition, the Project VMT per capita (of 19.0) is more than double the threshold (of 9.18) and in the cumulative condition, the Project VMT per capita (of 17.0) is approximately 89 percent higher than the threshold (of 9.01). Therefore, the

Project would result in a significant impact in both the baseline and cumulative conditions. In order to mitigate the significant VMT impact to a less than significant level, the Project would need to implement strategies to reduce the Project VMT/capita from 19.0 VMT/capita to 9.18 VMT/capita (a reduction of 52 percent). However, to mitigate VMT behavioral changes would be required to reduce the number of trips. The City's TIA Guidelines identify three methods to mitigate VMT measures that are listed in Draft EIR Table 5.4-4 along with their applicability to the Project.

Potentially feasible Transportation Demand Management (TDM) and built mitigation for the Project has been reviewed. Measures considered include Project funding of off-site bicycle lanes, off-site transit amenity improvements, transit/bus pass subsidies, and other TDM measures suitable for residential development such as carpool matching and school pool. Because these mitigations are contextual and behavioral in nature, their success depends on resulting changes in human behavior. For example, although existing bus stops for RTA Bus Route 22 are located next to the Project site along Wood Road that provides services to the Perris Station Transit Center, providing a transit/bus pass program for the single-family residential project does not necessarily guarantee a behavioral change within the project's population that would substantially reduce VMT.

The VMT Analysis also evaluated installation of off-site bicycle lanes. As detailed in Section 3.0, *Project Description*, the Project also includes a 35-foot setback along Wood Road that would include a 10-foot-wide multi-purpose trail that could be used for both walking and bicycling. The VMT Analysis determined that the addition of off-site bicycle lanes would result in a minimal reduction to VMT.

The CAPCOA report, *Quantifying Greenhouse Gas Mitigation Measures*, as referred to by the City's TIA Guidelines, identifies TDM measures that may be effective at the project level. Those measures have been applied to the proposed Project in Draft EIR Table 5.4-5 to identify the feasibility of reducing Project generated impacts. However, a feasible mix of strategies that would reduce the Project VMT/capita from 19.0 VMT/capita to 9.18 VMT/capita (a reduction of 52 percent) was not identified.

As detailed in Draft EIR Table 5.4-6 if the Project were to implement every VMT reduction strategy and achieve the maximum VMT reduction, then the VMT could be reduced by 24.9 percent. This calculation includes the maximum reductions for each sector, even if the calculated reduction is higher and reflects the limited effectiveness that some measures have in suburban areas. To mitigate the significant VMT impact, a reduction of 52 percent would be required. Because it is not possible to reduce the project's VMT by more than 24.9 percent, the VMT impact would remain significant and unavoidable. Not all strategies included in Draft EIR Table 5.4-6 would be applicable to the Project. However, the following VMT reduction strategies would be applicable to the Project: Provide Pedestrian Network Improvements; Provide Traffic Calming Measures; Implement Subsidized or Discounted Transit Program; and Implement Commute Trip Reduction Marketing. In addition, Mitigation Measure TR-1 and Mitigation Measure TR-2 as described below would be implemented.

It should be noted that given the City's VMT screening thresholds and the size of the proposed Project (over 10,000 square feet or 11 single-family residences), it is infeasible to develop and operate the Project site, consistent with the General Plan land use and zoning designations with fewer VMT related impacts. As a result, impacts related to VMT would be significant and unavoidable (Draft EIR 5.4-8).

Project Description Features:

PDF T-1: Provide Pedestrian Network Improvements. As a Project Design Feature, the project would construct sidewalks along all internal streets as well as along the project's frontages on Wood Road, Krameria Avenue, and Lurin Avenue. The effectiveness of this measure was calculated using the methodology in the 2021 CAPCOA guidance, which is based on the increase in sidewalks within the project area. The project would construct an additional 5,780 linear feet of sidewalk along Wood Road, Lurin Avenue, Krameria Avenue and within the Project. The increase in pedestrian connectivity to existing and planned commercial and residential uses in the area was calculated to have the potential to decrease in VMT by 4.6 percent, according to the CAPCOA calculation. This strategy is considered a project design feature and has not been included as mitigation.

PDF T-2: Provide Traffic Calming Measures. As a Project Design Feature, the location of the park and surrounding proposed street system has been designed to prohibit straight cut-through traffic and is designed to be traffic calming, as both left and right-turns are required to drive through the Project site. Although traffic calming would not result in a reduction in VMT, it is supportive to the pedestrian network improvements and would provide a more comfortable walking environment within the project site as well as connections to the off-site pedestrian network. This strategy is considered a project design feature and has not been included as mitigation.

Mitigation Measures:

Mitigation Measure T-1: Implement Subsidized or Discounted Transit Program. The Project will implement a subsidized transit pass program. The Project applicant shall establish an account in the amount of \$50,000, to be administered by the Homeowners Association (HOA) to provide free or reduced cost transit passes to Project residents for a period of at least 10 years from project occupancy. Implementation of the subsidized transit pass program by the HOA shall be included in the Project Covenants, Conditions and Restrictions (CC&R's), and the fund shall be established prior to occupancy of the first unit of the Project. The program shall provide up to \$95 for a Riverside Transit Agency monthly pass or up to \$100 for a Metrolink monthly pass to qualified residents who request transit reimbursement from the HOA. Residents who participate in the subsidized transit pass program would also be eligible to receive reimbursement for use of a ride sharing service (i.e., Uber or Lyft) for an emergency ride home.

