

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 ARLINGTON MIXED USE PROJECT, MAKING
4 CERTAIN FINDINGS OF FACT RELATED THERETO, ADOPTING A
5 STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A
6 MITIGATION MONITORING AND REPORTING PROGRAM, ALL
7 PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

8 WHEREAS, an application submitted Jamie Chapman od Riverside Property Owner, LLC
9 for the development of a mixed-use development consisting of 388 multifamily residential units
10 and 25,320 square feet of commercial/retail space, a General Plan Amendment to amend the land
11 use designation of the project site from C – Commercial to MU-V – Mixed Use-Village; a Zoning
12 Code Amendment to rezone the project site from CG – Commercial General Zone to MU-V –
13 Mixed Use-Village Zone; a Site Plan Review for site design and building elevations; and a
14 Tentative Parcel Map (No. 38638) to subdivide the 17.37-acre project site into 2 parcels, ranging
15 in size from 2.93-acres to 14.44-acres (collectively the “Project”) was presented for consideration;
16 and

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

22 WHEREAS, in accordance with the requirements of Section 15082(a) of the State CEQA
23 Guidelines, on June 15, 2023, the City prepared and distributed an Initial Study (“IS”) and a Notice
24 of Preparation (“NOP”) to all appropriate responsible and trustee agencies and to all organizations
25 and individuals requesting notice, stating that an EIR would be prepared for the Project; and

26 WHEREAS, on June 15, 2023, the NOP was sent to the State Clearinghouse (SCH No.
27 2023060428); and

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

1 WHEREAS, the Draft EIR was completed and a Notice of Completion (“NOC”) and the
2 Draft EIR was filed with the State Clearinghouse on or about February 6, 2024, in accordance with
3 the provisions of section 15085 of the State CEQA Guidelines; and

4 WHEREAS, copies of the Draft EIR were also sent to various public agencies,
5 organizations and individuals, made available at (1) Riverside City Hall, Community & Economic
6 Development Department, Planning Division; (2) Riverside Main Public Library; (3) Marcy Public
7 Library; and on the City’s website; and a Notice of Availability (“NOA”) of the Draft EIR was
8 published in the Riverside Press Enterprise, a newspaper of general circulation, mailed to a list of
9 interested parties, and posted with the Riverside County Clerk’s Office; and

10 WHEREAS, the NOC and the NOA provided a 45-day public review period commencing
11 on February 6, 2024, and ending on March 22, 2024; and

12 WHEREAS, the City received written and oral comments from the public and responsible
13 agencies on the Draft EIR during this public comment period, as well as after the close of the
14 public comment period; and

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

18 WHEREAS, the City Planning Commission held a duly noticed hearing on the Draft EIR
19 on April 25, 2024, and made certain recommendations to the City Council; and

20 WHEREAS, the Final Environmental Impact Report dated September 17, 2024 for the
21 Project consists of a Draft EIR dated February, 2024, comments and recommendations received
22 on the Draft EIR, responses to comments on the Draft EIR, changes to the Draft EIR, and a
23 Mitigation Monitoring and Reporting Program (collectively “FEIR”); and

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

27 WHEREAS, the FEIR contains the elements required by the CEQA Regulations, including,
28 but not limited to: (a) identification, description and discussion of all potentially significant

1 environmental effects of the proposed Project; (b) a description of mitigation measures proposed
2 to minimize potential significant environmental effects on the project identified in the FEIR; (c) a
3 description of those potential environmental effects which cannot be avoided or can be mitigated
4 but not to a level of insignificance; (d) a description of a range of reasonable alternatives to the
5 proposed Project and evaluation of the comparative merits and potential significant environmental
6 effects of the alternatives; (e) a discussion of cumulative impacts in accordance with the
7 requirements of section 15130 of the State CEQA Guidelines; (f) a discussion of growth inducing
8 impacts; (g) a discussion of significant irreversible environmental changes; (h) a discussion of
9 energy conservation; and (i) a list of all federal, state and local agencies, other organizations and
10 private individuals consulted in preparing the FEIR and the firm preparing the FEIR; and

11 WHEREAS, the City Council held a duly noticed hearing on the FEIR on September 17,
12 2024, at which time additional written and oral testimony was received; and

13 WHEREAS, the City Council has been presented with and is familiar with the information
14 in the administrative record, including the Staff Reports and the written and verbal testimony
15 submitted thereon, and has reviewed and considered the information in the FEIR for completeness
16 and compliance with the CEQA Regulations, has independently reviewed and analyzed the FEIR
17 and has duly heard and considered the Staff Reports and all written and oral arguments presented
18 at its meeting of September 17, 2024; and

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

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

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

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

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

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

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

25 WHEREAS, all requirements of the CEQA Regulations have been satisfied by the City in
26 the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects
27 of the Project have been adequately evaluated.
28

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

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

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

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

8 (b) The FEIR was presented to the City Council, and the City Council, as the decision
9 making body for the City, reviewed and considered the information contained in
10 the FEIR and the administrative record as a whole, which includes, but is not
11 limited to, staff reports, testimony and information received, and scientific and
12 factual data presented in evidence during the review process, prior to approving the
13 Project; and

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

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

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

22 Section 5: Potential environmental effects have been studied and, except as stated in
23 Section 8 below, there is no substantial evidence in the record, as a whole, that supports any
24 argument that the Project, as designed and mitigated, may cause a significant effect on the
25 environment. No facts, reasonable assumptions predicated on facts, testimony supported by
26 adequate factual foundation, or expert opinion supported by facts has been submitted that refute
27 the conclusions reached by the FEIR, studies, data and reports. Nor does anything in the record
28 alter the environmental determination, as presented, based upon investigation and independent

1 assessment of those studies, data and reports. No new significant impacts have been raised by any
2 commenting individual or entity, nor has any significant new information been added to the FEIR
3 that would require recirculation under State CEQA Guidelines section 15088.5.

4 Section 6: The FEIR dated September 17, 2024, for the Project reflects the independent
5 judgment of the City based upon the findings and conclusions stated in the FEIR, staff reports, and
6 in consideration of testimony and information received, and scientific and factual data presented
7 in evidence during the review process.

8 Section 7: The City Council Finds that the FEIR dated September 17 2024, has fully
9 examined the environmental impacts of the Project and, based on the information in the
10 administrative record, including the analysis in the FEIR, has determined that the impacts on
11 aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources
12 (except for substantial adverse change in the significance of a historical resource pursuant to
13 Section 15064.5), energy, geology and soils, hazards and hazardous materials (except for a project
14 located within an airport land use plan or, where such a plan has not been adopted, within two
15 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people
16 residing or working in the project area), hydrology and water quality, land use and planning (except
17 for cause a significant environmental impact due to a conflict with any land use plan, policy, or
18 regulation adopted for the purpose of avoiding or mitigating an environmental effect), mineral
19 resources, noise, population and housing, public services, recreation, transportation (except as
20 cumulative impacts), tribal cultural resources, utilities and service systems, and wildfire either
21 have no impact, are less than significant or are potentially significant but that with mitigation the
22 impacts are reduced to less than significant based on the Findings/SOC set forth in Exhibit “A”
23 attached hereto and incorporated herein by reference, as well as the findings and analysis contained
24 in the FEIR (collectively “Findings”). The Findings are supported by substantial evidence
25 contained therein as well as in the record, and as such, said Findings are hereby adopted by the
26 City Council.

27 Section 8: The City Council finds that the FEIR dated May 2019, has fully examined the
28 environmental concerns associated with the Project and, based on the information in the

1 administrative record, including the analysis in the FEIR, has determined that the following
2 significant impacts, identified in the FEIR, cannot be mitigated to a level of insignificant: cultural
3 resources (substantial adverse change in the significance of a historical resource pursuant to
4 Section 15064.5 and cumulative impacts), greenhouse gas emissions (generate greenhouse gas
5 emissions, either directly or indirectly, and cumulative), hazards and hazardous materials (for a
6 project located within an airport land use plan or, where such a plan has not been adopted, within
7 two miles of a public airport or public use airport, result in a safety hazard or excessive noise for
8 people residing or working in the project area), land use and planning (significant environmental
9 impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of
10 avoiding or mitigating an environmental effect and cumulative impacts), and transportation
11 (cumulative impacts). As explained in attached Exhibit “A” Findings/SOC, the City Council finds
12 pursuant to Public Resources Code section 21081(a)(3) that specific economic, legal, social,
13 technological or other considerations make infeasible additional mitigation measures or
14 alternatives that would substantially lessen such impacts. The City Council further finds, pursuant
15 to Public Resources Code section 21081(a)(1) and as explained in the Findings/SOC (Exhibit “A”)
16 that changes or alterations have been incorporated into the Project which mitigate or avoid those
17 significant impacts identified in the FEIR to the fullest extent feasible.

18 Section 9: With the exception of the impacts identified in Section 8 above, the City Council
19 finds that, the Project, including all mitigation measures, conditions, permits and approvals will
20 not have any other significant adverse unmitigated impacts on the environment. Potential
21 environmental effects have been studied and there is no substantial evidence in the record, as a
22 whole, that supports any argument that the Project, as designed and mitigated, would cause a
23 significant effect on the environment, except as to the impacts identified in Section 8. No facts,
24 reasonable assumptions predicated on facts, testimony supported by adequate factual foundation,
25 or expert opinion supported by facts has been submitted that refute the conclusions reached by the
26 FEIR, studies, data and reports. Nor does anything in the record alter the environmental
27 determination, as presented, based upon investigation and independent assessment of those studies,
28 data and reports.

1 Section 10: The City Council finds that four (4) alternatives, including the No Project
2 Alternative, were identified and analyzed in the FEIR and all were rejected as failing to meet all
3 or most of the Project objectives, not sufficiently reducing environmental impacts as compared to
4 the Project (, and/or as infeasible, due to specific economic, legal, social technological and other
5 considerations (all alternatives). These grounds are contained in the entirety of the administrative
6 record, including the FEIR, the attached Exhibit “A” Findings/SOC, and the written and verbal
7 testimony. Specifically:

8 (a) Alternative 1 – No Demolition/Keep Existing Commercial Designation (“No
9 Project”). This alternative does not meet any of the project objectives: (Primarily,
10 provide quality, multi-family housing on an existing underutilized site, to help the
11 City meet the State's allocated 2021-2029 Regional Housing Needs Assessment
12 (RHNA) housing unit numbers, as well as the City's overarching self-prescribed
13 housing unit numbers; place housing near a transit corridor to reduce residential
14 vehicle miles traveled and associated congestion and greenhouse gas emissions;
15 place housing near existing commercial uses to encourage pedestrian connectivity
16 and to reduce vehicular usage and associated impacts; provide compatible mixed-
17 use development contributing to the character of the surrounding neighborhood;
18 and establish a mixed-use development that will provide a land use transition
19 between the existing commercial Hardman Center and the residential developments
20 surrounding the project site. The environmental impacts would be similar to the
21 proposed project. This alternative is infeasible; large single-use retailers are not
22 developing in similar locations; modifying the building for multiple tenants would
23 not be feasible; and the building is not up to current standards. Because Alternative
24 1 meets no project objectives, has similar environmental impacts, and is not
25 feasible, it is rejected.

26 (b) Alternative 2 –Adaptive Reuse to Residential. This alternative would meet three
27 out of the five project objectives, but only meet the primary objective (provide
28 quality, multi-family housing on an existing underutilized site, to help the City meet

1 its RHNA housing unit numbers, as well as the City’s overarching self-prescribed
2 housing unit numbers) partially. The impacts would be similar. However, as
3 identified in Appendix C, adaptive reuse and the need to meet the current building
4 code, presents issues that would compromise the integrity of the building or the
5 safety of the occupants. Given the significant reconstruction and reconfiguration
6 of the existing building that would need to take place to accomplish adaptive reuse,
7 and that any adaptive reuse would still be considered incompatible with the airport
8 land use plan, Alternative 2 is rejected as infeasible, not environmentally superior,
9 and for not meeting most or all of the project objectives.

10 (c) Alternative 3 –ALUC Consistent. This alternative proposes development at
11 densities or intensities allowed under the current RCALUCP. Given the very
12 limited development allowed, this alternative would not meet any of the project
13 objectives. This alternative would have similar, but less environmental impacts as
14 the project. This alternative is rejected as not meeting any project objectives and
15 as infeasible.

16 (d) Alternative 4 – Reduced Density/Intensity. This alternative meets all of the project
17 objectives, though it meets the primary objective and one other to a lesser degree.
18 The environmental impacts would be similar, with some remaining substantial and
19 unavoidable. Considering the demand for residential sites within the City of this
20 size, attendant land costs and the low Inland Empire market lease rates for product
21 of this type, Alternative 4 would result in a return on investment too low to justify
22 the cost and risk of investment. This alternative is rejected as not fully meeting the
23 primary project objective, having similar environmental impacts, and being
24 infeasible.

25 Section 11: The FEIR dated September, 2024, for the Project has been completed and
26 processed in compliance with the requirements of the CEQA Regulations (both state and local),
27 and based on the entirety of the administrative record is hereby certified.
28

1 Section 12: The City Council has balanced the benefits of the adoption of the Project
2 against its unavoidable environmental impacts and has determined that for the reasons set forth
3 below, the economic, legal, social, technological and other benefits of the Project outweigh the
4 unavoidable adverse environmental effects which have been identified in attached Exhibit “A”
5 Findings/SOC and the adverse environmental effects are therefore considered acceptable. Some
6 of the benefits of implementing and approving the Project are summarized as follows:

7 (a) The Project will primarily, provide quality, multi-family housing on an existing
8 underutilized site, to help the City meet the State’s allocated 2021-2029 Regional Housing Needs
9 Assessment (RHNA) housing unit numbers, as well as the City’s overarching self-prescribed
10 housing unit numbers.

11 (b) The Project will revitalize a deteriorating commercial area.

12 (c) The Project will place housing near a transit corridor to reduce residential vehicle
13 miles traveled and associated congestion and greenhouse gas emissions.

14 (d) The Project will place housing near existing commercial uses to encourage
15 pedestrian connectivity and to reduce vehicular usage and associated impacts.

16 (e) The Project will provide compatible mixed-use development contributing to the
17 character of the surrounding neighborhood.

18 (f) The Project will establish a mixed-use development that will provide a land use
19 transition between the existing commercial Hardman Center and the residential developments
20 surrounding the project site.

21 (g) The Project will provide employment opportunities in the City.

22 (h) Given the infeasibility of reusing the current building, and the extensive work the
23 applicant has invested in preserving and respecting the design of the current building, the Project
24 represents the best possible way to mitigate the loss of the Sears building.

25 These findings are supported by substantial evidence and the data to support these
26 overriding considerations are found throughout the FEIR, the supporting comments and responses
27 section of the FEIR, and by information throughout the administrative record.

28

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

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

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

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

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ADOPTED by the City Council this _____ day of _____, 2024.

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 introduced at a meeting of the City Council on the ____ day of _____, 2024, 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 _____, 2024.

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 B

MITIGATION MONITORING AND REPORTING PROGRAM

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EXHIBIT "A"

CEQA FINDINGS OF FACT AND MITIGATION MONITORING AND REPORTING PROGRAM

This document includes the following sections:

- I. Introduction to CEQA Findings of Fact
- II. Location and Custodian of the Record
- III. Findings for Less than Significant Impacts
- IV. Findings for Impacts Identified as Significant but Mitigated to Less than Significant Level
- V. Findings Regarding Cumulative Impacts
- VI. Findings Regarding Significant Irreversible Environmental Changes
- VII. Findings Regarding Growth Inducing Impacts
- VIII. Findings Regarding Alternatives
- IX. Findings Regarding No Need for Recirculation
- X. Mitigation Monitoring and Reporting Program

I. INTRODUCTION TO CEQA FINDINGS OF FACT

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Riverside, as the lead agency for the proposed Arlington Mixed Use Project. These Findings of Fact pertain to the Final Environmental Impact Report ("EIR"), State Clearinghouse (SCH) #2023060428.

A. PROJECT LOCATION

The Project proposes development of approximately 576,203 square-feet (sf) of residential and commercial-retail uses and the demolition of the existing vacant 192,139 sf former Sears buildings and all appurtenances in the City of Riverside. The City of Riverside (City) is located in the northwestern portion of Riverside County. The City is bounded on the north by the Cities of Jurupa Valley, Colton, and Grand Terrace and the unincorporated community of Highgrove, to the east by the City of Moreno Valley, to the south by the unincorporated community of Woodcrest, and to the west by the Cities of Corona and Norco. The Project site is located within Section 33, Township 2 South and Range 5 West of the San Bernardino Baseline and Meridian, identified on the Riverside West, California USGS 7.5 Quadrangle Map.

The Project involves an approximately 17.43 gross acre and 17.37 net acre site (after dedication of 0.05 acres along Arlington Avenue for road right-of-way), located at the northeast corner of Arlington Avenue and Streeter Avenue. The Project site consists of assessor parcel number (APN) 226-180-015-1; specifically located at 5261 Arlington Avenue, Riverside CA 92506. Project parcel throughout this document is based upon net acreage of 17.37 acres. The Project also includes approximately 1.5 miles of offsite impacts located within roadway right-of-way as reflected in Figure 3.0-4, Aerial Site Boundary with Offsites.

B. PROJECT DESCRIPTION SUMMARY

The Environmental Impact Report (EIR) analyzed the potential environmental effects of the construction and operation of approximately 576,203 sf of residential and commercial-retail uses and the demolition of the existing vacant 192,139 sf former Sears buildings and all appurtenances, which are collectively referred to as the "Project." The Project will include several amenities including: onsite leasing office, tuck-under garages, carports, public dog park, outdoor resort style pool and spa, fitness area, clubhouse,

shade structures with barbeques and tables, multi-use turf areas, outdoor gaming and play spaces. Implementation of the proposed Project will require the approval of the following applications by the City of Riverside.

General Plan Amendment (GPA) – DP-2022-00035

Implementation of the Project will require approval of an amendment to the general plan land use designation from (C) - Commercial to (MU-V) - Mixed Use-Village. The GPA will allow for the construction and operation of approximately 576,203 sf of residential and commercial-retail uses, including: onsite leasing office, tuck-under garages, carports, public dog park, outdoor resort style pool and spa, fitness area, clubhouse, shade structures with barbeques and tables, multi-use turf areas, outdoor gaming and play spaces.

ReZone (RZ) – DP-2022-00036

The Project site is currently zoned (CG) - Commercial General. Implementation of the Project will require the site to be rezoned to (MU-V) Mixed Use-Village. The RZ will allow for the construction and operation of approximately 576,203 sf of residential and commercial-retail uses, including: onsite leasing office, tuck-under garages, carports, public dog park, outdoor resort style pool and spa, fitness area, clubhouse, shade structures with barbeques and tables, multi-use turf areas, outdoor gaming and play spaces. The RZ is consistent with the pending GPA.

Site Plan Review (PPE) – DP-2022-00025

The City’s Site Plan Review process is required by the Zoning Code for the Project. The Project proposes to develop the 17.43-gross acre (17.37 net acre site after dedication of 0.05 acres along Arlington Avenue for roadway right-of-way) with a 576,203 square foot (sf) mixed-use apartment and commercial development. The proposal includes development of 27 residential apartment buildings consisting of 2- and 3-story structures that would provide for a total of 388 residential dwelling units, one clubhouse building, and two commercial buildings providing for 546,474 sf of residential use and 4,409 sf associated clubhouse/leasing building, and 25,320 sf of commercial-retail use.

Tentative Parcel Map No. 38638 (TPM) - SD-2022-00002

Implementation of the Project will require approval of Tentative Parcel Map No. 38638, which proposes to subdivide the 17.37 net acre site into 2 parcels for financing, conveyance, and phasing purposes. Parcel 1 will consist of 14.44 net acres for residential development and Parcel 2 will consist of 2.93 net acres for commercial-retail development.

Certificate of Appropriateness DP -2022-00047

Implementation of the Project will require approval of a Certificate of Appropriateness to demolish the existing vacant Sears structures. The Sears structures were built in 1964 and have been found eligible for listing in the National Register for Historic Places and California Register of Historic Resources under Criterion C/3, and eligible for designation as Landmark for the City of Riverside.

C. PROCEDURAL COMPLIANCE WITH CEQA

The City of Riverside published a Draft EIR on February 6, 2024 and completed a Final EIR in compliance with CEQA requirements. As allowed for in CEQA Guidelines §15084(d)(2), the City retained consultants to assist with the preparation of the environmental documents. Acting as lead agency, the City has directed, reviewed, and edited as necessary all material prepared by the consultants, and such material reflects the City's independent judgment. In general, the preparation of the EIR included the following key steps and public notification efforts.

- A 30-day scoping process began with the City's issuance of the Notice of Preparation (NOP) of an EIR on June 15, 2023. The NOP was filed with the State Clearinghouse on June 15, 2023 which started a 30-day comment period that ended July 14, 2023. Due to COVID-19 global pandemic, the City noticed and held a virtual EIR Public Scoping Meeting during the 30-day comment period to receive perspective and input from agencies, organizations and individuals on the scope and content of the environmental information to be addressed in the EIR. The virtual EIR scoping meeting was held on July 12, 2023.
- The City issued the Draft EIR by filing a Notice of Completion (NOC) with the State Clearinghouse on February 6, 2024. The Notice of Availability for the Draft EIR was published in the Press Enterprise and distributed to a variety of government agencies, organizations and interested parties, including: local jurisdictions, tribal governments, state and federal agencies, resource agencies, water districts and boards, transportation agencies, community groups and organizations, business organizations, chambers of commerce, universities and school districts, senior/aging organizations, interested parties and members of the public. The Draft EIR was also posted on the City's website. As required by Public Resources Code Section 21092.3, a copy of the public notice was posted with the Riverside County Clerk on February 6, 2024.
- The Draft EIR was available for a 45-day public review period beginning February 6, 2024 and ending March 22, 2024. Following close of the public review period, the City revised the Draft EIR in response to comments received during the public review period and provided written responses addressing all significant environmental issues raised. Revisions made to the Draft EIR are shown throughout the Final EIR in strikethrough and underline text.
- As part of its Final EIR, the City responded to all timely written comments on the Draft EIR and proposed Project and provided written responses to all public agencies that timely commented on the Draft EIR and proposed Project, consistent with the legal requirement that such agencies be provided written responses at least 10 days prior to any lead agency action to certify the EIR. A hybrid (virtual and in-person) public City Council hearing will be held on September 17, 2024 to consider certification of the Final EIR and approval of the proposed Project.

D. INCORPORATION OF FINAL EIR BY REFERENCE

The Final EIR is hereby incorporated by reference into these Findings of Fact. The Final EIR consists of three volumes:

1. Comments and Responses to Comments on the Draft Environmental Impact Report (Vol. I),

2. Text Revisions to the Draft EIR (Vol. I),
3. Mitigation Monitoring and Reporting Program (Vol. I),
4. Draft Environmental Impact Report, February 2024 (Vol. II), and
5. Draft Environmental Impact Report Appendices, February 2024 (Vol. III).

E. REQUIREMENTS FOR CEQA FINDINGS

Pursuant to Public Resources Code §21081 and CEQA Guidelines §15091, no public agency shall approve or carry out a project for which an EIR has been certified, which identifies one or more significant effects on the environment that would occur if the project is approved or carried out, unless the public agency makes one or more of the following findings with respect to each significant impact.

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

For purposes of the third of these possible findings, the CEQA Guidelines define “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.” (CEQA Guidelines §15364) Thus, a decision-making body may reject a mitigation measure or project alternative as infeasible if the measure or alternative fails to meet this definition. Importantly, the courts understand the legal concept of infeasibility to encompass both (i) the ineffectiveness of a particular alternative or mitigation measure in promoting the agency’s underlying project purpose and objectives and (ii) the desirability of the measure or alternative from a policy standpoint, as reasonably determined by the decision makers. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000-1001; *San Diego Citizenry Group v. County of San Diego* (2013) 2129 Cal.App.4th 1, 17-18.) Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

The City’s findings are presented below, along with a presentation of facts in support of the findings. The City certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed. These findings are based on substantial evidence contained in the totality of the administrative record before the City, including, but not limited to, the Final EIR supporting evidence cited herein.

A full explanation of the environmental findings, conclusions, and mitigation measures referenced herein can be found in the Draft EIR and Final EIR; and these Findings hereby incorporate by reference the

discussions and analyses in those documents. In making these Findings, the City hereby ratifies, adopts, and incorporates those discussions and analyses, adopting them as the City's own.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Riverside's Findings of Fact are based, are located at 3900 Main Street, Riverside, California. The custodian of these documents is Brian Norton, Senior Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and CEQA Guidelines § 15091(e).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the proposed Project consists of the following documents, among others:

- The Notice of Preparation and all other public notices issued by the City of Riverside and in conjunction with the proposed Project.
- The Draft and Final EIRs, including appendices and technical studies included or referenced in the Draft and Final EIRs.
- All comments submitted by agencies or members of the public during the public comment period on the Draft EIR and after the close of the public comment period, including those received prior to the Planning Commission and City Council meetings.
- The Mitigation Measure and Reporting Program (MMRP) for the proposed Project.
- All Findings and resolutions adopted by the City of Riverside decision makers in connection with the proposed Project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the proposed Project prepared by Albert A. Webb Associates, Inc., consultants to the City of Riverside those reports, technical memoranda relating to the proposed project prepared by Alta California Geotechnical Inc., Architects Orange, Axiom Retail Advisors, Cadre Environmental, dBF, Dudek, Innova Structural Design Group, Psomas, Urban Crossroads, and Weis Environmental, consultants to the Applicant and peer reviewed by Albert A. Webb Associates.
- All documents and information submitted to the City of Riverside by responsible trustee, or other public agencies, or by individuals or organizations, in connection with the proposed Project, up through the date that the City approved the proposed Project.
- Any documentary or other evidence submitted to the City of Riverside at such information sessions, public meetings, and public hearings.
- Matters of common knowledge to the City of Riverside, including but not limited to applicable federal, state, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.
- Any other materials required to be in the Record of Proceedings by Public Resources Code § 21167.6(e).

III. FINDINGS FOR LESS THAN SIGNIFICANT IMPACTS

The City Council hereby finds that the following will result in no impacts or impacts that are less than significant without mitigation measures. *The findings below are for impacts where implementation of the proposed Project would result in either no impacts or less than significant environmental impacts without mitigation. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4 and Section 5 of the EIR, as well as relevant responses to comments in the Final EIR.*

Except where specifically otherwise noted below, the following statutory finding applies to all of the impacts described in this section (III):

Changes or alterations have been required in, or incorporated into, the proposed Project which mitigate the significant effects on the environment (to less than significant levels). (See Pub. Resources Code § 21081(a)(1); State CEQA Guidelines § 15091(a)(1).)

The thresholds where it was determined that the Project would result in no impacts, or where potential impacts are less than significant without mitigation are as follows:

A. AESTHETICS

Threshold: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant.

Explanation: As explained in the Initial Study, scenic vistas are the view of an area that is visually or aesthetically pleasing. Development projects may potentially impact scenic vistas in two ways: 1) directly diminishing the scenic quality of the vista, or 2) by blocking the view corridors or “vistas” of scenic resources. The proposed Project site is not a scenic resource. Vista points can be found throughout the City both from urban areas toward the hills and from wilderness areas looking on to Riverside. Long-distance views of natural terrain and vegetation can be found throughout the La Sierra/Norco Hills, Sycamore Canyon Wilderness Park, and Box Springs Park. Like most of the development in the City, the proposed Project will be developed within the valley floor. As such, the Project site is not part of the City’s view corridors. Thus, the implementation of the Project would not have a substantial adverse effect on a scenic vista. Therefore, impacts would be less than significant. (IS, p. 51).

Threshold: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

Finding: Less than significant.

Explanation: The Initial Study determined that there are no state scenic highways within the City that could potentially be impacted by the proposed Project. However, the City’s General Plan designates Arlington Avenue as a Scenic Boulevard and Scenic Parkway Because Arlington Avenue is a major connector between the east and west sides of the City. As such, this Arlington Avenue supports a symbiotic mix of uses, is part of the fundamental elements of the City’s parkway landscape networks, and provides connections to key elements of Riverside Park; with Riverside Park being the framework of

holistically connected elements lending way to a citywide park that is open to all. As explained in the Initial Study, the Project does not propose changes to existing entry points along Arlington Avenue. Therefore, implementation of the Project would not increase existing impacts along Arlington Avenue. There are also no rock outcroppings, historic trees, or historic buildings within view of this proposed Project. The Project site does contain non-native tree species throughout the existing parking areas. The Project proposes to remove the existing non-native tree species to accommodate the proposed Project development. The existing non-native tree species located within the right-of-way will also be removed as part of the Project as requested by the City. However, the Project will be required to incorporate a landscape plant palette consistent with Riverside Citywide Design Guidelines for Water Efficient Landscape and Irrigation Design Guidelines, as well as plants consistent with the Riverside County Airport Land Use Commission's Landscaping Near Airports: Special Considerations for Preventing or Reducing Wildlife Hazards to Aircraft. Therefore, impacts are expected to be less than significant. (IS, pp. 51-52; GP EIR, pp. 5.1-11, 5.1-20; GP, p LU-6).

Threshold: In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly-accessible vantage point). If the project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

Finding: Less than significant.

Explanation: The City is considered an urbanized area. The Project's proposed buildings will have a maximum building height of just under 40 feet so will not exceed the height requirement in the City's development standards for a MU-V site. The overall Project density of 22.3 dwelling units per acre (du/ac) is based on 388 dwelling units across the 17.83 gross acre site. The DEIR analyzed a more conservative density of 26.9 du/ac based on utilizing acreage dedicated to residential uses only. Both densities identified are under the City's 30 du/ac maximum allowable density requirement for a MU-V site. The City's minimum amount of private usable open space required for a MU-V site is 50 sf per unit. Based on the dwelling unit count of 388, the Project is required to provide 19,400 sf for private open space. The minimum requirement for common open space is also 50 sf of open space per unit count so the Project is required to provide an additional 19,400 sf for common open space for a required total of 38,800 sf of open space. The Project provides 36,502 sf of private open space associated with each of the residential building areas and 57,071 sf of common open space located in public/common areas; providing a total of 93,573 sf of open space meeting both the City's private and common open space requirement provisions. The Project would integrate residential and commercial uses seamlessly within the existing surrounding neighborhoods and would be required to comply with all applicable municipal codes. Existing surrounding residential structures are single-story, the existing Sears Retail structure is approximately 36 feet in height, and the existing Sears Automotive structure is approximately 17 feet in height.

