



INITIAL STUDY & NEGATIVE DECLARATION

**Cannabis Ordinance Project
Zoning Ordinance Amendment No. 2020-04**

Lead Agency:

City of Wildomar
23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595

Prepared by:

PlaceWorks
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San Diego, CA 92101

January 2020

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DATE: January 30, 2020

TO: Reviewing Agencies/Interested Persons

FROM: Matthew C. Bassi, Planning Director

SUBJECT: Initial Study/Negative Declaration (ND) for Cannabis Ordinance Project (ZOA No. 2020-04)

The City of Wildomar (City) is the lead agency for the preparation and review of an Initial Study/Negative Declaration (ND) for the proposed Cannabis Ordinance project. The cannabis ordinance would establish a regulatory framework for the licensure and operation of cannabis businesses in the City and includes modifications to the text in the City of Wildomar Municipal Code. A new code section, Chapter 5.76 (Commercial Cannabis Licensing) would be added to the City of Wildomar Municipal Code, and modifications to the existing Title 17 (Zoning) would be made. Cannabis retailers would be allowed with the approval of a conditional use permit within the C-1/C-P (General Commercial), and C-P-S (Scenic Highway Commercial) zones. Cannabis cultivation, manufacturing, distribution, and testing laboratories would be allowed with the approval of a conditional use permit in the I-P (Industrial Park and M-SC (Manufacturing-Service Commercial) zones. No cannabis business is allowed to be located within 600 feet of a public/private school, a day care center, youth centers, and parks.

The City is requesting comments for the Cannabis Ordinance project IS/ND. This notice is being sent to responsible agencies, trustee agencies, and other interested parties, along with a copy of the IS/ND and copies of the proposed draft ordinance (refer to attached CD). The public comment period for the ND will begin on **Thursday, January 30, 2020 and conclude on Friday, February 28, 2020.** Written comments can be sent to Matthew C. Bassi, Planning Director, City of Wildomar Planning Department, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595. Comments can also be emailed to mbassi@cityofwildomar.org. The Planning Commission is tentatively scheduled to review the IS/ND and proposed ordinance at their regular meeting of April 1, 2020 and will make a recommendation to the City Council for consideration tentatively scheduled for April 15, 2020.

Should you have any questions or require additional information regarding this letter or the proposed ordinance, please contact me at (951) 677-7751, ext. 213, or email me at mbassi@cityofwildomar.org.

Sincerely,

A handwritten signature in blue ink that reads "Matthew C. Bassi".

Matthew C. Bassi
Planning Director

Enclosed – CD of Draft IS/ND

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2. **Appendix 2** – Draft Commercial Cannabis Ordinance
3. **Appendix 3** – Potential Retail Sites
4. **Appendix 4** – Potential Cultivation, Manufacturing, Distribution, and Testing Sites

I. INTRODUCTION AND PROJECT DESCRIPTION

Purpose and Project Overview

Section 17.12.050 of the Wildomar Municipal Code currently prohibits the commercial cultivation or sale of cannabis. The proposed code amendment would amend the Municipal Code to allow and regulate cannabis businesses, including cultivation, manufacturing, distribution, testing and retail sale of cannabis and cannabis products (Project or Cannabis Ordinance). The retail sale of cannabis would be allowed in the C-1/C-P (General Commercial), and C-P-S (Scenic Highway Commercial) zone districts; and the cultivation, manufacturing, distribution, and testing of cannabis would be allowed in the I-P (Industrial Park) and M-S-C (Manufacturing-Service Commercial) zone districts. The establishment of these uses will require the approval of a regulatory business license, the approval of a conditional use permit, and the approval of a development agreement. The Project includes modifications to existing Municipal Code provisions and the adoption of two new code sections: Chapter 5.76 (Commercial Cannabis Licensing (Appendix 1)) and Chapter 17.315 (Commercial Cannabis (Appendix 2)).

The purpose of this Initial Study is to evaluate the potential environmental effects associated with the revisions to the City's Municipal Code, specifically its incorporation of the proposed Zoning Ordinance Amendment No. 2020-04.

II. EXISTING CONDITIONS

Regional Location

The City of Wildomar is in western Riverside County. Interstate 15 (I-15) traverses through the City. The City is surrounded by Lake Elsinore to the north and northwest, the City of Menifee to the northeast, the City of Murrieta to the south and southeast, and unincorporated Riverside County to the east, west, and south west. (See Figure 1, Regional Location) The City has a population of approximately 36,066 people (DOF 2019).

Physical Setting

The City of Wildomar is mostly developed. The topography of the City varies, with mountain ridges in the north, east, and western portions of the City.

Natural Hazards

The County and Elsinore Fault Zones are known to project through the City. Portions of the City are located in a very high fire hazard severity zone.

Project Site

At this time there are no pending applications or any indication of where one or more retail or cultivation, manufacturing, distribution, and testing site(s) will be proposed. For purposes of the environmental analysis, the City's GIS and Section 17.315.070 (Locational Requirements) of the proposed ordinance, were used to generate Figure 2, Possible Cannabis Retail Locations, and Figure 3, Possible Cannabis Cultivation, Manufacturing, Distribution and Testing Locations. Based on the locational criteria, there are a potential of 225 retail sites (Appendix 3), and 42 cultivation, manufacturing, distribution and testing locations (Appendix 4) within the City. Many of these locations are already developed with existing businesses. The City's GIS, and Riverside County Records, show that of these sites, 100 retail sites, and 17 cultivation, manufacturing, distribution, and testing sites, are vacant.

Regulatory Setting

State

Medical Cannabis Regulation and Safety Act (2015)

Originally referred to as the Medical Marijuana Regulation and Safety Act but renamed through subsequent amendments, the Medical Cannabis Regulation and Safety Act consists of three separate bills that were enacted together in September 2015 (Assembly Bill [AB] 266, AB 243, and SB 643). The bills created a comprehensive state licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis. All licenses must be approved by local governments. AB 266 established a new Bureau of Medical Cannabis Regulation (now called the California Bureau of Cannabis Control, or BCC) under the California Department of Consumer Affairs. SB 643 and AB 243 established the following responsibilities: the California Department of Food and Agriculture (CDFA) is responsible for regulating cultivation; the California Department of Public Health is responsible for developing standards for the manufacture, testing, and production and labeling of edibles; the California Department of Pesticide Regulation is responsible for developing pesticide standards; and the California Department of Fish and Wildlife and State Water Resources Control Board (SWRCB) are responsible for protecting water quality.

Adult Use of Marijuana Act (2016) and Medicinal and Adult-Use Cannabis Regulation and Safety Act (2017)

On November 8, 2016, California voters approved Proposition 64, the California Marijuana Legalization Initiative, or the Adult Use of Marijuana Act. Proposition 64 legalized the personal use and cultivation of marijuana in California as of November 9, 2016. The ability to sell recreational cannabis, and taxation of those transactions, went into effect January 1, 2018. The act established a comprehensive system to legalize, control, and regulate the cultivation, processing, manufacture, distribution, testing, and sale of nonmedical marijuana products, for use by adults 21 years old and older, and to tax the commercial growth and retail sale of marijuana for recreational use.

The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) (SB 94), adopted in June 2017, reconciles conflicts in regulations between the Medical Cannabis Regulation and Safety Act and the Adult Use of Marijuana Act.

Bureau of Cannabis Control

The Bureau of Cannabis Control (BCC or the Bureau) is the primary State agency responsible for regulating commercial cannabis businesses and approving State licenses for medicinal and adult-use cannabis in California. The Bureau is responsible for licensing retailers, distributors, testing labs, microbusinesses, and temporary cannabis events. The Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) creates the general framework for the regulation of commercial medicinal and adult-use cannabis in California. Regulations adopted by the BCC can be found in Title 16, Chapter 42 of the California Code of Regulations (Section 5000 et seq.)

According to Section 5006, Premises Diagram, of the Bureau of Cannabis Control regulations, an applicant shall submit to the Bureau, with the application, a complete and detailed diagram of the proposed premises, which shall be used by the Bureau to determine whether the premises meets the requirements of under the BCC Regulations and MAUCRSA. The diagram shall show the boundaries of

the property and the proposed premises to be licensed showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and doorways. The diagram shall show and identify commercial cannabis activities that will take place in each premises and identify limited-access areas. The diagram shall show where all cameras are located and assign a number to each camera for identification purposes unless the premises is exempt from the video surveillance requirement pursuant to Section 5315 of the BCC regulations.

Section 5026, Premises Location, of the Bureau of Cannabis Control regulations, states that a premises shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center that is in existence at the time the license is issued. Additionally, a licensed premise shall not be in a location that requires persons to pass through a business that sells alcohol or tobacco or private residence to access the licensed premises. Moreover, a licensee shall not, without the prior written approval of the Bureau, make a physical change, alteration, or modification of the licensed premises that materially or substantially alters the licensed premises or the use of the licensed premises from the premises diagram originally filed with the license application, as indicated in Section 5027. Employees or persons retained by a licensed to work within or on a licensed premises or to handle cannabis goods shall be at least 21 years of age.

Section 5033, Storage of Inventory, states that all inventory must be stored in a secured limited-access area, cannot be stored outdoors, and employee break rooms, changing facilities, and bathrooms shall be separated from all storage areas. Article 5, Security Measures, states that limited-access areas can only be accessed by employees and other authorized individuals, all employees shall display a laminated or plastic-coated identification badge at all times while engaging in commercial cannabis activity, each premises shall have a digital video surveillance system with a minimum camera resolution of 1280 x 720 pixels and shall be able to effectively and clearly record images of the area under surveillance at all times, the licensed retailer or microbusiness shall hire or contract for security personnel who are at least 21 years of age to provide on-site security during the hours of operation, and a licensee shall maintain an alarm system as defined in Business and Professions Code Section 7590.1(n) at the licensed premises.

Local

Subject to the approval of a regulatory license from the City, a conditional use permit, and a development agreement, the City of Wildomar Cannabis Ordinance would allow for cannabis retailers within the C-1/C-P and C-P-S zones, and cannabis cultivation, manufacturing, distribution, and testing laboratories within the I-P and M-SC zones. The proposed Cannabis Ordinance establishes locational requirements that stipulate “No cannabis business shall be located within 600 feet of a public/private school (providing instruction in kindergarten or grades 1 through 12), a commercial day care center (excluding small/large family day care centers), a park or a youth center.” Youth center is defined as any facility that is operated by a public agency or non-profit entity with the sole purpose of providing educational and/or recreational services to minors. Dance studios, gymnasiums, martial arts studios, or other similar uses that provide services to both adults and minors shall not be considered a youth center. Day care centers are defined by reference to State laws regarding day care center licensing.¹

¹ Proposed § 17.315.070 (A)

III. PROJECT DESCRIPTION

The proposed ordinances would establish a regulatory framework for the licensure and operation of cannabis businesses in the City. The following summarizes the content of the proposed municipal code changes. For modified text, underline represents text proposed for addition, and ~~double-strikethrough~~ represents text proposed to be deleted. Please see Appendices 1 and 2 for the complete code amendment text.

New Chapter 5.76, Commercial Cannabis Licensing.

- A local license is required, supplemental to any other business registration or any permit required by any ordinance of the City.
- A cannabis business must possess the requisite state and local licenses prior to receiving a certificate of occupancy from the City.
- Regulates change of ownership or location.
- Establishes operational requirements including: general obligation to pay taxes; general obligation for compliant facilities; age requirement; age restrictions; secure storage of product; cannabis consumption on licensed premises; prohibition on alcohol and tobacco sales, distribution, or consumption on licensed premises; onsite signage; advertising; display of license; no physician evaluations on licensed premises; community relations designee; accurate weights and measures; waste disposal; general sanitary requirements; security requirements (video surveillance, alarm systems, signage requirements, lighting, and commercial-grade locks); subletting prohibited; recordkeeping; due diligence in preserving and maintaining all records; and transactions.
- Establishes hours of operation and display requirements for retailers:
 - Limited hours of operation for retailers – between 8 AM and 10 PM.
 - Product not visible to public – cannabis and cannabis products for sale shall not be visible from outside the licensed premises.
 - Age restricted entry – a retailer may not permit an individual less than 21 years of age into the licensed premises, except a retailer with an M-license from the state may permit an individual aged 18 years or older if the individual is an ID card holder or qualified patient with a physician’s recommendation.
 - Cannabis Paraphernalia Sales – retailers may sell or otherwise provide equipment, supplies, and paraphernalia used to consume cannabis and cannabis products.
 - Electronic Point-of-Sale system required – retailers must have an electronic point of sale system.
 - No Sales of expired product – a retailer may not sell any expired products, cannabis, or cannabis products.