The HOA shall provide an annual report of the transit pass program that includes the number of reimbursement requests, the amount disbursed to residents, and the remaining amount in the transit pass account. If the program experiences low participation, the City shall have the discretion to direct the HOA to redirect the funds for implementation of another measure intended to reduce VMT by Project residents. Such measures could include, but are not limited to, offsite or onsite pedestrian, bicycle or transit improvements, funding toward a bikeshare station on or near the site, implementation of further traffic calming measures, or other feasible and implementable TDM measures. The subsidized transit pass program will be administered by the Project Homeowners Association (HOA) and would rely on a fund, established by the Project applicant, to purchase transit passes for Project residents.

Mitigation Measure T-2: Implement Commute Trip Reduction Marketing. The Project will implement a CTR marketing program via information provided by the HOA and will educate residents about their travel choices beyond driving such as carpooling, transit, walking and bicycling. The Project HOA shall provide up to date travel information in a publicly accessible location, such as a website or on-site bulletin board. The CTR Marketing program shall provide information on the Subsidized Transit Pass program as well as other travel options such as transit

routes and schedules, bikeway maps, and location of nearby bike and carshare stations. The information shall be reviewed and updated as needed and no less than every six months.

X. FINDINGS REGARDING GROWTH INDUCING IMPACTS

Section 15126.2(d) of the State CEQA Guidelines requires the EIR to address the growth-inducing impact of the Project. Section 14, *Population and Housing*, of the Initial Study evaluates the potential for the Project to affect economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Employment Related Growth

The proposed Project would develop the Project site to provide single-family residential units and would not establish new permanent employment opportunities. In addition, as detailed in Section 14, *Population and Housing*, of the Initial Study (Appendix A), the proposed Project would result in an overall density of 5.07 du/acre, which is consistent and within the General Plan land use densities for the Project site. Therefore, the residential development that would occur by the proposed Project is consistent with planned growth. Thus, the Project would not result in unplanned population that could result in stimulating the economy, and the economic effects of the proposed Project would not result in the need for additional development that could result in a substantial impact on the environment.

Infrastructure Obstacles to Growth

The proposed Project would induce growth if it would provide public services or infrastructure with excess capacity to serve lands that would otherwise not be developable or to expand the development potential of redevelopment areas.

The proposed Project would install new onsite infrastructure systems and upon approvals, would connect to existing offsite systems that currently have capacity to serve the Project area. The new onsite infrastructure would not provide additional capacity beyond what is needed to serve the proposed Project. In addition, development of the proposed Project would not result in an expansion of overall capacity, or extension of major infrastructure. Therefore, infrastructure improvements would not result in significant growth inducing impacts.

Impacts of Growth

The proposed Project site is generally undeveloped and vacant, except for a vacant single-family residence and associated shed structure that is on the northwest corner of Lurin Avenue and Dant Street. The proposed Project would not involve a change to development regulations and would result in area specific population growth. The proposed Project is requesting a PRD permit to develop 96 single-family residences on the 18.92-acre site, which would result in 5.07 single-family dwelling units per gross acre, which would be consistent with the existing General Plan land use designations for the Project site, and regulations related to land development would not be changed by implementation of the proposed Project.

In addition, based on the California Department of Finance data, the City of Riverside had a population of 328,155 and 101,414 housing units. The proposed Project would result in a 0.09 percent increase in both residents and housing units in the City, which is not substantial growth. According to the General Plan 2025 Final Program EIR, the City has a projected population of 383,077 at the ultimate buildout of the City, which equates to a population increase of 54,922. The Project's population increase of 288 residents would be 0.5 percent of the General Plan planned growth. In addition, the SCAG population projections show a City population of 395,800 in the year 2045, which would be an increase of 67,645 residents over the 2020 population and

the Project's 288 residents would be 0.4 percent of the increase. The SCAG projections also estimate that 115,100 households will exist in the City in 2045, which is an increase of 13,686 dwelling units over those in 2020. The 96 residences developed by the Project would consist of 0.7 percent of the increase in residential units. Therefore, impacts related to growth from changes in existing regulations pertaining to land development would be less than significant.

XI. FINDINGS REGARDING ALTERNATIVES

Key provisions of the State CEQA Guidelines relating to an alternatives analysis (Section 15126.6 et seq.) are summarized below:

- The discussion of alternatives shall focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more-costly.
- The "No Project" alternative shall be evaluated along with its impact. The "No Project" analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the Project is not approved.
- The range of alternatives required in an EIR is governed by a "rule of reason"; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative if its effects cannot be reasonably ascertained and its implementation is remote and speculative.

A. Rationale for Selecting Potentially Feasible Alternatives

The alternatives must include a no-project alternative and a range of reasonable alternatives to the Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant project impacts. The range of alternatives discussed in an EIR is governed by a "rule of reason," which the State CEQA Guidelines Section 15126.6(f)(3) defines as:

" . . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making."

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative if its effects could not be reasonably identified and its implementation is remote or speculative.

For purposes of this analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the Project.