Habitable structures located within the existing residential neighborhoods east of the Project site are generally setback 37 to 79 feet from the Project sites property line. Habitable structures located within the existing residential neighborhoods north of the Project site are generally setback 24 to 43 feet from the Project site's property line. One exception is a property at the northeastern most corner is only 8 feet

from the property line which is actually non-compliant with its R-1-7000 zoning requiring a 25 foot minimum setback.

Two-story structures would be sited along the areas along the northern and eastern perimeter of the site complimenting the existing office and residential neighborhoods and set back approximately 25 foot feet from the property line with a landscape buffer that includes screening trees. A six foot split-face block wall would also be provided on the north and eastern property boundaries. Two-story buildings are designed so as not to exceed 28-feet, 8-inches in height of habitable area and include parapets to screen any rooftop equipment. Three-story structures would be placed within the interior of the site and along Streeter Avenue, reaching a maximum height of just under 40 feet. Hence, proposed buildings will be sufficiently set back from the existing residential neighborhoods, will be approximately the same height as the existing retail structure, and do not exceed the maximum building height requirement of 45 feet as set forth by Chapter 19.120.050 of the City's Municipal Code. This placement of residential structures would reduce impacts to the surrounding existing residential neighborhoods since the Project is required to comply with setbacks and standards established for the MU-V zone; thereby reducing visual impacts to existing uses.

The architecture of the commercial component is inspired by the Mid-Century architectural principles as the color and material palette will follow the neutral style of the existing Sears building, and the canopies at the main entry point will reflect similar language. Commercial areas will be sited along Arlington Avenue to separate them from residential uses. Commercial retail structures are designed to a height of 27 feet and 2-inches including parapets to screen rooftop equipment. The proposed grocery store is designed to a maximum of 31 feet in height. Screening walls will be used to conceal the commercial loading dock. The existing Bank of America building located on the northeast corner of Streeter and Arlington Avenues, is situated between Streeter Avenue and the location of the truck loading area of the proposed grocery; blocking visibility of the proposed loading area from Streeter Avenue. The loading area is also designed at an angle so as to also not be visible from Arlington Avenue. Last, the loading area will be screened by an 8-foot high metal plant support system.

A pedestrian promenade and multiple areas encouraging the use of outdoor spaces will be provided throughout the Project site. Although there are no current or proposed trails near the Project Site, there are existing sidewalks adjacent to the Project site, along both Arlington Avenue and Streeter Avenue. The Project will provide several pedestrian pathways to facilitate the movement of pedestrians within the site. These pathways will be lit to ensure security. The Project site will also provide pedestrian linkage to the surrounding area by providing connection to sidewalks along Streeter Avenue and Arlington Avenue. The Project will remove the existing sidewalks to incorporate a landscape buffer between the roadway and sidewalks. The sidewalks will continue to connect to the existing sidewalks in the area and continue to provide pedestrian linkage beyond the boundaries of the Project site.

Primary site access for the residential area will be from Streeter Avenue with secondary access from Arlington Avenue. Primary access for the commercial area will be from Arlington Avenue with secondary access from Streeter Avenue. Residential parking areas are sited toward the interior of the site with many areas providing parking under the residential structure. Commercial parking is sited closer to Arlington to reduce the amount of interference with nearby residences.

Further, as part of the review process, the Project would also be required to comply with *Citywide Design Guidelines and Sign Guidelines* and the *City of Riverside Urban Forestry Policy Manual* to reinforce the physical image of Riverside. The proposed Project would help to improve the appearance of the existing site.

Thus, with implementation of PDF's, compliance with local regulations and design standards, and consistency with GP goals and policies related to aesthetics, the proposed Project would not conflict with applicable zoning and other regulations governing scenic quality in an urbanized area. Thus, implementation of the Project would have a less than significant impact on the visual character and quality of the area directly, indirectly, and cumulatively. (DEIR, p. 5.1-5 – 5.1-11, 5.7-9, 5.12-12, 5.12-20).

Threshold: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant.

Explanation: The Project site is an existing vacant development, and as such, existing streetlights are located along Streeter Avenue and Arlington Avenue within the roadway right-of-way. The proposed Project would add additional exterior building lights and exterior lighting for safety and security purposes within parking lots, along pathways, and on buildings. All light sources would be shielded so that the light is directed downward and away from streets and adjoining properties. Further, all light fixtures would be required to be consistent with the Riverside Municipal Code (MC) Title 19 - Zoning Code for illumination. Although the Project would add new sources of potential light and glare (i.e. new lights and windows), the Project would not adversely affect day or nighttime views because the existing Project site and surrounding areas are fully developed and urbanized with existing lighting. Thus, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Therefore, impacts would be less than significant. (IS, p. 52).

B. AGRICULTURE AND FORESTRY

Threshold: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Finding: No impact.

Explanation: The Project is located within an urbanized area and on land that is highly disturbed and/or paved. The area surrounding the Project Site is highly developed and urbanized with a variety of land uses such as commercial, office, public facilities, single-family residential, medium-high density residential and high density residential. Additionally, as shown in the City's 2025 General Plan, Figure OS-2 Agricultural Suitability map, the Project site is located in an area designated as Urban and Built-Up Land. According to the California Department of Conservation (CDC) California Important Farmland Finder Map, the Project site does not support Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Furthermore, since the surrounding areas do not support farmland, implementation of the proposed

Project would not affect off-site farmland. Thus, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. (IS, p. 53).

Threshold: Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Finding: No impact.

Explanation: The site is currently zoned CG - Commercial General. The Project proposes to rezone the site to MU-V - Mixed Use-Village. The Project site is an existing vacant development and does not support farmland or agriculture uses. The Project site is not located in an area designated as a Williamson Act Preserve or Contracted Land. Thus, the Project would not create a conflict with existing agricultural zoning for agricultural use or a Williamson Act contract. (IS, p. 53).

Threshold: Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Finding: No impact.

Explanation: The City of Riverside has no forestland that can support 10 percent native tree cover, nor does it have any timberland. Therefore, no impacts would occur from Project implementation. (IS, p. 54).

Threshold: Result in the loss of forest land or conversion of forest land to non-forest use?

Finding: No impact.

Explanation: There is no designated forestland on or adjacent to the Project Site. Therefore, the Project would not convert any such lands to non-forest uses. No impact would occur with regard to this issue. (IS, p. 54).

Threshold: Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Finding: No impact.

Explanation: The Project site and surrounding area are not located within an agricultural use area and do not support designated farmland or forestland. Thus, the Project would not result in changes in the existing environment that could result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use. (IS, p. 54).

C. AIR QUALITY

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Less than significant.

Explanation: The Project is located within the South Coast Air Basin that is overseen by the South Coast Air Quality Management District in (SCAQMD) and is, therefore, required to conform to the rules and regulations set forth in the 2022 Air Quality Management Plan (AQMP) by demonstrating compliance with

local land use plans and or population projections. The 2022 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions derived from 2020 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS) and Southern California Association of Government (SCAG) latest growth forecast.

The Project proposes a residential density of 26.9 dwelling units per acre (du/ac) which is consistent with the MU-V designation allowing a maximum of 30 du/ac. While the Project would result in a population increase of approximately 1,273 persons, this number represents growth that is less than one percent of the more conservative population projections analyzed by the Phase I General Plan Update (GPU) that projected 67,645 more persons than SCAG projections. SCAG RTP/SCS growth forecast indicates that in the year 2018 the jobs-to-housing ratio for Riverside County was 1.04:1, which by definition is considered jobs-rich. SCAG predicted that the City would remain a job-rich area with the projected 2045 population growth. As such, the resulting increase in population growth is not substantial compared to what was analyzed in the City's GPU, and the additional housing from this infill development would help the City fulfill its State housing requirements. Moreover, the Project on an individual basis does not have an impact and as such, the proposed Project would not conflict with the goals and objectives of the AQMP. (DEIR, p.5.2-23).

Threshold: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Finding: Less than significant.

Explanation: The Project-specific evaluation of emissions demonstrates that Project construction-source air pollutant emissions and Project operational-source emissions would not result in exceedances of criteria pollutant regional thresholds established by SCAQMD for any criteria pollutant. Accordingly, the Project would also not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is nonattainment, and impacts would be less than significant.

The proposed Project would require construction activities that would comply with the SCAQMD Rule 402, which requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site, and Rule 403, which requires that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. The Project involves construction activities associated with demolition, grading, building construction, paving, and architectural coating applications. Demolition and construction would be accomplished with cranes, dozers, and other heavy equipment. Waste materials would be uploaded onto large trucks using small cranes, forklifts, and other construction equipment as needed and disposed of offsite. Based on the analysis in the Air Quality Technical Memorandum, the Initial Study determined the Project's construction emissions would not exceed SCAQMD thresholds for daily construction emissions.

The Project would also contribute long-term operational emissions from mobile sources such as motor vehicles and energy source emissions such as natural gas and electricity. The DEIR concluded that operational emissions for both summer and winter would not exceed SCAQMD thresholds.

Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating Project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. Therefore, the Project's less than significant increase in regional air pollution would have nominal or negligible impacts on human health.

In conclusion, the Project would not exceed SCAQMD thresholds for construction and operational air emissions. Accordingly, less than significant impacts would also result with respect to adverse health effects of project emissions. Implementation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard and air quality impacts would be less than significant. (DEIR, p. 5.2-24, 5.2-26, 5.2-30 – 5.2-31).

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than Significant.

Explanation: Sensitive receptors would not be exposed to substantial criteria pollutant concentrations, construction dust concentrations or Toxic Air Contaminant concentrations as the result of Project construction or operation and potential impacts would be less than significant. The closest sensitive receptors are existing residential properties whose boundaries abut the north and eastern boundary of the Project site. SCAQMD uses local significance thresholds (LSTs), as guidance to determine project impacts. Construction emissions were calculated and determined not to exceed LST. Operational emissions that include mobile source emissions were also studied. It is anticipated that nominal truck trips will occur and are not expected to idle on-site for long periods of time. Therefore, lack of emissions would not contribute to long term LST. Carbon Monoxide Hotspots were also analyzed as part of the Draft EIR. It was concluded that the City of Riverside would not experience a Carbon Monoxide hotspot at any intersection as a result of Project implementation. Based on the Project's emissions not exceeding SCAQMD's LST and the Project implementation not causing Carbon Monoxide hotspots, the Project would not create localized air quality health impacts. Therefore, the Project would not expose receptors to substantial pollutant concentrations. (DEIR, pp. 5.2-31 – 5.2-32).

Threshold: Would the Project result in emissions (such as those leading to odors) adversely affecting a substantial number of people?

Finding: Less than significant.

Explanation: Project construction activities may generate detectable odors. However, construction related odors would be intermittent and short term in nature and will cease upon project completion. Project construction is anticipated to occur over a time frame of approximately 23 months. Potential sources of operational odors generated by the Project would include disposal of miscellaneous refuse. Consistent with City requirements, all Project generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with solid waste regulations, thereby precluding substantial generation of odors due to temporary holding of refuse on-site. Therefore, the proposed Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and impacts would be less than significant. (IS, p. 56).

D. BIOLOGICAL RESOURCES

Threshold: 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 US Fish and Wildlife Service?

Finding: No Impact.

Explanation: The Project site is an existing developed site located in an urbanized area that does not contain riparian habitat or other sensitive natural communities. Thus, the proposed Project would not have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or US Fish and Wildlife Service (USFWS). (IS, pp. 58-59).

Threshold: 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: No Impact.

Explanation: Development of the Project site will not result in impacts to Corps, Regional Board, or CDFW jurisdiction and regulatory approvals will not be required. No wetlands or vernal pools will be impacted from Project and no impacts will occur. There are no federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) on-site or within proximity to the Project site. Further, the Project site does not contain any wetlands or jurisdictional resources regulated by the US Army Corps of Engineers (USACE), CDFW or Regional Water Quality Control Board (RWQCB). Thus, the proposed Project would not 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. (IS, p. 59).

Threshold: Interfere Substantially with Movement of any Native Resident or Migratory Fish or Wildlife Corridor or Impede the use of Native Wildlife Nursery Sites?

Finding: No Impact.

Explanation: The Project site does not represent a regional wildlife movement corridor and provides no cover, food, and no natural unrestricted water courses that would facilitate regional wildlife movement onsite and is not located in a Multiple Species Habitat Conservation Plan (MSHCP) designated core, extension of existing core, non-contiguous habitat block, constrained linkage or linkage area intended to protect lands for wildlife movement. The Project site is completely surrounded by high density residential/mixed use retail development and high traffic roads. Thus, the proposed Project would not 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. (IS, p. 59).

Threshold: 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.

Explanation: The Project will not conflict with any local policies or ordinances protecting biological resources and therefore no impacts would occur. The City of Riverside General Plan 2025 includes policies to ensure that future development would not conflict with any local policies or ordinances protecting biological resources. The Project applicant shall be required to pay the SKR fees in accordance with County of Riverside Ordinance 663.10 (COR 663.10) and City of Riverside MSHCP Local Development Mitigation Fees (LDMF), established by MC Section 16.72.040. Further, the Project site is an existing vacant development and does not contain any biological resources. Through payment of applicable fees, the Project will not conflict with any of the 2025 General Plan policies. The City's Municipal Code Section 13.25.020 establishes guidelines for removal, trimming and trenching around trees in City rights-of-way (MC). The project does not propose to remove or plant any trees within the City's rights-of-way. Thus, implementation of the proposed Project would not conflict with any local policies or ordinances protecting biological resources. Therefore, impacts would be less than significant. (IS, p. 60).

E. GEOLOGY AND SOILS

Threshold: Direct or Indirect Effect Involving Rupture of a Known Earthquake Fault?

Findings: Less than significant.

Explanation: There are no Alquist-Priolo zones in the City. Several large active fault systems, occur in the region surrounding the Project site, such as Whitter-Elsinore, San Jacinto, and the San Andreas. However, the Project site is located approximately 11.9 miles east of the Whitter-Elsinore Fault zone, 10.9 miles west of San Jacinto Fault zone, and 17.5 miles west of San Andres Fault zone so the potential for fault rupture or seismic shaking is very low. Additionally, the Project would be required to comply with all California Building Code (CBC) regulations. Thus, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of known earthquake fault. Therefore, impacts are less than significant . (IS, pp. 64-65).

Threshold: Direct or Indirect Effect Involving Ground Shaking Zone?

Findings: Less than significant.

Explanation: The Project site is located on the northern portion of the Riverside sub-block. Due to the Project site being approximately 10 to 17 miles away from fault zones, as mentioned above, ground shaking hazards caused by earthquakes can occur that have the potential to cause moderate to intense ground shaking. However, the proposed Project would be required to comply with CBC regulations. Thus, the Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Therefore, impacts are less than significant. (IS, p. 65).

Threshold: Direct or Indirect Effect Involving Ground Failure/Liquefaction?

Findings: Less than significant.

Explanation: The Project Site is located in an urbanized area and the general topography of the Project Site is flat. The Initial Study found that the Project's potential of liquefaction to be low. Conformance with the CBC and recommendations outlined in the Geotechnical Investigation, the Project is not anticipated to cause potential substantial adverse effects directly or indirectly, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. Therefore, impacts are less than significant. (IS, p. 65).

Threshold: Direct or Indirect Effect Involving Landslide Risk?

Findings: No Impact.

Explanation: The Project site is located in an urbanized area with generally flat topography and is not located in an area prone to landslides. Because the site is relatively flat and not close to significant slopes, the potential for earthquake-induced landslides to occur at the site is considered very low. Thus, the Project is not anticipated to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including landslides. Therefore, no impacts are anticipated. (IS, p. 66).

Threshold: Result in Substantial Soil Erosion or the Loss of Topsoil?

Findings: Less Than Significant.

Explanation: The Project site is flat but erosion and loss of topsoil could occur as a result of Project construction. However, the Project will be required to comply with the State and federal requirements regarding the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) establishing erosion and sediment controls for construction activities. The Project is also required to comply with the National Pollutant Discharge Elimination System (NPDES) regulations. Additionally, with the erosion control standards for which all development activity must comply (Title 18), the Grading Code (Title 17) requires the implementation of measures designed to minimize soil erosion (MC). Thus, through compliance with state and federal requirements as well as with Titles 18 and 17 the Project would not result in substantial soil erosion or loss of topsoil. Therefore, impacts would be less than significant. (IS, p. 65).

Threshold: On- or Off-site Landslide/ Lateral Spreading/Subsidence/Liquefaction or Collapse?

Findings: Less Than Significant.

Explanation: The Project Site is located in an urbanized area and the general topography of the Project Site is flat. The Project Site is not located in an area prone to landslides. Properties involved in the proposed improvements and adjacent properties are generally flat and have a low potential for landslides to occur. The Initial Study found that the Project's potential of liquefaction-induced lateral spread is considered remote because the site has low liquefaction potential. Therefore, lateral spreading is not anticipated. Thus, the Project is not located on a geologic unit or soil that is unstable, or that would

become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, impacts would be less than significant. (IS, pp. 66-67).

Threshold: Expansive Soils?

Findings: Less Than Significant.

Explanation: A majority of the Project site is classified as low to medium in expansion potential. Since soils have some expansive potential, all design and construction shall comply with the recommendations outlined in the Geotechnical Investigation. Thus, through compliance with the recommendations of the Geotechnical Investigation report, applicable provisions of the City's Subdivision Code Title 18, and the CBC with regard to expansive soils, the Project would not create substantial direct or indirect risks to life or property. Therefore, impacts would be less than significant. (IS, p. 67).

Threshold: Septic Tanks?

Findings: No Impact.

Explanation: The Project site is an existing development located within an urbanized area. The Project will connect to and be served by existing sewer infrastructure. The Project does not propose the use of a septic system. Thus, soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater is not applicable to the proposed Project. Therefore, no impacts are anticipated. (IS, p. 67).

F. ENERGY

Threshold: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, unnecessary consumption of energy resources, during project construction or operation?

Findings: Less than significant.

Explanation: *State CEQA Guidelines Appendix F* provides a list for assessing potential impacts that a project could have on energy supplies, focusing on the goal of conserving energy by ensuring that projects use energy wisely and efficiently. Pursuant to impact possibilities listed in *State CEQA Guidelines Appendix F*, an impact with regard to energy consumption and conservation will occur if implementation of the proposed Project will result in the wasteful, inefficient, or unnecessary consumption of energy. Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal;
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity;
3. The effects of the project on peak and base period demands for electricity and other forms of energy;
4. The degree to which the project complies with existing energy standards;

5. The effects of the project on energy resources;
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Construction related energy consumption would consist of fuel energy consumed by construction vehicles and equipment and bound energy in construction materials. Energy conservation would occur during construction through compliance with state requirements, US Environmental Protection Agency and CARB engine emission standards. In addition to reduction in energy inputs for construction material can be achieved by selecting green building materials. Therefore, it is not expected that fuel energy and construction materials consumed during construction would represent a significant demand on energy resources.

Similarly, Project operations would not result in the inefficient, wasteful or unnecessary consumption of energy. Operation-related energy consumption would result from fuel, electricity, and natural gas. The Project would be designed to meet or exceed Title 24, CALGreen code, and meet LEED Gold performance standards. By complying and meeting Title 24, CALGreen code and LEED Gold performance standards the Project could significantly reduce Project-related energy usage. Therefore, the Project's building energy usage would result in less than significant impacts.

Further, the energy demands of the Project can be accommodated within the context of available resources and energy delivery systems. The Project would therefore not cause or result in the need for additional energy producing or transmission facilities. The Project would not engage in wasteful or inefficient uses of energy and aims to achieve energy conservations goals within the State of California. Project construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary. Potential impacts would be less than significant. (DEIR, pp. 5.4-13,5.4-17).

Threshold: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Finding: Less than significant.

Explanation: The City of Riverside General Plan identifies objectives and policies that increase energy efficiency and reduce energy consumption. Additionally, the City of Riverside provides a City's Riverside Restorative Growthprint which consists of the City's Economic Prosperity Action Plan and Climate Action Plan (CAP). As a result, the Project will comply with the policies, regulations and actions outlined in the General Plan and City's Riverside Restorative Growthprint. Therefore, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. (DEIR, pp. 5.4-18).

G. HAZARDS AND HAZARDOUS MATERIALS

Threshold: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Findings: Less than significant.

Explanation: The proposed Project may include routine transport, use, and disposal of hazardous materials during demolition and construction of the Project. However, construction activities would occur in accordance with all applicable local standards adopted by the City of Riverside, as well as state and federal health and safety requirements intended to minimize hazardous materials risk to the public, such as Cal/OSHA requirements, the Hazardous Waste Control Act, the California Accidental Release Protection Program, and the California Health and Safety Code. Additionally, a Hazardous Material Business Emergency Plan has already been adopted and implemented for the existing operations on-site. During operation, residential use is anticipated to have low potential for use of hazardous materials. Non-residential would be required to compliance with all applicable local, State, and federal laws. Additionally, both Federal and State governments require all businesses that handle more than a specified number of hazardous materials to submit a business plan to regulating agency. Specifically, any new business that meets the specified criteria must submit a full hazardous materials disclosure report. Thus, because the Project would be required to comply with all applicable federal and state laws related to the transportation, use, storage and response to upsets or accidents that may involve hazardous materials, it would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Therefore, impacts would be less than significant. (IS, pp. 69-70).

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Findings: Less than significant.

Explanation: The Initial Study found there are no existing or proposed schools within one-quarter mile of the Project site. The schools nearest the site are: Jefferson Elementary located approximately 0.35 miles southwest of the Project site, Our Lady of Perpetual Help Catholic School located 0.39 miles north of the Project site, and Sierra Middle School located 0.51 miles northeast (GE). As such, there are no existing or proposed schools within one-quarter mile of the Project site. Thus, the Project site would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (IS, pp. 71).

Threshold: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Findings: No impact.

Explanation: The Initial Study determined Project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.25. Thus, the Project would not result in a significant hazard to the public or the environment. Therefore, impacts would be less than significant. (IS, p. 72).

Threshold: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Findings: Less than significant.

Explanation: The Project may include improvements to adjacent streets that might result in temporary road closures. However, implementation of the proposed Project will not interfere with evacuation or emergency response plans as all local roadways would remain open during Project construction and operation. Construction activities occurring within the Project Site would comply with all conditions, and the City's Local Hazard Mitigation Plan Thus, implementation of the proposed Project would not impair or physically interfere with an emergency response plan or evacuation plan. (IS, pp. 72-73).

Threshold: Would the Project expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Findings: Less than significant.

Explanation: The Project site is not identified as being in a very high fire hazard severity zone according to the Fire Hazard Severity Zones in the State Responsibility Area Map produced by the California Department of Forestry and Fire Protection. Additionally, the Project site is not located within the City's moderate, high, or very high hazard rating area. As such, the Project site will not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. (IS, p. 73).

H. HYDROLOGY AND WATER QUALITY

Threshold: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Findings: Less than significant.

Explanation: During construction, potential threats to surface and ground water quality associated with the short-term grading and construction activities include discharges of construction-related sediment and hazardous materials (e.g., fuels). During operations potential pollutants discharged to storm drains and downstream water bodies resulting from long-term occupancy and operations of the proposed project include litter, trash, and debris; oil, grease, metals, vehicle hydrocarbons; and sediments, nutrients, pesticides, and fertilizers from landscaped areas. The Project site is tributary to Santa Ana River Reach 3. The California Regional Water Quality Control Board – Santa Ana Region (RWQCB) provides regulatory oversight of water quality in the Groundwater Management Zones (GMZs). To ensure that the Project construction activities do not impair water quality of downstream receiving waters, and because the total land disturbance area is greater than 1 acre, the Applicant will obtain coverage under the statewide National Pollutant Discharge Elimination System (NPDES) permit for construction activities (i.e., Construction General Permit), which requires preparation of an effective Storm Water Pollution Prevention Plan (SWPPP) or SWPPs by a certified Qualified SWPPP Practitioner (QSP) and implemented on the Project Site by a certified Qualified SWPPP Developer (QSD), with annual reporting and monitoring requirements and enforcement by the RWQCB.

The Project will include post-construction stormwater treatment where stormwater will be integrated into the site landscaping and pre-treated through biotreatment with modular wetlands. Through compliance with existing regulations that address construction and operational-phase discharges, project impacts will be less than significant. (IS, pp. 73-75).

Threshold: Would the Project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management in the basin?

Findings: Less than significant.

Explanation: The Project site does not use on-site groundwater or support groundwater wells on-site. The existing Project site is developed with 99 percent impervious surfaces so provides minimal groundwater recharge. Thus, the Project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Therefore, impacts are less than significant. (IS, p. 75).

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces in a manner which would: i.) result in substantial erosion or siltation on- or off-site; ii.) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site; iii.) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; iv.) impede or redirect flood flows?

Findings: Less than significant.

Explanation:

Based on the Initial Study, construction activities potential for substantial erosion is minimized through the implementation of a SWPPP during construction and catch basins and biotreatment BMP's post construction. As such the proposed Project would not result in a substantial change in drainage patterns of the Project site that would cause substantial erosion or siltation, nor substantially increase the rate or amount of surface runoff in a manner that would result in flooding. Therefore, impacts would be less than significant.

Based on the Initial Study, the proposed Project will increase the pervious areas of the site since the site is currently 99 percent impervious. Post development runoff during the 10-year and 100-year storm events would be reduced from current conditions. Since volumes will decrease the Project will improve current flow conditions. As such the Project will not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or-off-site. Thus, impacts would be less than significant.

The Initial Study found that Project will result in a reduction of peak flows and volumes. As such the Project will not create or contribute runoff water which would exceed the capacity of existing or planned

stormwater drainage systems or provide substantial additional sources of polluted runoff. Thus, impacts would be less than significant.

The Project site is located in “Zone X” and will incorporate an internal drainage system that would still connect to existing storm drains within the Public right-of-way along Streeter and Arlington Avenue. Since the Project site is an existing vacant developed site with two structures and parking lot, the Initial Study found that implementation of the Project would not introduce additional impervious area. Thus, the Project is not expected to impede or redirect flood flows as a result of such actions. Therefore, impacts would be less than significant. (IS, p. 76-77).

Threshold: In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Findings: No impact.

Explanation: Initial Study found that the Project is not in a flood hazard zone, seiche zone, or tsunami zone. Therefore, impacts there would be no impact. (IS, pp. 77-78).

Threshold: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Findings: Less than significant.

Explanation: The Initial Study found that the local water quality control plan (Basin Plan) outlines the regulatory programs of the Regional Water Quality Control Board (RWQCB), which address ground and surface water quality. The RWQCB requires NPDES permits, construction general permits, storm sewer system permit for post construction BMPs. The Project applicant would be required to prepare and implement a SWPPP during construction and provide the required post-construction storm water quality treatment, leading to no conflicts or obstructions with the Basin Plan. Thus, the Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, impacts would be less than significant. (IS, p. 78).

I. LAND USE AND PLANNING

Threshold: Would the Project physically divide an established community?

Findings: No Impact.

Explanation: The development of the Project would not displace residents or any established community or infrastructure. The Project site is surrounded by office and commercial uses to the north; medium-density residential and office uses to the east; commercial and high-density residential uses to the south; and medium-density residential, office, and commercial uses to the west. Further, the Project does not propose any new roadways that could physically divide the existing community. Thus, the Project would not divide an established community. (IS, p. 78).

J. MINERAL RESOURCES

Threshold: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Findings: No Impact.

Explanation: According to the Initial Study, the Project site is not located in, nor is it adjacent to, a locally important mineral resource recovery site so is not anticipated to result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. (IS, p.79).

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

Findings: No impact.

Explanation: The Project Site is not located in a designated mining zone. Therefore, no known mineral resources of local or state importance are located on lands associated with the proposed Project. The proposed Project is consistent with the General Plan 2025 and MASP. Therefore, no impact would occur. (IS, p. 79).

K. NOISE

Threshold: Will the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Findings: Less than significant.

Explanation: The greatest vibration levels are anticipated to occur during the grading phase of the Project. All other phases are expected to result in lower vibration levels. The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the Project boundary (assuming the construction equipment would be used at or near the Project boundary) because vibration impacts normally occur within the buildings. To determine potential construction vibration annoyance the following formula was used. $L_{vdB}(D) = LV_{dB}(25\text{ ft}) - 30 \log(D/25)$. Where $L_{vdB}(25\text{ ft})$ is the reference equipment and D is the distance from the equipment to the receiver in feet. The large bulldozer could be operated as close as 32 feet and would generate approximately 84 vdB. The FTA has identified that 75 VdB is the threshold for annoyance from groundborne vibration at sensitive receptors. Although the large bulldozer would exceed FTAs threshold for vibration annoyance of 75 VdB, these impacts would be temporary since Project construction is expected to occur for 23 months. As such, temporary vibration impacts associated with construction would be less than significant.

Once operational, the proposed Project would not generate vibration. In addition, vibration levels generated from Project-related traffic on the adjacent roadways (i.e., Arlington Avenue and Streeter Avenue) would be unusual for on-road vehicles because the rubber tires and suspension systems of on road vehicles provide vibration isolation. Thus, the Project would not result in generation of excessive groundborne vibration or groundborne noise levels during project construction or operation. Therefore, impacts would be less than significant. (DEIR, pp. 5.8-22 – 5.8-24).

L. POPULATION AND HOUSING

Threshold: Will the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Findings: Less than significant.

Explanation: The proposed Project includes an amendment to the General Plan land use designation and rezone to allow for Mixed-Use Village (MU-V) land use and zoning designation to permit residential and commercial uses on the existing Commercial designated site. The Project proposes to development 27 residential buildings consisting of 2- and 3- story structures allowing for a total of 388 residential units and two commercial buildings totaling 25,320 sf located on the southeastern portion of the site.