- Handling of edible cannabis products – a retailer that possess edible cannabis products shall comply with the provisions of all relevant state and local laws regarding the storage, handling, and sale of food.
- Delivery of cannabis and cannabis products – a retailer that provides delivery service shall keep a manifest that includes all of the required information.
- Sale of live plants – a retailer may sell and offer for sale seeds and immature cannabis plants, but shall not sell or offer for sale live mature cannabis plants. An immature plant is defined as a non-flowering cannabis plant that is shorter and narrower than 18 inches.
- Establishes visitor Identification and record requirements.

Modification to Title 17, Zoning

- Section 17.72.010(C) of the Wildomar Municipal Code is proposed to be revised to add the following use to the list of uses conditionally permitted in the C-1 and C-P general commercial zoning districts:
 - 18. Cannabis retailers, subject to the requirements of Chapter 17.315 (Cannabis businesses)
- Section 17.76.010(B) of the Wildomar Municipal Code is proposed to be revised to add the following use to the list of uses conditionally permitted in the C-P-S scenic highway commercial zoning district:
 - 24. Cannabis retailers, subject to the requirements of Chapter 17.315 (Cannabis businesses)
- Section 17.88.010(C) of the Wildomar Municipal Code is proposed to be revised to add the following use to the list of uses conditionally permitted in the I-P industrial park zoning district:
 - 4. Cannabis cultivation, manufacturing, distribution, and testing laboratories, subject to the requirements of Chapter 17.315 (Cannabis businesses)
- Section 17.92.020(C) of the Wildomar Municipal Code is proposed to be revised to add the following use to the list of uses conditionally permitted in the M-S-C manufacturing-service commercial zoning district:
 - 19. Cannabis cultivation, manufacturing, distribution, and testing laboratories, subject to the requirements of Chapter 17.315 (Cannabis businesses)

New Chapter 17.315, Commercial Cannabis Zoning Regulations

- No person may operate a cannabis business of any type in the City unless:
 - The business is located in a zoning district where cannabis businesses of that type are conditionally permitted, and a conditional use permit has been approved for the operation of a cannabis business of that type for the property; and

- The person has entered into a licensing agreement with the City for the operation of the cannabis business; and
- The person has valid state and local licenses to operate a cannabis business within the City.
- Each cannabis business shall enter into a Development Agreement pursuant to Government Code Section 65864 et seq. with the City setting forth the terms and conditions under which the cannabis business will operate that are in addition to the requirements of this Chapter and Chapter 5.76, including, but not limited to, public outreach and education, community service, payment of fees and other charges, and such other terms and conditions that will protect and promote the public health, safety, and welfare.
- Section 17.315.060, Locational Requirements – A conditional use permit for a cannabis business shall not be approved unless the proposed cannabis business will be in a zoning district in which cannabis businesses of the type proposed are conditionally permitted. In addition, a conditional use permit shall not be approved for a cannabis business unless all of the following locational requirements applicable to the type of cannabis business proposed are satisfied:
 - No cannabis business shall be located within 600 feet of a public/private school (providing instruction in kindergarten or grades 1 through 12), a day care center (excluding small/large family day care centers), youth centers, and parks.
 - All distances specified in this Section shall be measured in a straight line, without regard to intervening structures or topography, from the nearest point of the building or structure in which the cannabis business is, or will be located, to the nearest property line of the parcel where such use is located. If the cannabis business is, or will be, located in a multi-unit building, the distances shall be measured from the nearest point of the suite in which the cannabis business is or will be located.
 - For the purposes of this section, the term “day care center” is as defined in Business and Professions Code section 26001(o) and Health and Safety Code Section 1596.76; and the term “youth center” means “any facility that is operated by a public agency or non-profit entity with the sole purpose of providing educational and/or recreational services to minors. Dance studios, gymnasiums, martial arts studios, or other similar uses that provide services to both adults and minors shall not be considered a youth center.”

Development Assumptions

The proposed Cannabis Ordinance would not place a limit on the number of cannabis businesses. Proposed section 17.315.070, Locational Requirements, of the Wildomar Municipal Code limits the location of potential cannabis businesses based on existing land uses. The City has several sites that meet the locational criteria of the proposed Project. Provided the locational requirements and other findings are met, businesses could open in existing buildings, or could request the ability to construct a new building(s) to house the business. The State also has some discretion over the number of businesses and proximity in considering issuance of licenses. California Business and Professions Code section 26051(c) includes the following provision that says the State will not approve a license if there is an excessive concentration.

“(c) In determining whether to grant, deny, or renew a retail license, microbusiness license, or a license issued under Section 26070.5, the bureau shall consider if an excessive concentration exists in the area where the licensee will operate. For purposes of this section “excessive concentration” applies when either of the following conditions exist:

- (1) The ratio of licensees to population in the census tract or census division in which the applicant premises is located exceeds the ratio of licensees to population in the county in which the applicant premises is located, unless denial of the application would unduly limit the development of the legal market so as to perpetuate the illegal market for cannabis or cannabis products.
- (2) The ratio of retail licenses, microbusiness licenses, or licenses under Section 26070.5 to the population in the census tract, census division, or jurisdiction exceeds that allowable by local ordinance adopted under Section 26200.”

The proposed Project does not change the City’s existing development review process. Section 17.216.050 Action on Plot Plans of the Wildomar Municipal Code requires approval of a plot plan for all non-residential construction. Because of the multiple combinations of properties, zoning requirements, and associated site characteristics, it is too speculative for this initial study to evaluate for new construction on individual sites. Rather, this initial study will focus on the potential cumulative impacts associated with establishment of cannabis related businesses.

While it is unlikely that all the sites that meet the zoning and locational requirements in the Cannabis Ordinance will be developed with a cannabis business, there is little information to indicate the total number of licenses anticipated. The Bureau of Cannabis Control (BCC) manages several types of licenses, and a retailer may have one or more licenses. Based on information from the BCC, there are approximately 592 retail licenses in California, with an estimated state population of 39.56 million placing the current dispensaries per capita in California at approximately 1:66,800 (MJ Biz Daily 2019). If all State licenses are considered (cultivation, retail, manufacturing, distribution, testing, microbusiness), the 5,973 licenses result in a per capita of 1:6,622 population (MJ Biz Daily 2019). This overstates the number of separate cannabis businesses because many cannabis businesses have more than one license (i.e. manufacturing, retail, delivery) with operations housed in the same physical location. However, for purposes of this initial study, the low to high range of 1:66,800 to 1:6,622 will be used to estimate the potential number of licenses in the City.

If the City’s current population of 36,066 is used with the high and low range, between 0.53 and 5.45 permits could be anticipated (DOF 2019). In preparation of this initial study, the City of Cathedral City

was contacted to find out about their licensing program. Cathedral City has an ordinance that is similar to the proposed Cannabis Ordinance, and has permitted cannabis businesses without any caps on the number of businesses for several years. With a population of 54,907, the City has 49 active licenses, which is different than individual businesses. According to the City, some of the businesses have several licenses operating from the same location. The City's 49 licenses represent a license per capita of 1:1,120. If this factor is applied to the City of Wildomar's population, 32 licenses would result, though the number of unique locations would likely be less than 32 as businesses are anticipated to vertically integrate and locate multiple activities within one facility. Additionally, cannabis businesses in Cathedral City have largely opened up in existing buildings.

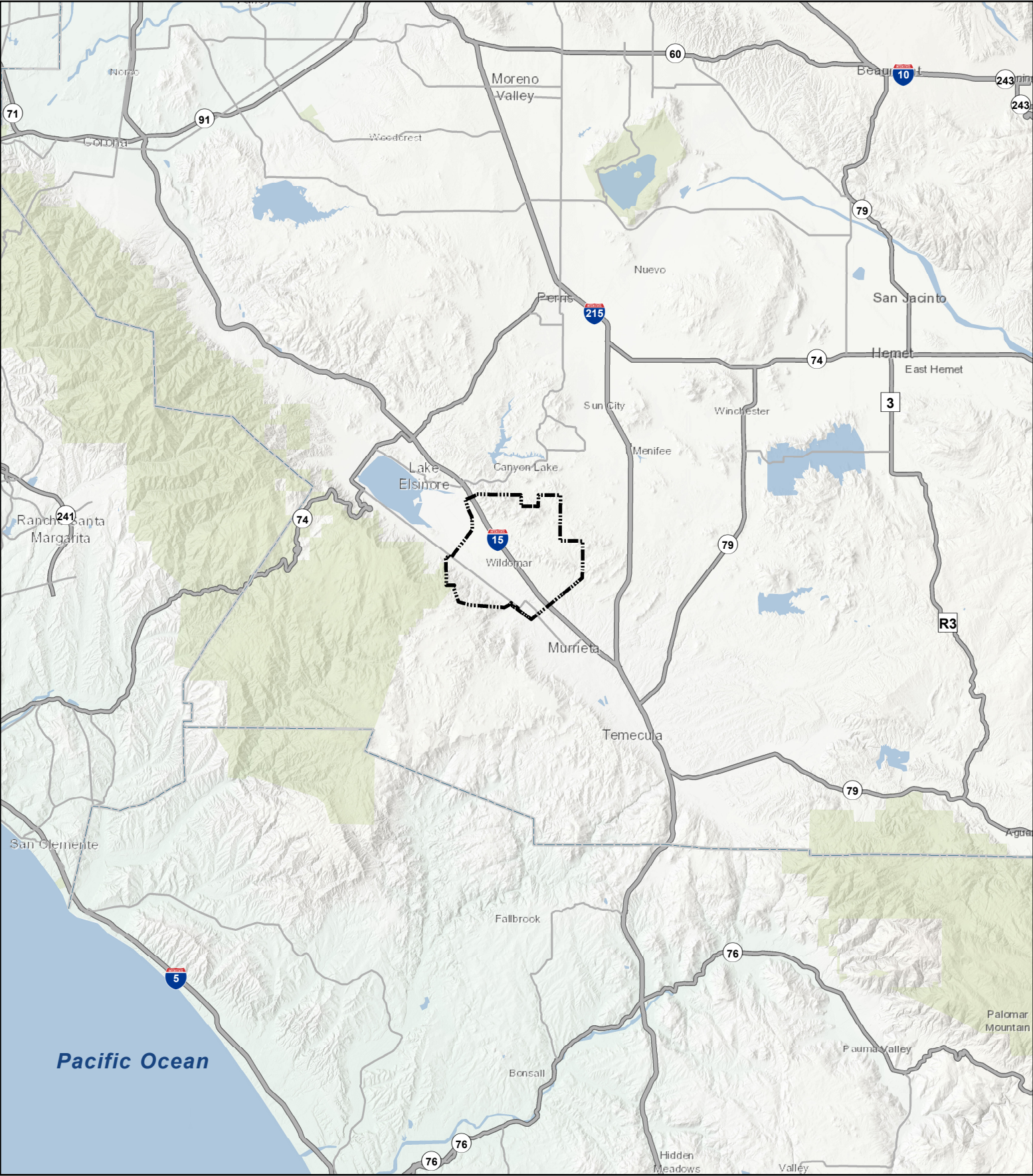
Regardless of the number of potential permits, as shown in Figures 2 and 3, there are numerous sites in the City that would be available for cannabis businesses. The City will consider each of them individually, following the existing development review process. Because it is too speculative to determine which of potential sites could result in cannabis businesses, the initial study will compare the proposed project uses to existing permitted and conditional uses contained in the zoning code.


Daily Trip Generation

As shown in **Table 17-1**, Trip Generation Rates, cannabis dispensaries generate fewer daily trips compared to other permitted uses in the C-1/-C-P, and C-P-S zones, as well as other similar retail and commercial uses. For instance, cannabis dispensaries generate 252.7 daily trips, while convenience markets, coffee/donut shops without drive-through windows, and fast food restaurants without drive-through windows generate 762.28 daily trips, 754.55 daily trips, and 346.23 daily trips, respectively; these uses generate 509.58 more daily trips, 501.85 more daily trips, and 93.53 more daily trips, respectively, compared to cannabis dispensaries. Thereby, cannabis dispensaries within the C-1, C-P, and C-P-S zones would generate similar or less daily trips compared to other permitted uses in these zones.