B. Alternatives Considered and Rejected

Eleven Residences Alternative: An alternate that would develop the site with 11 single-family residences was eliminated from further consideration. As described in Section 5.1, Transportation, development projects that generate fewer than 110 daily vehicle trips, which equates to 11 single-family residences, would have a less than significant impact on VMT. Therefore, an 11 single-family residential project would eliminate the significant and unavoidable transportation impact that would result from the proposed Project. The Project site has a General Plan land use designations of MDR-Medium Density Residential, which allows up to 6.2 units per acre, or 8 units per acre with a Planned Residential Development (PRD); and LDR-Low Density Residential that allows up to 4.1 units per acre or 6 units per acre with a PRD. Neither the MDR nor the LDR land use designations have a density minimum. However, the General Plan Land Use Element (Table LU-3) provides that the typical dwelling unit per acre for MDR designated areas is 5.5 units per acre and the typical dwelling unit per acre for LDR designated areas is 3 units per acre. While the Project site does not have an applicable minimum density requirement, the intent of the General Plan was for the site to be built out according to the typical density seen for the LDR and MDR land use designations identified in Table LU-3, otherwise, if lower density land use designations would have been assigned to facilitate lower density development. Therefore, the 11 single-family residences alternative would not meet the intention of the City's General Plan Land Use Element.

Development of the 18.92-acre project site with 11 single-family residences would result in 1.72 dwelling units per acre, which is far below the General Plan land use designation densities for the Project site. Thus, this alternative would not be consistent with the existing General Plan designations for the site, and it would not be consistent with the Orangecrest Specific Plan designations for the site that provide for development consistent with of R-1-13000 and R-1-8500 residential zones. Further, the City's General Plan Draft Housing Element includes Program HE-5-2-Zoning Code Amendments, which calls for incentivizing building the maximum number of homes allowed for a given site to further the City's housing policies and increase the City's housing stock. Therefore, the Eleven Residences Alternative would not be consistent with the City's intent for the Project site and was rejected from further consideration.

C. Alternatives Selected for Analyses

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project and evaluate the comparative merits of the alternatives" (Guidelines Sec. 15126.6[a]). The City of Riverside analyzed the following three alternatives:

- No Project/No Build Alternative
- No Project/ Existing Zoning Alternative
- Reduced Project Alternative

Alternative 1: No Project/No Build Alternative

Under this alternative, the proposed Project would not be approved, and no development would occur. The existing conditions of one vacant aged residential building. In accordance with the CEQA Guidelines, the No Project/No Build Alternative for a development Project on an identifiable property consists of the circumstance under which the Project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states that, "In certain instances, the no Project alternative means 'no build' wherein the existing environmental setting is maintained." In addition, the no Project alternative includes what would be reasonably expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

The No Project/No Build Alternative assumes that the proposed 96 single-family residential units would not be constructed. This alternative considers no development/disturbance on the Project site beyond the existing condition. As such, the entire 18.92-acre site would remain vacant and undeveloped, except for the vacant single-family residence and associated shed structure, in the southeastern portion of the site. Thus, this alternative compares impacts of the proposed Project with the existing conditions onsite. Accordingly, Alternative 1: No Project/No Build provides a comparison between the environmental impacts of the proposed Project in contrast to the result from not approving, or denying, the proposed Project. Thus, this alternative is intended to meet the requirements of CEQA Guidelines Section 15126.6(e) for evaluation of a No Project Alternative.

Ability to Reduce Impacts: The No Project/No Build Alternative would not construct or operate the proposed residences and the site would remain vacant with one aged residential structure. As a result, the No Project/No Build Alternative would not have the potential to impact biological resources, cultural resources, or tribal resources. Also, this alternative would not generate noise, vibration, or VMT. Thus, significant VMT impacts that would occur by the proposed Project would not occur by the No Project/No Build Alternative, and mitigation that would be required by the proposed Project would not be required by this alternative. Therefore, implementation of the No Project/No Build Alternative would eliminate the significant and unavoidable VMT impact and eliminate the need for mitigation. Impacts under the No Project/No Build Alternative would be less than that of the proposed Project.

Ability to Achieve Project Objectives: As shown in Draft EIR Table 6-3, the No Project/ No Build Alternative would not meet any of the Project objectives. The site would not be developed consistent with the General Plan, Orangecrest Specific Plan, and zoning code, would not implement the Orangecrest Specific Plan Overlay provisions for the site, would not establish a community that would provide visual and functional compatibility with adjacent residential neighborhoods, would not create a walkable and bikeable environment near existing bus routes, and would not provide housing assist in meeting the City's Regional Housing Need Allocation (RHNA) or provide housing in areas that have family services, such as schools. Overall, this alternative would not meet any of the objectives of the proposed Project.

Finding: The City of Riverside finds that the No Project/No Build Alternative is infeasible based on several economic and social factors. The No Project/No Development Alternative would not develop the Project site to construct single-family residential units and therefore would not facilitate high-quality development that is compatible with the existing surrounding residential neighborhoods on underutilized parcels for residential development. Further, the No Project/No Build Alternative fails to meet any of the Project objectives and is rejected on that basis.

Alternative 2: No Project/ Existing Zoning Alternative

Under this alternative, a reduction in the number of residential units would be built. The reduced number of units is based on the zoning code base allowable dwelling units per gross area (not including PRD allowable increases) per Municipal Code Section 19.100.040, Residential development standards, Table 19.100.040.A, Residential Development Standards: Single-family Residential Zones, which provides a maximum density of 3.4 units per acre for areas zoned R-1-13000.

Thus, under this alternative the Woodcrest Agricultural Preserve No. 7 would not be diminished on the on the 14.1-acre portion of the site (within overlay Planning Area 107-B and C) and would be developed with commercial farming uses. The remaining 4.8-acre southeastern portion of the site would be developed with 16 single-family residences. The number of units on the 4.8-acre portion of the site is based on the zoning code and Orangecrest Specific Plan base allowable dwelling units per gross area (not including PRD allowable increases) per Municipal Code Section 19.100.040, Residential development standards, Table 19.100.040.A, Residential Development Standards: Single-family Residential Zones, which provides a maximum density of 3.4 units per acre for areas zoned R-1-13000.3. A total of 16 single-family residences would be developed by the No Project/Existing Zoning Alternative, which is 80 fewer residences (a 83% reduction) than would be developed by the proposed Project. This alternative would provide development consistent with the General Plan and Orangecrest Specific Plan.