The Project would generate 1,273 persons, resulting in an increase of 0.4 percent over current City population and an increase of 0.3 percent of the City's 2045 buildout projections; neither of which represent substantial growth. Hence, impacts related to substantial unplanned growth would be less than significant.

RHNA for the 6th Cycle planning period has projected the City is obligated to provide for 18,458 units to meet their fair share allocation of RHNA requirements. The City self-prescribed a target 30 percent over SCAG's target in order to include a "No Net Loss" buffer consistent with SB 166 resulting in a City goal to provide for 24,000 units.

Because the City is built-out and has self-prescribed a buffer increasing target housing beyond RHNA requirements, the City has adopted a number of policies to help meet these goals by reducing and removing governmental barriers; specifically policies HE-5-1 through HE-5-6. The Project will be able to develop the underutilized the Project site for mixed-use, By introducing mixed uses to the Project site, the proposed rezone and general plan amendment will allow for residential uses. The ability to provide residential uses will provide the City an opportunity to help fulfill RHNA housing needs. The Project proposes to provide 388 dwelling units which will allow the City to move closer to the City's fair share of RHNA allocation.

SCAG predicted that the City would have a Job-to-Housing Ratio of 1.70:1 in 2045 based on population projection of 395,800 persons. The Project would increase the existing population but would provide employment opportunities by adding approximately 51 new jobs.

SCAG predicted that the City would remain a job-rich area with the projected 2045 population growth and implementation of the Project would contribute to employment opportunities within the City, contributing to the City's job to housing ratio. Implementation of the Project may introduce indirect population growth through the introduction of new job opportunities during both construction and operation of the Project site. Employment during construction activities would be short-term in nature. During operation the proposed commercial retail portion of the Project site is estimated to employ approximately 51 employees. Additionally, the project will not create indirect population growth because the Project would not require the expansion of infrastructure and utilities to service the Project. Because

existing infrastructure is already in place and the Project does not include any construction, the Project would not remove any obstacles to population growth. Moreover, the Project does not propose construction of any new major infrastructure facilities that create indirect growth and impacts.

The Project is consistent with applicable General Plan policies related to housing and infill development, as outlined above. Additionally, implementation of the Project would provide the City opportunities to help fulfill State RHNA housing requirements and would represent growth that is less than one percent of buildout projections. Thus, the Project would not induce substantial unplanned population growth. Therefore, the impacts would be less than significant. (DEIR, pp. 5.9-10 – 5.9-11).

Threshold: Will the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Findings: No impact.

Explanation: The Project site is an existing vacant commercial development. Hence, no housing units would be displaced as a result of Project construction. Thus, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. (IS, p. 81).

M. PUBLIC SERVICES

Threshold: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection; police protection; schools; libraries; and/or other public facilities?

Findings: Less than significant.

Explanation: The closest fire stations to the Project site are Station 5 – Airport and Station 3 – Magnolia Center (Midtown). These stations are expected to serve the Project site. While the increased dwelling units of the project would likely result in increased service calls to these stations, the Project proponent will be required to pay all applicable Fire Development Impact Fees and enter into a cost contribution agreement to pay for the Project’s incremental increase to fire services; providing a \$169,606 fire station development fee. The location and timing of a fire station are to be determined by the City Fire Department, the development of which will be analyzed at such time. Thus, the payment of fees will reduce any impacts to fire services resulting from the Project.

State, county, and City jurisdictions have policies related to providing adequate fire services to the area. All Project-related development would be constructed in accordance with current building and fire/life/safety ordinances and codes, including all applicable code requirements related to construction, access, water mains, fire flows, and hydrants. Additionally, the Project does not propose to use substantially hazardous materials or engage in hazardous activities that will require new or expanded fire protection facilities to meet potential emergency demand. Hence, any incremental impacts to the provision of fire protection or emergency medical facilities and services will be offset from funds identified

within the cost contribution agreement that Project will be required to enter into with the City for fire services. As such, impacts to fire protection services would be less than significant.

Police protection services for the City are provided by the Riverside Police Department (RPD). The Lincoln Police Station is nearest the Project site at just under 3 miles southwest of the Project so the City would continue to meet the recommended police response times (7 minutes for Priority 1 calls and 12 minutes for Priority 2 calls) Based on location of this station. RPD is required to evaluate its budget annually to provide adequate police services to accommodate additional growth in the City in accordance with GP 2025 policy PA-7.1. As such, the Project proponent would be required to contribute to police services as assessed to reduce any impacts. Further, the Project would be required to comply with all State, County, and local regulations which ensure sufficient police protection service and facilities are available to accommodate existing and future population.

The proposed Project is located within the Riverside Unified School District (RUSD). The Project is anticipated to generate a total of approximately 101 students. The student population at nearby Jefferson Elementary has declined since 2016. Sierra Middle school has also seen a similar decline from student enrollments over the year. Ramona High School is currently serving the highest student population of the last 7 years. However, it should be noted that high school enrollment does fluctuate based on student enrollment from middle school and elementary schools from the previous years as students advance to each grade. Thus, since with a current decline in student enrollment for both Jefferson Elementary School and Sierra Middle School, high school enrollment is also expected to decline in the upcoming years. As previously mentioned, it is anticipated that Project implementation will increase the number of elementary school students. Jefferson Elementary School has previously served a higher population. Nonetheless, the Project will comply with RMC Chapter 16.556 and pay the school development fee established by the RUSD prior to the issuance of building permits. As per AB 2926 and SB 50, the school development fee is charged to developers to mitigate the impact of development on school facilities which may result from increased enrollment and is deemed to provide full and complete school facilities mitigation for impacts to school facilities

The City of Riverside Public Library consists of one Main Library and seven branch libraries. The library system has a collection of approximately 425,000 books and other library materials, 400 public access computers, and an annual circulation of 1.23 million. The Marcy Branch Public Library, covering 4,200 square feet, is located just under one mile from the site. The Arlanza Branch Public Library just under three miles from the Project site and is a 10,000 square foot library with over 80 computers for public use and houses a starting collection of more than 11,750 items. Further, the City's new main Library which was expanded in 2021 covering 42,000 square feet and providing more than 60,000 items is also anticipated to serve the site. As such, the proposed Project may result in an incremental increase in the use of libraries but is not expected to substantially increase the demand of these services such that construction of new or expanded facilities would be required. While there are no there are no development impact fees that would fund the RPL system, the Project would be required to comply with GP 2025 Education Element Objective ED-5 and Policy ED-5.1, which states that the City is required help to provide ample and convenient library facilities. Compliance with these policies would ensure that the Project would not affect the City's ability to provide adequate libraries. Further, City Council may approve

funds as necessary for library services. As such, impacts related to library facilities and services would be less than significant.

Therefore, less than significant impacts would occur on the demand for additional public facilities or services. (DEIR, p. 5.10-7 –5.10-10).

N. RECREATION

Threshold: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Findings: Less than significant.

Explanation: The project will include recreational areas that would supplement the existing recreational facilities in the area. Nonetheless, the Project would provide 2.9 fewer acres of parkland than required based on City requirements. However, in accordance with MC Chapter 16.60 – Local Park Development Fees, the Project would be required to pay Local Park Development Fees. Local park fees are collected by the City as part of the development review process and are used for the purpose of supporting the City’s recreational budget for past and present facilities to serve the community. Thus, through project design features, adherence to municipal code, compliance with conditions of approval, and payment of Local Park Development Fees, the Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, the impacts would be less than significant. (DEIR, pp. 5.11-9 – 5.11-11).

Threshold: Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Findings: Less than significant.

Explanation: The proposed Project plans for approximately 0.8 acres of recreational areas including a public dog park, passive open spaces areas along with 0.5 acres of private amenities such as a clubhouse, workout facility and pool, which are all considered part of the Project’s design and are therefore analyzed throughout this Draft EIR. Since the Project is already analyzing the environmental effects of the Project as whole, the Project would not require any additional recreational facilities that are not already analyzed as part of this Draft EIR. Additionally, the Project would be required to pay into Local Park Development Fees per MC Chapter 16.60 – Local Park Development Fees. Thus, the proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities which would substantially impact the environment. Therefore, the impacts would be less than significant. (DEIR, p. 5.11-11).

Threshold: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Parks?

Findings: Less than significant.

Explanation: As discussed in the second threshold above under Item N. Recreation, the public and private park/recreational amenities proposed by the Project are all within the Project analysis included in the Draft EIR. Since the Project is already analyzing the environmental effects of the Project as whole, the Project would not require any additional recreational facilities that are not already analyzed as part of the Draft EIR. Furthermore, the Project would be required to pay all applicable Park development impact fees. Thus, because all public and private park/recreational amenities proposed by the Project have been evaluated throughout the EIR and since the Project would be required to pay all applicable Park development impact fees, the proposed Project would not include recreational facilities or require the construction or expansion of recreational facilities which would substantially impact the environment. Therefore, the impacts would be less than significant. (DEIR, p. 5.11-11).

O. TRANSPORTATION

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

Findings: Less than significant.

Explanation:

Public transit, bicycles, and pedestrian facilities

The City's 2025 General Plan - Circulation and Community Mobility Element introduces and implements various strategies and approaches to accommodate, improve, enhance, and maintain multiple modes of travel (vehicular and non-vehicular) throughout the City. Mode choice is influenced by sidewalk connectivity and proximity of buildings, bike accommodations, transit stop density and service characteristics, and availability of interconnected low speed routes. Non-vehicular transportation includes pedestrians (sidewalks), bicycles (on-road lanes or off-road paths), bus transit, and train transit.

The City's 2025 GP Objective CCM-2 promotes and supports modes of transportation that offer an alternative to single-occupancy automobile use and help reduce air pollution and road congestion. Emphasizing non-vehicular transportation is a key element of SB 375 and SCAG's Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS).

Although there are no current or proposed trails near the Project Site, there are existing sidewalks adjacent to the Project site, along both Arlington Avenue and Streeter Avenue. The Project will provide several pedestrian pathways to facilitate the movement of pedestrians within the site. These pathways will be lit to ensure security. The Project site will also provide pedestrian linkage to the surrounding area by providing connection to sidewalks along Streeter Avenue and Arlington Avenue. The Project will remove the existing sidewalks to incorporate a landscape buffer between the roadway and sidewalks. The sidewalks will continue to connect to the existing sidewalks in the area and continue to provide pedestrian linkage beyond the boundaries of the Project site. As such the Project would facilitate and would not obstruct City goals and policies to provide efficient and safe pedestrian access and no impacts to pedestrian facilities would occur.

As part of the City's Bikeway Network, Class II bike lanes exist along Arlington Avenue which connect to the Magnolia/Market Corridor. The PACT Plan designates Streeter Avenue as a Class II Buffered Bike Lane, however it is not currently striped as such. The Project will stripe Class II bike lane on the east and west sides of Streeter Avenue.

With respect to bicycle and pedestrian safety, the Project is required to comply with all design guidelines and regulations to ensure facilities meet City's current standards. The City has prepared a *2022 Local Roadway Safety Plan* (LRSP). The goal of the City and their safety partners through the LRSP, is to provide safe, sustainable, and efficient mobility choices for their residents and visitors. Through the development and implementation of the LRSP, the City continues its collaboration with safety partners to identify and discuss safety issues within the community and the LRSP identifies a framework to identify, analyze, and develop traffic safety enhancements on the City's roadway network. The Project will incorporate all bike lane improvements in accordance with all City standards.

The Project is currently served by the RTA. Bus Route 12 and Bus Route 15 that travel along Streeter Avenue and Arlington Avenue, respectively, in the Project area. The nearest bus stops and shelters are located on Arlington Avenue and Streeter Avenue. The shelter along Arlington Avenue is situated in front of the location of the proposed ALDI. The bus shelter along Streeter Avenue is along the easterly side of Streeter near Streeter Avenue/ Arlington Avenue. The existing bus services would continue to serve the Project site and the future residents and retail patrons would have convenient access to transit. Furthermore, it should be noted that Route 15 provides connections to both the Riverside-Downtown Metrolink Station and the La Sierra Metrolink Station which allows for connections to adjacent communities. The proposed Project would not alter or conflict with existing bus stops and schedules, and impacts related to RTA transit services would not occur.

Vehicular Circulation

The City's 2025 GP Policy CCM-2.3 requires Arterial Streets to maintain an LOS D or better. This policy also provides that at key locations, such as City Arterials that are used by regional freeway bypass traffic and at heavily traveled freeway interchanges, an LOS E at peak hours is acceptable on a case-by-case basis. The Project TIA provided a conservative trip generation analysis by evaluating a worst-case scenario by utilizing a slightly higher commercial square footage than proposed by the Project. The TIA calculated existing trip generation counts as if the Project site were not vacant and still being utilized as its previous use. Under the existing land use, a total of 4,698 vehicular trips with 119 AM peak hour trips and 400 PM peak hour trips would result. Since the site has been vacant since approximately 2020, no trip credits were taken into account as part of this calculation. The proposed Project is estimated to generate 3,372 two-way trip-ends per day on a typical weekday with 229 AM peak hour trips and 284 PM peak hour trips; 1,326 fewer trips than the previous use.

In 2013, the State of California passed Senate Bill (SB) 743, which mandates that lead agencies can no longer use automobile delay, commonly known as Level of Service (LOS), as a method for conducting transportation analysis under CEQA. The State later issued guidelines for the use of a broader measure called Vehicle Miles Traveled (VMT), which measures the total amount of driving over a given distance and is intended to better align transportation analysis with the State's Greenhouse Gas reduction goals.

These changes became mandatory on July 1, 2020, and lead agencies are now required to analyze transportation impacts under VMT, not LOS. Therefore, the LOS data and the relationship of the Project's effect on LOS with General Plan goals concerning LOS are reported for informational purposes and utilized by the City in considering General Plan consistency, but are not used to gauge environmental impacts in this Draft EIR.

As reflected in Table 5.12-B, Level of Service (LOS) - Existing and Existing Plus Project (Opening Year 2028) in the Draft EIR, with incorporation of Project Design Features, the proposed Project is not anticipated to result in new LOS deficiencies.

Further, the proposed Project will be required to install traffic signing and striping in accordance with California Manual on Uniform Traffic Control Devices in conjunction with detailed Project construction plans. Sight distance at each access point will be required to be reviewed with respect to standard CalTrans and City of Riverside sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

With incorporation of the Project's proposed improvements (PDFs), implementation of the recommended optimizing signal phasing improvements, payment of City Developer Impact Fees (DIF), and payment of regional County Traffic Uniform Mitigation Fee (TUMF) to offset traffic related deficiencies, all intersections are expected to operate at a satisfactory LOS. As such, the Project complies with General Plan policies as they relate to LOS. No additional improvements are required.

Program Plans

Congestion Management Program (CMP) and the Long-Range Transportation Study (LRTS)

The CMP is a component of the RCTC's Long Range Transportation Study (LRTS), the first countywide long range transportation study that identifies and evaluates highway, major roadway, and transit projects throughout the Riverside County region. The LRTS identified four roadway improvement projects within the City of Riverside to reduce traffic congestion:

- the Main Street and 60 Interchange project;
- the Tyler Street and 91 Interchange project;
- the Adams Street and 91 Interchange project; and
- the Arlington Avenue from Magnolia Avenue to Alessandro Boulevard project. (LRTS, Appendix A)

The proposed Project would not affect the ability of these improvement projects in the City to be constructed. The Project would ultimately benefit from these roadway improvement projects identified in the CMP. Hence, the Project would not conflict with the RCTC's CMP.

Connect SoCal

The Plan is consistent with the goals of *Connect SoCal*. Hence, the Project would not conflict with this program plan.

The Project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Because the proposed Project's vehicular and

non-vehicular network will be designed and constructed in compliance with all applicable regulations, will implement PDFs and improvements consistent with City requirements, and is consistent with GP policies and all applicable program plans, the Project will not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, impacts would be less than significant. (DEIR, pp. 5.12-20 – 5.12-23).

Threshold: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Findings: Less than significant.

Explanation: In accordance with the City of Riverside Guidelines screening criteria, the proposed Project is presumed to have a less than significant transportation impact and is screened out from further VMT analysis based on the Project being within a low VMT-generating area. Further, the retail portion of the Project meets the criteria for screening from further VMT analysis because it is under 50,000 square feet so is considered a local-serving project.

Thus, because the Project is considered to be within a low VMT-generating area and considered a local-serving project, it is consistent with CEQA Guidelines Section 15064.3, subdivision (b). Therefore, impacts would be less than significant. (DEIR, p. 5.12-23).

Threshold: 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)?

Findings: Less than significant.

Explanation: The Initial Study determined the proposed Project's internal road network would be designed to comply with the City's development review process including review for compliance with all applicable fire code requirements for construction and access to the site. Project access does not include new travel lanes outside of the Project's footprint and has been designed in conformance with the City's engineering and fire department standards. Additionally, the Project would continue to utilize four of the six existing driveways. As a result, the project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. Therefore, impacts would be less than significant. (IS, p. 84).

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

Findings: Less than significant.

Explanation: The Project will leave in place four of the existing full access driveways: two along Arlington Avenue and two along Streeter Avenue. All project access improvements have been designed in conformance with City engineering and fire department standards for emergency access and circulation, and all local roadways would remain open during Project construction and operation. The design of Project access and internal circulation routes, as well as the size and location of fire suppression facilities (e.g., hydrants and sprinklers), would be subject to City standards and conditions of approval. Thus,

implementation of the proposed Project would not Result in inadequate emergency access and impacts would be less than significant. (IS, p. 85).

P. TRIBAL CULTURAL RESOURCES

Threshold: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k)?

Findings: No Impact.

Explanation: The existing buildings are eligible for listing in the HRHP, CRHR and local register of historical resources. However, the structures are not associates with Native American activities or traditional uses and instead listed for eligibility based on its architectural features and historic character as a Mid-Century Modern department store. No prehistoric sites or resources documented to be of specific Native American origin have been previously recorded within the records search area or the Project site. Thus, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 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 Resource Code section 5020.1(k) as the structures are not associated with traditional Native American activities. Therefore, no impacts are anticipated. (DEIR, pp. 5.13-12).

Q. UTILITIES AND SERVICE SYSTEMS

Threshold: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Findings: Less than significant.

Explanation: The Initial Study determined that Project would result in a less than significant impact storm drain, electric, natural gas, and telecommunication facilities. The existing storm drain system has sufficient capacity to serve the Project site and will not require new or relocated facilities. Natural gas services for the Project site will be provided by Southern California Gas. However, the Project's use of natural gas will be reduced through compliance with Municipal Code 16.26 (MC) so no new or relocated facilities are anticipated. Further, the Project will connect to existing telecommunication facilities located along the Project frontage.

RPU provides electrical services to the Project site. All electrical facilities would connect to existing connections in Arlington Avenue and Streeter Avenue. There are existing power poles located along Arlington Avenue located within the right-of-way. An additional circuit will be required to meet the Project's estimated electric demand. This will require approximately 1.5 miles of offsite trenching to

connect to existing RPU electric facilities. Trenching will occur within existing ROW and will include approximately 0.5 miles in Streeter Avenue from Arlington Avenue to Central Avenue; approximately 0.5 miles in Central Avenue from Streeter Avenue to Hillside Avenue; and approximately 0.5 miles in Hillside Avenue Central Avenue to Mountain View Avenue. It is anticipated that trenching may be as deep as 7 to 8 feet below ground. There are some existing conduit and vaults within this alignment. The Project will be required to provide areas of new 6.5-inch conduit and approximately 10 electric vaults sized at 8 feet by 14 feet in order to provide the additional circuit and connect to existing facilities. With these improvements RPU has sufficient capacity to serve the Project site.

Water and Wastewater

The focus of the analysis below, pursuant to the Initial Study, is related to water and wastewater. The Project includes construction of an on-site network of water and sewer pipes that will connect to existing water and sewer lines in Arlington and Streeter Avenues. The installation of water and sewer line connections as proposed by the Project may result in physical environmental impacts. However, the Project's construction phase is evaluated throughout this Draft EIR. In instances where significant impacts may have been identified for the Project's construction phase, mitigation measures are recommended in each applicable subsection of this Draft EIR so the construction of water and sewer laterals would not result in any significant physical effects on the environment that are not already identified and disclosed as part of this Draft EIR. Thus, the proposed Project does not require or result in the relocation or construction of new water or wastewater treatment facilities.

Therefore, the implementation of the Project would not result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, natural gas, or telecommunication facilities. While the Project would require the expansion of electric facilities, construction of these facilities are less than significant. Therefore, impacts are less than significant (IS, p. 86 and DEIR, p. 5.14-12).

Threshold: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Findings: Less than significant.

Explanation: The Project is within the City's anticipated 2045 growth projection and implementation of the Project would not require new or expanded entitlements for water supplies. Water service to the Project would be provided by Riverside Public Utilities (RPU). The RPU's 2020 Urban Water Management Plan (UWMP), which was adopted on July 1, 2021, estimated water supply and demand during normal, dry, and multiple-dry years. Based on water projections estimated in the UWMP, RPU would have adequate water supply to serve the Project during normal, dry and multiple dry years. Further, RPU issued a *Water Service Availability* letter dated May 10, 2023, which indicated that PRU is prepared to offer water service to the proposed Project site upon completion of financial arrangements and compliance with the RPU's *Rules and Regulations* for the installation of water facilities. Therefore, this Project was found to have a less than significant impact on water supplies. (DEIR, pp. 5.14-12 – 5.14-14).

Threshold: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Findings: Less than significant.

Explanation: The proposed Project would result in an increase in the sewer flows anticipated for this site. Hence, a capacity analysis was conducted. The capacity analysis identifies areas in the sewer system where flow restrictions occur or where pipe capacity is insufficient to convey peak wet weather flows (PWWFs). Sewers that lack sufficient capacity to convey peak wet weather flow conditions create bottlenecks in the collection system that can potentially cause sanitary sewer overflows.

The capacity analysis was utilized to determine if the proposed Project would result in impacts on the existing and planned sewer system. It was also utilized to determine if the recommended sewer improvement projects and pipe sizing identified in the *Master Plan Update*, would be adequately sized to accommodate the proposed Project.

For the existing sewer collection system, the PWWF conditions were routed through the hydraulic model along with the changes to the point of connections for average dry weather flow (ADWF) and rain derived inflow and infiltration (RDII) in order to verify if the existing system is appropriately sized to convey existing PWWFs plus the additional flows from the proposed land use change. The *Master Plan Update* identified one existing system improvement downstream of the proposed Project. The Easement Trunk Sewer Replacement (Project GM-7) is a gravity Main located along an easement 330 feet North of Mountain View Avenue to Santa Ana River Trail.¹ RPU Project GM-7 outlined in the *Master Plan Update* consists of the replacement of approximately 770 feet of 24-inch diameter pipeline and replacing with a 27-inch diameter pipeline. This improvement has already been identified in the Master Plan Update as an existing need and is in queue for replacement. The proposed replacement of the pipeline will be adequately sized for the proposed change in land use.

For the future sewer system, the *Master Plan Update* identified one future sewer system improvement downstream of the proposed Project. The New Parallel Trunk to Santa Ana Trunk Sewer (Project GM-34) which will provide approximate 9,160 linear feet of 39-inch diameter pipe (WIMPU, Vol 3, p.7-11). The timing of growth under future conditions is expected to occur within the planning horizon, which is the year 2037². As flows continue to increase in the future, there will be some areas of the collection system that cannot convey the future PWWF without flows exceeding capacity. However, the future capacity evaluation which includes the proposed Project, did not identify new system deficiencies not already identified in the *Master Plan Update* or the existing hydraulic evaluation discussed above. Thus, the hydraulic analysis identified that future sewer system improvements identified in the *Master Plan Update* are adequately sized to accommodate the proposed Project in the future.

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1. The City of Riverside has approved the Easement Trunk Sewer Replacement Project. Construction is anticipated to commence late 2024.
 2. The New Parallel Trunk to Santa Ana Trunk Sewer Project GM-34 is a distant future project for allocated for the years 2028-2037 as the Project would mitigate a future deficiency within the existing system.

Hence, the analysis concluded that both the existing system and future sewer improvement projects proposed by the *Master Plan Update* are adequate to meet the increased flows of the proposed Project. Impacts would be less than significant. (DEIR, pp. 5.14-15, 5.14-16).

Threshold: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Findings: Less than significant.

Explanation: Pursuant to AB 939, at least 50 percent of the Project's solid waste is required to be diverted from landfills. Non-recyclable solid waste generated during long-term operation of the Project would be disposed of at the El Sobrante, Badlands Landfill, and/or the Lamb Canyon Landfills. All of these landfills receive well below their maximum permitted daily disposal volume; thus, waste generated by the Project's operation is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume (CalRecycle). Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacities at receiving landfills, impacts to regional landfill facilities during the Project's long-term operational activities would be less than significant.

Federal, state, and local statutes and regulations regarding solid waste reductions are intended to decrease solid waste generation through mandatory reductions in solid waste quantities (e.g., through recycling and composting of green waste) and the safe and efficient transport of solid waste. The proposed Project would be required to develop a collection program for recyclables, such as paper, plastics, glass, and aluminum, in accordance with local and state programs. Additionally, the proposed Project would be required to comply with applicable practices enacted by the City under AB 341 and any other applicable local, state, and federal solid waste management regulations.

Thus, the proposed Project's estimated solid waste generation during demolition, construction, and operation will not generate solid waste in excess of State or local standards, or in excess of infrastructure capacity because estimated waste will constitute an extremely small proportion of the daily available disposal capacity of any of the landfills. Further, the proposed Project will be required to comply with all existing regulations. Therefore, impacts would be less than significant. (DEIR, pp. 5.14-16 – 5.14-19).

Threshold: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Findings: Less than significant.

Explanation: Based on the Initial Study, California cities and counties are required to achieve waste diversion goals. The Project must comply with the City's waste disposal and CALGreen requirements. Therefore, compliance with City waste disposal and CALGreen would ensure compliance with federal, state, and local management and reduction statutes. Thus impacts regarding compliance solid waste regulations would be less than significant. (IS, p. 88).

R. WILDFIRE

Threshold: Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Findings: Less than significant.

Explanation: According to the Initial Study, the Project site is not located in a State Responsibility Area (SRA) or designated as a very high, high, or moderate hazard severity zone by the City. Further, the Project will not impair an adopted emergency response plan or emergency evacuation plan so impacts would be less than significant. (IS, p. 88).

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

Findings: Less than significant.

Explanation: The Project site is not located within a SRA, or a very high fire, high or moderate hazard severity zone and the Project site has no steep slopes and is not located on or adjacent to affected lands that would exacerbate wildfire risk. Thus, the Project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. (IS, pp. 88-89).

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

Findings: No impact.

Explanation: The Project site is generally flat with no steep slopes located on or adjacent to the Project site and the site is not located in or adjacent to a very high fire, high or moderate hazard severity zone. The Project site is fully served by existing roads and utilities. As such, the Project will not need to construct any new roads, fuel breaks, power lines or other utilities. Thus, the Project would not require the installation or maintenance of new associated infrastructure that may exacerbate fire risk or result in temporary or ongoing impacts to the environment. (IS, p. 89).

Threshold: Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Findings: No impact.

Explanation: The Project site and surrounding lands are relatively flat and the site is not located in or adjacent to a very high fire, high or moderate hazard severity zone. As such, the risk of downslope or downstream flooding or landslide hazards is low to nonexistent. Thus, the Project would not expose people or structures to significant risks including downslope or downstream flooding or landslides because of runoff, post-fire slope instability, or drainage changes. (IS, p. 89).

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

The City Council hereby finds that the following mitigation measures, which are identified in the EIR and these Findings, will reduce the following otherwise significant environmental impacts to a less than significant level, and have been required in or incorporated into the proposed Project. ***The findings below are for impacts where implementation of the proposed Project could result in significant environmental impacts that would be reduced to less than significant following mitigation. These findings are based on the discussion of impacts in the detailed impact analyses in Section 4, Section 5.1 through Section 5.2 and Section 6 of the EIR, as well as relevant responses to comments in the Final EIR.***

Except where specifically otherwise noted below, the following statutory finding applies to all of the impacts described in this section (IV):

Changes or alterations have been required in, or incorporated into, the proposed Project which mitigate the significant effects on the environment (to less than significant levels).
(See Pub. Resources Code § 21081(a)(1); State CEQA Guidelines § 15091(a)(1).)

The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. BIOLOGICAL RESOURCES

Threshold: 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 Game or U.S. Fish and Wildlife Service?

Finding: Potential impacts would be less than significant with implementation of mitigation measures **MM BIO-1**.

Explanation: According to the Initial Study the Project Site is located within an urban built-up area within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The Project site is designated as Residential/Urban/Exotic which means that the Project site is not expected to support sensitive habitat. The proposed Project site is fully developed. Ornamental non-native tree species and some landscaping are present in the planters along building frontages and in the parking lot including Canary Island pine (*Pinus canariensis*), southern live oak (*Quercus virginiana*), Mexican fan palm (*Washingtonia robusta*), Chinese tallow (*Sapium sebifrum*), fern pine (*Podocarpus gracilior*), and southern magnolia (*Magnolia grandiflora*). No native vegetation is present within or adjacent to the Project Site (CADRE, p. 6). The site is surrounded by existing residential, office and commercial uses. No natural habitats are located on site. Hence, no habitat to support listed or protected species has been identified. The existing ornamental non-native tree species on site will be removed. If construction occurs outside of the nesting season (between September 1 and January 31), no pre-removal nesting surveys would be required. If construction occurs during the nesting season (between February 1 and August 31) implementation of

Mitigation Measure **MM BIO-1** will ensure that no nesting birds, regardless of their listing status, will be impacted through compliance with CDFG Code Section 3503 and the Migratory Bird Treaty Act.

The following mitigation measure will be implemented:

MM BIO-1 Nesting Birds. Prior to issuance of grading, should tree and/or vegetation removals be required during the nesting/breeding season (between February 1st and August 31st,), a pre-removal nesting bird survey shall be required. If construction is proposed a qualified biologist shall conduct a nesting bird survey(s) no more than three (3) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project Site. The survey(s) shall focus on identifying any raptors and/or bird nests that are directly or indirectly affected by construction activities. If active nests are documented, species specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Riverside for review and approval prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final monitoring report of the findings, prepared by a qualified biologist, shall be submitted to the City of Riverside documenting compliance with the CDFG Code. Any nest permanently vacated for the season shall not warrant protection pursuant to the CDFG Code.