As no retail sales is permitted at cultivation, manufacturing, distribution and testing sites, vehicle trips would be associated with employees and delivery of product between licensed cannabis businesses. There is no published data on trip generation associated with cultivation or other types of non-retail cannabis businesses. Table 17-1 shows trip generation Wholesale Plant Nurseries (ITE 818) are similar in operation to the proposed cultivation with an ITE rate of approximately 19.5 trips per acre. Trip generation from other non-retail cannabis businesses is also expected to be nominal.

Figure 1
Regional Location



 City of Wildomar

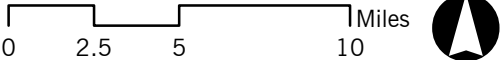
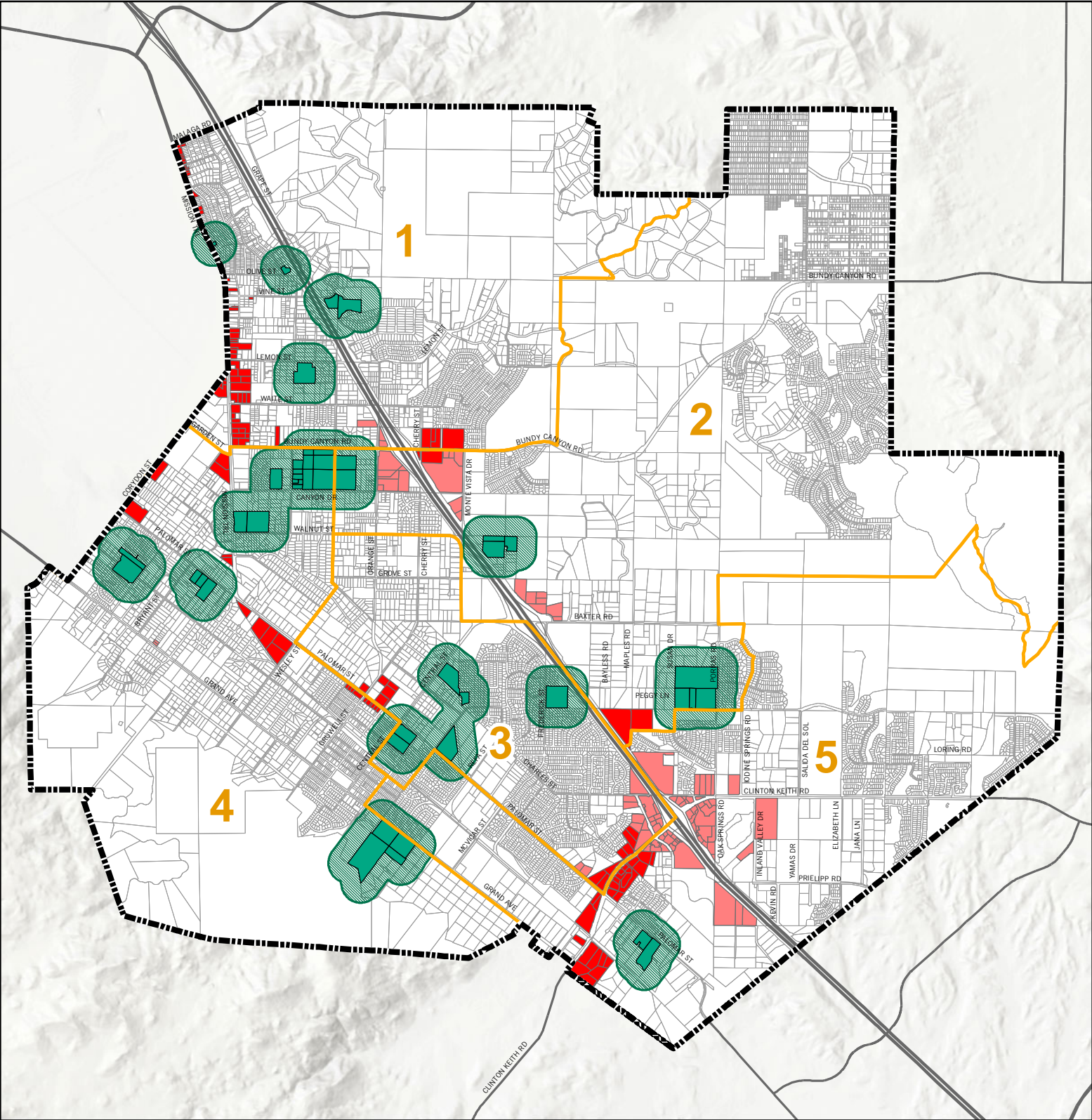


Figure 2
Possible Cannabis Retail Locations



Possible Retail Locations

- C-P-S (Scenic Highway Commercial)
- C-1/C-P (General Commercial)

- Buffered Uses
- Exclusion Areas

- City Boundary
- City Council Districts

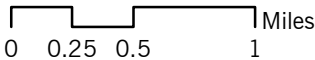
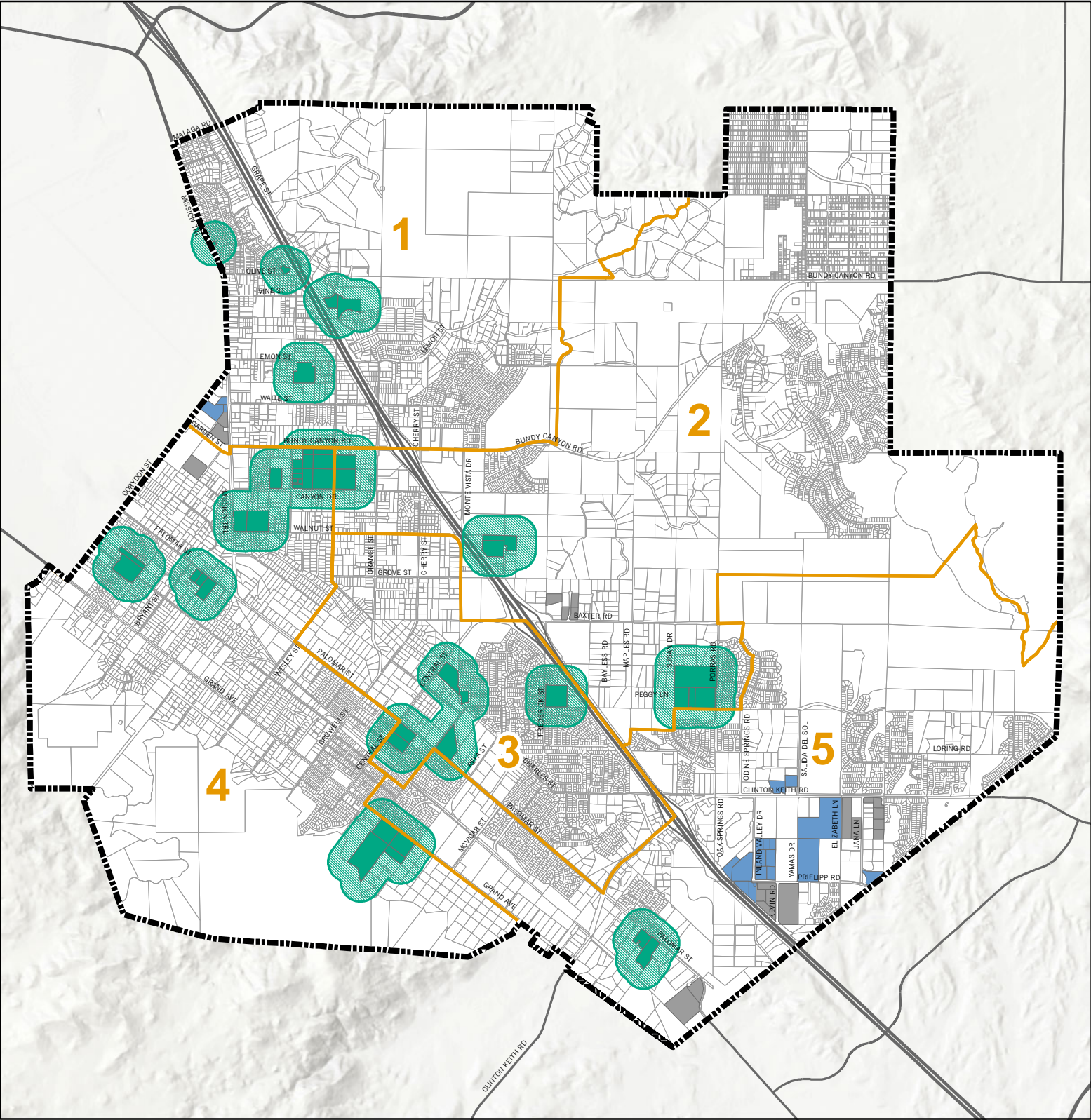


Figure 3

Possible Cannabis Cultivation, Manufacturing, Distribution, and Testing Locations



Possible Cultivation Locations

I-P Industrial Park)

M-SC (Manufacturing Service Commercial)

Buffered Uses

Exclusion Areas

City Boundary

City Council Districts

IV. ENVIRONMENTAL CHECKLIST FORM

A. BACKGROUND

1. **Project Title:**

Cannabis Ordinance / Zoning Ordinance Amendment No. 2020-04

2. **Lead Agency Name and Address:**

City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595

3. **Contact Person and Phone Number:**

Matthew Bassi, Planning Director; (951) 677-7751, ext. 213

4. **Project Location:**

City of Wildomar

5. **Project Sponsor's Name and Address:**

City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, CA 92595

6. **General Plan Designation:**

Various

7. **Zoning:**

C-1/C-P (General Commercial)

C-P-S (Scenic Highway Commercial)

I-P (Industrial Park)

M-SC (Manufacturing-Service Commercial)

8. **Description of Project:**

The proposed project would amend the Municipal Code to conditionally allow for the commercial sale of cannabis in the C-1/C-P (General Commercial), and C-P-S (Scenic Highway Commercial) zone districts; and the cultivation, manufacturing, distribution, and testing of cannabis and cannabis products in the I-P (Industrial Park), and M-S-C (Manufacturing-Serving Commercial) zone districts.. The establishment of use requires a City regulatory license, a conditional use permit and a development agreement. The proposed code amendment project includes both modifications to existing Municipal Code provisions and the adoption of two new code sections: Chapter 5.76 (Commercial Cannabis Licensing (Appendix 1)) and Chapter 17.315 (Commercial Cannabis (Appendix 2)).

9. **Other Public Agencies Whose Approval May Be Required:**

- State of California Bureau of Cannabis Control

10. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

The City of Wildomar sent notice to tribes that have requested to be notified of projects pursuant to Assembly Bill (AB) 52 and Public Resources Code Section 21080.3.1. The City has completed consultations with the Soboba Band of Luiseño Indians and the Rincon Band of Luiseño (please refer to section VI.18 of the Initial Study, Tribal Cultural Resources).

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project involving at least one impact that is "Less Than Significant Impact with Mitigation Incorporated" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazardous and Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

C. DETERMINATION

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of the incorporated mitigation measures and revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

City Representative



Matthew C. Bassi, Planning Director

January 29, 2020

Date

ENVIRONMENTAL ANALYSIS

1. Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (<i>Public views are those that are experienced from publicly accessible vantage point</i>). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	

DISCUSSION

a) **No Impact.** Scenic vistas and scenic backdrops in the project vicinity include views of the mountain ridgelines from approximately 4,000 feet above mean sea level (amsl) to 10,000 feet amsl. Views of the mountain ridgelines can be seen from most portions of the City; however, these views can be generally obstructed by buildings and trees.