Ability to Reduce Impacts: The No Project/Existing Zoning Alternative would result in 80 fewer residential units, which would result in 179 fewer daily vehicular trips than the proposed Project. However, significant and unavoidable impacts related to VMT would continue to occur from implementation of this alternative. Any single-family residential project consistent with General Plan, Orangecrest Specific Plan, and zoning designations within the same TAZ as the proposed Project would have the same VMT per capita as the proposed Project. Overall, although the number of residences and volume of vehicular trips would be less by the No Project/Existing Zoning Alternative in comparison to the proposed Project, the No Project/Existing Zoning Alternative would result in the same VMT per capita. Therefore, VMT impacts would be significant and unavoidable. Additionally, construction vibration impacts would be reduced under the No Project/Existing Zoning Alternative since residential development would not be proposed within the northern portion of the site nearby existing sensitive residential receptors, and Mitigation Measure NOI-1 would no longer be required.

In addition, the No Project/Existing Zoning Alternative would disturb site soils, remove vegetation, and generate operational noise from commercial farming operations. Thus, implementation of the same mitigation measures, except for Mitigation Measure NOI-1, that are required for the proposed Project are required for the No Project/Existing Zoning Alternative to reduce potential impacts to a less than significant level. Therefore, the No Project/Existing Zoning Alternative would not eliminate the significant and unavoidable impact of the proposed Project or eliminate the need for mitigation.

Ability to Achieve Project Objectives: As shown in Draft EIR Table 6-3, the No Project/Existing Zoning Alternative would meet the Project objectives, but not to the same extent as the proposed Project. The site would provide fewer housing units to meet the City's RHNA allocation and fewer residences in an area that has residential services, such as schools. Overall, this alternative would meet the objectives of the proposed Project, but not to the same extent as the proposed Project.

Finding: The City of Riverside finds that the No Project/Existing Zoning Alternative is infeasible based on several economic and social factors. A key consideration for the City is to increase

housing density and to establish a well-planned community that provides visual and functional compatibility with adjacent residential neighborhoods. The No Project/Existing Zoning Alternative would result in the construction of 80 fewer units. This alternative would result in reduced impacts related to noise from fewer residential structures and reduced construction noise from a shorter construction schedule and reduced operational noise from fewer residents and vehicles. However, this alternative would require the same mitigation measures that are required for the proposed Project to reduce impacts to a less than significant level for biological resources, cultural resources, and tribal cultural resources, except for MM NOI-1. This alternative would meet most of the Project objectives, but not to the same extent as the proposed Project. Thus, the City rejects the No Project/Existing Zoning Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the No Project/Existing Zoning Alternative reduces the density of the proposed Project by reducing the amount of development without eliminating the need for a similar level of mitigation and; (2) the No Project/Existing Zoning Alternative fails to meet the Project objectives to the fullest extent.

Alternative 3: Reduced Project Alternative

Under this alternative, a reduction in the number of residential units would be built. The reduced number of units is based on the zoning code base allowable dwelling units per gross area (not including PRD allowable increases) per Municipal Code Section 19.100.040, Residential development standards, Table 19.100.040.A, Residential Development Standards: Single-family Residential Zones, which provides a maximum density of 5.1 units per acre for areas zoned R-1-8500 and a maximum density of 3.4 units per acre for areas zoned R-1-13000. Thus, under this alternative the 3.7-acre northern portion of the site with the allowable R-1-8500 zoning (after cancellation of the Woodcrest Agricultural Preserve No. 7) would be developed with 19 single-family residences; and the southern 15.1-acre portion of the site that is zoned R-1-13000 would be developed with 51 single-family residences (after cancellation of the Woodcrest Agricultural Preserve No. 7). A total of 70 single-family residences would be developed by the Reduced Project Alternative, which is 26 fewer residences (a 27% reduction) than would be developed by the proposed Project. This alternative would provide development consistent with the General Plan and Orangecrest Specific Plan.

Ability to Reduce Impacts: The Reduced Project Alternative would result in 26 fewer residential units, which would result in 245 fewer daily vehicular trips than the proposed Project. However, significant and unavoidable impacts related to VMT would continue to occur from implementation of this alternative. Any single-family residential project consistent with General Plan, Orangecrest Specific Plan, and zoning designations within the same TAZ as the proposed Project would have the same VMT per capita as the proposed Project. Overall, although the number of residences and volume of vehicular trips would be less by the Reduced Project Alternative in comparison to the proposed Project, the Reduced Project Alternative would result in the same VMT per capita. Therefore, VMT impacts would be significant and unavoidable.

In addition, the Reduced Project Alternative would disturb site soils, remove vegetation, and generate temporary construction vibration. Thus, implementation of the same mitigation measure that are required for the proposed Project are required for the Reduced Project Alternative to reduce potential impacts to a less than significant level. Therefore, the Reduced Project Alternative would not eliminate the significant and unavoidable impact of the proposed Project or eliminate the need for mitigation.

Ability to Achieve Project Objectives: As shown in Table 6-3, the Reduced Project Alternative would meet the Project objectives, but not to the same extent as the proposed Project. The site

would provide fewer housing units to meet the City's RHNA allocation and fewer residences in an area that has residential services, such as schools. Overall, this alternative would meet the objectives of the proposed Project, but not to the same extent as the proposed Project.