The City finds that Mitigation Measure **MM BIO-1** is feasible, can be adopted, and will further 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, mitigation measure **MM BIO-1** impacts will be less than significant. (IS, pp. 57-58).

Threshold: Would the Project conflict with the 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 measures **MM BIO-1**.

Explanation: The MSHCP is a comprehensive multi-jurisdictional effort that includes western Riverside County and eighteen (18) cities including the City of Riverside. The City of Riverside is a Permittee under the MSHCP. Regions of the MSHCP have been organized into Area Plans that generally coincide with logical

political boundaries, including city limits or long-standing unincorporated communities. The Project Site is located within the Cities of Riverside/Norco Area Plan. The Cities of Riverside/Norco Area Plan has a target conservation acreage of 3,465 to 3,615 acres. The project site is located within the MSHCP and the Stephens Kangaroo Rat (SKR) Fee Area as outlined in the SKR Habitat Conservation Plan. Project compliance with the SKR HCP consists of paying the SKR fee.

The MSHCP requires project consistency with Sections 6.1.1 (Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy), 6.1.2 (Protection of Species within Riparian/Riverine Areas and Vernal Pools), 6.1.3 (Protection of Narrow Endemic Plant Species), 6.1.4 (Urban Wildlands Interface), 6.3.2 (Additional Survey Needs and Procedures), 6.4 (Fuels Management), Appendix C (Standard Best Management Practices), and 7.5.3 (Construction Guidelines). As a Permittee to the MSHCP, the City is required to ensure that all projects are consistent with these Sections of the MSHCP.

Consistency with MSHCP Section 6.1.1

The Project site is located within the MSHCP. A 0.15 acre of offsite improvements is located within a MSHCP designated Criteria Cell as identified under Section 6.1.1, *Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy (HANS)* as discussed in Threshold 4(a) above. As such, the Project has undergone Joint Project Review (JPR). A determination indicating the Project is consistent with the MSHCP was made by the RCA in June 2023. Further, the Project footprint does not fall within, nor is it adjacent to, Public Quasi-Public (PQP) or other MSHCP Conserved Lands (COR PQP). Thus, the proposed Project is consistent with Section 6.1.1 of the MSHCP.

Consistency with MSHCP Section 6.1.2

Section 6.1.2, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools*, of the MSHCP requires that projects develop avoidance alternatives, if feasible, that would allow for full or partial avoidance of riparian/riverine areas. Section 6.1.2 of the MSHCP defines Riparian/Riverine areas as “lands which contain Habitat dominated by trees, shrubs, persistent emergent, or emergent mosses and lichens, which occur close to, or which depend upon soil moisture from a nearby fresh water source; or areas with freshwater flow during all or a portion of the year.” The Proposed Project site has already been developed and does not support riparian, riverine, fairy shrimp and vernal pool habitats and no species associated with these habitat types are present on the site. As such, no focused surveys are required nor a MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) report. Thus, the proposed Project is consistent with Section 6.1.2 of the MSHCP.

Consistency with MSHCP Section 6.1.3

Section 6.1.3, *Protection of Narrow Endemic Plant Species*, of the MSHCP requires that within identified Narrow Endemic Plant Species Survey Areas (NEPSSA), site-specific focused surveys for Narrow Endemic Plants Species will be required for all public and private projects where appropriate soils and habitat are present. The Project site does not occur within an MSHCP predetermined Survey Area for narrow endemic plant species and is therefore not required to survey for any narrow endemic plants. Thus, the Project is consistent with Section 6.1.3 of the MSHCP.

Consistency with MSHCP Section 6.1.4

Section 6.1.4, *Guidelines Pertaining to the Urban/Wildlife Interface*, outlines the minimization of indirect effects associated with locating development in proximity to a MSHCP Conservation Area. The Project site is not located adjacent to an existing or proposed MSHCP Conservation Area. Thus, the Project is consistent with Section 6.1.4 of the MSHCP.

Consistency with MSHCP Section 6.3.2

Section 6.3.2, *Additional Survey Needs and Procedures*, requires additional surveys for certain species if a project is located within criteria areas shown on *Figure 6-2 (Criteria Area Species Survey Area)*, *Figure 6-3 (Amphibian Species Survey Areas with Critical Area)*, *Figure 6-4 (Burrowing Owl Survey Areas with Criteria Area)* and *Figure 6-5 (Mammal Species Survey Areas with Criteria Area)* of the MSHCP. The Project site does not occur within the Amphibian Species Survey Area, Mammal Species Survey Area, Narrow Endemic Plant Survey Area, Burrowing Owl Area, Criteria Area Species, or Invertebrate Survey Area. The Project Site is not located within an Amphibian Species Survey Area, Mammal Species Survey Area, Narrow Endemic Plant Survey Area, Burrowing Owl Area, Criteria Area Species, or Invertebrate Survey Area. Thus, no focused surveys are required so the Project is consistent with Section 6.3.2 of the MSHCP.

Consistency with MSHCP Section 6.4

Section 6.4, *Fuels Management*, of the MSHCP provides guidelines to address brush management activities around new development within, or adjacent to, MSHCP Conservation Areas. The Project Site is not located adjacent to an existing or proposed MSHCP Conservation Area so this section is not applicable to the proposed Project. Therefore, the Project is consistent with MSHCP Section 6.4.

MSHCP Appendix C and Section 7.5.3

The MSHCP's Appendix C, *Standard Best Management Practices* and Section 7.5.3, *Construction Guidelines*, lists standard best management practices and guidelines to be implemented during project construction that will minimize potential impacts to sensitive habitats in the vicinity of a project. The guidelines relate to water pollution and erosion control, equipment storage, fueling, and staging, dust control, exotic plant control and timing of construction. Implementation of mitigation measure **MM BIO-1** will address potential construction impacts to nesting birds. Thus, with mitigation the proposed Project is consistent with Appendix C and Section 7.5.3 of the MSHCP.

Hence, with implementation of mitigation measure **MM BIO-1** (detailed above), the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The City finds that Mitigation Measure **MM BIO-1** is feasible, can be adopted, and will further 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, mitigation measure **MM BIO-1** impacts will be less than significant. (IS, pp. 60-62).

B. CULTURAL RESOURCES

Threshold: Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?

Findings: Less than significant with mitigation with implementation of mitigation measures **MM CR-2** through **CR-5**.

Explanation: A California Historical Resources Information System (CHRIS) database records search, Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search, background research, including a review of a geotechnical report, and an archaeological pedestrian survey were conducted as part of an archaeological resources assessment for this Project. No archaeological or tribal cultural resources were identified within the Project site as a result of these efforts.

The CHRIS record searches indicated that 16 previous cultural resource investigations have been conducted within a half mile radius of the Project site. The investigations were conducted between 1995 and 2021 but none directly addressed the Project site. This suggests that the Project site has not been subject to evaluation for the presence of cultural resources prior to its current development. The CHRIS records indicate that no previously recorded cultural resources have been identified within or adjacent to the Project site. No prehistoric sites or resources documented to be of specific Native American origin have been previously recorded within the records search area or the Project site.

The potential for intact cultural deposits to exist within native soils (encountered from 2 feet below ground surface in some areas) to the depths of proposed ground disturbance (approximately 8 feet below ground surface) is considered moderate. The Project site is within a geographical region known for supporting Native American occupation. The Project site is within the vicinity of two unnamed Native American villages and transportation routes as mapped on the 1938 Kirkman Harriman map. Additionally, the Project site is within the Santa Ana River watershed, an area that would provide sustainable resources for habitation. Archival research indicates that the Project site has been occupied since at least the early twentieth century. Initially used as agricultural land, the Project site transitioned to rural residential properties in the early to mid-twentieth century and again to a fully developed commercial property in the 1960s.

While the "Spanish Town Road" as identified by the 1938 Kirkman Harriman map, intersects the Project site, no archaeological evidence of this feature was provided in the CHRIS records search results or review of other archaeological information. Additionally, the CHRIS results contained no archaeological evidence of the Native American villages within proximity to the Project site. This is likely because the nearest mapped villages are located outside the Project's one half mile records search radius.

Development of the Project site may have buried unknown cultural resources associated with Native American use and/or historic-period agricultural or residential properties. Native soils underlying the artificial fill consist of alluvial deposits from the terminal Pleistocene. These soils are considered contemporaneous with human use, and therefore retain the potential to preserve cultural material in context. Because it is possible to discover unknown resources, mitigation measures **MM CR-2** through

MM CR-5 will be implemented to reduce potential impacts to unknown resources. As a result, the proposed Project would result in a less than significant impact with mitigation incorporated.

In the event of an inadvertent discovery the mitigation measures **MM CR-2** through **MM CR-5** shall be implemented to eliminate or reduce potentially significant impacts to cultural resources to below the level of significance.

MM CR-2 **Consultation.** 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 the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located 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. .

MM CR-3 **On call Project Archaeologist.** Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.

MM CR-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 will need to be thoroughly inventoried with tribal monitor oversight of 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) 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;
- b) A curation agreement with an appropriately 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;
- c) If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and

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 CR-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 **MM CR-2** through **MM CR-5** are feasible, can be adopted, and will further 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 the implementation of these recommended mitigation measures, potential Project impacts to historical resources would be less than significant with implementation of mitigation measures **MM CR-2** through **MM CR-5**. (DEIR, p. 5.3-23 – 5.3-27).

Threshold: Disturb any human remains, including those interred outside of dedicated cemeteries?

Findings: Less than significant with mitigation with implementation of mitigation measure **MM CR-6**.³

Explanation: No known cemeteries are located on the Project site or along the off-site areas. Pursuant to California Health and Safety Code regulations Sections 57051 and 7054, and California Public Resources Code Section 5097.98, in the unlikely event that suspected human remains are uncovered during construction, all activities in the vicinity of the remains shall cease and the contractor shall notify the proper authorities and standard procedures for the respectful handling of human remains will be adhered to. The proposed Project would also be required to comply with regulatory requirements for treatment of Native American human remains contained in California Health and Safety Code Sections 7050.5 and 7052 as well as California Public Resource Code (PRC) Section 5097. These regulations prohibit the interference with any human remains or “cause severe irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site or sacred shrine.” If human remains are found during construction, all work must halt and a qualified archaeologist must contact the city and shall ensure reasonable protection measures are taken to protect the discovery from disturbance. Implementation of mitigation measure **MM CR-6** will further ensure impacts to human remain are less than significant.

MM CR-6 Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the “most likely descendant”. The “most likely descendant” shall then make recommendations and engage in consultations concerning the treatment of the remains (California Public Resources Code 5097.98).

The City finds that Mitigation Measure **MM CR-6** is feasible, can be adopted, and will further 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 the implementation of these recommended mitigation measures, potential Project impacts to

3. This mitigation measure was identified as MM CR-1 in the Initial Study. This mitigation measure has been renumbered to MM CR-6 for purposes of inclusion in the Project’s Mitigation Monitoring and Reporting Program.

human remains would be less than significant with implementation of mitigation measures **MM CR-6**. (IS, p. 63).

C. GEOLOGY AND SOILS

Threshold: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Implementation of mitigation measure **MM GEO-1** is required to reduce potential impacts from settlement to less than significant with mitigation.

Explanation: The Initial Study determined that although the record searches did not identify any paleontological resources within the Project site, including offsite footprint, because portions of the Project site and surrounding area is considered to have a high paleontological sensitivity, all Project construction-related ground-disturbing activities have the potential to destroy a unique paleontological resource or site unless mitigation is incorporated. Therefore, implementation of mitigation measure **MM GEO-1** would reduce potential impact to unique paleontological resources.

The following mitigation measure will be implemented:

MM GEO-1 Paleontological Resources Impact Mitigation Program and Paleontological Monitoring. Prior to issuance of grading permit, the Project proponent shall retain a qualified paleontologist per the Society of Vertebrate Paleontology (2010) guidelines. The qualified paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project that shall be consistent with the SVP (2010) guidelines and outline requirements for preconstruction meeting attendance and worker environmental awareness training, where paleontological monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microinvertebrate and microvertebrate fossils), reporting, and collections management. A qualified paleontological monitor shall be on the Project site during initial rough grading and other significant ground-disturbing activities (including augering) in areas underlain by Pleistocene alluvial deposits and below a depth of five feet below the ground surface in areas underlain by Holocene alluvium to determine if they are old enough to preserve scientifically significant paleontological resources. No paleontological monitoring shall be necessary during ground disturbance within artificial fill. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor shall allow grading to recommence in the area of the find.

The City finds that Mitigation Measure **MM GEO-1** is feasible, can be adopted, and will further 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. Implementation of mitigation measure **MM GEO-1**, which requires DDC for ground improvement, is required to reduce potential impacts from settlement to less than significant with mitigation. (IS, pp. 67-68).

D. HAZARDS AND HAZARDOUS MATERIALS

Threshold: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Findings: Less than significant with mitigation.

Explanation: During construction, the demolition of the existing vacant site and construction of new residential and commercial uses on the site could involve the use of hazardous materials that could create a hazard to the public or environment if not properly managed and controlled. Construction and demolition of the Project site would involve the use of fuels, lubricants, and various other liquids for operation of construction equipment. These materials will be used onsite during construction by equipment. In addition, workers will commute to the Project via private vehicles and will operate construction vehicles and equipment on public streets. Hence, the potential exists for direct impacts to human health and the environment from accidental spills of small amounts of hazardous materials during Project construction through the transport, use, and disposal of construction-related hazardous materials such as fuels, lubricants, and solvents. However, several federal and state agencies prescribe strict regulations for the use and handling of hazardous materials. For instance, hazardous material transport, storage and response to upsets or accidents are primarily subject to federal regulation by the United States DOT Office of Hazardous Materials Safety in accordance with Title 49 Part 171-180 of the CFR. Title 49 Part 171-180 regulates the safe transportation of hazardous materials and appropriate documentation for all hazardous waste that is transported is required. OSHA protects workers from being killed or seriously harmed at work, specifically 29 CFR §§1910 and 1926 address the handling of toxic materials. Cal OSHA, under 8 CCR §§337-340, specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings which lends to protecting the surrounding public and environment for accidental releases. Management of Hazardous Waste, under CCR Title 22 Division 4.5, establishes permits for the storage and disposal of hazardous material that cannot be disposed of in landfills. The California Hazardous Waste Control Law, under Chapter 6.95 of the Health and Safety Code, describes strict regulations for the safe transportation and storage of hazardous materials.

Lastly, demolition of the existing structure could release asbestos and lead-based paint into the environment which would have been used in the original building materials of the Sears structure. According to Weis Environmental, an asbestos survey for the property was completed in 2020 which did identify some asbestos containing materials. Such materials do not represent a threat to the public's health or the environment in their current state. These materials which tested positive for asbestos will

be removed prior to full scale demolition in accordance with California Code of Regulations, Title 8, Subchapter 4 Construction Safety Orders, Article 4, Dusts, Fumes, Mists, Vapors and Gases, Section 1529 Asbestos, South Coast Air Quality Management District Rule 1403 and United States National Emissions Standards for Hazardous Air Pollutants [NESHAPS] (Code of Federal Regulations Title 40, Part 61).

A lead survey is not required prior to demolition, however the demolition contractor will by default work under conventional lead safe work practices required under California Code of Regulations, Title 8, Section 1532.1. The demolition contractor will profile all demolition derived waste and dispose of it as legally required.

Non-residential tenants of the proposed buildings are unknown at this time so there is a potential that hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products may be stored and transported from the proposed facility during operation. However, these hazardous materials would not be manufactured at the Project site and would only be stored short-term before transport. And transportation of such materials would be required to comply with Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in Chapter 6.95 of the CHSC in addition to all applicable Federal, State, and local laws and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste, including but not limited to the United States Department of Transportation (DOT) Office of Hazardous Materials Safety Title 49 of the CFR, and implemented by Title 13 of the CCR.

Should there be a need for short-term storage of hazardous materials, these materials are required to be stored in designated areas designed to prevent accidental release to the environment. The California Fire Code (CFC) requirements prescribe safe accommodations for materials that present a moderate explosion hazard, high fire or physical hazard, or health hazards. Compliance with all applicable federal and state laws related to the storage of hazardous materials would maximize containment and provide for prompt and effective clean-up if an accidental release occurs.

Impacts from construction and operations are considered less than significant from accidental releases of hazardous materials used during construction due to existing regulations in place to protect workers, the public and the environment as discussed above. The Project is also not expected to result in groundwater impacts and based on the site investigations, no groundwater active remediation is warranted.

Existing residual petroleum impacts and chlorinated solvent impacts may be attributed to the former UST system at the Project site and off-site drycleaners facility at 5190 Arlington Avenue. However, with implementation of mitigation measures **MM HAZ-1** and **MM HAZ-2** which require soil decontamination and vapor barriers, impacts from existing residual petroleum and chlorinated solvents would be less than significant. Thus, through regulatory requirements and implementation of mitigation measures **MM HAZ-1** and **MM HAZ-2**, the proposed Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment either through construction or operations. Therefore, impacts are less than significant with incorporation of mitigation.

The following mitigation measures will be implemented:

MM HAZ-1 Decontamination of Soil. During grading activities, petroleum impacted soil at boring location B21/SG21 per the *Subsurface Assessment Report* prepared by Weis Environmental dated November 3, 2023, shall be removed, handled and mitigated in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166 (VOC Emissions from Decontamination of Soil) Mitigation Plan. Petroleum impacted soil shall be segregated from non-impacted soil using the convention soil management soil practices. However, petroleum impacted soil at greater depths in the former UST and fueling island areas shall remain in place.

MM HAZ-2 Vapor Barriers. In order to mitigate the past contamination on the site related to the Sears Auto Service Center, the City building department shall ensure that final construction drawings on the Project reflect requirements from the Santa Ana Regional Water Quality Control Board (SARWQCB). Requirements from the SARWQCB could include conventional vapor barriers with passive sub-slab venting incorporated into foundation design of the proposed structures on the Project site.

The City finds that Mitigation Measures **MM HAZ-1** and **MM HAZ-2** are feasible, can be adopted, and will further 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. Implementation of these mitigation measures is required to reduce potential impacts to less than significant with mitigation. (DEIR, pp. 5.6-16 – 5.6-22).

E. NOISE

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

Findings: Less than significant with mitigation.

Explanation: The existing and future noise environment may have impacts on the proposed residential land uses. As such, an analysis to determine impacts to these uses was conducted. The existing and future noise environment would continue to be a result of vehicular traffic on Arlington Avenue and Streeter Avenue as well as the aircraft activity associated with Riverside Municipal Airport, which may result in potentially significant exterior noise impacts to the Project site.

Arlington Avenue at California Avenue is projected to carry a future (Horizon Year 2045 with Project) average daily trip (ADT) volume of 75,900 vehicles and it was assumed the existing speed limit of 40 mph and traffic mix of 2 percent medium trucks, 0.5 percent heavy trucks, 0.5 percent buses, and 1 percent motorcycles, would remain constant in the future. Streeter Avenue at El Molino Avenue is projected to carry a future ADT volume of 50,050 vehicles and assumed the existing speed limit of 40 mph and traffic mix of 3 percent medium trucks would also remain constant in the future. Since no noise projections for

the Riverside Municipal Airport were available, it was assumed that the current noise levels of 55-62 dBA CNEL would not increase in the future.

Based on these assumptions, the Project's exterior composite (roadway plus airport) noise levels at the proposed residential buildings are projected to range from below 60 dBA Ldn / CNEL at the northeast façades to approximately 70 dBA Ldn / CNEL at the west façades. Because exterior noise levels in the residential portion of the Project site would exceed 60 dBA, based on standard construction providing 15 dBA noise reduction, the interior noise levels in Project's proposed habitable rooms may exceed the Riverside Municipal Code Section 16.08.175 and California Building Code Section 1206.4 maximum residential noise limit of 45 dBA Ldn / CNEL in habitable rooms. However, through compliance with RMC Section 16.08.175 B 5, which requires preparation of an acoustical analysis report with the application for building permit and implementation of mitigation measure **MM NOI-1** which would require noise attenuation measures to ensure interior noise levels do not exceed these requirements, impacts would be less than significant with mitigation incorporated.

Future exterior composite noise levels at the proposed commercial buildings would range from approximately 61 dBA Ldn / CNEL at the north façades, which is considered Normally Acceptable for Office Buildings, Business, Commercial, Professional land uses to approximately 72 dBA Ldn / CNEL at the south retail façade, which is considered Conditionally Acceptable for Office Buildings, Business, Commercial, Professional land uses. The "Conditionally Acceptable" range is defined as: new construction or development should be undertaken only after a detailed analysis of noise reduction requirements is made and needed noise insulation features included in design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice. The Project will implement mitigation measure **MM NOI-2**, which requires preparation of a detailed acoustic analysis report and incorporation of noise attenuation measures. Thus, impacts would be less than significant with mitigation incorporated.

The Project's commercial component includes an outdoor dining / flex space area on the west side of the retail pad. Future exterior composite noise level at this space would be approximately 68 dBA Ldn / CNEL and would be considered "Conditionally Acceptable." (dbf, p. 13). With implementation of mitigation measure **MM NOI-2**, impacts to the outdoor dining / flex space would be less than significant with mitigation incorporated.

The following mitigation measures will be implemented:

MM NOI-1 Residential Interior and Exterior Noise. Prior to issuance of a building permit for any residential building or unit, an acoustical analysis shall be conducted by a noise specialist meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5 to confirm that the noise insulation proposed in the final design is sufficient to achieve interior noise levels at or below 45 CNEL and exterior noise levels at or below 65 CNEL. Interior noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the residences, to the extent such measures are necessary, to ensure that interior noise levels are at or below 45 CNEL. Measures may include, but not be limited to, upgraded building façade elements (windows, doors, and /or exterior wall assemblies)

with Sound Transmission Class (STC) rating of 35 or higher. If the interior limit can be achieved only with the windows closed, then the building design shall include mechanical ventilation that meets California Building Code requirements. Exterior noise attenuation measures, which shall be unit/structure specific, may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 CNEL.

MM NOI-2 Commercial Exterior Noise. Prior to issuance of a building permit for any commercial structure, an acoustical analysis shall be conducted by a noise specialist meeting the requirements set forth in Riverside Municipal Code section 16.08-175 B 5 to confirm that the noise insulation proposed in the final design is sufficient to achieve exterior noise levels at or below 65 CNEL in any outdoor dining / flex space. Noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the commercial area, to the extent such measures are necessary, to ensure that exterior noise levels are at or below 65 CNEL. Exterior noise attenuation measures, which shall be specific to the ultimate location of the outdoor dining / flex space may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 CNEL.

The City finds that Mitigation Measures **MM NOI-1** and **NOI-2** are feasible, can be adopted, and will further 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. Implementation of this mitigation measure is required to reduce potential impacts to less than significant with mitigation. (DEIR, pp. 5.8-20 – 5.8-26).

Threshold: For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Findings: Less than significant with mitigation.

Explanation: The proposed Project was required to be reviewed by the Airport Land Use Commission (ALUC) for its consistency with the RCALUCP. On January 12, 2023, ALUC determined via a public hearing, that the proposed Project is inconsistent with the RCALUCP. However, the Project was determined to be inconsistent with the residential density and non-residential site intensity requirements, not due to airport noise. Noise from airport operations would be considered a noise impact to the Project; thus, the appropriate threshold for this noise source is the Land Use/Noise Compatibility Criteria.

Based on the Noise Analysis, the Project site is located approximately one mile from the RMA runway and is exposed to RMA noise levels of 55 dBA CNEL to 62 dBA CNEL. This CNEL level is considered Normally Acceptable for Infill Single Family Residential land uses and Normally Acceptable for Office Buildings, Business, Commercial, Professional land uses.

Most of the Project site is located within Land Use Compatibility Zone B1 (with smaller portions located within Zones C and D). The residential component of the Project proposes 382 units in Compatibility Zone B1, 1 unit in Zone C, and 5 units in Zone D. Zone B1 is identified as the Inner Approach/Departure Zone of the Riverside Municipal Airport. Zone B1 is considered a "High Noise Impact" area since it lies mostly within the 60 Community Noise Equivalent Level (CNEL) contour. Because of this, single-event noise may be sufficient enough to disrupt a wide range of land use activities, including indoor uses if windows are open. However, as presented above, the Project's Noise Analysis indicated that the actual noise levels from RMA operations are in the 55 dBA CNEL to 62 dBA CNEL range, which is considered "Normally Acceptable" for Infill Single Family Residential Uses and as such does not exceed the City's standards for exterior noise.

Since the RCALUCP considers Zone B1 as a "High Noise Impact" area, the Project proposes a number of outdoor recreational areas that could expose users to a moderate level of interference from aircraft noise including promenades, pool, and dog park. While the overall land use in this area is designated as a residential use, the proposed open space areas are recreational in nature. The "Normally Acceptable" range for the Playgrounds, Neighborhood Parks⁴ land use category is 50 dBA Ldn / CNEL to 70 dBA Ldn / CNEL.

As outlined in the Project's Noise Analysis, noise from airport operations combined with the ambient and future traffic noise, will combine to result in future exterior composite noise levels of 65 dBA Ldn / CNEL or less, for the exterior/outdoor areas of the Project's residential component, which is considered "Normally Acceptable;" and approximately 68 dBA Ldn / CNEL at the proposed outdoor dining / flex space area, which is considered "Conditionally Acceptable."

Since the airplane noise by itself will not exceed the City's Land Use/Noise Compatibility Criteria or RMA's outdoor noise limit of 65 dBA, the Project's location within the RCALUCP Noise Contour of the B1 Zone, is not anticipated to expose residents and patrons to excessive aircraft noise alone. However, when combined with existing and future traffic noise, the exterior noise levels for residents will exceed the 65 dBA standard at the west residential façades (70 dBA), south retail façade (72 dBA), and the outdoor dining/flex space area on the west side of the retail pad (68 dBA). However, as shown in Table 5.8-E, Existing Noise Levels (dBA), existing ambient noise levels already exceed noise levels from aircraft and the 65 dBA threshold for exterior noise identified by RMA policy 2.1.

For indoor noise levels which are 45 dBA CNEL, the expected airplane noise ranging from 55 to 62 dBA CNEL will cause an exceedance indoors, if not mitigated. Although standard construction is normally considered to provide for a 15-decibel reduction from exterior noise levels, which could by itself reduce the expected interior noise levels inside from airplane noise levels to be 40 to 47dBA CNEL. Compliance with RMC 16.08.175 B 5 and implementation of mitigation measure **MM NOI-1**, which requires an acoustical noise analysis to be conducted to identify of the required noise attenuation measures and incorporation of said measures into the design of the residential uses to ensure interior noise levels from aircraft operations and other noise sources are at or below 45 CNEL. Regarding the commercial

4. The Playgrounds, Neighborhood Parks land use category was selected because it is the best fit for the proposed promenade, pool, and dog park.

component, the Project will implement mitigation measure **MM NOI-2**, which requires preparation of a detailed acoustic analysis report and incorporation of noise attenuation measures. Thus, impacts would be less than significant with mitigation incorporated.

Thus, through compliance with the municipal code and implementation of mitigation measure **MM NOI-1** and **MM NOI-2** (detailed above), the Project would not expose people residing or working in the project area to excessive noise from airport operations. Therefore, impacts would be less than significant with mitigation incorporated.

The City finds that Mitigation Measures **MM NOI-1** and **NOI-2** are feasible, can be adopted, and will further 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. Implementation of this mitigation measure is required to reduce potential impacts to less than significant with mitigation. (DEIR, pp. 5.8-24 – 5.8-25).

F. TRIBAL CULTURAL RESOURCES

Threshold: Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe 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)?
- a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, would the lead agency consider the significance of the resource to a California Native American tribe?

Finding: Potential proposed Project impacts to tribal cultural resources would be less than significant with mitigation measures **MM TCR-1** through **MM TCR-4**.

Explanation: As discussed in the DEIR, there are no known Native American cultural resources within the Project site. However, the potential for intact cultural deposits to exist within native soils (encountered from 2 feet below ground surface in some areas) to the depths of proposed ground disturbance (approximately 8 feet below ground surface) is considered moderate and the Project site is within a geographical region known for supporting Native American occupation. The Project site is within the vicinity of two unnamed Native American villages and transportation routes as mapped on the 1938 Kirkman Harriman map. Additionally, the Project site is within the Santa Ana River watershed, an area that would provide sustainable resources for habitation. Archival research indicates that the Project site has been occupied since at least the early twentieth century. Initially used as agricultural land, the Project site

transitioned to rural residential properties in the early to mid-twentieth century and again to a fully developed commercial property in the 1960s.

While the “Spanish Town Road” as identified by the 1938 Kirkman Harriman map, intersects the Project site, no archaeological evidence of this feature was provided in the CHRIS records search results or review of other archaeological information. Additionally, the CHRIS results contained no archaeological evidence of the Native American villages within proximity to the Project site. This is likely because the nearest mapped villages are located outside the Project’s one half mile records search radius.

Development of the Project site may have buried unknown cultural resources associated with Native American use and/or historic-period agricultural or residential properties. Native soils underlying the artificial fill consist of alluvial deposits from the terminal Pleistocene. These soils are considered contemporaneous with human use, and therefore retain the potential to preserve cultural material in context.

Though the archaeological survey was negative for cultural resources associated with Native American use, the existing development within the Project site provided little to no observable ground surface for inspection; thus, the negative findings of the archaeological survey are an unreliable indicator of the archaeological sensitivity of the Project site. Previous and proposed ground disturbances were considered in light of the potential for yet unknown archaeological resources and human remains to be encountered leading to a determination that there is a potential for an inadvertent discovery of unknown archaeological resources and human remains to occur during Project implementation. Implementation of mitigation measures **MM TCR-1** and **MM TCR-4** would ensure the proper treatment of any cultural resources and human remains associated with Native Americans encountered during ground disturbing activities. As a result of the Tribal Consultation with the Rincon Tribe, the City’s standard mitigation measure related to the disposition of any uncovered artifacts that may be inadvertently discovered during ground disturbance will be incorporated as outlined below to reduce impacts related to tribal cultural resources to less than significant levels.