A majority of the new business expected under the proposed ordinance would be in existing buildings and would not impact scenic vistas. Larger facilities, such as cultivation, manufacturing, distribution, and testing laboratories would be located in I-P and/or M-SC zones which generally do not contain views of scenic vistas. According to the proposed Section 17.315.070 Locational Requirements of the Wildomar Municipal Code, the location of potential cannabis businesses would be limited based on existing land uses. Additionally, the construction of new structures for future cannabis businesses would be subject to a conditional use permit. As part of the conditional use permit application process, a description of the design of the proposed premises evidencing that the design conforms to applicable City laws is required, as well as being consistent with the City's zoning and setback requirements, height limitations, and design guidelines and standards would ensure that no impacts to scenic vistas would occur.

b) **No Impact.** The nearest officially designated State Scenic Highway is State Route (SR) 74, approximately 24 miles east of the City (Wildomar 2003). The I-15 is listed as an eligible State Scenic Highway but is not officially designated (Wildomar 2003). The zones in which future cannabis businesses could be situated in, I-P, M-SC, as well as C-1/C-P and C-P-S, do not typically contain trees, major rock outcroppings, historic buildings, or other scenic resources within a State Scenic Highway, as there are no

scenic highways within the City or adjacent to the City. Therefore, impacts to scenic resources within a State Scenic Highway would not occur.

c) **Less Than Significant Impact.** Most of the future development cannabis-related businesses expected under the cannabis ordinance would be in existing buildings and would have no impact with respect to visual quality. However, future development that could occur in the community associated with cannabis operations could impact the visual character or quality of an individual site. Future development would be required to comply with the City's Design Guidelines and Standards, General Plan, and zoning ordinance, thereby ensuring compatibility with the existing development pattern and character of the area. Compliance with these existing standards would ensure that future development would feature quality design and architecture and would be compatible with the character of adjacent uses. In addition, the proposed Section 5.76 Licensing Regulations, establishes operational requirements that further reduce the potential for visual impact. These include: prohibiting the display of product(s) visible to the public, limited hours of operation², and a prohibition of use of the product on, or in the vicinity of, the premises.³

Applications for future projects would be reviewed by the City pursuant to the City's General Plan, zoning ordinance, and commercial design guidelines and land development standards as part of the Plot Plan process. Compliance with existing development standards, and the provisions of the proposed project, will ensure that impacts to the visual quality and character of the site and surrounding areas would be less than significant.

d) **Less Than Significant Impact.** Sources of new and increased nighttime lighting and illumination include, but are not limited to, lights associated with vehicular travel (e.g., car headlights), street lighting, parking lot lights, exterior lighting for the buildings, and security-related lighting. Most new businesses expected under the proposed ordinance would be in existing buildings and would have no impact with respect to significant light and glare. Construction of future development would include the addition of new exterior lights. However, all cannabis businesses would be required to comply with the City's lighting standards including, without limitation, fixture type, wattage, illumination levels, and shielding⁴. The City's light pollution ordinance establishes limits on the types of fixtures and size of bulbs for all aspects of development. Compliance with this ordinance, which is verified as part of building permit application review and then prior to occupancy to ensure correct installation and operation would result in a less than significant impact on nighttime light pollution. Moreover, consistent with the City's lighting standards (Municipal Code Section 8.64.090), all proposed exterior light fixtures must have full cutoff so that there is no light pollution created above the 90-degree plan of the light fixtures. Compliance with the ordinance would not adversely affect day or nighttime views in the area, and the future projects would not contribute to night sky and would be in compliance with the Wildomar development standards. Therefore, this impact is less than significant.

² Proposed Section 5.76.120(A) and (B) respectively

³ Proposed Section 5.76.110(G)

⁴ Proposed Section 5.76.110(Q)(4)

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of Wildomar Municipal Code Chapter 8.64, Light Pollution.

MITIGATION MEASURES

None required.

2. Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

DISCUSSION

a) **No Impact.** Future cannabis businesses in the City would be limited to land designated C-1/C-P, C-P-S, I-P, and M-SC. As this land is already designated, zoned, and in many instances developed with urban uses, no land zoned for agricultural uses in the City would be converted to non-agricultural uses. None of the land with these zoning designations are zoned for agricultural use (RivCo 2019). Therefore, no impact would occur.

b) **No Impact.** Future development would be permitted in the C-1/C-P, C-P-S, I-P, and M-SC zones, which are not zoned for agricultural uses. There are no Williamson Act Contract lands within the City Limits.

c) **No Impact.** Future development would be permitted in the C-1/C-P, C-P-S, I-P, and M-SC zones. None of these lands are designated or considered forest or timberland therefore, project implementation would not cause rezoning of forestland or timberland. No impact would occur.

d) **No Impact.** The permitted zones for cannabis businesses are not zoned as forestland. Therefore, future development would not convert forestland to non-forest use or result in a loss of forestland. Therefore, no impact would occur.

e) **No Impact.** Future cannabis businesses would be permitted in the C-1/C-P, I-P, and M-SC zones and would not convert farmland to non-agricultural uses on locally designated farmland. These zones are not zoned for agricultural or forest uses and therefore would not convert agricultural or forest uses to non-agricultural and non-forest uses. Therefore, no impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

3. Air Quality

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?				✓
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

DISCUSSION

a) **No Impact.** The City is in the South Coast Air Basin (SoCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is required, pursuant to the federal Clean Air Act, to reduce emissions of criteria pollutants for which the basin is in nonattainment: ozone (O₃), coarse particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}). These are considered criteria pollutants because they are three of several prevalent air pollutants known to be hazardous to human health. (An area designated as nonattainment for an air pollutant is an area that does not achieve national and/or state ambient air quality standards for that pollutant.)

In order to reduce emissions of criteria pollutants for which the SoCAB is in nonattainment, the SCAQMD has adopted the 2016 Air Quality Management Plan (AQMP). The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the US Environmental Protection Agency (EPA). The 2016 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts, defined in consultation with local governments and with reference to local general plans. The project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- Consistency Criterion No. 1: The proposed project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP based on the years of project buildout phase.

The short-term construction and long-term operation of future projects would comply with the air quality standards and City's Municipal Code, and potential air emissions for future development of cannabis-related construction would be reviewed for in future applications. Additionally, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts; SCAG's growth forecasts were defined in consultation with reference to local guidelines. Growth projections from local general plans adopted by cities in the district are provided to SCAG, which develops regional growth forecasts that are used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in the Wildomar General Plan is considered to be consistent with the AQMP. Cannabis businesses are similar to other types of businesses permitted in the C-1/C-P, CPS, MSC and IP zones in terms of potential emissions. Therefore, the proposed Cannabis Ordinance would not permit uses that exceed the assumptions used in the AQMP. Future development would be consistent with the zoning designation and General Plan land use designations for the respective sites. Therefore, future development would not result in an inconsistency with the SCAQMD AQMP. Therefore, the proposed ordinance would not conflict with or obstruct implementation of any applicable air quality plan and would result in no impact.

b) **Less Than Significant Impact.** As discussed previously, the City is in the SoCAB. State and federal air quality standards are often exceeded in many parts of the basin. Construction associated with future development would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the project area include ozone-precursor pollutants (i.e., Reactive Organic Gases [ROG] and Nitrogen Oxide [NOx]) and PM₁₀ and PM_{2.5}. Construction-generated emissions are short term and of temporary duration, lasting as long as construction activities occur, but are considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

Due to the temporary nature of construction and the limited amount of construction anticipated to occur in conjunction with cannabis businesses, all criteria pollutant emissions are expected to remain below their respective thresholds. Quantifying potential construction emissions would be speculative at this time. In the event that a large cannabis facility is proposed that could potentially cause construction air quality impacts, those impacts would be assessed in the CEQA document for that project. In addition, construction is subject to compliance with SCAQMD Rules 403, 402 and 1113, to further reduce specific construction-related emissions.

Cannabis plants naturally emit terpenes, a volatile organic compound (VOC), as they grow. Terpenes give cannabis its odor. Cannabis manufacturing also emits VOCs from solvent extraction processes. VOCs react with oxides of nitrogen in the presence of sunlight to create ground-level ozone, a pollutant that is dangerous to human health and the environment. (Colorado) As the air basin already exceeds the state standards for ozone, large scale cultivating of cannabis may contribute to ozone creation and degrade regional air quality. Best management practices for indoor cultivation include carbon filtration, regular maintenance of heating, ventilation and cooling (HVAC) equipment, and avoiding processing of materials during high ozone times. There is currently no state or federal regulation on cannabis as an agricultural crop for air quality impacts, however this issue would be addressed during the CEQA analysis accompanying the conditional use permit required by the proposed ordinance for cultivation or

manufacturing businesses. In addition, the Cannabis Ordinance includes air quality regulations that require cannabis businesses to install air filtration systems that ensure no odor leaves the facility.

The SCAQMD's Rule 402 prohibits a person from discharging from any source such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. Through compliance with the SCAQMD's Rule 402, no significant impact related to odors would occur during the ongoing operations of future projects. Rule 403 requires fugitive dust sources to implement Best Available Control Measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. SCAQMD Rule 403 is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. The proposed project would also be subject to SCAQMD Rule 1113, which limits the volatile organic compounds of architectural coatings used in the SoCAB, thus reducing the amount of ROG off-gassed as paint dries.

Project-generated emissions would be associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Emissions rates differ from summer to winter because weather factors are dependent on the season and these factors affect pollutant mixing, dispersion, ozone formation, and other factors. Operational activities associated with the proposed project would result in emissions of ROG, NO_x, CO, sulfur oxide (SO_x), PM₁₀, and PM_{2.5}. Operational emissions would be come from area sources, energy sources, and operational vehicle sources. As previously noted, traffic generation rates for cannabis businesses are similar to or less than other uses permitted in the subject zones. Area source emissions related to cannabis businesses are also similar to those generated by other permitted uses. Therefore, impacts are less than significant.

Cumulative Short-Term Emissions

The SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for Federal standards. As discussed above, project construction-related emissions by themselves would not have the potential to exceed the SCAQMD significance thresholds for criteria pollutants. Since these thresholds indicate whether individual project emissions have the potential to affect cumulative regional air quality, project-related construction emissions would not be cumulatively considerable. The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. With the compliance of these strategies, future projects would not exceed thresholds by the SCAQMD.

SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the air basin, which would include related projects. Compliance with SCAQMD rules and regulations would reduce future project construction-related impacts to a less than significant level. Therefore, future project-related construction emissions, in combination with those from other projects in the area, would not substantially deteriorate the local air quality. Construction emissions associated with future projects would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Long-Term Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual project

emissions would result in a cumulatively considerable contribution to the SCAB's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact. With the implementation of applicable SCAQMD rules and regulations, future projects' operational emissions would not exceed SCAQMD thresholds as they would alleviate potential impacts related to cumulative conditions on a project-by-project basis. As a result, operational emissions associated with future projects would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Future project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

c) No Impact.

Localized Impacts

Emissions of pollutants during construction activities would be required to comply with SCAQMD rules that apply to construction such as Rule 113 and Rule 403. Operational activities that generate pollutants would include the use of architectural coatings and consumer products, as well as landscape maintenance equipment which could release emissions. Moreover, criteria pollutant emissions would be emitted through the generation of electricity and consumption of natural gas.

Quantifying localized impacts depends on the specifics of each proposed project. Estimating localized impacts would be speculative at this time. Cannabis businesses generally do not generate more pollutants than other permissible uses in the subject zones, the adoption of the proposed Cannabis Ordinance creates no impact.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from future projects would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined.

Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard. The 2016 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard/Veteran Avenue intersection—one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day—was modeled for CO concentrations. Future projects would not generate trips in exceedance of what the General Plan projected, as these projects would be compatible with the land use designations, and therefore, would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's CO Hotspot Analysis. Because CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even though it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections.

Construction-Related Diesel Particulate Matter

Construction of future projects would result in the emission of diesel particulate matter (DPM) from off-road diesel equipment. The amount to which receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC

emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

Most cannabis businesses are anticipated to locate within existing buildings. In the event of construction, the use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short, and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities.

California Office of Environmental Health Hazard Assessment has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the proposed project sites (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time. Future construction would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than 5 minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. For these reasons, DPM generated by future construction activities, in and of itself, would not expose sensitive receptors to substantial amounts of air toxics.

Therefore, no impact would occur as a result of the implementation of the proposed ordinance.

d) Less Than Significant Impact.

Potential odors could arise from the use of diesel construction equipment on future project sites, as well as from architectural coatings and asphalt off-gassing. Odors generated from the referenced sources are common in an urban environment and are not known to be substantially offensive to adjacent receptors. Additionally, odors generated during construction activities would be temporary and would disperse rapidly. Additionally, cultivation sites can release terpenes during growing which would create odors. However, the SCAQMD CEQA Air Quality Handbook identifies certain land uses as sources of odors, such as agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The proposed ordinance would include conditions of approval that regulate odors, such as equipping the premises with an odor absorbing ventilation and exhaust system so that odor generated inside spaces and rooms that produce, use, and/or package cannabis within the business is not detected outside⁵. Therefore, this impact would be less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of SCAQMD Rules including 402, 403, and 1113.

MITIGATION MEASURES

None required.