Finding: The City of Riverside finds that the Reduced Project Alternative is infeasible based on several economic and social factors. A key consideration for the City is to increase housing density and to establish a well-planned community that provides visual and functional compatibility with adjacent residential neighborhoods. The Reduced Project Alternative would result in the construction of 26 fewer units. This alternative would result in reduced impacts related to noise from fewer residential structures and reduced construction noise from a shorter construction schedule and reduced operational noise from fewer residents and vehicles. However, this alternative would require the same mitigation measures that are required for the proposed Project to reduce impacts to a less than significant level for biological resources, cultural resources, and tribal cultural resources. This alternative would meet most of the Project objectives, but not to the same extent as the proposed Project. Thus, the City rejects the Reduced Project Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the Reduced Project Alternative reduces the density of the proposed Project by reducing the amount of development without eliminating the need for a similar level of mitigation and; (2) the Reduced Project Alternative fails to meet the Project objectives to the fullest extent.

D. Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

The Environmentally Superior Alternative for the proposed Project would be the No Project/No Development Alternative. The Environmentally Superior Alternative among the other alternatives is the Reduced Project Alternative because it would allow for development of the site and would meet some of the Project objectives compared to the No Project/No Build Alternative.

Although the No Project/Existing Zoning Alternative and Reduced Project Alternative would reduce the overall vehicular trips and vehicle miles traveled from the Project site because fewer residents would reside on the site, the VMT per capita would remain the same. In addition, the site would provide fewer housing units to meet the City's RHNA allocation, and fewer residences in an area that has family services, such as schools. This alternative would meet most of the Project objectives, but to a lesser extent compared to the proposed Project.

CEQA does not require the City of Riverside to choose the environmentally superior alternative. Instead, CEQA requires the City to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm.

XII. FINDINGS REGARDING NO NEED FOR RECIRCULATION

The Final EIR includes the comments received on the Draft EIR and responses to those comments. The focus of the responses to comments is on the disposition of significant environmental issues as raised in the comments, as specified by CEQA Guidelines §15088(b),

as well as to provide clarification regarding environmental issues raised. The Final EIR also incorporates information obtained after publication of the Draft EIR and revisions made for clarification and to provide additional detail.

CEQA Guidelines §15088.5 provides that recirculation of an EIR for additional public review and comment is only required in limited circumstances where new or substantially increased significant impacts are identified; where a new feasible mitigation measure or alternative is needed to reduce or avoid significant impacts but is not adopted; or where the EIR circulated for review was so fundamentally inadequate that environmental review was precluded. However, CEQA Guidelines §15088.5 confirms that “recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.” It is for those reasons that recirculation is the exception, not the rule. (*Laurel Heights Improvements Ass’n of S.F. v. Regents of Univ. of Cal.* (1993) 6 Cal. 4th 112, 1132.)

Here, the contents of the Final EIR merely clarify and amplify the already-adequate discussions and mitigation measures presented in the Draft EIR, and do not identify or demonstrate any new significant impacts or substantially increased environmental impacts. Similarly, no new mitigation measures for new significant impacts or alternatives are necessary. Thus, recirculation is not required under CEQA Guidelines §15088.5.

Therefore, the City of Riverside City Council finds that responses to comments made on the Draft EIR merely clarify, amplify or make insignificant modifications to the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5(b).

XIII. STATEMENT OF OVERRIDING CONSIDERATIONS

A. Introduction

The City of Riverside is the Lead Agency under CEQA for preparation, review and certification of the EIR for the Wood and Lurin Planned Residential Development Project. As the Lead Agency, the City is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. In making this determination the City is guided by CEQA Guidelines Section 15093, Statement of Overriding Considerations, which states:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, Public Resources Code Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to Public Resources Code Section 21081(b) and the State CEQA Guidelines Section 15093, the City has balanced the benefits of the proposed Project against the unavoidable adverse impacts associated with the Project and has adopted all feasible mitigation measures with respect to these impacts. The City also has examined alternatives to the proposed Project, none of which both meets the Project objectives to the same extent as the Project and is environmentally preferable to the proposed Project for the reasons discussed in the Findings and Facts in Support of Findings.

The City of Riverside, as the Lead Agency for this Project, and having reviewed the EIR for the Wood and Lurin Planned Residential Development Project, and reviewed all written materials within the City's public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts in reaching its decision to approve the Project.

B. Overriding Considerations

The City, after balancing the specific economic, legal, social, technological, and other benefits of the Project, has determined that the unavoidable adverse transportation impacts identified above may be considered acceptable due to the following specific considerations which outweigh the unavoidable, adverse environmental impacts of the Project, each of which standing alone is sufficient to support approval of the Project, in accordance with CEQA Section 21081(b) and CEQA Guideline Section 15093. The specific economic, legal, social, technological, or other benefits of the Project are as follows:

- The Project will provide high quality residential development on an in-fill site surrounded by established residential uses and that is consistent with the City's General Plan, Orangecrest Specific Plan, and zoning code.
- The Project provides needed housing in the City of Riverside in areas that have family services, such as schools, and in an already urbanized area where public services are available, including utilities, a well-developed network of roadways, and where public transit is immediately adjacent to the site.
- The Project will develop a well-planned community that provides visual and functional compatibility with the adjacent residential neighborhoods.
- The Project provides approximately 1.4 acres of privately maintained and publicly accessible parkland which includes amenities such as an open turf play area, a tot lot with

playground equipment, 2 half-court basketball courts and picnic tables in an area of the City with limited availability of publicly accessible open space. The Project also

- The Project will create a walkable and bikeable environment near existing bus routes and provides new landscaped sidewalks along all Project street frontages, as well as a new 10-foot wide multi-purpose trail within the landscape setback along the eastern side of Wood Road.
- The single-family Project will provide housing to assist the City in meeting its Regional Housing Need Allocation (RHNA) as identified by Southern California Association of Governments (SCAG) and assist in reducing the housing shortage in southern California.