Mitigation measures **MM TCR-1** and **MM TCR-4** will be implemented to reduce impacts to unknown tribal cultural resources to less than significant with mitigation incorporated.

MM TCR-1 Consultation. 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 the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located 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

MM TCR-2 **On call Project Archaeologist.** Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.

MM TCR-3 **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 will need to be thoroughly inventoried with tribal monitor oversight of 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. 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;
 - b. 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;
 - c. If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; 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 TCR-4 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 **MM TCR-1** through **MM TCR-4** are feasible, can be adopted, and will further 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. Potential proposed Project impacts to tribal cultural resources would be less than significant with Mitigation Measures **MM TCR-1** through **MM TCR-4**. (DEIR, pp. 5.13-12 – 5.13-14).

V. 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)*).

State *CEQA Guidelines Section 15130(b)(1)* requires that a discussion of cumulative impacts be based on either a list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency ("the list method"); or a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact ("summary of projections method").

Aesthetics

Utilizing the summary of projections method, the geographic scope for impacts related to aesthetics consists of the viewshed surrounding the Project site. The area immediately surrounding has a General

Plan Land Use Designation of O – Office, C – Commercial, PF – Public Facility, MDR – Medium Density Residential, MHDR – Medium High Density Residential and HDR – High Density Residential. Thus, the surrounding urbanized area consists of a mix of commercial uses, single family residential units, public facilities and office buildings. The proposed Project does not exceed a building height of 41.25 feet of which only 36 feet will be habitable area. It should be noted that the existing structure already stands at 36 feet high. Thus implementation of the Project would not drastically alter the existing site views. Considering the Project’s location and its surroundings, the Project would integrate all surrounding uses into one site as a mixed development. Therefore, the project would not implement a use that is not represented in the surrounding area.

For cumulative development to contribute to a significant cumulative impact on aesthetics, those cumulative development projects typically must be contiguous to the Project site and/or be located within the same viewshed, i.e., viewable from the same points as the Project. As the surrounding project area is already built and urbanized, there are no development projects contiguous to the Project site.

The nearest cumulative projects within the City represent projects and the associated visual character of these projects, including sources of potential light and glare during day and nighttime, will not contribute to a cumulatively considerable aesthetic impact to the Project area due to their distance from the Project site and each other. Further, although all of the cumulative development projects are anticipated to include lighting for security and/or decorative purposes, all lighting associated with the cumulative development projects will be installed per the standards and policies of the City. These standards are intended to protect the views of the nighttime sky by requiring all lighting to be directed downward and away from adjacent properties and the sky.

Thus, there are no known or foreseeable development projects close enough to the Project site to contribute to a cumulatively considerable and significant impact on aesthetics. Therefore, cumulative impacts are **not significant**. (DEIR, p. 7-4).

Air Quality

The cumulative impact for analysis for air quality employs the summary of projections approach because the dispersion of air pollutant emissions is influenced by an area larger than the list of cumulative projects. Utilizing the summary of projections method, due to the defining geographic and meteorological characteristics of the Basin, the cumulative area for air quality impacts is the Basin itself. As previously stated in Section 5.2 – Air Quality of this Draft EIR; specifically Table 5.2-D, the portion of the Basin within which the Project is located is designated as a non-attainment area for ozone (O₃) and particulate matter less than 2.5 microns in size (PM-2.5) under both State and federal standards and for particulate matter less than 10 microns in size (PM-10) under State standards.

The South Coast Air Quality Management District (SCAQMD) considers the thresholds for project-specific impacts and cumulative impacts to be the same. Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. Project emissions within the context of SCAQMD’s regional emissions thresholds provide an indicator of potential

cumulative impacts within the Basin. Cumulative localized impacts for pollutants are also considered and reflect Project air pollutant emissions in the context of ambient conditions in the Project vicinity.

As discussed in Section 5.2 – Air Quality of this Draft EIR, the Project’s operational emissions do not exceed regional SCAQMD thresholds, and no mitigation was required.

Thus, the proposed Project’s cumulative contribution to air quality impacts is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-4 – 7-5).

Cultural Resources

Utilizing the summary of projections method, the geographic scope for cumulative impacts to cultural resources is defined by the cultural setting and territory of the prehistoric and historic people who occupied the area of southern California in which the City is located. Western Riverside County was part of the territory of the Cahuilla and perhaps Luiseño people. Cumulative projects in the Project area and other development in western Riverside County could result in the progressive loss of as-yet unrecorded archaeological resources. This loss, without proper mitigation, would result in an adverse cumulative impact.

With respect to historic resources, the Project would demolish a potentially historic structure which is one of only two structures in the City designed by Charles Luckman that represent the Mid-Century Modern style of Architecture for a department store. According to the City’s Historic Resources Inventory list there are approximately 89 properties throughout the City that represent mid-century, and or modern architectural styles, excluding residential properties. Thus, removal of existing structures at the Project site would account for a reduction of approximately one percent of mid-century and or modern structures throughout the City. While the Project would be required to implement of mitigation measure **MM CR-1** requiring preparation a Historic American Building Survey (HABS) to document the historic nature of the structure and will implement PDFs that incorporate architectural elements that acknowledge the history of sites Mid-Century Modern architecture, the loss of the structure will result in a significant impact to a historic resource as well as be inconsistent with General Plan policies HP-1.3 and HP-5.1.

With respect to archaeological resources, the Project would be required to comply with the City’s applicable General Plan resource protection requirements and conditions of approval. Cumulative projects within the City have the potential to impact cultural resources. However, to reduce impacts to archaeological resources, cumulative development projects within the Project vicinity will be required to comply with the resource protection requirements of the City’s General Plan, as applicable. Thus, cultural resource reports will be required for each individual cumulative development project to assess the potential for significant impacts to these resources and to identify mitigation measures if necessary. Additionally, all cumulative development projects, as well as the proposed Project, will be required to comply with state code and as discussed in Section 5.3 – Cultural Resources of this Draft EIR, with implementation of mitigation measures **MM CR-2** through **MM CR-5**, the proposed Project would result in less than significant impacts to archaeological resources. Likewise, as discussed in the City’s General Plan EIR, cumulative development projects within the City will have a less than significant impact to archaeological resources.

Therefore, due to the loss of a historic resource which also results in an inconsistency with General Plan policies related to historic resources, cumulative impacts are **significant and unavoidable** and a **statement of overriding consideration** would be required to be adopted by the City prior to project approval. (DEIR, pp. 7-5 – 7-6).

Energy

Utilizing the summary of projections method, the geographic scope for cumulative impacts to energy is defined by the boundaries of Riverside Public Utilities (RPU) for electricity and Southern California Gas (SCG) for natural gas. The Project's energy use includes electricity and natural gas usage as well as transportation-related energy (fuel). Energy impacts are cumulative in nature. RPU's service area encompasses most of the City. SCG's service area encompasses most of central and southern California.

Energy consumption by new buildings in California is regulated by the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of both residential and non-residential buildings and regulate insulation, glazing, lighting, shading, and water- and space-heating systems. Building efficiency standards are enforced through the local building permit process. The City has adopted building standards consistent with Title 24.

Fuel consumption from cars and trucks on the roadway network are also regulated at the State level. Pavley, Low Carbon Fuel Standards (LCFS), and Advanced Clean Cars reduce emissions and increase fuel efficiency. Assembly Bill (AB) 1493 ("the Pavley Standard") requires reduction in GHG emissions from non-commercial passenger vehicles and light-duty trucks of model year 2009 and thereafter. Executive Order S-01-07 went into effect in 2010 and required a reduction in the carbon intensity of transportation fuels used in California by at least 10 percent by 2020. It imposes fuel requirements on fuel that will be sold in California that will decrease GHG emissions by reducing the full fuel-cycle and the carbon intensity of the transportation fuel pool in California. The Advanced Clean Cars I and II program, first introduced in 2012, combines the control of smog, soot causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2035. Residents, employees of, and deliveries to the proposed Project site will utilize these vehicles as they become available. The cumulative development projects are also subject to these same regulations.

The proposed Project will comply with Title 24 standards for insulation, glazing, lighting, shading, and water and space-heating systems in all new construction. The Project will also comply with the California Green Building Standards Code (CALGreen), which implements sustainable construction practices that reduce negative impacts on the environment through planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. Through the use of modern energy-efficient construction materials and practices, in addition to compliance with Title 24 standards, the proposed Project will be consistent with the State's energy conservation standards and, therefore would not conflict with an adopted energy conservation plan.

The analysis presented in Section 5.4 – Energy of this Draft EIR, is cumulative in nature. Thus, if an individual project does not result in wasteful or indifferent energy use, potential cumulative impacts of

that project are not cumulatively considerable. As described in the analyses, the Project would not result in the unnecessary, inefficient, or wasteful use of energy resources nor would it conflict with or obstruct a state or local plan for increasing renewable energy or energy efficiency.

Thus, the proposed Project's contribution to energy is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-6 – 7-7).

Greenhouse Gas Emissions

GHGs are those gases that will contribute to global climate change; therefore, the cumulative impact area for GHG emissions is the earth's atmosphere. Implementation of the proposed Project along with the cumulative development projects will contribute GHG emissions to the atmosphere.

It is important to note that the scope of the City's jurisdictional authority is limited to certain types of emissions generated within the City's physical boundaries. The City's authority does not include the regulation of the majority of actions including, for example; transportation policy, fuel consumption, and energy generation, which the State has determined are necessary to meet all of its GHG reduction goals. Further, some of the GHG emissions associated with the Project can be reduced only by measures to be implemented by other governmental agencies.

As discussed in Section 5.5 – Greenhouse Gas Emissions of this Draft EIR, the Project would contribute GHG emissions to the cumulative condition. Equipment and vehicles used during construction (e.g., on-road motor vehicles and heavy-duty construction equipment) and operations (i.e., vehicle trips, electricity consumption, and waste generation) would result in a net increase in GHG emissions over existing conditions and over the numeric threshold used by the City. Implementation of the Project would result in approximately 7,374.37 metric tons of carbon dioxide equivalents per year (MTCO₂E/yr), which exceeds the 3,000 MTCO₂E/yr draft threshold for non-industrial projects utilized by the City for the purpose of evaluating the GHG impacts associated with proposed general development projects. As such, the Project will generate a substantial amount of GHG emissions even after implementation of mitigation and Project design features. However, the Project will comply with existing regulations that reduce GHG emissions (i.e., Title 24, CALGreen code) and would not conflict with or obstruct implementation with Statewide, regional, and local plans adopted for the purpose of reducing and/or mitigating GHG emissions.

Thus, the proposed Project's contribution to greenhouse gas emissions is cumulatively considerable. Therefore, cumulative impacts are **significant and unavoidable** and a **statement of overriding considerations** would be required to be adopted by the City prior to Project approval. (DEIR, p. 7-7).

Hazards and Hazardous Materials

Under the summary of projections method, the geographic scope for hazards relative to the release of hazardous materials into the environment are largely site-specific. Each Cumulative Development Project within the City and surrounding areas are required to follow all federal, state, and local laws and regulations regarding hazardous materials and other hazards. As explained in Section 5.6 – Hazards and Hazardous Materials of this Draft EIR, implementation of the proposed Project would be required to comply with mitigation measures **MM HAZ-1** and **MM HAZ-2** in order to reduce impacts from existing

residual petroleum and chlorinated solvents. Through implementation of regulatory requirements and mitigation measures **MM HAZ-1** and **MM HAZ-2** the Project would not cumulatively contribute to impacts resulting from the release of hazardous materials into the environment.

Utilizing the summary of projections method, the geographic scope for hazards relative to airports is the City, its sphere of Influence, and the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for Riverside Municipal Airport (RMA). Cumulative impacts on airport land use plans and private airstrips are measured by the build-out of the General Plan. Airport authorities and other agencies regulate aircraft activity. A portion of the City is located within proximity to Riverside's Municipal Airport. The State Aeronautics Act of the California Public Utilities Code establishes statewide requirements for the airport land use compatibility planning and requires nearly every county to create an Airport Land Use Commission (ALUC) or other alternative. Airport operations and their accompanying noise and safety hazards require careful land use planning on adjacent lands to ensure the safety of residents and passengers alike, and to protect the City's businesses and property owners to the greatest extent possible from the potential hazards that could be created by operations from Riverside Municipal Airport, especially by arriving and departing flights that fly over the portion of the City within close proximity to the Riverside Municipal Airport. Implementation of the proposed Project is inconsistent with Riverside County Airport Land Use Plan (RCALUP) for RMA that was created by ALUC. The Project is proposing a General Plan Amendment to the City's General Plan and a Rezone in order to allow for mixed development uses on the Project site that will conflict increase site density and intensity and as such, will be inconsistent with Airport Land Use policies and General Plan policies related to airport compatibility. As a result, the Project will cumulatively contribute to impacts regarding safety hazards with regard to airport land use compatibility.

Thus, the proposed Project's contribution to hazards and hazardous materials is cumulatively considerable. Therefore, cumulative impacts are **significant and unavoidable** and a **statement of overriding considerations** would be required prior to Project approval. (DEIR, pp. 7-7 – 7-8).

Land Use

Utilizing the summary of projections method, the geographic scope for land use and planning are the adjacent cities of Jurupa Valley and Moreno Valley, and the County of Riverside for the development projected under the buildout of their respective general plans. Cumulative land use impacts would result if growth resulting from the proposed Project would conflict with land use plans and/or policies, or state planning initiatives. Cumulatively, the Project will allow for higher density residential development amid other future development projects within the City and region that may impact existing land uses within the area. The proposed Project would amend the General Plan and re-zone the site so would modify regulations governing land use and development in the City. The proposed Project does not propose to modify or revise any of the existing specific plans within the City and as such will not conflict with those local plans. As discussed in Section 6.0 – Consistency with Regional Plans of this Draft EIR, the proposed Project is consistent with the 2020-2045 SCAG RTP/SCS. Because the proposed Project would be consistent with and/or supplement adopted plans and regulations governing land use and development in the region, it would not make a considerable contribution to cumulative impacts.

While the Project would represent a shift in land use policy for the site, the Project would not impact adjacent development and is representative of the surrounding land use pattern. Hence, the Project would not result in a substantial alteration to the planned land use of an area. Further, the Project is consistent with State planning initiatives, such as Senate Bill (SB) 2, SB 9, and SB 743. As the proposed Project is consistent with these planning initiatives, the proposed Project's impacts to land use and planning would not be cumulatively considerable.

However, the Project will result in an inconsistency with the general plan policies related to airport land use because of the projects inconsistency with Riverside County Airport Land Use Plan policies so will result in significant and unavoidable impacts. Thus, the proposed Project's contribution to land use and planning is cumulatively considerable. Therefore, cumulative impacts are **significant and unavoidable** and a **statement of overriding considerations** would be required prior to Project approval. (DEIR, pp. 7-8 – 7-9).

Noise

Utilizing the summary of projections method, the geographic scope for construction and operational noise and vibration impacts is the immediate vicinity of the Project site because noise and vibration by definition are a localized phenomenon, which drastically reduces in magnitude as the distance from the sources increases. Consequently, only those cumulative projects within the immediate vicinity of the Project will be likely to contribute to cumulative noise and vibration impacts resulting from construction or operation. Standard conditions of approval for future implementing projects will ensure no unnecessary temporary noise would impact nearby uses.

Any potentially significant cumulative impacts from construction-related Project noise will be reduced to less than significant as the Project and other cumulative projects would be required to comply with the regulations identified in Section 5.8 – Noise of this Draft EIR.

Cumulative noise impacts may occur when Project-related vehicular trips are combined with vehicular trips from the cumulative projects. This noise may be perceived by receptors along the nearby roadways near the Project site. Therefore, the geographic scope for cumulative traffic noise are the roadway segments that will be used by Project-related traffic. The cumulative traffic noise condition is the Future Buildout (2045) with Project traffic. As indicated in Section 5.8 – Noise of the Draft EIR, traffic noise increase from the Project results in less than 1 dBA CNEL and would not be perceptible to the average person so is considered less than significant.

The proposed Project's contribution to noise would be less than significant with mitigation and is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, p. 7-9).

Population/Housing

Utilizing both the list and summary of projections method, the geographic scope for population and housing is the City of Riverside. Cumulative impacts related to population and housing resources are based upon projected development under the City General Plan. Implementation of the proposed Project and cumulative development projects may contribute to significant cumulative impacts to population and

housing if they would induce substantial population growth or displace substantial numbers of existing housing units requiring the construction of replacement housing. Implementation of the Project will not displace any existing housing. As discussed in Section 5.10 – Population and Housing of the Draft EIR, implementation of the Project would not result in a significant growth to the area, as the general plan for the City of Riverside had analyzed estimated projections that are greater than that proposed by the Project. Additionally, the Cumulative Development Projects identified in **Table 7.0-A** do not propose residential uses.

Indirect population growth may indirectly induce population growth in the short term and long term because of new employment opportunities. However, it is anticipated that the extent to which the new jobs are created by cumulative development projects are filled by existing residents in nearby surrounding areas. Based on Section 6.0 – Consistency with Regional Plans of the Draft EIR, Southern California Association of Governments (SCAG) adopted the Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) which anticipated the City's population growth in 2045 to be 395, 800 persons and employment to increase to 188,700 in 2045. The Phase I General Plan Update (GPU) acknowledged SCAG's projections however, utilized a more conservative approach and projected a population of 431,685 by 2045; projecting a higher buildout population than SCAG's SoCal RTP/SCS projections. Further, while the Project would incrementally increase the City's buildout population, it would contribute less than one percent which is not considered significant. Thus, the proposed Project's contribution to population/housing is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-9 – 7-10).

Public Services

Public services include fire protection, police protection, libraries, and schools. Utilizing the summary of projections, the geographic scope for public services is the service area of each of the service providers as discussed in Section 5.10 – Public Services of this Draft EIR.

Riverside Fire Department (RFD) provides fire protection for the City. RFD's major facilities include 14 fire stations throughout the City, administration and prevention offices, an Emergency Operations Center, and a training center. Riverside County Fire Department provides service to the unincorporated territory within the City's Sphere of Influence. The Riverside Police Department (RPD) provides police protection services to the City from four stations. The City is served by two public school districts: Riverside Unified School District, which has 47 schools, and Alvord Unified School District, which has 23 schools. There is also one charter school serving the City: River Springs Charter. Riverside Public Libraries maintain eight existing libraries that serve the City. Four university and college libraries also serve the City.

As additional development occurs within the geographic context, there would be an overall increase in the demand for public services, which could cause physical deterioration of existing facilities. However, implementation of the Project would be consistent with the Public Safety Element of the City's 2025 GP. Increases in demand are routinely assessed by fire and law enforcement agencies as part of the budgeting processes so are anticipated to be adequate to accommodate future growth in the City. These assessments are partially accomplished through collection of development impact fees. Similarly, school districts routinely assess increases in growth and would ensure that there would be sufficient school

facilities to accommodate associated population growth through collection of development impact fees. Other cumulative projects in the region would also require collection of development impact fees to accommodate increases in demand for public services. These fees would be utilized to help fund construction of required new or expanded facilities, and the impacts of such development would be analyzed at a project-specific level.

Thus, the proposed Project's contribution to public services is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, p. 7-10).

Recreation

Utilizing the summary of projections method, the geographic scope for recreation is the City of Riverside. The Project consists of the addition of approximately 388 new dwelling units and as such, would increase population leading to an increased need for parks and recreational facilities. However, the proposed Project will include a pool and clubhouse for resident use as well as pedestrian promenade, dog park and other open spaces for public use. Nonetheless, Project would still be required to comply with MC Chapter 16.60 – Local Park Development Fees to help reduce impacts to parks and recreational facilities. Cumulative development may result in impacts to local city parks and regional parks. However, all new development will be required to comply with applicable fees and regulations to mitigate impacts of the new development. Cumulative projects would be required to meet Quimby requirements, comply with parkland dedication mitigation fees required by the City's MC Chapter 16.60.

Thus, the proposed Project's contribution to recreation is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-11).

Transportation

Utilizing both the list and summary of projections method, the geographic scope for transportation is the City of Riverside. The City is connected regionally by California State Route 91 (SR-91) and SR-60, Interstate 215 (I-215) and I-15. Both SR-91 and SR-60 are major east-west interregional facilities that extend from the beach cities in Los Angeles County to the Inland Empire. Both I-215 and I-15 are north-south interstate routes that provides access to Temecula and San Diego County. The roadway network within the City consists of freeways, boulevards, arterials, collectors, and local streets. The roadway network classifications were developed to guide long range transportation planning within the City to balance access and capacity.

The project-specific TIA identified that under Horizon Year (2045) Without Project traffic conditions, the following study area intersection is anticipated to operate at an unacceptable LOS during one or more peak hours:

- California Avenue & Arlington Avenue (#7) – LOS E AM peak hour only

The project-specific TIA identified that the Project is not anticipated to result in any new deficiencies from those identified under Horizon Year (2045) Without Project traffic conditions. The intersection of California Avenue & Arlington Avenue (#7) is not anticipated to increase the delay by 2 seconds or more.

Additionally, the deficiency at this location is for the northbound movement. The proposed Project driveway on the north leg is anticipated to operate at an acceptable LOS C.

Traffic projections for Horizon Year (2045) with Project conditions were derived from the latest Riverside Transportation Analysis Model (RIVCOM). The Horizon Year (2045) conditions analysis was utilized to determine if improvements funded through regional transportation fee programs, such as the Development Impact Fee (DIF) program or Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF), or other approved funding mechanisms can accommodate the long-range cumulative traffic at the target level of service (LOS) identified by the City of Riverside. Other improvements needed beyond the “funded” improvements (such as localized improvements to non-DIF facilities) are identified as such.

CEQA Guidelines Section 15064.3 requires that the determination of significance for transportation impacts be based on vehicular miles travelled (VMT) instead of a congestion metric such as level of service (LOS). The change in the focus of transportation analysis is the result of SB 743, as outlined in Section 5.12 – Traffic and Transportation of this Draft EIR. While LOS is not a determining factor of consideration, the City does include GP policies related to LOS. As such, in the cumulative project condition, the Project remains inconsistent with GP policy.

The Project site is in transportation analysis zone (TAZ) 2022, which is located in a low VMT generating area. Due to the Project site being located in a low VMT generating area, the Project site was screened out from further VMT analysis for the residential portion. The retail portion of the Project was analyzed separately, however due to the square footage of the commercial area being less than 50,000 square feet the Project site was considered a local-serving Project. Hence, is screened from further VMT analysis so is not considered to contribute cumulatively.

The precise timing of future development that would occur to reach General Plan buildout cannot be determined presently because of the complex nature of land development. It is anticipated that as development proceeds, each development will pay for and construct GP level road improvements on roads adjacent to the development sites and would pay “fair share” fees, development impact fees (DIF) or regional transportation fees for use by local jurisdictions to construct road improvements necessary to address the cumulative impact of area-wide development. However, the timing of road improvements needed to improve levels of service on a regional basis would be determined by City of Riverside based upon need and the availability of funding.

The priority and timing of these road improvements cannot be determined at this time, nor are they under the sole control of the project proponent and in case of other jurisdictions, the City, to implement. Hence, it is possible that the required improvements will not be constructed in time to mitigate the Project’s cumulative impacts upon off-site intersections and roads to below the level of significance.

Thus, even after paying DIF and regional County Traffic Uniform Mitigation Fees (TUMF) to offset any regional traffic related deficiencies, while the Project’s cumulative traffic-related impacts would be reduced to less than significant, impacts would remain significant until such time as the improvements are completed. Further, the above mentioned intersection would continue to operate at an unacceptable

LOS until improvements are completed, which would conflict with General Plan policies addressing the circulation system in the cumulative condition. Because of the uncertainty of when improvements would be implemented in relationship to project development and since cumulative conditions would be inconsistent with General Plan Circulation policies, impacts are cumulatively considerable.

Therefore, impacts are **significant and unavoidable** and a **statement of overriding consideration** would be required to be adopted by the City prior to project approval. (DEIR, pp. 7-11 – 7-12).

Tribal Cultural Resources

Utilizing the summary of projections method, the geographic scope for cumulative impacts to tribal cultural resources (TCR's) is defined by the cultural setting and territory of the prehistoric and historic people who occupied the area of southern California in which the City is located. The Project area is situated within Western Riverside County as part of the territory of the Cahuilla and perhaps Luiseño people. Cumulative projects in the Project area and other development in western Riverside County may result in the progressive loss of as-yet unrecorded archaeological resources. This loss, without proper mitigation, would result in an adverse cumulative impact.

As identified in Section 5.13 – Tribal Cultural Resources of this Draft EIR, no known significant Native American historic or archaeological resources are located on the Project site or in the Study Area and the Project is not located on any known cemetery so is not expected to disturb any human remains. Site preparation and construction activities associated with the cumulative development projects may result in cumulative impacts to TCR's if any of these resources are present and no documentation, consultation, or preservation were being implemented throughout the region. However, implementation of mitigation measures **MM TCR-1** through **MM TCR-4** will reduce potential impacts to Native American resources during ground disturbing activities. Further, in the unlikely event of the discovery of human remains on the Project site, all activities in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately, pursuant to California Health & Safety Code Section 7050.5 (HSC 7050.5) and California Public Resource Code Section 5097.98 (PRC 5097.98).

Since all local jurisdictions, including the City, are subject to local, State, and federal laws, including CEQA, cumulative impacts to cultural resources are less than significant. Potentially significant impacts are also reduced by utilizing the site development permit process, the CEQA process for individual projects, and the notification and consultation requirements of AB52 and SB18.

Thus, the proposed Project's contribution to TCR's is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-12 – 7-13).

Utilities and Service Systems

Utilizing the summary of projections method, the geographic scope for cumulative impacts to utilities and service systems are the service areas of each utility provider as discussed in Section 5.14 – Utilities and Service Systems of this Draft EIR. Potable and non-potable water services will be provided by Riverside Public Utilities (RPU). The City's Public Works Department (PWD) provides for the collection, treatment, and disposal of all wastewater through its Riverside Regional Water Quality Control Plant (RWQCP). And the Agua Mansa Transfer Station (formerly known as the Robert A. Nelson Transfer Station), and Badlands, Lamb Canyon and El Sobrante landfills provide for the collection and disposal of solid waste.

The Project includes water conservation elements and will be required to comply with all regulations that require new construction to design, install, and maintain water efficient landscapes in order to reduce the amount of potable water used. The proposed Project, when combined with the cumulative development projects, will increase water demands from RPU. RPU's *2020 Urban Water Management Plan (UWMP)* incorporates regional projections to ensure that planning efforts for future growth are comprehensive. As

determined in Section 5.14 – Utilities and Service Systems of this Draft EIR, the future estimated potable water demand from the Project combined with the current demand would still be less than the supply available. Additionally, future development facilitated within the City would be built using new building standards for water efficiency and would be designed to use less water than existing development. Future development would also occur incrementally over time, based on market conditions and other factors, such that existing water services are not overburdened by substantially increased demands at any single point in time. In addition, compliance with the existing regulatory framework would ensure adequate water supplies are available to serve future development associated with the Project under normal, dry, and multiple-dry years. Thus, because water supplies exceed cumulative water demand, the proposed Project's contribution to water supply is not cumulatively considerable.

As discussed in Section 5.14 – Utilities and Service Systems of this Draft EIR, PWD has adequate capacity of 46 million gallons per day to serve the Project in addition to the existing commitments. It is anticipated that RWQCP treatment facilities would be able to meet increased demand for wastewater. To serve future population growth facilitated by the Project, sewer lines would have to be expanded within the City; this could occur with other cumulative projects as well. While development other projects within the geographic context may require extension, relocation, and expansion of new sewer lines within the City, construction activities associated with future development would be subject to compliance with local, state, and federal laws, ordinances, and regulations, as well as any Project-specific mitigation measures necessary to ensure construction-related impacts are not significant. Additionally, cumulative projects would undergo separate CEQA analyses and implement mitigation measures as necessary to reduce impacts on wastewater demand and ensure consistency with applicable wastewater management plans. For these reasons, the Project's contribution, in combination with cumulative projects, to wastewater treatment is not cumulatively considerable.

The City has a comprehensive waste management program that ensures projects comply with waste-reduction ordinances and programs. While there is a shortage of landfills statewide, recycling programs and regulations continue to evolve to help ensure adequate disposal capacity. Reasonably foreseeable future development would similarly comply with waste-reduction regulations. Development of the Project in conjunction with other cumulative projects within the geographic context for cumulative impacts would generate additional demand for solid waste services, depending on net increases in population, square footage, and intensification of uses. These projects would contribute to the overall regional demand for solid waste. Concurrent with the increased demand generated by past and present development, recycling programs are being improved and developed to reduce the amount of solid waste disposed of in landfills. Such programs help offset the demand associated with waste-generating development. Additionally, cumulative projects would comply with all waste-reduction requirements and be required to conduct separate CEQA analyses and implement mitigation measures as necessary to reduce impacts on solid waste disposal capacity. Further, Project would not generate solid waste in excess of state or local standards or impair the attainment of solid waste reduction goals. As identified in Section 5.14 – Utilities and Service Systems of the Draft EIR, the three landfills that serve the site have a combined remaining capacity of approximately 172 million cubic yards and the Project's contribution to these facilities is minimal. As such, the Project's adherence with local statutes and regulations related to solid waste would not contribute to cumulatively considerable solid waste impacts.

Thus, the proposed Project's contribution to utilities and service systems is not cumulatively considerable. Therefore, cumulative impacts are **not significant**. (DEIR, pp. 7-13 – 7-14).

VI. FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Sections 15126(c) and 15126.2(d) of the CEQA Guidelines requires EIRs to contain a discussion of significant irreversible environmental changes which would be caused by the proposed Project should it be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The proposed Project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the proposed Project would generally commit future generations to similar uses;
- The proposed Project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources are not justified.

Development of the Project will require the commitment of the approximately 17 acres site. Project-related construction activities will entail the commitment of non-renewable and/or slowly renewable energy resources, human resources, and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, and water. An increased commitment of social services and public maintenance services (e.g., police, fire, and sewer and water services) would also be required. The energy and social service commitments would be long-term obligations. Given the financial and material investments that would be required of the Project applicant and the City, it is unlikely that the Project site would be returned to its original condition once it has been developed.