⁵ Proposed Section 17.315.080

4. Biological Resources

Issues: Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			✓	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			✓	
c) 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?			✓	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

DISCUSSION

a-e) Less Than Significant Impact. Most new cannabis businesses expected under the proposed ordinance would be in existing buildings and would therefore have no impact to sensitive biological resources such as wildlife, plant species, wetlands, and riparian habitats. However, future cannabis businesses could result in the construction of new buildings as a result of the implementation of the proposed ordinance. The sizes and locations of future businesses are unknown at this time; however, such future development could be located on parcels that contain habitat for special-status plant or wildlife species, or adjacent to wetlands, riparian habitats, or other waters of the U.S. Such development could have potentially significant impacts on sensitive biological resources. However, all future development would be subject to the issuance of a conditional use permit and cannabis licensing by the City of Wildomar. Additionally, all future projects would be required to comply with local, state, and federal laws pertaining to biological resources. As part of the development review process the City requires compliance with the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). Compliance includes site-specific biological evaluation, wetland delineation, pre-construction

requirements for sensitive species, and payment of the MSHCP fees. These requirements must be met before the City will consider the Plot Plan (Section 17.216.050 of the Wildomar Municipal Code Action on Plot Plans) or circulate the environmental analysis for public review. The City also works closely with the resource agencies in implementing the MSHCP and requires an initial meeting with them if a project is proposed in a biologically sensitive area. As the development process for new construction is well established, and the City already requires compliance with MSHCP, this impact is less than significant.

f) No Impact. The Western Riverside MSHCP is a habitat conservation plan and natural community conservation plan to which the City of Wildomar is a permittee (i.e., signatory). None of the parcels zoned C-1/C-P, I-P, and M-SC are within the conserved lands designated by the Western Riverside County Regional Conservation Authority (RCA) Multiple Species Habitat Conservation Plan (MSHCP). Future projects would be required to comply with the MSHCP, as applicable. Therefore, no impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

1. As required by Section 3.42.070 of the Wildomar Municipal Code, future project applicants are required to submit fees to the City in accordance with the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan Mitigation Fee.
1. As required by Section 3.43.070 of the Wildomar Municipal Code, future project applicants are required to submit fees to the City in accordance with the requirements of the Stephens' Kangaroo Rat Habitat Conservation Plan Mitigation Fee Area.
2. As required by Section 12.08.050 of the Wildomar Municipal Code, any future trees planted in the right-of-way that would require removal or severe trimming must obtain a permit from the Public Works Director. Municipal Code Section 3.44.260, Tree Removal Fees, requires that the appropriate fees be paid in order to remove trees.

MITIGATION MEASURES

None required.

5. Cultural Resources

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?			✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			✓	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			✓	

DISCUSSION

a) **Less Than Significant Impact.** Section 15064.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or lead agency. Generally, a resource is considered to be “historically significant” if it meets one of the following criteria:

- i. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii. Is associated with the lives of persons important in our past;
- iii. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- iv. Has yielded, or may be likely to yield, information important in prehistory or history.

There is a probability that future cannabis businesses could impact historic resources by removing or altering the exterior appearance of such resources; as such, this would be a potentially significant impact. However, all future projects, including the remodeling of existing buildings or the construction of new structures would be required to get written approval from the City prior to making modifications. City staff would ensure compliance with State laws and the City’s General Plan policies that protect historical resources. For example, Policy OS 19.5 of the Open Space Element of the Wildomar General Plan states that significant development proposals should be transmitted to the History Division of the Riverside County Regional Park and Open Space District for evaluation of the destruction/preservation of potential historical sites, which would ensure that impacts to historical resources are minimized. Therefore, impacts would be less than significant.

b) **Less Than Significant Impact.** Archaeological resources are prehistoric or historic evidence of past human activities, including structural ruins and buried resources. Ground-disturbing activities of future cannabis businesses could impact archaeological resources; however, site-specific review and compliance with the General Plan policies that pertain to archaeological resources would ensure these resources are protected. As such, impacts would be less than significant.

c) **Less Than Significant Impact.** Future projects could involve ground-disturbing activities such as grading and excavation below the surface. California Health and Safety Code Section 70520.5 requires that in the event that human remains are discovered within a project site, disturbance of the site shall

halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Future projects would comply with existing law, and potential impacts to human remains would be less than significant. See also Section 18, Tribal Cultural Resources of this initial study.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

6. Energy

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

a) Less Than Significant Impact.

Construction

A majority of the new business expected under the proposed ordinance would be in existing buildings and would consume energy during the construction phase if minor renovations are needed to accommodate new cannabis businesses. Moreover, during the construction of new structures, future projects would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Construction of future projects would require the use of construction equipment for grading, hauling, and building activities. Electricity use during construction would vary during different phases of construction; for example, the majority of construction equipment used during demolition and grading would be gas powered or diesel powered, and the later construction phases would require electricity-powered equipment, such as interior construction and architectural coatings. Future construction would also include the vehicles of construction workers traveling to and from a project site and haul trucks for the export of materials from site clearing, if applicable.

The City is served by electricity provided by Southern California Edison (SCE) and natural gas infrastructure provided by the Southern California Gas Company. Future projects would be served by these two providers. As the proposed ordinance would only allow cannabis businesses in the C-1/C-P, C-P-S, I-P, and M-SC zones, where adequate infrastructure capacity exists, the electricity and gas demands of future projects would be accommodated and the addition or expansion of infrastructure would be unlikely.

Construction contractors of future projects would minimize idling of construction equipment during construction as required by state law (see section VI.3, Air Quality), and reduce construction waste by recycling. These required practices would limit wasteful and unnecessary electrical energy consumption. Furthermore, there would be no unusual characteristics that would necessitate the use of construction equipment that is less energy efficient than at comparable construction sites in other parts of the state. Therefore, the short-term construction activities of future cannabis projects would not result in inefficient, wasteful, or unnecessary fuel consumption.

Transportation

Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during future construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. The majority of construction equipment during demolition and grading would be gas powered or diesel powered, and the later construction phases would require electricity-powered equipment. Impacts related to transportation energy use during future construction activities would be temporary and would not require expanded energy supplies or the construction of new infrastructure. Impacts would not be significant.

Operation

Operational use of energy from future cannabis retail businesses would include heating, cooling, and ventilation of buildings; water heating; operation of electrical systems, security, and control center functions; use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Operation of cannabis cultivation facilities will include nursery operations, mixed-light cultivation, and indoor cultivation. Operation of cannabis cultivation consumes electricity for lighting, space heating, and water heating; and may include diesel for generators and on-site equipment. Indirect energy use includes wastewater treatment, water well pumping, and solid waste removal. Gasoline and diesel fuel are also consumed by worker commute trips and haul trucks transporting materials and products.

Indoor cultivation involves equipment that tends to have much higher energy demands (e.g., high-intensity light fixtures, and climate control systems). Depending on the site and type of activities, cannabis operations may range in measures that promote the conservation of energy resources. These may include practices that promote energy conservation and reduce overall energy demands using high-efficiency lighting or through generation and use of solar energy. However, other operations may engage in highly inefficient activities. These may include the use of old equipment, highly inefficient light systems (e.g., incandescent bulbs), reliance on multiple diesel generators, and other similar inefficiencies.

Year-round indoor cultivation requires substantial energy for lighting fixtures, cooling ventilation systems, humidity control, watering, and air filtration systems. Water demand for indoor cultivation varies, depending on whether the grower employs a water capture/reuse system. The use of dehumidifiers or modified air conditioning systems that can capture water for reuse can reduce water demand.

Electricity

In 2017, the latest year for which data are available, SCE provided over 85,879 GWh of electricity to its customers. Cannabis retailers that would be located in existing buildings would have similar electricity uses as permissible uses in these zones. However, cannabis cultivation, manufacturing, distribution, and testing sites that would be located in existing buildings may use more electricity than permissible uses in these zones, particularly, cultivation sites. According to the proposed Cannabis Ordinance, Section 17.315.050 (B), Conditional Use Permit Application, an environmental plan must be submitted as part of the Conditional Use Permit process, which should indicate how the site would be conducted in accordance with state and local laws related to electricity usage. Additionally, sites must provide a

description of the source of power, the size of the electrical system, and the total demand to be placed on the system for all proposed uses onsite. Although electricity demand would be high, compared to permissible uses in these zones, adherence to the California Building Code (CBC) and Green Building Code would ensure that it would not be wasteful, inefficient, or unnecessary. Additionally, prior to final building plan submittal of future projects, the future applicants would provide project plans to SCE to prepare a Method-of-Service Study to determine exact location of electrical connections at future sites and establish estimated electricity demand. Additionally, because future projects would be subject to the more stringent 2019 Title 24 standards, future projects' electricity demands would not result in significant impacts. Therefore, impacts are less than significant.

Natural Gas

The construction of future projects would result in an increase in gas demands. The use of natural gas would be limited to building heating or lighting. The proposed project includes a requirement for an engineering report regarding the use of natural gas in manufacturing and requires a closed loop system for manufacturing.⁶ Therefore, impacts are less than significant.

Renewable Energy

Development of future projects would not interfere with the achievement of the 60 percent Renewable Portfolio Standard set forth in SB 100 for 2030 or the 100 percent standard for 2045. These goals apply to SCE and other electricity retailers. As electricity retailers reach these goals, emissions from end user electricity use will decrease from current emission estimates.

Vehicle Miles Traveled and Fuel Consumption

Transportation energy use depends on the type and number of trips, vehicle miles traveled (VMT), fuel efficiency of vehicles, and travel mode. Transportation energy used during operation of future businesses would come from delivery, employee, and visitor vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would be temporary and would fluctuate throughout the lifespan of the project. As shown in **Table 17-1**, cannabis dispensaries would generate similar or less daily trips compared to other permitted land uses within the C-1, C-P, and C-P-S zones. Impacts are less than significant.

b) **Less Than Significant Impact.** The City of Wildomar is within SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals.

The RTP/SCS sets forth a development pattern for the region, which, when integrated with the transportation network and other transportation measures and policies, would reduce GHG emissions from transportation (excluding goods movement). The RTP/SCS is meant to provide individual jurisdictions with growth strategies that, when taken together, achieve the regional GHG emissions reduction targets. Specifically, the SCS distributes growth forecast data to transportation analysis zones for the purpose of modeling performance.

The City of Wildomar does not have its own renewable energy plan; however, the City does encourage the use of renewable energy via solar panels, recycling, etc. Future projects would be subject to 2019

⁶ Proposed Section 17.315.050(B)(8)(e.)

Title 24, Part 6, standards, which sets standards that improve energy efficiency of newly constructed buildings. Additionally, all contractors and waste haulers are required to comply with the Countywide Integrated Waste Management Plan, which requires a minimum diversion of 50 percent of waste project materials from disposal. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

7. Geology and Soils

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓	
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?			✓	
iv) Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be 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?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	

DISCUSSION

a-d) **Less Than Significant Impact.** The County and Elsinore Fault Zones project through the City, and portions of the City range in very low to moderate liquefaction zones. Additionally, a majority of the City's landslides zones are located in the eastern portion of the City, east of I-15; none of the parcels zoned C-1/C-P, C-P-S, I-P, and M-SC are within a landslide zone. Most new businesses expected to open in the City of Wildomar under the proposed project would be in existing buildings. However, future construction of new structures for cannabis businesses could result in potentially significant impacts

during seismic activities and other geological hazards. Any future development under the proposed ordinance would be required to comply with the recommendations of site-specific soils and geotechnical review.

Additionally, future structures would be required to comply with the CBC which provides standards pertaining to seismic design, as well as common engineering practices requiring special design and construction methods that reduce or eliminate potential impacts related to other geological hazards such as landslides, liquefaction, subsidence, unstable and expansive soils, etc. Construction of future projects may result in soil erosion because grading and construction can loosen surface soils and make soils susceptible to the effects of wind and water movement across the surface. The City routinely requires the submittal of detailed erosion control plans with any grading plans. In addition to compliance with the CBC, future construction activities related to future projects would be subject to the implementation of best management practices (BMPs). Compliance with BMPs is required by the federal and state Clean Water acts. For project sites that would require clearing, grading, or excavation that causes soil disturbance of one or more acres, the provisions of the National Pollutant Discharge Elimination System (NPDES) State General Permit (Order No. R8-2010-0033). Furthermore, projects would be required to prepare and comply with an approved SWPPP that provides a schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details and a time schedule. The SWPPP would consider the full range of erosion control BMPs, including any additional site-specific and seasonal conditions. The State General Permit also requires that those implementing SWPPPs meet prerequisite qualifications that would demonstrate the skills, knowledge, and experience necessary to implement such plans. NPDES requirements would significantly reduce the potential for substantial erosion or topsoil loss to occur in association with new development. Additionally, as part of the approval process, prior to grading plan approval, future project applicants will be required to comply with Wildomar Municipal Code Chapter 13.12, Stormwater Drainage System Protection, which establishes requirements for stormwater and non-stormwater quality discharge and control that require new development or redevelopment projects to control stormwater runoff by implementing appropriate BMPs to prevent the deterioration of water quality.