XIV. CERTIFICATION OF THE EIR

The City of Riverside finds that it has reviewed and considered the Final EIR in evaluating the proposed Project, that the Final EIR is an accurate and objective statement that fully complies with CEQA, State CEQA Guidelines and that the Final EIR reflects the independent judgment of the City.

The City of Riverside declares that no new significant information as defined by State CEQA Guidelines, section 15088.5 has been received by the City after circulation of the Draft EIR that would require recirculation.

The City of Riverside certifies the EIR based on the entirety of the record of proceedings, including but not limited to the following findings and conclusions.

A. Findings. The following significant environmental impacts have been identified in the EIR and will require mitigation as set forth in Section 11 of this Resolution but cannot be mitigated to a level of insignificance: transportation (project and cumulative level).

B. Conclusions

1. Except as to those impacts stated above relating to transportation, all significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of Project Design Features, existing regulations, and Mitigation Measures, will be mitigated to a level of insignificance.
2. Other alternatives to the proposed Project, which could potentially achieve the basic objectives of the proposed Project, have been considered and rejected in favor of the proposed Project.
3. Environmental, economic, social, and other considerations and benefits derived from the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

XV. MITIGATION MONITORING AND REPORTING PLAN

Pursuant to Public Resources Code section 21081.6, the City of Riverside adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as Exhibit B. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Plan, the Mitigation Monitoring and Reporting Plan shall control.

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EXHIBIT B

MITIGATION MONITORING AND REPORTING PROGRAM

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Exhibit B. Mitigation Monitoring and Reporting Program

Introduction

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "...reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Wood and Lurin Planned Residential Development Project (Project). The City of Riverside is the Lead Agency for the Project and is responsible for implementation of the MMRP. This report describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

Mitigation Monitoring and Reporting Program

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Wood and Lurin Planned Residential Development. The table identifies the Project Design Features; Regulatory Requirements (RRs); and mitigation measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As individual Plan, Program, Policies; and mitigation measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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**MITIGATION MONITORING AND REPORTING PROGRAM
WOOD AND LURIN PLANNED RESIDENTIAL DEVELOPMENT PROJECT EIR**