The Project does include the development of the site which will be inconsistent with the airport land use regulations affecting Riverside Airport. Approval of the Project will result in an incompatibility that would be irreversible. Lastly, the Project includes the demolition of a structure that was found to be significant under CEQA related to historic resources. The loss of the structure would be considered irreversible. (DEIR, p. 7-16).

VII. SIGNIFICANT AND UNAVOIDABLE IMPACTS

This topic is intended to address any significant impacts that cannot be mitigated to below a level of significance (State *CEQA Guidelines* Section 15126.2). Specific impacts which cannot be avoided or eliminated if the Project is implemented have been discussed in detail throughout Section 5.0 - Potentially Significant Environmental Effects and Section 7.1 – Cumulative Impact Analysis of the Draft EIR. A summary of the areas in which impacts could not be reduced to a level below significance is included below.

Except where specifically otherwise noted below, the following statutory finding applies to all of the impacts described in this section (VII):

Changes or alterations have been required in, or incorporated into, the proposed Project which mitigate the significant effects on the environment. (See Pub. Resources Code § 21081(a)(1); State CEQA Guidelines § 15091(a)(1).)

However, despite implementation of these mitigation measures, the Project would result in significant and unavoidable impacts. The significant and unavoidable impacts are as follows:

Cultural Resources

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

Findings: Significant and unavoidable.

Explanation: As outlined in Section 5.3 – Cultural Resources and Cumulative Section 7.1.5 – Cultural Resources of the Draft EIR, implementation of the Project will result in significant and unavoidable impacts to a potential historic resource because it involves demolition of a potential historic resource.

It was determined that existing structures on the Project parcel are eligible for listing as a historical resource according to NRHP, CRHR, under Criteria C/3 and as City of Riverside Cultural Heritage Landmark under Criteria 1, 3, 5, and 7. As such, the existing structures are a historical resource under CEQA. While adaptive re-use was considered and studied, it was deemed to not be economically or technically feasible to re-use the building from an architectural, structural, and financial standpoint. Since the Project proposes to demolish the existing structures, the Project would result in significant and unavoidable impacts.

It is expected that implementation of the following mitigation measure will reduce Project-generated impacts associated with demolition of a potential historic resource:

MM CR-1 Historical Resources. Prior to the demolition or rehabilitation of the existing structures on the Project parcel, the City shall ensure preparation of Historic American Building Survey (HABS) Level I or Short Format-like documentation in accordance with the Secretary of the Interior’s Standards for Architectural and Engineering Documentation. All work shall be conducted by an architectural historian who meets the Secretary of the Interior’s Professional Qualifications Standards for architectural history and/or history. The HABS-like documentation shall follow the guidelines set forth by the National Park Service (NPS) for HABS I or Short Format documentation. The HABS-like document shall include:

- Black and white photographs with large-format negatives of exterior and interior views (10 views minimum);
- Photograph Index;
- Photocopies with large-format negatives of select, existing drawings or historic views that are produced in accordance with the U.S. Copyright Act; and
- Full-length historical report, as outlined in the Guidelines for Architectural and Engineering Documentation in the Federal Register (68 FR 43159).

Large format photography shall be completed prior to issuance of any project related permitting or construction. Photographic documentation of the existing structures on the Project parcel shall be prepared to the National Park Service's HABS standards. A minimum of ten (10) views should be recorded, including views of the overall site and landscaping context as well as detailed views of each elevation of existing structures. HABS standards require large-format black-and-white photography, with the original negatives having a minimum size of 4 inches by 5 inches. The photographer shall be familiar with the recordation of historical resources in accordance with HABS guidelines, and digital photography, roll film, and manipulation of images are not acceptable. Photographs shall include a photo index, and field notes, and be identified and labeled using HABS standards outlined in National Park Service's guidelines Preparing HABS/HAER/HALS Documentation - Transmittal Guidelines.

A draft laser copy (or digital PDF) of the finished photographs formatted to the photo index shall be reviewed and approved by a historic preservation program staff member with City of Riverside prior to final archival prints being made. A copyright release form signed by the photographer releasing copyright of the large format photographs into the public domain for public benefit shall be required with the deliverables. One original copy of the final HABS-like documentation packet shall be offered to the following entities:

- City of Riverside Historic Preservation Program (administered through the Historic Preservation, Neighborhoods and Urban Design Division of the Community Development Department);
- Riverside Public Library;
- Riverside Historical Society; and Riverside Metropolitan Museum. (DEIR, pp. 5.3-17 – 5.3-23, 5.3-27, 7-5 – 7-6).

While the Draft EIR established the infeasibility of keeping the existing structures, the Project Applicant did incorporate a number of architectural elements to address Cultural Heritage Board (CHB) comments related to character defining features and building architecture in tribute to the existing Sears structures.

Subsequent to circulation of the Draft EIR, the Project Applicant made these revisions to the site plan and architectural elevations to address design comments from the CHB. In response to the CHB Workshop, these exterior styles will contain the following four main Mid-Century Modern style elements: clean lines, color palettes, solid simple clean box, and flat roof to unify the buildings throughout the Project site and provide homage to the existing structure. Each residential building will include horizontal lines, box framing, breeze block, stonework, and stamped metal façade. Signage will pay homage by incorporating a font similar to that of the Sears structures. The residential area will also provide a 4,036 sf dog park, pedestrian promenade, picnic, pool and spa, shade structures, barbeques and tables, outdoor gaming and play spaces, multi-use turf areas, and play areas. The dog park will be accessible through a gate on the residential side and accessible to the public via a gate in the commercial area. The proposed Project will provide 25,320 sf of commercial-retail use by way of two commercial-retail buildings in the southeastern

portion of the site along Arlington Avenue which will also incorporate similar clean lines, color palettes, clean box, flat roof and signage that utilizes a font similar to the Sears structures.

Environmental Impacts after Mitigation Measures are Implemented

It was determined that existing structures on the Project parcel are eligible for listing as a historical resource according to NRHP, CRHR, under Criteria C/3 and as City of Riverside Cultural Heritage Landmark under Criteria 1, 3, 5, and 7. However, since the property is eligible as a landmark, it need not be evaluated as a Structure of Merit since that is a lesser significance. As such, the existing structures are a historical resource under CEQA. Since the Project proposed to demolish the existing structures, the Project would result in significant and unavoidable impacts. While there are no mitigation measures that could reduce impacts from the demolition, the Project will be required to comply with mitigation measure **MM CR-1**. Nonetheless, even with implementation of mitigation measure **MM CR-1**, demolition of the existing structures will result in direct impact to a historical resource so impacts will be **significant and unavoidable**. (DEIR, pp. 5.3-17 – 5.3-23, 5.3-27).

Greenhouse Gas Emissions

Threshold: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Findings: Significant and unavoidable.

Explanation: As outlined in Section 5.5 – Greenhouse Gas Emissions and Cumulative Section 7.1.7 – Greenhouse Gas Emissions of the Draft EIR, implementation of the Project will result in significant and unavoidable impacts to greenhouse gas emissions because its emissions exceed the numeric threshold used by the City.

The internal trip reduction anticipated between the Project’s residential and retail uses, estimated to be approximately 22 percent in the Project’s Traffic Impact Analysis (TIA), was not estimated in the analysis to be conservative. The degree of GHG emissions reduction from the internal trips in addition to potential reductions from the Project’s existing transit and pedestrian accessibility along with the proposed on-site pedestrian improvements is not assured and the effect on GHG emissions would depend on the future residents and customers and employees of the retail uses. It is also important to note that mobile source emissions are regulated at the state and federal level and the Project’s GHG emissions estimates reflect the Project’s opening year and as such do not account for future reductions that will occur through implementation of regulations such as the Advanced Clean Cars II program that requires 100 percent of new light-duty vehicle sales be zero emission (ZEV) by 2035.

There are mitigation measures that can be incorporated which focus on the mobile GHG emissions by reducing the amount of car trips that are used by the future Project residents. As outlined in Section 5.5.8 – Recommended Mitigation Measures of the Draft EIR, **MM GHG-1** through **MM GHG-3** attempt to reduce car trips from the Project by encouraging the use of alternative transportation and telecommuting. **MM GHG-1** through **MM GHG-3** do not have quantitative reductions associated with them available in CalEEMod and given that most of the Project-generated emissions are from mobile sources, the emissions are outside the control of the Project and City. Although mitigation measures **MM GHG-1** through **MM**

GHG-3 will serve to potentially reduce mobile source emissions, it is reasonable to assume that the amount of GHG reductions resulting from their implementation would not reduce Project emissions from the estimated 7,374 MTCO₂E/yr to the 3,000 MTCO₂E/yr threshold of significance. Thus, even with implementation of existing regulations, Project design features, and **MM GHG-1** through **MM GHG-3**, the Project will generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Therefore impacts are **significant and unavoidable even with mitigation incorporated**. (DEIR, pp. 5.5-28 – 5.5-29, 7-7).

Environmental Impacts after Mitigation Measures are Implemented

Although the Project does not conflict with an applicable plan, policy or regulation adopted to reduce GHG, the Project's GHG emissions exceed the SCAQMD draft threshold of 3,000 MTCO₂E/yr which is being utilized as the City's threshold for this Project. Implementation of local, state, and federal regulations outlined in Section 5.5.2 – Related Regulations and project design features outlined in Section 5.5.5 - Project Design Features of the Draft EIR, as well as the mitigation measures listed above, will reduce the Project's GHG emissions from mobile sources. However, there are no additional feasible mitigation measures that would reduce the Project's overall GHG emissions to a less than significant level. Therefore, the Project's cumulative GHG impacts will be significant and unavoidable. (DEIR, p. 5.3-33).

Hazards and Hazardous Materials

Threshold: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Findings: Significant and unavoidable.

Explanation: As outlined in Section 5.6 – Hazards and Hazardous Materials and Cumulative Section 7.1.8 – Hazards and Hazardous Materials of the Draft EIR, the Project site is located approximately one mile westerly of the Riverside Municipal Airport (RMA) and approximately 5,151 feet southeast of runway 9-27. Pursuant to the Riverside County Airport Land Use Compatibility Plan (RCALUCP) for RMA, the Project site is located within Land Use Compatibility Zones B1, C and D, with majority of the Project site within B1. The Project is consistent with the RCALUCP residential density standards for Zone D. However, the Project is inconsistent with residential density standards for Zones B1 and C. Moreover, while the Project's proposed retail uses are consistent with RCALUCP non-residential intensity standards for development in Zone C, the Project's proposed clubhouse/fitness/leasing area and grocery uses are not consistent with RCALUCP non-residential intensity standards for Zone B1.

Compatibility Zone B1 is also associated with a "High Risk Level" because it encompasses areas overflowed by aircraft at low altitudes (typically only 200 to 400 feet above runway). Approximately 10 to 20 percent of off-runway general aviation accidents near airports take place here so object heights are restricted to as little as 50 feet. The intent and purpose of Compatibility Zone B1 is to restrict residential density in order to limit the potential risk of an off-field aircraft landing. The Project proposes some three-story residential buildings within Compatibility Zone B1. The elevation of Runway 9-27 at its easterly terminus is 815.8 feet above mean sea level (AMSL). At a distance of approximately 5,151 feet from the runway to

the site, Federal Aviation Administration (FAA) review would be required for any structures with top of roof exceeding 867 feet AMSL. The Project site elevation is 791 feet AMSL. With a maximum building height just under 40 feet, the resulting top point elevation is 831 feet AMSL. Thus, structures do not exceed height requirements so FAA review is not required. However, buildings with more than two aboveground habitable floors are identified as a “prohibited use” in Compatibility Zone B1. Since the Project’s proposes three-story residential buildings, the Project is inconsistent with this RCALUCP criterion.

The Project is also required to provide qualifying open space areas. Qualifying open space means areas that have a minimum shape of 75 feet in width by 300 feet in length with no objects greater than four feet in height of up to four inches in diameter in order to provide a safe area for aircraft to land in the event of an emergency. The Project is required to provide a minimum of 4.99 acres of qualifying open space. However, the Project provides just over 2 acres which does not meet minimum quantity or the qualifying open space requirements. Thus, the project is inconsistent with RCALUCP open area requirements.

The Project proposes an amendment to the General Plan Land Use designation from (C)Commercial to (MU-V) Mixed Use Village, and a rezone (CG) Commercial General to (MU-V) Mixed Use-Village. The City’s General Plan MU-V land use designation and MU-V zoning designation allows for a maximum 30 residential dwelling units per acre with retail, and office uses in the same building allowing for horizontal integration as appropriate with two (2) to three (3) stories in height. The Project’s proposed two-story town homes located in Compatibility Zone D with resulting density of 13 du/ac, are consistent with the Zone D residential density and height criteria. However, the MU-V land use and zoning designations allowing for 30 dwelling units per acre and up to three-story structures, is inconsistent with the maximum residential density and height criteria for Compatibility Zones B1and Zone C, as discussed above. Further, the General Plan Amendment and Rezone would be inconsistent with City Municipal Code 19.149 or 19.150; specifically sub-sections 19.149.020, 19.149.030, and 19.150.020.B and inconsistent with General Plan policies related to airports specifically LU-22.2, LU-22.3, and LU-22.5. Thus, these two actions would result in inconsistency with RCALUCP plan and General Plan.

The RCALUCP has classified Zone B1 as a high noise impact area, Compatibility Zone C as a moderate noise impact area with a moderated risk level, and Zone D as a moderated noise impact area with a low risk level. As described in the Draft EIR, most of the Project site lies within Compatibility Zone B1. Compatibility Zone B1 is the Inner Approach/Departure Zone of the RMA. Zone B1 is considered to be a “High Noise Impact” area since it lies mostly within the 60 Community Noise Equivalent Level (CNEL) contour and because single-event noise within this area is typically sufficient enough to disrupt a wide range of land use activities including indoor land uses if windows are open.

The Project proposes a number of outdoor recreational areas that may expose users to a moderate level of interference from aircraft noise. Aircraft noise may also impact indoor residential activities in the event windows are open (or if they are on an outdoor balcony/patio). Although standard construction is normally considered to provide for a 15 decibel reduction from exterior noise levels, implementation of mitigation measure **MM HAZ-3** would incorporate noise attenuation measures into the design of the

residences as may be necessary to ensure interior noise levels from aircraft operations are at or below 45 CNEL.

The following mitigation measure will be implemented:

MM HAZ-3 Airport Noise. Prior to issuance of a building permit for any residential building or unit, an acoustical analysis shall be conducted by a noise specialist meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5 to confirm that the noise insulation proposed in the final design is sufficient to achieve interior noise levels at or below 45 CNEL and exterior noise levels at or below 65 CNEL. Interior noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the residences, to the extent such measures are necessary, to ensure that interior noise levels are at or below 45 CNEL. Measures may include, but not be limited to, upgraded building façade elements (windows, doors, and /or exterior wall assemblies) with Sound Transmission Class (STC) rating of 35 or higher. If the interior limit can be achieved only with the windows closed, then the building design shall include mechanical ventilation that meets California Building Code requirements. Exterior noise attenuation measures, which shall be unit/structure specific, may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 CNEL.

Notwithstanding the foregoing mitigation measure, the Project would be inconsistent with the RCALUCP and City land use policy. However, the existing Sears Department Store and Automotive Service Center, as well as the existing residential, commercial, and office uses surrounding the Project site are considered to be incompatible with RCALUCP policy. So while the proposed Project resulted in an inconsistency determination from the Riverside County Airport Land Use Commission (ALUC), it is consistent and compatible with the existing surrounding land uses. Regardless, even with implementation of mitigation measure **MM HAZ-3**, the Project would result in a safety hazard or excessive noise for people residing or working in the project area. Therefore, impacts would be **significant and unavoidable**. (DEIR, pp. 5.6-22 – 5.6-26, 7-7 – 7-8).

Environmental Impacts after Mitigation Measures are Implemented

Implementation of local, state, and federal regulations, project design features, and project-specific mitigation measures listed above, will reduce exposure to airport hazards. However, due to the Project's proximity to the Riverside Municipal Airport and its location within the RCALUCP, the Project would still result in a safety hazard or excessive noise for people residing or working in the Project area. Therefore, Project impacts will be **significant and unavoidable**. (DEIR, p. 5.6-27).

Land Use and Planning

Threshold: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Findings: Significant and unavoidable.

Explanation: As outlined in Section 5.6 – Hazards and Hazardous Materials, Section 5.7 – Land Use and Planning, and Cumulative Sections 7.1.8 – Hazards and Hazardous Materials and 7.1.9 – Land Use and Planning of the Draft EIR, implementation of the Project will result in an inconsistency with the general plan policies related to airport land use due the projects inconsistency with Riverside County Airport Land Use Compatibility Plan (RCALUCP) for the Riverside Municipal Airport (RMA) policies so will result in significant and unavoidable impacts.

The proposed General Plan Amendment and Rezone will bring the Project site’s land use and zoning designations consistent with the proposed uses. City Municipal Code (MC) Chapter 19.100.040 identifies that total gross acreage be utilized to determine residential density. With respect to the MU-V zone, maximum allowable density is 30 dwelling units per acre (du/ac). As identified in MC Chapter 19.120.050, development standards are applicable to all development within the mixed-use zone. As such, all parcels proposed as MU-V as part of this Project are coupled to the same development standards meaning the entire gross acreage of 17.43 gross acres is utilized to calculate residential density. In accordance with City MC, the Project would result in an overall site density of 22.3 du/ac. However, in order to provide the most conservative density calculation, the net acreage of proposed residential parcel alone, was utilized to calculate maximum site density for this Project. As a result, the Project would result in a maximum residential density of 26.9 dwelling units per acre (du/ac).⁵ This density is consistent with the MU-V designation as it is still less than the maximum density of 30 du/ac. As such, the proposed Project would be fully consistent with the Riverside General Plan objectives and policies identified in Section 5.7.2 – Related Regulations of the Draft EIR, except for the following: Objective LU-22, Policy LU-22.2, Policy LU-22.3, Policy LU-22.5 and Policy LU-22.7 due to the Project’s proximity to the RMA. The Project site is located within Zones B1, C, and D of the RCALUCP for RMA. As discussed in Section 5.6 – Hazards and Hazardous Materials of the Draft EIR, the Project was determined to be inconsistent with this plan. Since the Project is located within the RCALUCP for RMA land use compatibility zones and the Project is inconsistent with the land use and density designations outlined in each of the applicable zones of the RCALUCP for RMA, the Project would be inconsistent with the five identified Riverside General Plan objectives and policies. (DEIR, pp. 5.7-9 – 5.7-10, 7-7 – 7-9).

Environmental Impacts after Mitigation Measures are Implemented

An EIR is required to describe feasible mitigation measures which could minimize significant adverse impacts (*State CEQA Guidelines*, Section 15126.4). Mitigation measures **MM HAZ-3** and **MM NOI-1** outlined above shall be implemented to reduce impacts related to reduce potentially significant impacts related to airport noise hazards. However, there are no mitigation measures that can lessen impacts to land use and planning as a result of the inconsistency determination with the RCALUCP for RMA. Summary of Project-Specific Environmental Effects After Mitigation Measures are Implemented.

Implementation of local, state, and federal regulations, and project design considerations listed above, provide consistency with General Plan land use and zoning, GP policies and the MC. However, the proposed Project is inconsistent with the RCALUCP as discussed in Section 5.6 – Hazards and Hazardous

5. 388 Dwelling Units ÷ 14.44 Residential Acres = 26.9 du/ac

Materials of this Draft EIR. Therefore, impacts will be **significant and unavoidable** and a statement of overriding considerations will be required prior to Project approval. (DEIR, p. 5.7-10).

Transportation

Threshold: Will the Project result in cumulatively considerable transportation impacts?

Findings: Significant and unavoidable.

Explanation: As outlined in Cumulative Section 7.1.14 –Transportation of the Draft EIR, the Project will result in cumulative transportation impacts. The priority and timing of these road improvements cannot be determined at this time, nor are they under the sole control of the project proponent and in case of other jurisdictions, the City, to implement. Hence, it is possible that the required improvements will not be constructed in time to mitigate the Project’s cumulative impacts upon off-site intersections and roads to below the level of significance. Further, an intersection will continue to operate at an unacceptable LOS in the buildout condition which is inconsistent with General Plan transportation policies. Therefore, the Project will result in significant and unavoidable impacts in the cumulative condition. (DEIR, pp. 7-11 – 7-12).

Environmental Impacts after Mitigation Measures are Implemented

Implementation of local, state, and federal regulations, and project design features will reduce transportation impacts. However, even after paying DIF and regional County Traffic Uniform Mitigation Fees (TUMF) to offset any regional traffic related deficiencies, while the Project’s cumulative traffic-related impacts would be reduced to less than significant, impacts would remain significant until such time as the improvements are completed. Further, the above mentioned intersection would continue to operate at an unacceptable LOS until improvements are completed, which would conflict with General Plan policies addressing the circulation system in the cumulative condition. Because of the uncertainty of when improvements would be implemented in relationship to project development and since cumulative conditions would be inconsistent with General Plan Circulation policies, impacts are cumulatively considerable and are significant and unavoidable. (DEIR, pp. 7-11 – 7-12).

VIII. FINDINGS REGARDING GROWTH INDUCING IMPACTS

According to State *CEQA Guidelines* Section 15126.2 (e), a project may foster economic or population growth, or additional housing, either indirectly or directly, in a geographical area if it meets any one of the following criteria:

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

Removing Obstacles to Population Growth

As discussed in Section 3.0 – Project Description of the Draft EIR, the Project will foster population growth since it will allow for higher density residential uses. The Project is in an area that is surrounded by existing and proposed development for which regional infrastructure has either already been built or has been approved through adopted master plans.

Moreover, as discussed in Section 5.9 – Population and Housing of the Draft EIR, In March 2021, SCAG adopted the Regional Housing Needs Assessment (RHNA) 6th Cycle for the planning period of October 2021 through October 2029. The RHNA identified new housing units needed by income category for the region, including the City of Riverside. The City has been allocated to provide 18,458 new housing units to meet their fair share allocation of RHNA requirements. The City self-prescribed a target 30 percent over SCAG’s target in order to include a “No Net Loss” buffer consistent with SB 166 resulting in the City goal to provide for 24,000 units.

Because the City is built-out and has self-prescribed a buffer increasing target housing beyond RHNA requirements, the City has adopted a number of policies to help meet these goals by reducing and removing governmental barriers; specifically policies HE-5-1 through HE-5-6. (GPUI, p. HE22-HE23). . The Project will be able to develop the underutilized the Project site for mixed-use, By introducing mixed uses to the Project site, the proposed rezone and general plan amendment will allow for residential uses. The ability to provide residential uses will provide the City an opportunity to help fulfill RHNA housing needs. The Project proposes to provide 388 dwelling units which will allow the City to move closer to the City’s fair share of RHNA allocation.

As further mentioned in Section 3.0 – Project Description, the Project proposes approximately 1.5 miles of off-site improvements located within the roadway right-of-way to connect to electrical facilities. Nonetheless the Project would not require the expansion of infrastructure and utilities to service the Project. Because existing infrastructure is already in place and the Project does not include any construction, the Project would not remove any obstacles to population growth. Moreover, the Project does not propose construction of any new major infrastructure facilities that would remove an obstacle to growth. Accordingly, impacts would be less than significant. (DEIR, pp. 3.0-5, 3.0-10, 5.9-3, 5.9-10, 5.9-11, 7-15).

Increases in Population That May Tax Existing Community Service Facilities

As discussed in Section 5.10 – Population and Housing of the Draft EIR, the Project will provide an avenue to increase households within the City. However, as discussed in Section 5.11 – Public Services of the Draft EIR, the Project will not have a significant impact upon public services such as police, fire, and schools. Police and fire services are based upon response time and the Project will be required to pay all applicable development impact fees which will be used to support these services and enter into a cost contribution agreement with the City to pay a fire station development fee to contribute towards to development of a fire station. Hence, while the increase in population was not identified as part of the rate of growth projected under GP buildout projections, it will not impact existing service systems. Accordingly, impacts would be less than significant. (DEIR, pp. 5.9-10, 5.10-8, 7-15 – 7-16).

Encourage and Facilitate Other Activities That Could Significantly Affect the Environment

Implementation of the proposed Project will include population growth. However, given the development planned and projected under the City's GP and the general plans of the surrounding jurisdictions, it is not anticipated that the Project's potential to foster growth would lead to development not otherwise anticipated by the buildout of these general plans. The type and intensity of use proposed for the Project site will be consistent with the General Plan Amendment (GPA) and Rezone upon Project implementation. (DEIR, p. 7-16).

However, as outlined in Section 5.6 – Hazards and Hazardous Materials and Section 5.7 – Land Use and Planning of the Draft EIR, implementation of the Project will result in an inconsistency with the RCALUP created by ALUC. The GPA and Rezone allowing for mixed uses on the Project site will increase site density and intensity which are not consistent with the Riverside County Airport Land Use policies and may contribute to safety hazards with regard to airport land use compatibility. (DEIR, p. 7-16).

IX. FINDINGS REGARDING ALTERNATIVES

A. LEGAL REQUIREMENTS FOR ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

(a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

(b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the CEQA Guidelines describe the selection process for a range of reasonable alternatives:

(c) The range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be

discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the proposed 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 proposed Project.

"Feasible" means "capable of being accomplished in a reasonable period of time taking into account economic, environmental, legal, social and technological factors" (CEQA Guidelines §15364). The concept of feasibility also encompasses whether a particular alternative promotes the proposed Project's underlying goals and objectives, and whether an alternative is impractical or undesirable from a policy standpoint. (See *City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (CNPS).)

The issue of alternatives feasibility arises twice in the CEQA process, once when the EIR is prepared and again when CEQA findings are adopted. When assessing feasibility in an EIR, the EIR preparer evaluates whether an alternative is "potentially" feasible. Potentially feasible alternatives are suggestions by the EIR preparers that may or may not be adopted by lead agency decision makers. When CEQA findings are made, the lead agency decision making body independently evaluates whether the alternatives are actually feasible based on all the evidence in the record, including whether an alternative is impractical or undesirable from a policy standpoint. (See *CNPS*, supra, 177 Cal.App.4th at p. 999.)

However, when a project would not result in any significant and unavoidable impacts, the lead agency has no obligation to consider the feasibility of alternatives to lessen or avoid environmental impacts, even if the alternative would reduce the impact to a greater degree than the proposed project. (Pub. Res. Code § 21002; *Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 730-731; *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 400-403.) Nevertheless, Section 6 of the Draft EIR and these Findings of Fact do consider the effectiveness of the potentially feasible alternatives set forth in the EIR to substantially reduce all of the proposed Project's significant impacts.

B. SUMMARY OF PROJECT OBJECTIVES

State CEQA Guidelines Section 15124(b) requires that a project description contain a statement of objectives including the underlying purpose of the project. The objectives of the Project include:

1. Primarily, provide quality, multi-family housing on an existing underutilized site, to help the City meet the State's allocated 2021-2029 Regional Housing Needs Assessment (RHNA) housing unit numbers, as well as the City's overarching self-prescribed housing unit numbers.
2. Place housing near a transit corridor to reduce residential vehicle miles traveled and associated congestion and greenhouse gas emissions.
3. Place housing near existing commercial uses to encourage pedestrian connectivity and to reduce vehicular usage and associated impacts.
4. Provide compatible mixed-use development contributing to the character of the surrounding neighborhood.
5. Establish a mixed-use development that will provide a land use transition between the existing commercial Hardman Center and the residential developments surrounding the project site.

C. ALTERNATIVES CONSIDERED AND REJECTED FROM FURTHER CONSIDERATION

Section 15126.6(c) of the *CEQA Guidelines* specifies that an EIR should identify alternatives that were considered by the lead agency but were rejected during the scoping process and identify the reasons for eliminating the alternatives from further consideration. Section 15126.6(c) further indicates that a lead agency may eliminate an alternative from detailed consideration in an EIR if it fails to meet the basic Project objectives, is infeasible, or does not avoid significant environmental impacts. One such alternative was considered and rejected by the City.

Alternative Project Location

Pursuant to *CEQA Guidelines* Section 15126.6(f)(2), alternate sites should be evaluated, if any feasible sites exist, where significant impacts can be lessened.

Moving the Project to another site may potentially avoid significant impacts identified with the demolition of the existing Sears structures, which are considered historic and significant. It is required under CEQA that alternative site(s) be evaluated if any feasible sites exist where significant impacts can be lessened. The environmental impacts of development on any other site in the City are expected to be similar to those of the proposed Project related to the proposed use. However, the demolition of a historic resource, as well as the airport land use incompatibility could be avoided by another site. An alternative site of similar size (approximately 17 acres), surrounded by existing utilities and access, was researched. Although there are other 17-acre sites in the City, the other sites of this size are either not of the current zoning or General Plan designation to support the Project, and so would result in the same need to change the Zone and General Plan designations as the Project does, or the other sites are located in incompatible areas such as being surrounded by industrial, rural residential, agricultural, or public facility sites. The other site locations also offer incompatibility issues, as does the Project with the incompatible airport zones. Figure 8.0-1, Viable 17+Acre Parcels Zoning Map in the Draft EIR depicts the location of areas with similar corresponding zoning and general plan designations. Given that the Project proposes a General Plan Amendment and Rezone to allow for commercial-retail and high-density residential uses, there appear to be no compatible sites available. Therefore, this alternative was not further considered. (DEIR, p. 8-4).

No Change/Status Quo Scenario

Under the No Change/Status Quo Scenario, no development (including demolition) would take place within the Project site limits. No ground-disturbing activities would take place, nor would any form of structure be erected. Under this scenario, which was rejected as an Alternative, the site would remain in existing conditions and the site would not be developed as proposed or for any other use. The current site is the abandoned Sears building which is a source of nuisance to the neighborhood and is subject to transient attention which has resulted in on-going security issues. This No Change/Status Quo scenario would greatly underutilize the Project site and would not meet any of the Project Objectives. Section 15126.6(f)(1) of the *State CEQA Guidelines* states that among the factors that may be considered when addressing the feasibility of alternatives, are site suitability and economic viability. Although in the short-term this scenario may be feasible to allow the site to remain unutilized and for the historic structure to remain on site, over the long-term, it is expected that the owners of the site would seek some productive use of this property and that the Project site would therefore be developed in some form. Additionally, the vacant aspect of the site will continue to represent a place where homeless individuals and other transient individuals trespass illegally and create issues with law enforcement and potential safety issues with the existing surrounding uses. Thus, since it can be reasonably anticipated that the site would develop in some form given its already entitled condition, this No Change/Status Quo scenario was rejected as an Alternative. Therefore, this scenario was not further considered. (DEIR, p. 8-3).