Moreover, as part of the approval process, prior to grading plan approval, future project applicants will be required to comply with Chapter 13.12, Stormwater and Drainage System Protection, of the Wildomar Municipal Code. Water quality features intended to reduce construction-related erosion impacts would be clearly denoted on future grading plans for implementation by the construction contractor. For a discussion of erosion and runoff impact post-construction, see section VI.9, Hydrology and Water Quality. Therefore, impacts related to seismic damage and other geological hazards would be less than significant.

e) **No Impact.** Future cannabis businesses would not propose the use or construction of septic tanks or an alternative wastewater disposal system. Therefore, no impact would occur.

f) **Less Than Significant Impact.** Paleontological resources are fossilized remains of past life on earth such as bones, shells, leaves, tracks, burrows, and impressions. Ground-disturbing activities of future cannabis businesses could impact paleontological resources. However, site-specific review and compliance with the General Plan policies that pertain to paleontological resources, such as Policies OS-19.8 through 19.10 of the Open Space Element which indicate that appropriate mitigation measures shall be implemented to mitigate the impacts of proposed developments; a paleontologist shall monitor site grading activities; and significant development applications shall be transmitted for review, comment, and/or preparation of recommended conditions of approval, would ensure these resources are protected. As such, impacts would be less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of the California Building Code and Wildomar Municipal Code Chapter 13.12, Stormwater Drainage System Protection.

MITIGATION MEASURES

None required.

8. Greenhouse Gas Emissions

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

DISCUSSION

a) **Less Than Significant Impact.** Cultivation operations, including the use of energy-intensive lighting and ventilation systems, could operate up to 24 hours per day and could generate additional greenhouse gas emissions. Manufacturing, distribution, and testing operations could generate additional greenhouse gas emissions through the use of machinery, such as that used to extract cannabinoids, or through vehicles used to transport materials and products. However, cannabis businesses that would be located in existing structures would result in similar greenhouse gas (GHG) emissions, as operational activities would be similar to the allowed (non-cannabis) uses in these zones; if tenant improvements are made to existing structures, these improvements would be required to comply with the California Building Code, which would reduce GHG emissions. Furthermore, GHG emissions from cannabis businesses would be reduced as California continues to shift toward increased use of renewable and zero emission electricity sources under AB 32 and Executive Order S-3-05. The City of Wildomar would require new development to comply with the California Green Building Code requirements. The 2019 California Green Building Code is a comprehensive program of cost-effective reductions of greenhouse gases (GHG) to 1990 levels by 2020. The 2019 California Green Building Code provides nonresidential mandatory measures in the areas of energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. Through the implementation of the California Green Building Code requirements, potential impacts related to increases in GHG emissions would be less than significant.

b) **Less Than Significant Impact.** There are currently no adopted local or regional GHG reduction plans applicable to future cannabis businesses. It is possible that regulations will be developed at the state and possibly federal level as the industry grows. As proposed, the ordinance requires a discretionary act that triggers CEQA before any cannabis business approval can be granted. All future projects must comply with the laws in effect at the time of application. Future projects would also be subject to compliance with all building codes in effect at the time of construction, which include energy conservation measures mandated by California Building Standards Code Title 24–Energy Efficiency Standards (currently 2019 edition). Because Title 24 standards require energy conservation features in new construction (e.g., high-efficiency lighting; high-efficiency heating, ventilating, and air-conditioning (HVAC) systems; thermal insulation; double-glazed windows; water-conserving plumbing fixtures), they indirectly regulate and reduce GHG emissions. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed. Nevertheless, it is anticipated that operation of the future projects would comply with all applicable

measures that state lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050. Therefore, impacts of future projects under the proposed ordinance would be less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

9. Hazards and Hazardous Materials

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) 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?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) 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?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓	

DISCUSSION

a) **Less Than Significant Impact.** Future cannabis businesses could involve the use of hazardous substances including but not limited to fertilizers, pesticides, and chemical substances that could be used in manufacturing processes. Additionally, construction activities of future cannabis businesses could result in the transport, use, and disposal of hazardous materials such as gasoline fuels, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The transport, use, storage, and disposal of these materials would comply with existing regulations established by several agencies, including the Department of Toxic Substances Control, the US Environmental Protection Agency (EPA), the US Department of Transportation, and the Occupational Safety and Health Administration. The proposed ordinance includes conditions of approval for cannabis businesses such as requiring an environmental plan for cultivation or manufacturing sites that indicate how cultivation and/or manufacturing will be conducted with state and local laws related to hazardous material disposal; and compliance with the

provisions of California Fire Code (CFC) Section 407, CFC Chapter 53, and CFC Chapter 50, CFC Chapter 58, CFC Chapter 60, CFC Chapter 63, CFC Chapter 64, and CFC Chapter 57. Maintenance of future projects may require the use of cleaners, solvents, paints, and other custodial products that are potentially hazardous. The cleaning materials would be used in relatively small quantities, clearly labeled, and stored in compliance with state and federal requirements. Future projects would be required to comply with all applicable local, state, and federal regulations during construction and operation of future projects. The Riverside County Department of Environmental Health is the Certified Unified Program Agency (CUPA) for Riverside County and is responsible for consolidating, coordinating, and making consistent the administrative requirements, permits, inspections, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in Riverside County, including Wildomar. Compliance with federal, state, and local laws and regulations would result in a less than significant impact.

b) **Less Than Significant Impact.** Demolition and/or renovations of older structures to accommodate future cannabis businesses could release lead-based paints and/or asbestos-containing material into the environment. This would result in a potentially significant impact to construction workers and nearby residents to these project sites; however, future projects would comply with existing regulations to minimize the risk of exposure. Additionally, construction projects typically maintain supplies onsite for containing and cleaning small spills of hazardous materials. Construction would also use equipment that would bring hazardous materials to future project sites, including diesel, gasoline, paints, solvents, cement, and asphalt. However, construction activities would be conducted in accordance with the Storm Water Pollution Prevention Plan (SWPPP) as part of the NPDES permit, if applicable. The primary objective of the SWPPP is to identify, construct, implement, and maintain best management practices (BMPs) to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from the construction site. BMPs for hazardous materials include, but are not limited to, off-site refueling, placement of generators on impervious surfaces, establishing clean out areas for cement, etc. While the risk of exposure to hazardous materials cannot be eliminated, adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials and with the safety procedures mandated by applicable federal, state, and local laws and regulations. Compliance with these regulations would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with the future projects and the potential for accident or upset is less than significant.

c) **Less Than Significant Impact.** The proposed ordinance prohibits the operation of cannabis businesses within 600 feet of a public/private school, as well as day care centers. Although 600 feet is less than a quarter mile, the ordinance contains requirements for setbacks, odor control, security, fire code requirements, and other standards to ensure that any impacts from future commercial cannabis operations would be less than significant.

d) **No Impact.** There are no properties in the City of Wildomar that are listed on the State of California Cortese List as of November 18, 2019 (EnviroStor 2019). Therefore, no impacts would occur.

e) **No Impact.** The City of Wildomar is not located within an airport land use plan. The closest public airport is the French Valley Airport, which is located approximately 5.2 miles southeast of the City. Given the distance of the project sites to the French Valley Airport, no impact would occur.

f) **Less Than Significant Impact.** To ensure compliance with zoning, building, and fire codes, future project applicants will be required to submit appropriate plans for plan review prior to the issuance of a building permit. Adherence to these requirements would ensure that future projects would not have a significant impact on emergency response and evacuation plans. Impacts are less than significant.

g) **Less Than Significant Impact.** California Government Code Chapter 6.8 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas of very high fire hazard severity within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities, which quantifies the likelihood and nature of vegetation fire exposure to buildings. LRA VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data. In 2008, the California Building Standards Commission adopted California Building Code Chapter 7A requiring new buildings in Very High Fire Hazard Severity Zones to use ignition-resistant construction methods and materials.

The eastern and western portions of the City of Wildomar have been designated Very High Fire Hazard Severity Zones. Future development on project sites would be subject to compliance with the 2019 California Building Code (or the most current version) and the 2019 edition of the California Fire Code (or the most current version). The 2019 California Fire Code (Part 9 of Title 24 of the California Code of Regulations) includes Section 4905.2, Construction Methods and Requirements within Established Limits. Fire Code Chapter 49 cites specific requirements for wildland-urban interface areas that include, but are not limited to, providing defensible space and hazardous vegetation and fuel management. Wildomar is covered under the Riverside County Operational Area Emergency Operations Plan (2006) and the Riverside County Operation Area Multi-Jurisdictional Local Hazard Mitigation Plan (2012). These plans provide guidance to effectively respond to any emergency, including wildfires. In addition, all proposed construction is required to meet minimum standards for fire safety and would be required to conform with the California Building Code and Fire Code. Therefore, impacts are considered less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Chapter 8.28, *Fire Code*, which requires compliance with the 2019 California Building Code (or most current version) and the 2019 edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations).
2. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Chapter 8.28, *Fire Code*, which requires adherence to California Fire Code Chapter 49, which cites specific requirements for wildland-urban interface areas.

MITIGATION MEASURES

None required.

10. Hydrology and Water Quality

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				✓
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in a 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 offsite;			✓	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			✓	
iv) impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

DISCUSSION

a) **No Impact.**

Construction

As part of Section 402 of the Clean Water Act, the US Environmental Protection Agency has established regulations under the National Pollution Discharge Elimination System ("NPDES") program to control direct stormwater discharges. The NPDES program regulates industrial pollutant discharges, which include construction activities. In California, the State Water Resources Control Board ("SWRCB") administers the NPDES permitting program and is responsible for developing NPDES permitting requirements.

Wildomar Municipal Code Section 13.12.050 requires development to comply with a Municipal Separate Storm Sewer System (MS4) Permit from the San Diego Regional Water Quality Control Board. Section F.1 of the MS4 permit specifies requirements for new developments, and Section F.1.D details the requirements for standard stormwater mitigation plans (also known as water quality management plans). The MS4 permit imposes pollution prevention requirements on planned developments, construction sites, commercial and industrial businesses, municipal facilities and activities, and residential activities. Even though Wildomar is split by two watersheds (Santa Ana and Santa Margarita) that affect some of the properties in the city, the entire city is governed by the MS4 permit for the Santa Margarita region.

Requirements for waste discharges potentially affecting stormwater from construction sites of one acre or more are set forth in the SWRCB's Construction General Permit, Order No. 2012-0006-DWQ, issued in 2012. Future project sites that are one or more acre in size would be subject to requirements of the Construction General Permit. Projects obtain coverage under the Construction General Permit by filing a Notice of Intent with the SWRCB prior to grading activities and preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) during construction. The primary objective of the SWPPP is to identify, construct, implement, and maintain best management practices (BMPs) to reduce or eliminate pollutants in stormwater discharges and authorized non-stormwater discharges from a project site, and to contain hazardous materials. BMPs categories include, but are not limited to, erosion control and wind erosion control, sediment control, and tracking control. Implementation and monitoring required under the SWPPP would control and reduce short-term intermittent impacts to water quality from future construction activities to less than significant levels.

Operation

The primary constituents of concern during a project's operational phase would be solids, oils, and greases from parking area and driveways that could be carried off-site. Future project design features would address the anticipated and expected pollutants of concern during the project's operational phase.

Additionally, if proposed, onsite landscaping would assist in minimizing the amount of runoff from a site by providing permeable areas for water infiltration and decreasing runoff volume. Infiltration through landscaped areas would serve as a water treatment function. Future projects, including cultivation sites, would also include BMPs to properly manage stormwater flow and prevent stormwater pollution by reducing the potential for contamination at the source.

In general, projects must control pollutants, pollutant loads, and runoff volume from the project site by minimizing the impervious surface area and controlling runoff through infiltration, bioretention, or rainfall harvest and use. Projects must incorporate BMPs in accordance with the requirements of the municipal NPDES permit. Future projects under the proposed ordinance would comply with water quality standards, and impacts are less than significant.

b) Less Than Significant Impact. The City of Wildomar is in the area subject to the Elsinore Basin Groundwater Management Plan (EBGMP) area. The EBGMP addresses the hydrogeologic understanding of the Elsinore Basin, evaluates baseline conditions, identifies management issues and strategies, and defines and evaluates alternatives. The primary sources of groundwater recharge in the basin are listed in the plan as:

- Recharge from precipitation – Rainfall directly to the basin.