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
BIOLOGICAL RESOURCES			
<p>MM BIO-1: Burrowing Owl. Prior to commencement of construction activities (i.e., demolition, earthwork, clearing, and grubbing), a 30-day pre-construction survey for burrowing owls shall occur in accordance with the Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan. The results of the single one-day survey shall be submitted to the City Planning Division, for review and acceptance, prior to obtaining a grading permit.</p> <p>If burrowing owl are not detected during the pre-construction survey, no further mitigation is required. If burrowing owl are detected during the pre-construction survey, a Burrowing Owl Protection and Relocation Plan shall be prepared for and approved by the Regional Conservation Authority (RCA) and the Wildlife Agencies prior to initiating ground disturbance. If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a pre-construction survey shall again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed and shall be submitted to the City Planning Division, for review and acceptance.</p>	<p>Submittal of pre-construction survey for burrowing owls. Prior to construction and ground-disturbing activities.</p>	<p>City of Riverside Community and Economic Development and Planning Division</p>	
<p>MM BIO-2: Nesting Birds. To the extent possible, vegetation removal shall occur outside of the general bird nesting season, which is February 15 through September 15; and January 1 through August 31 for raptors. If vegetation removal, site clearing, and grubbing) must occur during the general bird nesting season or raptor nesting season, a qualified biologist shall perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the Migratory Bird Treaty Act and Fish and Game Code. The pre-construction survey shall be performed no more than three days prior to the commencement of construction activities (i.e., demolition, earthwork, clearing, and grubbing). The results of the pre-construction survey shall be documented by the qualified biologist and shall be submitted to the City Planning Division, for review and acceptance. If construction is inactive for more than seven days, an additional survey shall be conducted.</p> <p>If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further</p>	<p>Submittal of pre-activity nesting bird field survey results report (during Feb 1 – Sept 15). Within 3 days of commencement of construction activities.</p>	<p>City of Riverside Community and Economic Development and Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>requirements. If active nests of birds are found during the surveys, a species-specific no-disturbance buffer zone shall be established by a qualified biologist around active nests until said qualified biologist determines that all young have fledged (i.e., no longer reliant upon the nest). If an active nest occurs on site a biological monitor shall visit the site once a week during ground disturbing activities to ensure all fencing is in place around the active nests and no nesting birds are being impacted.</p>			
CULTURAL RESOURCES			
<p>MM CUL-1: Archaeological Monitoring. At least 30 days prior to application for a grading permit and before any grading, excavation, and/or ground disturbing activities take place, the developer/applicant shall retain a Secretary of Interior Standards qualified archaeological monitor to monitor all ground-disturbing activities in an effort to identify any unknown archaeological resources.</p> <p>The Project archaeologist, in consultation with consulting tribes, the Developer, and the City, shall develop and implement an Archaeological Monitoring Plan to address the details, timing, and responsibility of all archaeological and cultural activities that will occur on the Project site. Details in the plan shall include:</p> <ul style="list-style-type: none"> a. Project grading and development scheduling; b. The development of a rotating or simultaneous schedule in coordination with the developer/applicant and the Project archaeologist for designated Native American Tribal Monitors from the consulting tribes during grading, excavation, and ground-disturbing activities on the site, including the scheduling, safety requirements, duties, scope of work, and Native American Tribal Monitors' authority to stop and redirect grading activities in coordination with all project archaeologists; c. The protocols and stipulations that the Applicant, tribes, and project archaeologist/paleontologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits, or nonrenewable paleontological resources that shall be subject to a cultural resources evaluation; 	<p>Retain archaeological monitor and submit archaeological monitoring plan. Prior to construction and ground-disturbing activities.</p> <p>Conduct archaeological monitoring during ground-disturbing activities. During construction.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>d. In conjunction with the Archeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources;</p> <p>e. Treatment and final disposition of any cultural and paleontological resources, sacred sites, and human remains if discovered on the project site; and</p> <p>f. The requirements (including scheduling and timing) of a preconstruction Cultural Sensitivity Training.</p>			
<p>MM CUL-2: Native American Coordination. Prior to grading permit issuance, if there are any changes to Project site design and/or proposed grades, the Applicant and the City shall contact consulting tribes to provide an electronic copy of the revised plans for review. Additional consultation shall occur between the City, developer/applicant, and consulting tribes to discuss any proposed changes and review any new impacts and/or potential avoidance/preservation of any identified cultural resources on the Project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place any cultural and paleontological resources that are identified on the Project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities.</p>	<p>Consult any Project changes with tribes. Prior to issuance of grading permit.</p> <p>In the event of inadvertent discoveries of archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing activities. During construction.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	
<p>MM CUL-3: Native American Monitor. Prior to issuance of grading permit, the developer/permit applicant shall engage each of the consulting tribe(s) regarding Native American Monitoring. The developer/permit applicant shall provide evidence to the City that they have reached an agreement with each of the consulting tribe(s) regarding the following:</p> <p>a. The treatment of known cultural resources;</p> <p>b. The treatment and final disposition of any tribal cultural resources, sacred sites, human remains or archaeological and cultural resources inadvertently discovered on the Project site;</p>	<p>Submit the tribal monitoring agreement contract to the to the City. Prior to issuance of grading permit.</p> <p>Conduct tribal monitoring during ground-disturbing activities. During construction.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>c. Project grading, ground disturbance (including but not limited to excavation, trenching, cleaning, grubbing, tree removals, grading and trenching) and development scheduling; and</p> <p>d. The designation, responsibilities, and participation of professional Tribal Monitor(s) during grading, excavation and ground disturbing activities.</p> <p>If the developer/permit applicant and the consulting tribe(s) are unable to reach an agreement regarding compensation, the mitigation measure shall be considered satisfied if the developer/permit applicant provides sufficient documented evidence that they have made a reasonable good faith effort to reach an agreement, as determined by the City with the consulting tribes with regards to items a-d, as listed above).</p>			
<p>MM CUL-4: Treatment and Disposition of Cultural Resources. In the event that Native American cultural resources are inadvertently discovered during the course of grading for this Project, the following procedures will be carried out for treatment and disposition of the discoveries:</p> <ol style="list-style-type: none"> Consulting Tribes Notified: within 24 hours of discovery, the consulting tribe(s) shall be notified via email and phone. The developer shall provide the city evidence of notification to consulting tribes. Consulting tribe(s) will be allowed access to the discovery, in order to assist with the significance evaluation. Temporary Curation and Storage: During the course of construction, all discovered resources shall be temporarily curated in a secure location on site or at the offices of the Project archaeologist. The removal of any artifacts from the Project site shall require the approval of the consulting Tribes and all resources subject to such removal must be thoroughly inventoried with a tribal monitor from each consulting tribe to oversee the process; and Treatment and Final Disposition: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts and non-human remains as part of the required mitigation for impacts to cultural resources. The Applicant shall relinquish the artifacts through one or more of the 	<p>In the event that Native American cultural resources are discovered during the course of grading, submit proof of treatment preference and application to City/incorporate findings and treatment into a Phase IV Report that shall be filed with the City under a confidential cover.</p> <p>Construction/Phase IV Report shall be submitted to the City for their review and approval prior to project completion.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>following methods and provide the City of Riverside Community and Economic Development Department with evidence of same:</p> <ul style="list-style-type: none"> a. Preservation-in-place of the cultural resources, if feasible as determined through coordination between the project archeologist, developer/applicant, and consulting tribal monitor(s). Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources in perpetuity; b. Accommodate the process for on-site reburial of the discovered items with the consulting Native American tribes or bands. This shall include measures and provisions to protect the future reburial area from any future impacts. Reburial shall not occur until all cataloguing and basic recordation have been completed, with an exception that sacred items, burial good and Native American human remains are excluded. No cataloguing, analysis, or other studies may occur on human remains and grave goods. Any reburial process shall be culturally appropriate. List of contents and location of the reburial shall be included in the confidential Phase IV Report. The Phase IV report shall be prepared by the project archeologist and shall be filled with the City under a confidential cover and not subject to a Public Records Request. The Tribe(s) should be able to access these areas in the future through enforceable agreement; c. If reburial is not feasible, a curation agreement with an appropriate qualified repository within Riverside County that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers for further study. The collections and associated records shall be transferred, including title, to an appropriate curation facility within Riverside County, to be accompanied by payment of the fees necessary for permanent curation; and 			