Other Uses Considered for the Site

Other uses considered but rejected for consideration included a Self-Storage Facility. The existing Sears Department Store building is approximately 178,426 square feet in size which is significantly larger than typical self-storage facilities which are approximately 50,000 sf in size. A viable self-storage tenant would require multiple units that have access to the exterior of the building. This would require the addition of numerous exterior doors and cutting openings in the building. However, in doing so, the existing exterior walls of the building would not be of much use for seismic loads imposed on the structure by current code requirements, especially due to removal of the wall for creation of additional openings for storage access. For seismic requirements, the existing exterior walls would need to be reinforced with new walls inside of existing exterior walls and associated vertical elements from these walls would need to be transferred down to the lowest foundation level with new foundations.

To utilize the existing building, it would need to be modified to reinforce and significantly upgrade the ground level building slab in order to accommodate loading parameters required for this type of use which are 2.5 times higher than the currently allowable loading for the existing structure for a one-story storage structure. Upgrades would likely require the addition of an entirely new slab. Given that the exterior walls are supported by basement foundations and new supports would be supported on grade, this introduces potential differential settlement issues between the new building supports and existing building wall supports which would not be structurally acceptable. Support in the basement would be needed, foundations would need to be added, and existing foundations would need to be upgraded. If multiple levels of are desired for a storage facility, utilization of the existing structure would be impossible.

In addition to the structural infeasibility, use of the existing Sears Department Store building as a Self-Storage Facility would not be a viable option due to the likely failure to attract a self-storage tenant. There

is already a sufficient number of Self-Storage Facilities in the market. The area around the Project site also has very little population growth or decline and the large majority (63.7 percent) of nearby housing units are owner-occupied as opposed to renters. Little fluctuation in population coupled with a low percentage of renters which tend to have a higher need for storage units decreases the viability of a Self-Storage Facility at this location. Finally, existing Self-Storage facilities in the City are “horizontal”, allowing users to drive to their garages and unload directly from a truck. “Vertical” or stacked storage facilities, as would be implemented in the existing Sears Department Store building, require users to unload, utilize a freight elevator, and wheel items down a corridor to their lockers, adding time and labor, and further decreasing viability.

Hence, utilizing the existing building as a self-storage facility was considered, but ultimately rejected by the Project proponent because of the structural issues required for this adaptive reuse, as well as the low viability of the use. Further, this other use would not meet the key Project Objective of meeting the City’s RHNA allocations. Therefore, this alternative was not further considered. (DEIR, p. 8-6).

D. ALTERNATIVES CARRIED FORWARD FOR FURTHER ANALYSIS

The proposed alternatives to the Project were selected for review in the EIR because of their potential to avoid or substantially lessen certain project impacts, or because they were required under CEQA Guidelines. The proposed Project and alternatives are described in more detail in the Final EIR and Appendices thereto.

Alternative 1: No Demolition/Keep Existing Commercial Designation

Description

Alternative 1 involves keeping the existing 178,426 sf Sears building in its current condition with basement and ground level, along with maintaining the existing zoning designation of General Commercial. Under this Alternative the existing building will remain as is, and no demolition would occur. The use of the site under this Alternative assumes that another large commercial retailer could move into the building as is. However, under this Alternative, the current vacant status of the site would not occur, as it is expected that another company would want to use the whole retail building without having to demolish the main Sears Department Store building. This Alternative could instead, entail the demolition of the non-historic automotive service ancillary building. (DEIR, p. 8-7).

Cultural Resources

This Alternative would not require demolition of the existing structures. However, the existing structures do not meet current building codes. A large new retail use would still trigger the need for significant building upgrades and reconstruction in order to meet current building codes, which would result in significant changes to the existing structure. Even if the site were to be occupied by another retail use, because of the need to meet current building and seismic codes, the remodeling would be significant and would most likely result in structure changes that would detract from the historical significance of the existing structure. Like the proposed Project, this Alternative would result in impacts related to historical

resources. Therefore, impacts related to cultural resources would be similar to that of the proposed Project. (DEIR, p. 8-7).

Greenhouse Gas Emissions

This Alternative would not result in demolition of the existing building; however, it would include future commercial uses. It is expected this Alternative would result in greater GHG impacts than the Project since commercial uses typically generate more vehicle trips than residential uses on a per unit basis. As shown in Table 4-3 of the Project's TIA (Appendix F), the existing commercial use could generate 1,326 more daily vehicle trips compared to the proposed Project. Therefore, Alternative 1 would result in greater impacts than the Project. (DEIR, p. 8-7).

Hazards and Hazardous Materials

The existing structures are located entirely within Riverside County Airport Land Use Compatibility Plan (RCALUCP) Zone B1. As discussed in Section 8.5.4 below, B1 is the most restrictive land use compatibility zone allowing an average acre intensity of 25 people per acre and a single acre intensity of 50 people per acre. Utilizing RCALUCP's *Appendix C – Determining Concentrations of People*; specifically *Table C1: Occupancy Levels – California Building Code*, this Alternative would result in 189 people per average acre⁶ which is not consistent with RCALUCP policy.

Issues related to hazardous materials, such as the presence of asbestos and potentially lead-based paint present in building materials of the existing Sears building would remain present under this Alternative. And any future removal of these materials would require legal removal and disposals.

Impacts related to Hazards and Hazardous Materials would be similar to that of the proposed Project. (DEIR, p. 8-7).

Land Use and Planning

Because this Alternative would be inconsistent with RCALUCP policy, it would also result in an inconsistency with the City's GP 2025 land use policies related to airports. Therefore, impacts related to Land Use and Planning would be like that of the proposed Project. (DEIR, p. 8-7).

Transportation

Under Alternative 1, the existing structures would simply be leased for commercial uses as they had been in the past. Under this Alternative, no demolition or new development would occur. As shown in Table 4-3 of the Project's Traffic Impact Analysis, the existing commercial use would generate 1,326 more daily vehicle trips compared to the proposed Project. Therefore, Alternative 1 would result in greater impacts than the Project. (DEIR, pp. 8-7 – 8-8).

Relationship to Project Objectives

6. Based on use 27. Stores — Retail Sales Rooms Basements and Ground Floors, requires 30 square feet per occupant resulting in a potential of 2,974 people in the structure. To determine number of people per average acre, acreage of site located in Zone B1 as identified in Riverside County Airport Land Use Commission, *Staff Report for Case ZAP1107R122*, dated January 12, 2023, of 15.76 was utilized. (2,974 people / 15.76 acres = 189 people per average acre).

Alternative 1 has the potential to reduce cultural resource impacts as it relates to the Project. Nonetheless, implementation of Alternative 1 would require a level of reconstruction to the existing building structure and thus would still reach the same conclusion. The site would reach the same conclusions for hazards/hazardous materials and land use planning as the proposed Project because the existing commercial designation is not consistent with RCALUCP policy, nor was the former big box retail use. Moreover, Alternative 1 would result in greater impacts as it relates to transportation and GHG as full commercial use of the site would result in a higher trip generation rate than that of the Project. Additionally, while air quality and noise impacts were found to be less than significant for the proposed Project, because Alternative 1 results in greater traffic trips, it is anticipated that these topics would be greater than that of the Project due to increased emissions and roadway noise.

State *CEQA Guidelines* Section 15126.6(f)(1) states that among the factors that may be considered when addressing the feasibility of alternatives are site suitability and economic viability. Alternative 1 would satisfy none of the Project Objectives and would not meet the key Objective of providing additional housing to meet the City's RHNA allocations. Additionally, the existing abandoned Sears building has been subject to extreme dismantlement and vagrancy.

Alternative 1 is not economically viable. The Sears building was designed for a single user. Large scale retailers requiring buildings the size of the abandoned Sears building are not choosing to locate near the Project site, instead opting for regional locations and developed shopping centers which attract larger volumes of customers. Demising the building into multiple smaller rental suites is also not possible as it would be difficult to create basic shells and floorplates for modern, creditworthy tenants. The building also has nearly 50 percent of its total floor area in the form of a subterranean basement which is not desirable space for the vast majority of retailers to whom this property would be marketed.

Further, many of the building's systems have been removed/stolen and there are significant gaps between the structural integrity of the existing building and the current building codes thereby requiring significant modifications that in and of themselves could result in partial or full demolition of the building. Even if a new large retail use would still trigger the need for significant building upgrades and reconstruction, meeting today's current building codes, which would result in significant changes to the existing structure. Even if the site were to be occupied by another retail use, because of the need to meet current building and seismic codes, the remodeling would be significant and would most likely result in structure changes that would detract from the historical significance of the existing structure. Additionally, a new retail user would also be subject to new approvals by the City for building permits and occupancy, both of which would trigger the need for compatibility study with the existing airport land use plan. A new retail use would also not meet the density requirements of the airport land use plan, and therefore Alternative 1 would still be considered incompatible with the airport. Therefore, Alternative 1 is rejected and considered infeasible.

Thus, since Alternative 1 would most likely result in the same or similar impacts to the existing structure, its historical context and significance would also be impacted. Therefore, Alternative 1 is considered not feasible, and does not meet most of the Project Objectives. (DEIR, pp. 8.10 – 8-11.)

Finding

The City Council rejects Alternative 1 (No Demolition/Keep Existing Commercial Designation) as a project alternative on the basis that Alternative 1 is infeasible and does not fulfill the project objectives. CEQA does not require a lead agency to select an alternative which does not meet most of the project objectives (State CEQA Guidelines section 15126.6).

Alternative 2: Adaptive Reuse to Residential

Description

Since the Proposed Project includes the full demolition of the Sears Building, which would result in a significant and unavoidable impact to a historical resource as identified in Section 5.3 – Cultural Resources of the Draft EIR, Alternative 2 proposes keeping the existing Sears building and adaptively reusing it for residential uses only. This Alternative would provide a range of 44 to 140 residential housing units. Under this Alternative, the demolition of the whole building would not occur, and some, but not all, of the existing building could still be retained. Under this Alternative, the resulting land uses would need to fit into the existing building footprint primarily and any historically significant attributes of the building would need to be retained which involve the Mid-Century Modern style of architectural.

Characteristics of this type of architecture include: Simple geometric forms, post-and-beam construction, flat or low-pitched gabled roofs, flush mounted steel framed windows or large single-paned wood-framed windows, exterior staircases, decks, patios, and balconies, and brick or stone often used as primary or accent material. Characteristics of the department store typology include: large surface parking lots surrounding the building, being disconnected from the street, windowless design, free-standing building, one to two stories in height, boxlike massing, and located outside of urban centers. The existing structures include all of the characteristics of department store typology and include such attributes as solid wall surfaces; rectangular shape with flat roof, clad in concrete, brick, tile, and stone; rectangular roof overhangs that wrap around the building; textured tile above the old signage; rock wall entrances; and trees integrated into the corners.

Rehabilitation and adaptive reuse of the building under this Alternative would follow the Secretary of the Interior's Standards for Rehabilitation (Standards). If properly executed in conformance with the Standards, rehabilitation and adaptive reuse of the Sears department store and auto center building as part of a new development plan for the site would reduce project-related impacts to historical resources to a less-than-significant level and meet the preservation objectives of the City of Riverside to protect its important historic resources and encourage public accessibility of resources. However, it would be very difficult to achieve these Standards, while still meeting the Project Objectives. Hence, Alternative 2 would ultimately result in similar impacts as the proposed Project as discussed under the *Cultural Resources* subheading below.

For Alternative 2, several residential densities and configurations were studied by Architects Orange and Innova for viability and historic and structural integrity as found in Appendix C of the Draft EIR. Four options with various numbers of residential units ranging from approximately 44 to 140 units were

studied. All four options would require structural improvements to bring the building into compliance with current building codes and make it seismically safe.

Additionally, since the existing building currently consists of mostly solid walls, with little to no windows or openings besides the doors, transforming the existing building into residential units would require a certain amount of fresh air ventilation and windows/daylight. Creating ventilation, incorporating private open space through balconies/patios and installing windows would likely result in structural issues. Transforming the existing building would require removing not only the roof, but the walls of the existing building. The analysis in Appendix C included considering removing the roof and leaving two walls intact however by doing so, this would then result in significant changes to the building that would not provide preservation of the historical aspect of the existing building (i.e. example of early-era big box retail). (DEIR, pp. 8.10 – 8.11).

Cultural Resources

This Alternative would not require demolition of the existing structures. However, the existing structures do not meet current building codes and would need modification to transform the structure into residential units. To meet current building and seismic codes, remodeling of the structures would be significant and result in structural changes that would detract from the historical significance of the existing structures and would not be consistent with the Standards as there would be impacts to features and spaces that characterize a property. Efforts to preserve the existing structures the structures would be significantly altered to affect the historical context of the resources. Therefore, impacts related to cultural resources would be reduced from that of the proposed Project but will still be categorized as significant and unavoidable as was concluded by the proposed Project. (DEIR, p. 8-12).

Greenhouse Gas Emissions

This Alternative would result in residential development and buildings which would still generate GHG emissions, like the Project. However, given that less than 40 percent of the dwelling units would be proposed under this Alternative, and that no commercial uses are proposed, impacts related to GHG will be substantially reduced and likely fall below the significance threshold. Therefore, this impact would be less than the proposed Project. (DEIR, p. 8-12).

Hazards and Hazardous Materials

This Alternative would be inconsistent with RCALUCP policy, as the existing structures are currently inconsistent with building height requirements outlined in the RCALUP policy. Adaptation of the existing structure into residential units would result in an inconsistency with RCALUCP policy since most of the site is located within RCALUCP Zone B1 which has density standards making residential development prohibitive.

Additionally, the asbestos and potential lead-based paint in the existing building materials would still be present and have to be legally disposed of in order to reuse the site and make it residential. Therefore, impacts related to Hazards and Hazardous Materials would be similar to that of the proposed Project. (DEIR, p. 8-12).

Land Use and Planning

This Alternative would be inconsistent with RCALUCP policy. As such, this Alternative would conflict with the City's GP 2025 policies related to airports. Therefore, impacts related to Land Use and Planning would be similar to that of the proposed Project. (DEIR, p. 8-12).

Transportation

Under this Alternative, the site would still develop with residential uses. Development of the site with these uses would result in passenger vehicles trips to and from the site and the City would require applicable roadway improvements for any project. Even if this Alternative was not built as contemplated, another project would still be conditioned to build any necessary roadway improvements and contribute fair share fees. As such, cumulative impacts to transportation/traffic would remain significant since the priority and timing of road improvements are not under the sole control of a project proponent. Thus, this Alternative would result in similar cumulative traffic impacts. Therefore, Project impacts to cumulative transportation/traffic would be similar to that of the proposed Project. (DEIR, p. 8-12).

Relationship to Project Objectives

Alternative 2 Adaptive Reuse was studied and considered. However, adaptive reuse and the need to meet the current building code, presents issues that would compromise the integrity of the building or the safety of the occupants. Alternative 2 meets three out of the five Project Objectives. However, this Alternative does not provide any mixed uses so it only partially meets the Objectives related to bringing mixed uses to the City, and only partially meets the key Objective of helping the City meet its RHNA obligations. As outlined in Section 8.4.3 – Other Uses Considered for the Site of the Draft EIR, the marketability of the site being adaptively reused is very difficult related to the existing building codes and the type of structure remaining. Additionally, this use would also still not be compatible with the airport land use plans, which would still require a statement of overriding considerations overrides as does the proposed Project.

Given the significant reconstruction and reconfiguration of the existing building that would need to take place to accomplish adaptive reuse, and that any adaptive reuse would still be considered incompatible with the airport land use plan, Alternative 2 is rejected as infeasible. (DEIR, pp. 8-13 – 8-14).

Finding

The City Council finds that Alternative 2 would result in similar impacts for environmental issues compared to the proposed Project. The City Council rejects Alternative 2 as a proposed Project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid environmental impacts, (2) failure to meet the proposed Project objective, and (3) infeasibility.

Alternative 3: ALUC Consistent

Description

Since the proposed Project is within a mile of the Riverside Municipal Airport and will include inconsistencies with the Riverside County Airport Land Use Comparability Plan (RCALUCP), unavoidable and significant impacts will occur. Alternative 3 proposes an Alternative that utilizes the densities or intensities allowable per the current RCALUCP. As outlined in both Section 3.0 – Project Description and Section 5.6 – Hazards and Hazardous Materials of the Draft EIR, this Alternative is in Zones B1, C and D of the RCALUCP. The RCALUCP has classified Zone B1 with a high noise impact and a high-risk level, Zone C has both a moderate noise impact and risk level, and Zone D has a moderate noise impact and a low risk level. The RCALUCP provides standards and criteria for both residential density and non-residential intensity. These standards and criteria are defined and discussed below. (DEIR p. 8-14).

Residential Density Standards

Density standards are used for residential uses. Density is determined by calculating the number of dwelling units per acre (du/ac). Zone B1 allows for a residential density standard of 0.05 du/ac on parcels greater than 20 acres in size and Zone C allows for a residential density standard of 0.2 du/ac on parcels greater than 5 acres in size. Zone D allows two options for residential density. Option – 1 allows for a residential density standard of 0.02 du/ac or less on parcels at least 5 acres in size while Option – 2 allows for a residential density standard above 5.0 du/ac on parcels that smaller than 0.2 acres (or 8,712 square feet). **Table 1: Allowable Residential Dwelling Units** below, identifies the number of units that could be developed on the Project site within the respective Land Use Compatibility Zone to be consistent with the RCALUCP.

Table 1, Alternative 3: Allowable Residential Dwelling Units

Land Use Compatibility Zone	Available Acres for Development¹	Number of Dwelling Units Permitted by Alternative 3
B1	15.76	0 ²
C	1.07	0 ³
D – Option 1 ⁴	0.48	0 ⁵
D – Option 2 ⁴	0.48	0 ⁶

Source: Draft EIR, Table 8.0-C

Notes:

1. Acreages in each zone are based on those presented in ALUC Staff Report (ALUC-C).
2. Parcels are under 20 acres in size so no dwelling units may be developed.
3. Parcels are under 5 acres in size so no dwelling units may be developed.
4. Must choose one Option only.
5. Site parcels are under 5 acres in size so do not meet minimum acreage requirement. Therefore, no dwelling units may be developed.
6. RCALUCP policy requires that parcels be less than 0.2 acres or 8,712 square feet in size and density must exceed 5 du/ac. This requirement precludes any City of Riverside multi-family residential zones with respect to meeting minimum lot size. The City's R-1-8500 and R-1-7000 zones require a minimum lot size for 8500 and 7000, respectively. However, density in these zones would not meet RCALUCP requirement of at least 5 du/ac. (MC 19.100).

During the General Plan Housing Element update conducted in 2022 and 2023, the City created an opportunity sites inventory which considered placing residential development on suitable vacant and/or non-vacant sites throughout the City. The opportunity site inventory identified how zoning and development standards on each of these opportunity sites could facilitate housing for the City to meet its RHNA obligation. The City considered various sites throughout the City and evaluated them against various suitability criteria and developmental constraints. One of the constraints used to eliminate a site from the opportunity site inventory was airport land use compatibility. Existence of Airport Compatibility Zones removed properties from consideration if the properties were in the most restrictive airport land use areas: A, B1, B2, C, C1, and C2 as set forth in the RCALUCP. Since the site is located in Zone B1 and C, the proposed Project, which otherwise would have been an ideal opportunity site for residential development, was removed from consideration due to its proximity to the Riverside Municipal Airport. As identified in **Table 1** above, there are no RCALUCP compatibility zones and City land use designations/zoning designations that align that would allow for development of residential units on this site. Thus, Alternative 3 would not have the ability to provide any residential dwelling units which would be consistent with these RCALUCP residential densities for Zones B1, C and D. (DEIR, pp. 8-14 – 8-15).

Non-Residential Intensity Standards

Intensity standards are used for non-residential uses. Intensity is determined by calculating the number of people generated by type of non-residential use per acre. Two measurements are required by ALUC to determine site intensity: Average Acre and Single Acre. Average acre intensity is the total number of people on a site divided by the total numbers of site acreage. (Total People / Total Project Site Acreage =

Average people per acre). Single Acre intensity is the total number of people within a given one acre area based on type of non-residential use.

Based on the acreages provided in **Table 1** above, average acre intensity would be restricted to 25 people per acre in Compatibility Zone B1, 75 people per acre in Zone C, and 100 people per acre in Zone D. Single acre intensity would be restricted to 50 people per acre in Compatibility Zone B1, 150 people per acre in Zone C, and 300 people per acre in Zone D.

RCALUCP's *Table C1 – Occupancy Levels/California Building Code* found within *Appendix C - Determining Concentrations of People* identifies the number of people generated based on use per square feet. A majority of the site is located within Zone B1 so non-residential uses would be restricted to uses and square footages that do not generate people beyond those numbers identified in **Table 1** above. An example of consistent non-residential structures that may be compatible with this site's location would be warehouse or airport hangers (with no repair), similar in square footage to the existing Sears Department Store building. These uses require 500 square feet per occupant so are likely to generate intensity that is consistent with RCALUCP policy.

Alternative 3 would include non-residential uses meeting the above requirements for consistency with RCALUCP Compatibility Zone B1. (DEIR, p. 8-15).

Alternative's Density/Intensity

As shown on **Table 8.0-1** above, Alternative 3 would allow no residential dwelling units and develop non-residential uses such as a warehouse or airport hangers no larger than the current building square footage of approximately 178,000 sf. This Alternative would also include demolition of the existing Sears Buildings. (DEIR, p. 8-16).

Cultural Resources

This Alternative would still involve demolition of the existing structures. Like the proposed Project, this Alternative would result impacts related to historical resources. Therefore, impacts related to cultural resources would be similar to that of the proposed Project. (DEIR, p. 8-16).

Greenhouse Gas Emissions

This Alternative would not allow for the development of residential or commercial uses, as those would not be consistent with the RCALUCP. Therefore, the limited warehouse or airport hangers that could be developed on the site after demolition of the existing structure, would still generate some GHG emissions; however, it is expected that the uses on Alternative 3 would generate far less GHG emissions due to a reduction in vehicle trips and Alternative 3 will likely fall below the significance threshold. It is expected that impacts to GHG would be less than the Project. (DEIR, p. 8-16).

Hazards and Hazardous Materials

This Alternative would develop the site consist with RCALUCP policy. As such, this Alternative may not result in a conflict with RCALUCP policy. However to be viable, it is assumed that this Alternative would comply with all other development standards related to non-residential intensity requirements such as

building height, open space standards, and noise abatement. Conversely, implementing the types of uses associated with this Alternative may result in impacts related to the proposed uses and the adjacent sensitive receptors. Additionally, the asbestos and potential lead-based paint in the existing building materials would still be present and have to be legally disposed of in order to reuse the site and make it residential. Therefore, impacts related to Hazards and Hazardous Materials would be similar to that of the proposed Project. (DEIR, p. 8-16).

Land Use and Planning

This Alternative would develop the site consistent with RCALUCP policy. However, to be viable, it is assumed that this Alternative would comply with all other development standards related to non-residential intensity requirements and City development standards such as building height, open space requirements, setbacks, and noise abatement. As such, this Alternative would not conflict with City's GP 2025 policies related to airports. Conversely, implementing the types of uses associated with this Alternative may result in impacts related to the proposed uses and the adjacent sensitive receptors and result in additional land use policy conflicts. Therefore, impacts related to Land Use and Planning would be similar to that of the proposed Project. (DEIR, p. 8-16).

Transportation

The City would condition roadway improvements as needed for any proposed project. Therefore, even if this Alternative was not built as contemplated, another proposed project would still be conditioned to build any necessary roadway improvements and contribute fair share fees as applicable. As such, cumulative impacts to transportation/traffic would remain significant since the priority and timing of road improvements are not under the sole control of a project proponent. While traffic volumes would be significantly lower under this Alternative, similar cumulative traffic impacts would still occur. Therefore, Project impacts to transportation/traffic would be similar to that of the proposed Project. (DEIR, pp. 8-16 – 8.17).

Relationship to Project Objectives

Alternative 3 would result in similar impacts to cultural, hazards/hazardous materials and land use planning. Alternative 3 would likely result in fewer traffic trips and as such, result in less direct impacts related to air quality energy consumption, and noise impacts when compared to the proposed Project. However, Alternative 3 would also increase the sources of diesel exhaust in the Project area and therefore increase the health risks to nearby sensitive uses compared to the proposed Project. However, all of these topics were found to be less than significant as part of the proposed Project. Alternative 3 would result in less impacts to GHG than the Project and Alternative 3 would still result in similar impacts to cumulative traffic/transportation impacts. Alternative 3 would not satisfy any of the Project Objectives and does not meet the primary objective of the proposed Project, which is to provide additional housing to meet the City's RHNA allocations. Given the nature of development that would occur on this site and its potential incompatibility with existing surrounding sensitive uses and potential for additional impacts, Alternative 3 is rejected as infeasible. Additionally, Alternative 3 would result in similar impacts to the

existing structure so its historical context and significance would still be impacted. Therefore, Alternative 3 is considered not feasible, and does not meet any of the Project Objectives. (DEIR, p. 8-17 – 8-18).

Finding

The City Council finds that Alternative 3 would result in similar impacts for environmental issues compared to the proposed Project. The City Council rejects Alternative 3 as a proposed Project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid environmental impacts, (2) failure to meet the proposed Project objective, and (3) infeasibility.

Alternative 4: Reduced Density/Intensity

Description

Although the Project does not include significant vehicle miles traveled impacts, nor does it result in significant air quality impacts, implementation of the Project will increase existing vehicle emissions which could increase existing impacts related to air quality due to the passenger vehicles generated by the Project. Additionally, the Project will result in significant impacts to greenhouse gases mostly because of the traffic generated by the proposed uses. Additionally, concerns were raised during the NOP comment period of additional traffic impacts in terms of level of service. However, it should be noted that in 2020, CEQA removed traffic impacts and level of service as areas of potential impacts that have to be evaluated. Rather, CEQA now addresses traffic impacts in the form of vehicle miles traveled (VMT). Based on all this, a reduced density alternative could alleviate some of these concerns. To reduce vehicle miles traveled as well as the greenhouse gas emissions, from the use of cars, Alternative 4 would propose to provide less residential units and less commercial square footage (25 percent reduction) in order to reduce vehicle trips. A 25 percent reduction was chosen as this is a typical reduction size to still allow for development that makes market sense so it would be realistic, but also allows for a reduction in the cars that would use the site that would also result in a valuable reduction of emissions. (DEIR, p. 8-18).

Cultural Resources

This Alternative would still require demolition of the existing structures. Like the proposed Project, this Alternative would result impacts related to historical resources. Therefore, impacts related to cultural resources would be similar to that of the proposed Project. (DEIR, p. 8-19).

Greenhouse Gas Emissions

Alternative 4 would reduce the amount of the Project density by 25 percent. Even with this decrease in units and commercial square footage, it is expected that Alternative 4 would still generate total GHG emissions which exceed the 3,000 MTCO₂E/yr threshold. The Project results in 7,374.37 total CO₂, and a 25percent reduction of that number could still exceed the 3,000 MTCO₂E/yr threshold. Therefore, this Alternative would most likely have similar impacts as the Project; significant and unavoidable related to GHG. (DEIR, p. 8-19).

Hazards and Hazardous Materials

As discussed in Section 8.5.3 – Alternative 3: ALUC Consistent of the Draft EIR, the addition of any residential units beyond two units on this site, would result in inconsistency with RCALUCP policy. Thus, this Alternative would be inconsistent with RCALUCP policies. Therefore, impacts related to Hazards and Hazardous Materials would be similar to that of the proposed Project. (DEIR, p. 8-19).

Land Use and Planning

As discussed in Section 8.5.3 – Alternative 3: ALUC Consistent of the Draft EIR, the addition of any residential units beyond two units on this site, would result in inconsistency with RCALUCP policy. Since this Alternative would be inconsistent with RCALUCP policy, similar to the proposed Project, this Alternative would also conflict with the City's GP 2025 land use policies related to airports. Therefore, impacts related to Land Use and Planning would be similar to that of the proposed Project. (DEIR, p. 8-19).

Transportation

Under this Alternative, the site would still develop with residential and commercial uses. Development of the site with these uses would result in passenger vehicles trips to and from to the site but at a lower volume than the proposed Project. The City would require applicable roadway improvements for any project. Even if this Alternative was not built as contemplated, another project would still be conditioned to build any necessary roadway improvements and contribute fair share fees. As such, cumulative impacts to transportation/traffic would remain significant since the priority and timing of road improvements are not under the sole control of a project proponent. Thus, this Alternative would result in similar cumulative traffic impacts. Therefore, Project impacts to cumulative transportation/traffic would be similar to that of the proposed Project. (DEIR, p. 8-19 – 8.20).

Relationship to Project Objectives

Alternative 4 (Reduced Project Size) would reduce development of the Project site by 25 percent in comparison to the proposed Project site. Nonetheless, Alternative 4 still results in significant unavoidable impacts related to GHG, historic resources and airport land use compatibility. However, Alternative 4 would propose the same land uses as the Project, require a rezone and general plan amendment as well as demolition of the existing Sears building. By reducing the density of the Project which reduces the vehicles and therefore air quality emissions, Alternative 4 would create lesser impacts to VMT and air emissions. However, the Project as proposed already had less than significant VMT and air quality impacts. However, GHG emissions would likely still exceed thresholds as does the Project and significant and avoidable impacts from GHG would exist for this Alternative.