- Surface water infiltration – Recharge from infiltration of surface waters such as streams. The San Jacinto River is the major surface water inflow. Inflow from Lake Elsinore is considered negligible.
- Infiltration from land use – Direct surface recharge from application of water for irrigation.
- Infiltration from septic tanks – Infiltration in areas serviced by septic systems in the basin.

As shown in the Department of Water Resources Bulletin 118, the Elsinore Basin, which is the major source of potable groundwater supply for Elsinore Valley Municipal Water District (EVMWD), has not been identified to be in a state of overdraft (EVMWD 2016a). Furthermore, active groundwater management and conjunctive use programs have been implemented by EVMWD to ensure the balance of inflows and outflows of the Elsinore Basin (EVMWD 2016a). New construction for indoor cannabis businesses would increase impervious surfaces for buildings and parking lots. Additionally, water demand for indoor cultivation varies depending on whether the grower employs a water capture/reuse system; the use of dehumidifiers or modified air conditioning systems that can capture water for reuse can reduce water demand. However, based on existing research, indoor commercial cannabis cultivation could require up to 0.35 gallons per day per square foot of cultivated canopy, which may result in water demands of up to 0.39 acre-feet per year per 1,000 square feet of cultivated canopy area. Nonetheless, future projects would be required to comply with existing regulations, including the General Plan policies pertaining to groundwater, applicable recommendations from hydrology reports, and Section 13.20 Water Wells of the Wildomar Municipal Code that requires a permit before any well drilling, as well as the inspection of wells and well sites, and provides standards for water quality. Therefore, future projects would not impede sustainable groundwater management of the basin, and impacts are less than significant.

c)

i, ii) **Less Than Significant Impact.** Please refer to issue b) in section VI.7, Geology and Soils, for further discussion of erosion. Surface water drainage would be controlled by building regulations, with the water directed toward existing streets, flood control channels, storm drains, and catch basins. The drainage for future sites would not channel runoff on exposed soils, would not direct flows over unvegetated soils, and would not otherwise increase the erosion or siltation potential of the site or any downstream areas. As discussed above, future projects would be subject to NPDES requirements and the countywide MS4 permit. Additionally, future project applicants are required to submit a SWPPP to reduce erosion and sedimentation of downstream watercourses during project construction. Furthermore, applicants are required to prepare and submit a detailed erosion control plan for City approval prior to obtaining a grading permit. Implementation of this plan would address any erosion issues associated with proposed grading and site preparation. Although future development could create new impervious surfaces on properties, development associated with future projects could result in opportunities for landscaped areas to be utilized for stormwater retention.

Furthermore, future projects would include best management practices designed to prevent erosion during operation and construction, such as installing silt fences and vegetative covers, and preventing soil erosion by minimizing disturbed areas during construction activities. Therefore, future projects would not result in substantial erosion or siltation on- or off-site. Therefore, this impact is less than significant.

iii) **Less Than Significant Impact.** Future projects would be required to comply with Wildomar Municipal Code Section 13.12.050, which requires development to comply with a MS4 Permit from the San Diego Regional Water Quality Control Board. Future projects would include BMPs that would reduce

the amount of runoff entering stormwater drainage systems and would reduce the amount of pollutants entering these systems. Therefore, with the implementation of BMPs and compliance with the Wildomar Code Section 13.12.050, increases in runoff as a result of future projects would not exceed the capacity of the existing or planned stormwater system, and impacts are less than significant.

iv). **Less Than Significant Impact.** The majority of the City lies outside the flood hazard zone and future development within such flood areas would be regulated by the California Building Code and other health and safety regulations adopted by the City to protect against flooding. Additionally, BMPs would reduce the amount of runoff from proposed projects. Therefore, impacts to on-or off-site flooding would be less than significant.

d) **No Impact.** The City is not subject to seiches, mudflows, or tsunamis due to the absence of any nearby bodies of water and mud/debris channels. Additionally, the County of Riverside identifies dam inundation hazard areas throughout the county. A review of records maintained at the California Office of Emergency Services provided potential failure inundation maps for 23 dams affecting Riverside County; these maps were compiled into geographic information system (GIS) digital coverage of potential dam inundation zones. The County's dam inundation zones are identified in Figure S-10 of the Wildomar General Plan. As shown in Figure S-10, the City is not in any dam inundation hazard zones (Wildomar 2003). In addition, the City is not in the vicinity of any levees. Therefore, future projects would not be exposed to seiches, mudflows, or tsunami hazards, and no impact would occur.

e) **Less Than Significant Impact.** As provided in section VI.10.b, above, the City is within the Elsinore Basin Groundwater Management Plan area; future projects would not conflict or obstruct implementation of the EBGMP. Future projects would comply with water quality requirements set forth in the Statewide General Construction Permit, the NPDES, and the City of Wildomar Municipal Code Section 13.12 (Stormwater/Urban Runoff Management and Discharge Controls Ordinance). Additionally, active groundwater management and conjunctive use programs have been implemented by EVMWD to ensure the balance of inflows and outflows of the Elsinore Basin (EVMWD 2016a). Therefore, future projects would not impede sustainable groundwater management of the basin, and impacts are less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Wildomar Municipal Code Section 13.12.060 requires that new construction and renovation control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water. The City shall identify the best management practices (BMPs) that may be implemented in addition to those provided in the WQMP to prevent such deterioration, as part of the building plan check review process prior to construction.
2. Wildomar Municipal Code Section 13.20 requires a permit before the drilling of any well, provides minimum standards for construction, reconstruction, abandonment and destruction of all wells within the City.

MITIGATION MEASURES

None required.

11. Land Use and Planning

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?				✓
b) 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?				✓

DISCUSSION

a) **No Impact.** Existing and future cannabis projects would occur within the existing C-1/C-P, C-P-S, I-P, and M-SC zones. All future cannabis businesses will require a conditional use permit. As shown in Figures 2 and 3, the available sites for both retail sales and cultivation are surrounded by development of the rest of the City. As the proposed project would only affect existing parcels currently zoned for commercial and industrial land use, and the existing community is already adjacent to these lands, there is no potential for the project to physically divide an established community, therefore no impact would occur.

b) **No Impact.** No changes to the Wildomar General Plan, or policies and regulations affecting environmental regulation in the City would occur as a result of the implementation of the proposed cannabis ordinance. Therefore, no impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of Section 3.42.090 of the Wildomar Municipal Code requiring the payment of MSHCP fees at the time of issuance of a building permit.
2. Future projects are required to comply with the provisions of Section 3.44.060 requiring that the applicant pay appropriate development impact fees prior to issuance of a certificate of occupancy for the development project.
3. Future projects are required to comply with the provisions of Section 3.43.070 of the Wildomar Municipal Code, requiring the project applicant to submit fees to the City in accordance with the requirements of the Stephens' Kangaroo Rat Habitat Conservation Plan Mitigation Fee Area.

MITIGATION MEASURES

None required.

12. Mineral Resources

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

DISCUSSION

a) **No Impact.** The City of Wildomar is in an area designated as MRZ-3 in the Wildomar General Plan (Wildomar 2003). The MRZ-3 zone includes areas where the available geologic information indicates that while mineral deposits are likely to exist, the significance of the deposit is undetermined. The General Plan Open Space-Mineral Resources (OS-MIN) land use designation allows mineral extraction and processing facilities, based on the applicable Surface Mining and Reclamation Act (SMARA) classification. Those land areas held in reserve for future mining activities are also designated OS-MIN. No areas within the City boundaries are designated as OS-MIN. In addition to local regulations, all projects are required to comply with applicable state and federal regulations. As a result, no impacts would occur.

b) **No Impact.** There are no known locally important mineral resource recovery sites identified in the Wildomar General Plan or in a specific plan or other land use plan. As a result, no impacts would occur.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

13. Noise

Issues, would the project result in:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) 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?			✓	

DISCUSSION

a) **Less Than Significant Impact.**

Construction

Construction-related, short-term noise levels could be higher than existing ambient noise levels in the future project areas but would no longer occur once construction of a project is complete.

Construction Noise

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect residential neighborhoods near the construction site.

The nearest sensitive receptors to a project site would most likely be residences. However, it is acknowledged that construction activities would occur throughout a project site and would not be concentrated at one point. Future construction activities could include site preparation, grading, building construction, paving, and architectural coating. Grading activities typically represent one of the highest potential sources for noise impacts; the most effective method of controlling construction noise is through local control of construction hours and by limiting the hours of construction to normal weekday working hours.

In addition, the City's Noise Ordinance indicates that noise sources associated with private construction projects located within one-quarter of a mile from an inhabited dwelling are permitted between the hours of 6:00 a.m. and 6:00 p.m. during the months of June through September, and between the hours of 7:00 a.m. and 6:00 p.m. during the months of October through May. Construction would occur throughout a project site and would not be concentrated or confined in one area. Given the sporadic

and variable nature of noise levels associated with project construction, distance to sensitive receptors, and adherence to the time limits specified in the Wildomar Municipal Code, noise impacts would be reduced to a less than significant level. Additionally, noise as a result of tenant improvements in existing buildings are unlikely to cause disturbances to nearby sensitive receptors as noise would seldom leave the building. Regardless, improvements to existing buildings would also be required to comply with the hours of construction as indicated in the Wildomar Municipal Code. Therefore, impacts would be less than significant.

Operation

Implementation of future projects could create new sources of noise at a project site. The major noise sources associated with a cannabis retailer project that would potentially impact existing and future nearby residences include off-site traffic noise, on-site mobile noise, mechanical equipment such as heating, ventilation, and air conditioning (HVAC), and parking area noise. Moreover, cannabis retailers would operate under limited hours, between 8 AM to 10 PM⁷ which coincides with the Table Sound Level Standards (Db L_{max}) of Section 9.48.040 of the Municipal Code. Noise level standards for the Retail Commercial and Light Industrial land use designations are 65 and 75 Db L_{max}, respectively. As the operation of the retail establishments use similar HVAC and cash register equipment to other commercial buildings, operational project noise would not exceed the noise level thresholds. Therefore, impacts are less than significant. Additionally, cannabis cultivation sites would operate 24 hours a day and equipment such as exhaust fans could generate new sources of noise at a project site which could affect nearby sensitive receptors. Cannabis manufacturing, distribution, and testing sites could generate new sources of noise through the use of mechanical equipment and vehicular noise. All cannabis cultivation, manufacturing, distribution, and testing sites would be located on parcels within the I-P and/or M-SC zone where other agricultural, industrial, manufacturing, and commercial uses operate and create noise sources. Moreover, cannabis businesses could create noise through the use of generators, speakers, alarm systems, and shipping and receiving activities. However, with the compliance of the ordinance's noise standards would ensure that impacts are less than significant.

b) Less Than Significant Impact. Once operational, future projects would not be a source of groundborne vibration. Increases in groundborne vibration levels attributable to a proposed project would be primarily associated with short-term construction-related activities. Construction on a project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) would be conservative. The types of construction vibration impacts are human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For

⁷ Proposed Section 5.76.120 A.

example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Vibration velocities from typical heavy construction equipment operations would be short-term and would not be of sufficient magnitude to cause building damage. Therefore, vibration impacts associated with construction of future projects are less than significant.

c) **Less Than Significant Impact.** The City is not located within an airport land use plan. There is no public airport, public use airport, or private airstrip located within two miles of the City site. Future projects would not expose people residing or working in the area to excessive noise levels. Therefore, impacts are less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of the City of Wildomar Municipal Code Section 9.48.020, all construction and general maintenance activities shall be limited to the hours 7:00 AM and 6:00 PM from October through May (Monday–Saturday), and between 6:00 AM and 6:00 PM (Monday–Saturday) from June through September. No construction is permitted on Sundays or City-observed holidays unless approved by the City Building Official or City Engineer.
2. Future projects are required to comply with the provisions of the City of Wildomar Municipal Code Section 15.04.010, Hours of Construction, any construction located within one-fourth mile from occupied residences shall be permitted Monday–Saturday, 6:30 AM to 7:00 PM. No construction shall be permitted on Sundays or City-observed holidays unless approved by the City Building Official or City Engineer.

MITIGATION MEASURES

None required.