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>d. At the completion of grading, excavation, and ground-disturbing activities on the site, a Phase IV Monitoring Report shall be submitted to the City documenting monitoring activities conducted by the Project archaeologist and Native Tribal Monitors within 60 days of completion of grading. This report shall document the impacts to the known resources on the property; describe how each mitigation measure was fulfilled; document the type of cultural resources recovered and the disposition of such resources; provide evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting; and, in a confidential appendix, include the daily/weekly monitoring notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.</p>			
<p>MM CUL-5: Cultural Sensitivity Training. The Secretary of Interior Standards County certified archaeologist and Native American monitors shall attend the pre-grading meeting with the developer/permit holder’s contractors to provide Cultural Sensitivity Training for all construction personnel. This shall include the procedures to be followed during ground disturbance in sensitive areas and protocols that apply in the event that unanticipated resources are discovered. Only construction personnel who have received this training can conduct construction and disturbance activities in sensitive areas. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.</p>	<p>Provide Cultural Sensitivity Training for all construction personnel. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. Prior to construction and ground-disturbing activities.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	
NOISE			
<p>MM NOI-1: Construction Vibration. Construction plans and specifications for the Project shall specify that bulldozers (greater than 80,000 pounds) shall not be used within 68 feet of offsite residential structures and vibratory rollers shall not be used within 120 feet of offsite residential structures. The City will ensure plans and specifications include requirements during plan check. Construction activity that must occur within 120 feet of the offsite residential</p>	<p>Compliance with bulldozer and vibratory roller specifications on plans. Prior to construction and ground-disturbing activities.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>structures would need to be performed with small rubber-tired or alternative equipment that does not exceed the vibration threshold of 0.2 in./sec PPV at offsite residences. The site shall be staked (or other visible demarcation) to mark the limits for bulldozing and vibratory rolling activities while equipment is in use.</p>	<p>Site shall be marked or staked with limits for bulldozing activities. During construction.</p>		
TRANSPORTATION			
<p>MM T-1: Implement Subsidized or Discounted Transit Program. The Project will implement a subsidized transit pass program. The Project applicant shall establish an account in the amount of \$50,000, to be administered by the Homeowners Association (HOA) to provide free or reduced cost transit passes to Project residents for a period of at least 10 years from project occupancy. Implementation of the subsidized transit pass program by the HOA shall be included in the Project Covenants, Conditions and Restrictions (CC&R's), and the fund shall be established prior to occupancy of the first unit of the Project. The program shall provide up to \$95 for a Riverside Transit Agency monthly pass or up to \$100 for a Metrolink monthly pass to qualified residents who request transit reimbursement from the HOA. Residents who participate in the subsidized transit pass program would also be eligible to receive reimbursement for use of a ride sharing service (i.e., Uber or Lyft) for an emergency ride home.</p> <p>The HOA shall provide an annual report of the transit pass program that includes the number of reimbursement requests, the amount disbursed to residents, and the remaining amount in the transit pass account. If the program experiences low participation, the City shall have the discretion to direct the HOA to redirect the funds for implementation of another measure intended to reduce VMT by Project residents. Such measures could include, but are not limited to, offsite or onsite pedestrian, bicycle or transit improvements, funding toward a bikeshare station on or near the site, implementation of further traffic calming measures, or other feasible and implementable TDM measures. The subsidized transit pass program will be administered by the Project Homeowners Association (HOA) and would rely on a fund, established by the Project applicant, to purchase transit passes for Project residents.</p>	<p>Implement a Subsidized or Discounted Transit Program administered by HOA and provide annual report of transit pass program participation. Yearly (for 10 years), during operation.</p>	<p>City of Riverside Public Works, Traffic Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>MM T-2: Implement Commute Trip Reduction Marketing. The Project will implement a CTR marketing program via information provided by the HOA and will educate residents about their travel choices beyond driving such as carpooling, transit, walking and bicycling. The Project HOA shall provide up to date travel information in a publicly accessible location, such as a website or on-site bulletin board. The CTR Marketing program shall provide information on the Subsidized Transit Pass program as well as other travel options such as transit routes and schedules, bikeway maps, and location of nearby bike and carshare stations. The information shall be reviewed and updated as needed and no less than every six months.</p>	<p>Implement a CTR marketing program via information provided by the HOA. Every six months, post construction.</p>	<p>City of Riverside Public Works, Traffic Division</p>	
TRIBAL CULTURAL RESOURCES			
<p>Mitigation Measure CUL-1: Archaeological Monitoring. Listed previously.</p>	<p>Retain archaeological monitor and submit archaeological monitoring plan. Prior to issuance of a grading permit.</p> <p>Conduct archaeological monitoring during ground-disturbing activities. During construction.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	
<p>Mitigation Measure CUL-3: Native American Monitor. Listed previously.</p>	<p>Submit the tribal monitoring agreement contract to the to the City. Prior to issuance of grading permit.</p> <p>Conduct tribal monitoring during ground-disturbing activities. During construction.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	

Regulatory Requirement /Project Design Feature/ Mitigation Measure	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
<p>Mitigation Measure CUL-4: Treatment and Disposition of Cultural Resources. Listed previously.</p>	<p>In the event that Native American cultural resources are discovered during the course of grading, submit proof of treatment preference and application to City/incorporate findings and treatment into a Phase IV Report that shall be filed with the City under a confidential cover. Construction/Phase IV Report shall be submitted to the City for their review and approval prior to project completion.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	
<p>Mitigation Measure CUL-5: Cultural Sensitivity Training. Listed previously.</p>	<p>Provide Cultural Sensitivity Training for all construction personnel. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report. Prior to construction and ground-disturbing activities.</p>	<p>City of Riverside Community and Economic Development Department, Planning Division</p>	