Although Alternative 4 meets the Project Objectives, these objectives are met to a lesser degree than the proposed Project, especially the key objective to meet the City's RHNA allocations. Furthermore, Alternative 4 reduces the Project site by 25 percent. The demand for residential sites within the City of this size, attendant land costs and the low Inland Empire market lease rates for product of this type, Alternative 4 would result in a return on investment too low to justify the cost and risk of investment. Due

to all of these factors, a reasonable developer would not take the risk to develop the Reduced Project Size Alternative. For these reasons, Alternative 4 is rejected as infeasible.

Given the significant reconstruction and reconfiguration of the existing building that would need to take place to accomplish adaptive reuse, and that any adaptive reuse would still be considered incompatible with the airport land use plan, Alternative 2 is rejected as infeasible. (DEIR pp. 8-20 – 8-21).

Finding

The City Council finds that Alternative 4 would result in similar impacts for environmental issues compared to the proposed Project. The City Council rejects Alternative 4 as a proposed Project alternative on the following grounds, each of which individually provides sufficient justification for rejection of this alternative: (1) inability to avoid environmental impacts, (2) failure to meet the proposed Project objective, and (3) infeasibility.

E. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The State *CEQA Guidelines*, Section 15126.6(e)(2), requires the identification of the environmentally superior alternative. Of the alternatives evaluated above, the No Project alternative is the environmentally superior alternative with respect to reducing impacts created by the proposed Project. However, the beneficial impacts of the proposed Project would not be realized. The State *CEQA Guidelines* also require the identification of another environmentally superior alternative if the No Project alternative is selected as the environmentally superior alternative. The following four Alternatives were reviewed for consideration of the environmentally superior alternative.

Alternative 1: No Development/Keep Existing Commercial Designation, results in greater impacts than the proposed Project and does not meet any of the Project Objectives. As such, this Alternative is rejected from consideration. (DEIR, p. 8-23).

Alternative 2: Adaptive Reuse results in similar impacts to the proposed Project but overall would result in less impacts than the proposed Project. The uses under this Alternative would most likely not result in GHG emissions that would exceed standards. However, when compared to the proposed Project, this Alternative does not have the ability to lessen impacts to the historic resources so will result in similar impacts to that of the proposed Project. Further, this Alternative meets only 3 of the 5 Project Objectives and to a lesser degree. As such, this Alternative is rejected from further consideration. (DEIR, p. 8-23).

Alternative 3: ALUC Consistency, results similar impacts to the proposed Project but overall would result in less impacts than the proposed Project since the uses under this Alternative would most likely not result in GHG emissions that would exceed standards. However, this Alternative does not meet any of the Project Objectives so is rejected from further consideration. (DEIR, p. 8-23).

Alternative 4: Reduced Density/Intensity, results similar impacts to the proposed Project and meets all of the Project Objectives but to a lesser degree than the proposed Project because Alternative 4 would reduce the size of the commercial buildings and amount of residential units by approximately 25 percent. As such, this Alternative would still provide more housing than the other Alternatives, which is a key objective. Hence, Alternative 4 is the environmentally superior alternative.

While the City of Riverside has examined a reasonable range of alternatives to the proposed Project site and Alternative 4 meets most of the Project Objectives and is environmentally superior to the proposed Project, the degree of which Alternative 4 reduces impacts to GHG emissions and Transportation is minimal when compared to the proposed Project. Since Alternative 4 is proposing to implement residential uses on the site impacts to GHG and Transportation would still exceed existing levels and thus still create an impact.

Alternative 4, when compared to the proposed Project, would meet all of the basic Project Objectives found in Section 3.0 – Project Description of this Draft EIR but to a lesser degree, because it fails to maximize the site location and surrounding features through site design and building placement since it offers a reduced density/intensity project; resulting in an increased the demand for development at other sites in the area. Further, while this Alternative would capitalize on the City’s Smart Growth principals, it would do so at a lesser degree than the proposed Project by offering smaller commercial structures and fewer dwelling units. Lastly, while this Alternative would provide housing opportunities allowing the City to help meet its RHNA allocations, it would do so at a lesser degree than the proposed Project. Alternative 4 would result in essentially the same level of impacts as the proposed Project but would not meet all of the basic Project Objectives found in Section 3.0 - Project Description of this Draft EIR.

The proposed Project will result in significant and unavoidable impacts even after implementation of mitigation. Likewise, Alternative 4 (as well as Alternatives 1 through Alternative 3) will also result in similar significant unavoidable impacts. Therefore, none of the Alternatives will effectively lessen or avoid significant impacts that otherwise result from the proposed Project. (DEIR, pp. 8-23 – 8.24).

X. FINDINGS REGARDING NO NEED FOR RECIRCULATION

Section 2.0 – Responses to Comments of 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. Volume II (Draft EIR) and Volume III (Draft EIR Appendices) of 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 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 adequate 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 minor revisions shown in the Final EIR merely clarify and amplify the already-adequate discussions and mitigation previously 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 because no new significant impacts exist. 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 and revisions to the Final 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). Revisions made to the Draft EIR are shown throughout the Final EIR in ~~strikethrough~~ and underline text to denote deletions and additions, respectively.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA and the CEQA Guidelines provide, in part, the following:

- (a) CEQA requires that the decision maker balance the benefits of a Project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the decision of the public agency allows the occurrence of significant effect that are identified in the Final EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the findings under Section 15091(a)(2) or (a)(3) of the CEQA Guidelines.
- (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 (Section 15093 of the CEQA Guidelines).

As discussed in more detail in the Draft EIR and as summarized above, the Project will result in significant and unavoidable impacts related to cultural resources, greenhouse gas emissions, hazards and hazardous materials, land use, and transportation in the cumulative condition. The City identified two alternatives (Alternative 2: Adaptive Reuse and Alternative 3: ALUC Consistency) that can avoid or reduce some of the significant and unavoidable impacts; however, both have been determined to be infeasible for specific economic, social, environmental, technological, legal or other considerations set forth above. Under CEQA, “the decision makers may reject as infeasible alternatives that were identified in the EIR as potentially feasible.” (*San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 18.)

The City of Riverside, having reviewed and considered the information contained in the Final EIR for the Project, Responses to Comments and the public record, finds that, for the reasons described in the EIR, there are no feasible alternatives that would avoid the significant and unavoidable impacts associated with the Project. The City of Riverside hereby adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this Project.

A. OVERRIDING CONSIDERATIONS

The City finds that notwithstanding the disclosure of the above significant and unavoidable impacts, there are specific overriding economic, social, technological, and other reasons for approving the proposed Project.

Having reduced the adverse significant environmental effects of the proposed project to the extent feasible by adopting the mitigation measures and having considered the entire administrative record on the proposed project, the City has weighed the benefits of the proposed Project against its unavoidable adverse impacts after mitigation. While recognizing that the unavoidable adverse impacts are significant under the applicable CEQA thresholds, the City nonetheless finds that the unavoidable adverse impacts that will result from the proposed project are acceptable and outweighed by specific social, economic and other benefits of the proposed project. In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the proposed Project.

Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the record of proceedings. The City therefore finds that for each of the significant impacts that are subject to a finding under CEQA Section 21081(a)(3), that each of the following social, economic, and environmental benefits of the Project, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. All feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, alternatives to the Project are infeasible because while they have similar or less environmental impacts, they do not provide the benefits of the Project, or are otherwise socially or economically infeasible when compared to the Project, as described in this Facts, Findings and Statement of Overriding Considerations.
2. **The Project will primarily, provide quality, multi-family housing on an existing underutilized site, to help the City meet the State's allocated 2021-2029 Regional Housing Needs Assessment (RHNA) housing unit numbers, as well as the City's overarching self-prescribed housing unit numbers.** In the 2021-2029 Housing Element Cycle, the City of Riverside's RHNA allocation is a minimum of 18,415 new housing units. The previously adopted Housing Element cycle covering the 2013-2021 period included a RHNA allocation of 10,025 units, of which only a small portion were built during the last seven years. The increase in the City's RHNA housing number is reflective of the State's current housing crisis, due in part to the difficulty of enabling the construction of new homes to keep up with the need for them. In order to ensure the City can safely meet its minimum, the City will need to identify space for approximately 24,000 new homes for the 2021-2029 Cycle. This Project has the opportunity to help fulfill the City's RHNA requirement with its residential use, along with promoting growth and stability in the area by providing amenities

through its commercial use, such as a grocery store. A total of 388 units are proposed in 13 three-story stacked unit buildings and 12 two-story townhome buildings.

3. **The Project will revitalize a deteriorating commercial area.** The Project, in large part, is proposed to revitalize this deteriorating commercial area by proposing a mixed-use project that serves both residential and commercial uses. The Project proposes to demolish the existing former Sears Building currently located on the Project site to facilitate the development of a mixed-used development that will allow for a total of 388 dwelling units. The Sears Building has remained closed since 2019 and, due to repeated vandalism, the electrical and mechanical systems of the building have been destroyed. After removal of this deteriorating commercial building, this Project will integrate residential uses into the commercial fabric of the surrounding area to create an active street life and enhance the vitality of businesses. Cognizant of the Sears Building's historical eligibility, the Project has made every effort to incorporate the character-defining features of the existing building into the Project. The Project's design features and mitigation measures will safeguard the important architectural and historical features of the former Sears Building. In particular, the Project incorporates character-defining features of the existing structure to reference the architectural history of the Project site. Incorporating such design features will avoid a substantial adverse change to the architectural features of the former Sears Building. With incorporation of these design features, the Project can properly revitalize the deteriorating commercial area.
4. **The Project will place housing near a transit corridor to reduce residential vehicle miles traveled and associated congestion and greenhouse gas emissions.** Regional access to the Project site is provided via State Route 91 from Madison Avenue ramps located approximately 0.8 miles to the south, as well as Arlington Avenue ramps located 1.5 miles to the south. Further, public transportation is provided by Route 12, which travels along Streeter Avenue, and Route 15, which travels along Arlington Avenue in the Project area. Placement of this Project near these various transit corridors reduces residential vehicle miles traveled through the surrounding neighborhoods, thereby alleviating traffic congestion associated within the area and associated greenhouse gas emissions.
5. **The Project will place housing near existing commercial uses to encourage pedestrian connectivity and to reduce vehicular usage and associated impacts.** The Project includes an extensive pedestrian network of walkways, paseos, and protected and shaded walkways throughout the Project. Residences within the development have multiple pedestrian connections with the commercial component of the site and to the signalized intersection for additional commercial amenities and conveniences to the south of the Project site. Surrounding residences in the adjacent neighborhoods can access the extensive pedestrian walkways that lead to the proposed commercial development and those amenities and gathering areas available to the public, including the proposed dog park, access to future art installation and commercial gathering/outdoor eating areas. Project features such as these encourage alternative modes of transportation, which in turn reduces vehicle miles traveled and its associated greenhouse gas.
6. **The Project will provide compatible mixed-use development contributing to the character of the surrounding neighborhood.** A key component of the overall Project site design is the placement of the residential buildings and the key design features that have been implemented

for compatibility with adjacent single-family residences. Specifically, the Project places the thirteen 3-story residential buildings further from surrounding single family residences, locates the fourteen 2-story residential, townhome, buildings on the edges of the site, designs the 2-story buildings to minimize overall massing as it relates to the adjacent single family residential, and provides 25-foot setbacks from property lines allowing for a greater degree of separation and increased landscaping to further provide additional privacy. Design features such as these create a mixture of compatible and synergistic land uses so the Project may blend with the surrounding neighborhood, while also providing much needed housing for the City.

7. **The Project will establish a mixed-use development that will provide a land use transition between the existing commercial Hardman Center and the residential developments surrounding the project site.** The Project proposes to rezone the Project site from CG-Commercial General to MU-V – Mixed Used – Village. The Project, as designed, is consistent with the proposed MU – V – Mixed Use-Village General Plan Land Use designation. Consistent with this zone, the Project provides for residential development with retail, office and service uses primarily at street level to facilitate a pedestrian environment. The Project also encourages new housing opportunities that are nearby to commercial services. The focus of the development and design standards of the Project, consistent with the MU-V Mixed Use Village, is to provide techniques for transitions from developed commercial areas to lower density residential neighborhoods. As designed, the Project strengthens the interaction between the proposed mix of uses, creating a pedestrian-oriented environment while ensuring the overall design and proposed uses are compatible with uses in the surrounding neighborhoods by incorporating specific site design practices, which reduce massing and height and increase setbacks along edges with existing single-family residential. Thus, the Project can achieve a proper land use transition between the existing commercial Hardman Center and the residential developments surrounding the Project site.
8. **The Project will provide employment opportunities in the City.** The proposed Project will provide 25,320 sf of commercial-retail use by way of two commercial-retail buildings in the southeastern portion of the site along Arlington Avenue. A 5,000 square feet (sq. ft.) multi-tenant retail speculative pad would be located in the southwestern corner of the project site with an adjoining outdoor dining/flex space that could include a 24-hour operation. This area of the site also proposes a 20,320 sq. ft. grocery store pad. Based on Riverside County General Plan Appendix E-2: Revised Socioeconomic Build-Out Assumptions and Methodology, the Project is projected to add approximately 51 new jobs.

The City finds that each of the specific economic, legal, social, technological, environmental, and other considerations separately and independently outweigh the significant, adverse impacts and serve as an overriding consideration independently warranting Project approval. In addition, the City finds that each of the above benefits of the Project separately serve to override and outweigh the Project's significant and unavoidable environmental impacts. Therefore, the significant and unavoidable environmental impacts associated with the Project as considered acceptable.

B. CONCLUSION

The proposed Project will result in quality, multi-family housing on an existing underutilized site, to help the City meet the State's allocated 2021-2029 Regional Housing Needs Assessment (RHNA) housing unit numbers and contribute to the character of the neighborhood. All impacts related to the Project except for those related to Cultural Resources, Greenhouse Gases, Hazards, Land Use and Planning, and Transportation will result in less than significant with mitigation identified in the Draft EIR and Mitigation Monitoring and Reporting Program (MMRP).

XII. MITIGATION MONITORING AND REPORTING PROGRAM

The City of Riverside finds that a Mitigation Monitoring and Reporting Program (MMRP) for the Project has been prepared for the proposed Project and hereby adopts the MMRP concurrently with these Findings of Fact and Statement of Benefits (Public Resources Code, §21081.6(a)(1)).

CEQA requires that an agency adopt an MMRP that includes mitigation measures prior to approving a project. The MMRP for the proposed Project has been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Sections 15091(d) and 15097 of the CEQA Guidelines.

The purpose of the MMRP is to ensure the implementation, in accordance with CEQA requirements, of the mitigation measures adopted by the City and under its control. The mitigation measures adopted in the Project EIR Findings are listed in "Exhibit B" of this document.

Mitigation Monitoring and Reporting Program

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). This mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Final Environmental Impact Report (Final EIR), specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in this Mitigation Monitoring and Reporting Program (MMRP).

EXHIBIT “B”

Mitigation Monitoring and Reporting Program (MMRP)

4.1 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for use in implementing the mitigation measures that are part of the Environmental Impact Report (EIR) that will be certified by the City of Riverside for the Arlington Mixed Use Project (Project).

The MMRP as reflected in **Table 4.0-A, Arlington Mixed Use Development Mitigation Monitoring and Report Program** below, has been prepared in compliance with State law and the Arlington Mixed Use Development EIR (State Clearinghouse No. 2023060428) prepared for the Project by the City of Riverside.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (Public Resources Code Section 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designated to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

4.2 Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Riverside (City) is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
IMPACT Category: Aesthetics							
In a non-urbanized area, would the proposed Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? In an urbanized area, would the proposed Project conflict with applicable zoning and other regulations governing scenic quality?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Air Quality							
Would the Project conflict with or obstruct implementation of the applicable air quality plan?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the project expose sensitive receptors to substantial pollutant concentration?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Biological Resources							
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 Game or U.S. Fish and Wildlife Service?	<p>MM BIO-1: Nesting Birds. Prior to issuance of grading, should tree and/or vegetation removals be required during the nesting/breeding season (between February 1st and August 31st,), a pre-removal nesting bird survey shall be required. If construction is proposed a qualified biologist shall conduct a nesting bird survey(s) no more than three (3) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project Site. The survey(s) shall focus on identifying any raptors and/or bird nests that are directly or indirectly affected by construction activities. If active nests are documented, species specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be postponed until the young birds have fledged. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Riverside for review and approval prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final monitoring report of the findings, prepared by a qualified biologist, shall be submitted to the City of Riverside documenting compliance with the CDFG Code. Any nest permanently vacated for the season shall not warrant protection pursuant to the CDFG Code.</p> <p><i>This mitigation measure was identified in the Initial Study.</i></p>	No more than 3 days prior to initiation of grading	Developer / Biologist	Nesting bird survey results report submission.			
Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	See MM BIO-1 above	See MM BIO-1 above	See MM BIO-1 above	See MM BIO-1 above			
IMPACT Category: Cultural Resources							

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<p>MM CR-1: Historical Resources. Prior to the demolition or rehabilitation of the existing structures on the Project parcel, the City shall ensure preparation of Historic American Building Survey (HABS) Level I or Short Format-like documentation in accordance with the Secretary of the Interior's Standards for Architectural and Engineering Documentation. All work shall be conducted by an architectural historian who meets the Secretary of the Interior's Professional Qualifications Standards for architectural history and/or history. The HABS-like documentation shall follow the guidelines set forth by the National Park Service (NPS) for HABS I or Short Format documentation. The HABS-like document shall include:</p> <ul style="list-style-type: none"> ▪ Black and white photographs with large-format negatives of exterior and interior views (10 views minimum); ▪ Photograph Index; ▪ Photocopies with large-format negatives of select, existing drawings or historic views that are produced in accordance with the U.S. Copyright Act; and ▪ Full-length historical report, as outlined in the Guidelines for Architectural and Engineering Documentation in the Federal Register (68 FR 43159). <p>Large format photography shall be completed prior to issuance of any project related permitting or construction. Photographic documentation of the existing structures on the Project parcel shall be prepared to the National Park Service's HABS standards. A minimum of ten (10) views should be recorded, including views of the overall site and landscaping context as well as detailed views of each elevation of existing structures. HABS standards require large-format black-and-white photography, with the original negatives having a minimum size of 4 inches by 5 inches. The photographer shall be familiar with the recordation of historical resources in accordance with HABS guidelines, and digital photography, roll film, and manipulation of images are not acceptable. Photographs shall include a photo index, and field notes, and be identified and labeled using HABS standards outlined in National Park Service's guidelines Preparing HABS/HAER/HALS Documentation - Transmittal Guidelines. A draft laser copy (or digital PDF) of the finished photographs formatted to the photo index shall be reviewed and approved by a historic preservation program staff member with City of Riverside prior to final archival prints being made. A copyright release form signed by the photographer releasing copyright of the large format photographs into the public domain for public benefit shall be required with the deliverables. One original copy of the final HABS-like documentation packet shall be offered to the following entities:</p> <ul style="list-style-type: none"> ▪ City of Riverside Historic Preservation Program (administered through the Historic Preservation, Neighborhoods and Urban Design Division of the Community Development Department); ▪ Riverside Public Library; ▪ Riverside Historical Society; and ▪ Riverside Metropolitan Museum. 	Prior to demolition or rehabilitation	Developer / City	Submission of Historic American Building Survey			
Would the Project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5?	<p>MM CR-2: Consultation. 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 the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located on the project site if the site design and/or proposed grades should be revised. In the event of inadvertent discoveries of</p>	Prior to grading -permit issuance	Developer / City	Completed consultation as documented by a memorandum to the Project file prepared by the City Planning Division. Agreement(s) with consulting tribe if necessary.			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
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	archaeological resources, work shall temporarily halt until agreements are executed with consulting tribe, to provide tribal monitoring for ground disturbing.						
	MM CR-3: On call Project Archaeologist. Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.	Prior to grading permit issuance	Developer / Archaeologist	Confirmation of professional archaeologist			
	<p>MM CR-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"> 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 will need to be thoroughly inventoried with tribal monitor oversight of 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: <ol style="list-style-type: none"> a) 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; b) A curation agreement with an appropriately 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; c) If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and <p>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</p>	In the event of discovery	Developer / Archaeologist	Submission of Phase IV Monitoring Report			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	notes from the archaeologist. All reports produced will be submitted to the City of Riverside, Eastern Information Center, and consulting tribes.						
	MM CR-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.	Prior to grading permit issuance	Developer / Archaeologist / Native American Monitors	Inclusion of sign-in sheet for attendees of this training within the submitted Phase IV Monitoring Report			
	MM CR-6: Human Remains. If human remains are discovered, no further disturbance shall occur in the affected area until the County Coroner has made necessary findings as to origin. If the County Coroner determines that the remains are potentially Native American, the California Native American Heritage Commission shall be notified within 24 hours of the published finding to be given a reasonable opportunity to identify the "most likely descendant". The "most likely descendant" shall then make recommendations and engage in consultations concerning the treatment of the remains. This mitigation measure was identified as MM CR-1 in the Initial Study. This mitigation measure has been renumbered to MM CR-6 for purposes of inclusion in the Project's Mitigation Monitoring and Reporting Program.	In the event of discovery	Developer / Archaeologist	Confirmation of coroner and NAHC contact			
Would the Project disturb any human remains, including those interred outside of formal cemeteries?	See MM CR-6 above	See MM CR-6 above	See MM CR-6 above	See MM CR-6 above			
IMPACT Category: Energy							
Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation??	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Geology and Soils (Mitigation Measures brought in from Initial Study)							
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	MM GEO-1: Paleontological Resources Impact Mitigation Program and Paleontological. Prior to issuance of grading permit, the Project proponent shall retain a qualified paleontologist per the Society of Vertebrate Paleontology (2010) guidelines. The qualified paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the Project that shall be consistent with the SVP (2010) guidelines and outline requirements for preconstruction meeting attendance and worker environmental awareness training, where paleontological monitoring is required within the Project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for micro invertebrate and micro vertebrate fossils), reporting, and collections management. A qualified paleontological monitor shall be on the Project site during initial rough grading and other significant ground-disturbing activities (including augering) in areas underlain by Pleistocene alluvial deposits	Prior to Grading Permit	Developer / Paleontologist	Submittal of Paleontological Resources Impact Mitigation Program			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	and below a depth of five feet below the ground surface in areas underlain by Holocene alluvium to determine if they are old enough to preserve scientifically significant paleontological resources. No paleontological monitoring shall be necessary during ground disturbance within artificial fill. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor shall temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery shall be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the monitor shall allow grading to recommence in the area of the find.						
IMPACT Category: Greenhouse Gas							
Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	MM GHG-1: Commute Trip Reduction. Upon a residential dwelling unit being rented, the Project Applicant or its designee shall notify and offer to the prospective tenant, as soon as it may be done, disclosure materials describing available public transit, ridesharing and non-motorized commuting opportunities available in the vicinity of the Project. Such information shall be transmitted no later than the finalization of a rental contract. A draft of this disclosure shall be submitted to the City of Riverside Planning Division for review prior to the issuance of the certificate of occupancy.	Prior to Occupancy	Residential property owner and/or property management firm	Submittal of draft of disclosure materials describing available public transit, ridesharing and non-motorized commuting opportunities available in the vicinity			
	MM GHG-2: Telecommute. The Project Applicant or its designee shall install broadband infrastructure or other communication technologies that encourage telecommuting and working from home. The Project Applicant or its designee shall submit documentation to the City Building and Safety Division prior to occupancy.	Prior to Occupancy	Developer	Submittal of documentation confirming installation of broadband/communication technologies			
	MM GHG-3: Unbundle Residential Parking Costs. The Project Applicant or its designee shall provide information to the residential property owner and/or property management firm about the benefits of providing unbundled, or separate, residential parking costs from property costs for rental units, which allows those who wish to purchase parking spaces to do so at an additional cost. Unbundled parking costs may decrease vehicle ownership and, therefore, result in a reduction in VMT and GHG emissions. The Project Applicant or its designee shall submit documentation to the City Planning Division prior to occupancy.	Prior to Occupancy	Project Applicant	Submittal of documentation that provides information about unbundled residential parking costs			
Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Hazards and Hazardous Materials							
Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment ?	MM HAZ-1: Decontamination of Soil. During grading activities, petroleum impacted soil at boring location B21/SG21 per the <i>Subsurface Assessment Report</i> prepared by Weis Environmental dated November 3, 2023, shall be removed, handled and mitigated in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166 (VOC Emissions from Decontamination of Soil) Mitigation Plan. Petroleum impacted soil shall be segregated from non-impacted soil using the convention soil management soil practices. However, petroleum impacted soil at greater depths in the former UST and fueling island areas shall remain in place.	Prior to issuance of building permit	Developer / Contractor	Submittal of Final Construction Drawings			
	MM HAZ 2: Vapor Barriers. In order to mitigate the past contamination on the site related to the Sears Auto Service Center, the City building department shall ensure that final construction drawings on the Project reflect requirements from the Santa Ana Regional Water Quality Control Board (SARWQCB). Requirements from the SARWQCB could include conventional vapor barriers with passive sub-slab venting incorporated into foundation design of the	Prior to issuance of building permit	Developer / Contractor	Submittal of Final Construction Drawings			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
					Initials	Date	Remarks
	proposed structures on the Project site.						
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? <i>The Project would result in significant Project and Cumulative impacts to Hazards and Hazardous Resources related to Airport land use.</i>	MM HAZ-3: Airport Noise. Prior to issuance of a building permit for any residential building or unit, an acoustical analysis shall be conducted by a noise specialist meeting the requirements set forth in Riverside Municipal Code 16.08-175 B 5 to confirm that the noise insulation proposed in the final design is sufficient to achieve interior noise levels at or below 45 CNEL and exterior noise levels at or below 65 CNEL. Interior noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the residences, to the extent such measures are necessary, to ensure that interior noise levels are at or below 45 CNEL. Measures may include, but not be limited to, upgraded building façade elements (windows, doors, and /or exterior wall assemblies) with Sound Transmission Class (STC) rating of 35 or higher. If the interior limit can be achieved only with the windows closed, then the building design shall include mechanical ventilation that meets California Building Code requirements. Exterior noise attenuation measures, which shall be unit/structure specific, may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 CNEL.	Prior to issuance of building permit	Developer / Contractor	Submittal of Acoustical Analysis			
IMPACT Category: Land Use							
Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<i>There is no feasible mitigation measures that can be applied.</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Noise							
Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	MM NOI-1: Residential Interior Noise. An interior noise analysis shall be conducted by a Noise specialist. Noise attenuation measures shall be incorporated into the design of the residences as outlined in the interior noise analysis, to the extent such measures are necessary to ensure that interior noise levels are at or below 45 CNEL. Measures shall include upgraded building façade elements (windows, doors, and /or exterior wall assemblies) with Sound Transmission Class (STC) rating of 35 or higher. If the interior limit can be achieved only with the windows closed, then the building design shall include mechanical ventilation that meets California Building Code requirements.	Prior to issuance of building permit	Developer / Contractor	Submittal of Acoustical Analysis			
	MM NOI-2: Commercial Exterior Noise. Prior to issuance of a building permit for any commercial structure, an acoustical analysis shall be conducted by a noise specialist meeting the requirements set forth in Riverside Municipal Code section 16.08-175 B 5 to confirm that the noise insulation proposed in the final design is sufficient to achieve exterior noise levels at or below 65 CNEL in any outdoor dining / flex space. Noise attenuation measures identified in said acoustical analysis shall be incorporated into the design of the commercial area, to the extent such measures are necessary, to ensure that exterior noise levels are at or below 65 CNEL. Exterior noise attenuation measures, which shall be specific to the ultimate location of the outdoor dining / flex space may include site design and building layout and/or noise barriers sufficient to achieve exterior noise levels at or below 65 CNEL.	Prior to issuance of building permit	Developer / Contractor	Submittal of Acoustical Analysis			
Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
For a project located within the vicinity of a private airstrip of an airport land use plan or, where such a plan has not been adopted,	See MM NOI-1 and MM NOI-2 above.	See MM NOI-1 and MM NOI-2 above.	See MM NOI-1 and MM NOI-2 above.	See MM NOI-1 and MM NOI-2 above.			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
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within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise level?							
IMPACT Category: Population and Housing							
Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Public Services							
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Recreation							
Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			

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environment?							
IMPACT Category: Transportation							
Would the Project conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
IMPACT Category: Tribal Cultural Resources							
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resource Code section 5020.1(k)?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A 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 Resource Code section 5024.1; in applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?	MM TCR-1: Consultation. 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 the cultural resources on the project site. The City and the developer/applicant shall make all attempts to avoid and/or preserve in place as many cultural and paleontological resources as possible that are located 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.	Prior to grading permit issuance	Developer / City	Completed consultation as documented by a memorandum to the Project file prepared by the City Planning Division. Agreement(s) with consulting tribe if necessary.			
	MM TCR-2: On call Project Archaeologist. Prior to the issuance of a grading permit, the Property Owner/Developer shall provide a letter from a County certified Archaeologist and Paleontologist stating that the Property Owner/Developer has retained these individuals, and that the Archaeologist and Paleontologist shall be on call during all grading and other significant ground-disturbing activities in native sediments.	Prior to grading permit issuance	Developer / Archaeologist	Confirmation of professional archaeologist			
	MM TCR-3: 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	In the event of discovery	Developer / Archaeologist	Submittal of Phase IV Monitoring Report			

Table 4.0-A, DEIR Impact Summary Matrix

Impact	Mitigation Measure	Implementation Timing	Responsible Party	Action Indicating Compliance	Verification of Compliance		
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	<p>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.</p> <p>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 will need to be thoroughly inventoried with tribal monitor oversight of the process; and</p> <p>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:</p> <p>a) 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;</p> <p>b) A curation agreement with an appropriately 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;</p> <p>c) If more than one Native American tribe or band is involved with the project and cannot come to a consensus as to the disposition of cultural materials, they shall be curated at the Western Science Center or Museum of Riverside by default; and</p> <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 TCR-4: 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>	Prior to grading	Developer / Archaeologist / Native American Monitors	Inclusion of sign-in sheet for attendees of this training within the submitted Phase IV Monitoring Report			
IMPACT Category: Utilities and Service Systems							
Would the Project require or result in the	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			

Table 4.0-A, DEIR Impact Summary Matrix

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relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effect?							
Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			
Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<i>Mitigation not required</i>	<i>Not applicable</i>	<i>Not applicable</i>	<i>Not applicable</i>			