14. Population and Housing

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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)?				✓
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓

DISCUSSION

a) **No Impact.** The proposed ordinance would have no impact on population growth within the City as the ordinance would neither create nor demolish new residences. Although future cannabis businesses allowed under the proposed ordinance could attract new residents and/or employees, such increases would vary from project to project and would be considered at the time of the environmental analysis for the conditional use permit. The California Department of Finance estimates that the City's vacancy rate for housing is approximately 8.6 percent suggesting that if new residents are drawn to the City that there is existing housing to accommodate them. The City anticipates that no impact would occur.

b) **No Impact.** The development of proposed cannabis businesses can only occur on commercial and industrially zoned land and would therefore not interfere with housing development. If homes exist on a property proposed for new construction, the displacement of housing would be evaluated as part of that project's environmental analysis. No impact to existing housing would occur.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

15. Public Services

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?			✓	
b) Police protection?			✓	
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓

DISCUSSION

a, b) **Less Than Significant Impact.** The Riverside County Fire Department (RCFD) provides fire protection and safety services to the City of Wildomar. RCFD Fire Station 61 is located at 32637 Gruwell Street. In addition to Fire Station 61, several other Riverside County and Murrieta Fire Department stations in the surrounding area would be able to provide fire protection services to future cannabis businesses, if needed. Police protection services are provided by the Riverside County Sheriff's Department (RCSD). Traffic enforcement is provided in this area of Riverside County by the California Highway Patrol, with additional support from local Riverside County Sheriff's Department personnel.

A standard condition of approval for projects in the City includes compliance with the requirements of the Riverside County Fire Department and the payment of standard City development impact fees, which include a fee for fire service impacts. Moreover, for the purpose of establishing acceptable levels of service, the Sheriff's Department strives to maintain a recommended servicing of 1.2 sworn law enforcement personnel for every 1,000 residents (Wildomar 2018). As discussed in Issue a) in section VI.14, Population and Housing, future projects are not anticipated to include substantial population growth and therefore would not be expected to substantially increase the demand for police protection services. Regardless, as a standard condition of approval for projects in the City, future project applicants are required to pay standard development impact fees, which include a fee for police service impacts to offset potential demand associated with development.

As indicated in the proposed ordinance, future cannabis projects would be required to include an emergency response plan which complies with Title 8 of the Wildomar Municipal Code and California Code Section 401, as well as other applicable sections of the fire codes. Additionally, Section 5.76.110, Cannabis Business Operational Requirements, of the proposed ordinance includes security requirements such as video surveillance, alarm systems, signage requirements, lighting, and commercial-grade locks. Additionally, about a third of calls to police departments have involved a cannabis-related complaint, which equates to approximately one call per dispensary every three months, indicating that legal dispensaries do not result in high volumes of police calls (VOSD 2018). Therefore, these security measures would address any increases in the call for service for police personnel, and the need for

additional or expanded police facilities would not be expected. Future projects are not expected to result in activities that create unusual fire protection needs. Refer to section VI. 20, Wildfire, for analysis related to fire hazards. As part of the conditional use permit review process, all permits from future cannabis businesses would be reviewed by the Police and Fire Departments to ensure compliance with applicable codes and safety requirements, and the Police and Fire Departments would provide comments and other conditions of approval, as applicable, based on the review of the conditional use permit. Therefore, compliance with state and local regulations, including the provisions of the proposed ordinance would reduce impacts to less than significant.

c-e) **No Impact.** The proposed ordinance would not cause impacts that would require increased public services related to schools, parks, or other public facilities. In regard to schools, school impact fees apply to new construction. The City provides a Notice of Impact Mitigation Requirement to an applicant for a building permit, who then works with the school district to determine the precise amount of the fee. Once the fee has been paid in full, LEUSD prepares and provides a certificate to the City demonstrating payment of the fee. Payment of fees in compliance with Government Code Section 65996 fully mitigates all impacts to school facilities. Additionally, the City of Wildomar owns and manages three public parks with a combined acreage of 14.27 acres: Marna O'Brien Park, Regency Heritage Park, and Windsong Park. The City requires 3 acres of neighborhood and community parkland per 1,000 residents. The proposed ordinance would not create housing or additional population that would create a demand on public parks. See Section VI.16 for discussion of project impacts to recreational facilities. No impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future project applicants are required to comply with the requirements of the Riverside County Fire Department and pay standard development impact fees for fire service impacts (Wildomar Municipal Code Section 3.44).
2. Future project applicants are required to pay standard development impact fees for police service impacts (Wildomar Municipal Code Section 3.44).
3. Future project applicants are required to work with the LEUSD to determine the Notice of Impact Mitigation Requirement for new construction.

MITIGATION MEASURES

None required.

16. Recreation

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?				✓
b) 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?				✓

DISCUSSION

a-b) **No Impact.** The City of Wildomar owns and manages three public parks with a combined acreage of 14.27 acres: Marna O'Brien Park, Regency Heritage Park, and Windsong Park. The City uses a level of service standard to calculate park improvement impact fees—3 acres per 1,000 residents—the same ratio specified in the Quimby Act for park land acquisition (Wildomar 2015). As discussed in VI.14, above, the proposed ordinance would not result in a substantial increase in population. Therefore, the construction of new park space or other citywide recreational facilities would not be required, and the use of existing neighborhood and regional parks or other recreational facilities would not substantially increase. The proposed ordinance would prohibit the location of cannabis businesses within 600 feet of a local park or youth center. Therefore, no impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

None required.

MITIGATION MEASURES

None required.

17. Transportation

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			✓	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
d) Result in inadequate emergency access?				✓

To evaluate the proposed project the potential trips from retail cannabis sales were compared to land uses that are currently permitted in the municipal code. As shown in **Table 17-1**, Trip Generation Rates, cannabis dispensaries generate fewer daily trips compared to some of the other retail and commercial uses in the C-1/C-P, and C-P-S zones. For instance, cannabis dispensaries generate 252.7 daily trips, while convenience markets, coffee/donut shops without drive-through windows, and fast food restaurants without drive-through windows generate 762.28 daily trips, 754.55 daily trips, and 346.23 daily trips, respectively; these uses generate 509.58 more daily trips, 501.85 more daily trips, and 93.53 more daily trips, respectively, compared to cannabis dispensaries. Thereby, cannabis dispensaries within the C-1/C-P, and C-P-S zones would generate similar or less daily trips compared to other permitted uses in these zones.

Similarly, cultivation estimates based on the Nursery Wholesale ITE rate are shown as trips per acre. If calculated to per thousand square foot like the industrial uses shown in Table 17-1, the trip generation for cultivation is estimated at 0.448 per thousand square feet. This is less than similar industrial uses permitted in the municipal code. Trip generation for other non-retail cannabis businesses is expected to be nominal as well.

**Table 17-1
Trip Generation Rates**

City of Wildomar Municipal Code Land Uses to Compare to Dispensary	ITE Land Use Name	ITE Code	Unit ²	Trip Generation ¹						
				Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
	Cannabis Dispensary	882	tsf	252.70	5.85	4.59	10.44	10.92	10.92	21.83
C-1, C-P, C-P-S Zones Drug Stores	Pharmacy/Drugstore without Drive- Through Window	880	tsf	90.08	1.91	1.03	2.94	4.17	4.34	8.51
C-1, C-P, C-P-S Zones Liquor Stores	Liquor Store	889	tsf	101.49	NA ³	NA ³	NA ³	8.19	8.19	16.37
	Convenience Market	851	tsf	762.28	31.27	31.27	62.54	25.05	24.06	49.11
C-1, C-P, C-P-S Zones Bakery Goods Distributors	Wholesale Market	860	tsf	NA ³	0.37	0.18	0.55	0.93	0.83	1.76
C-1, C-P, C-P-S Zones Confectionary or Candy Stores	Bread/Donut/Bagel Shop without Drive- Through Window	939	tsf	NA ³	33.15	37.39	70.54	14.00	14.00	28.00
	Coffee/Donut Shop without Drive- Through Window	936	tsf	754.55	51.58	49.56	101.14	18.16	0.50	36.31
C-1, C-P, C-P-S Zones Gift Shops	Variety Store	814	tsf	63.47	1.15	0.86	2.01	1.66	1.53	3.19
	Apparel Store	876	tsf	66.4	0.80	0.20	1.00	1.11	1.07	2.18
I-P Zone industrial/manufacturing uses: Food, Lumber, Wood, Paper Products; Textile and Leather Products, etc. M-SC Zone industrial/manufacturing uses: Food Products, Lumber and Wood Products, Paper Products, etc.	General Light Industrial	110	tsf	4.96	0.62	0.08	0.70	0.08	0.55	0.63
	Warehousing	150	tsf	1.74	0.13	0.04	0.17	0.05	0.14	0.19
	Manufacturing	140	tsf	3.93	0.48	0.14	0.62	0.21	0.46	0.67
	Nursery (Wholesale)	818	acre	19.5	0.13	0.13	0.26	0.22	0.22	0.45

**Table 17-1
Trip Generation Rates**

City of Wildomar Municipal Code Land Uses to Compare to Dispensary	ITE Land Use Name	ITE Code	Unit ²	Trip Generation ¹						
				Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Other Similar Retail/Commercial Uses (not in Municipal Code)	Discount Supermarket	854	tsf	90.87	1.47	1.06	2.53	4.19	4.19	8.38
	Fast-Food Restaurant without Drive-Through Window	933	tsf	346.23	15.06	10.04	25.10	14.17	14.17	28.34
	Free-Standing Discount Store	815	tsf	50.70	1.04	0.81	1.85	2.12	2.21	4.33
¹ Trip generation rates for peak hour of adjacent streets, per the ITE Trip Generation Manual 10th Edition. ² Thousand Square Feet ³ Data not available										

DISCUSSION

a) **Less Than Significant Impact.** The proposed ordinance would allow for cannabis businesses to be constructed in the City. Cannabis retailers may be open to the public and engage in sales between 8:00 AM and 10 PM. There are no limits on the hours of operation of other types of cannabis businesses. Future cannabis businesses would be required to be consistent with the City of Wildomar General Plan to ensure land use standards are met, including overall peak hour trip generation. As noted above, cannabis businesses do not generate significant peak hour traffic volumes and therefore are unlikely to create significant traffic impacts. As all future proposed cannabis businesses must comply with General Plan land use densities and standards, as well as the General Plan goals and policies in the Circulation Element, the proposed ordinance would not conflict with an applicable plan, ordinance, or policy addressing the circulation system. Additionally, future development would be subject to pay development fees. Therefore, impacts would be less than significant.

b) **Less Than Significant Impact.** According to CEQA Guidelines Section 15064.3 subdivision (b), vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects that would decrease vehicle miles traveled compared to existing conditions should be considered to have a less than significant transportation impact. Future projects would result in the cannabis businesses that would predominantly serve the existing community. The City is working with WRCOG in the development of VMT to apply from both a regional and city perspective. The City will take action on VMT prior to the July 2020 requirement, and will use LOS until the VMT for the City is adopted. Therefore, the project would not conflict with Section 15064.3 subdivision (b), and a less than significant impact would occur.

c) **No Impact.** The City of Wildomar implements development standards designed to ensure standard engineering practices are used for all improvements. All future projects would be checked for compliance with these standards as part of the City's review process. Therefore, the City would ensure all future designs do not result in hazardous conditions, and no impact would occur.

d) **No Impact.** Access to all future project sites would be reviewed by the City and the CAL FIRE / Riverside County Fire Department to ensure there is sufficient emergency access provided at the site as required by the City of Wildomar Municipal Code 8.28, Fire Code, for compliance with the California Fire Code. Therefore, no impact would occur.

STANDARD CONDITIONS AND REQUIREMENTS

1. Prior to issuance of any building permit on a project site, future project applicants shall pay all development impact fees (Wildomar Municipal Code Section 3.44).
2. Prior to issuance of any building permit on the project site, future project applicants shall demonstrate payment of the Western Riverside Transportation Uniform Mitigation Fee (Wildomar Municipal Code Section 3.40).
3. As required by Municipal Code section 8.28, Fire Code, review of a project design by the City and CAL FIRE / Riverside County Fire Department is required to ensure sufficient emergency access.

MITIGATION MEASURES

None required.

18. Tribal Cultural Resources

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			✓	
ii) 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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			✓	

DISCUSSION

a i, ii) **Less Than Significant Impact.** Assembly Bill (AB) 52 established a formal consultation process for California tribes within the CEQA process. The Bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to “begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project.” Section 21074 of AB 52 also defines tribal cultural resources as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe and that are either listed on, or eligible for, the California Register of Historical Resources or a local historic register, or the lead agency chooses to treat the resource as a significant resource. The City notified tribes that requested to be alerted of new projects on January 9, 2020. The requirements of state law and local ordinances would apply to any activities carried out pursuant to the proposed ordinance and would provide adequate protection of resources and guidance to property owners and/or project applicants in the event of unexpected discovery of resources during ground-disturbing activities. The application of the City’s standard measures for tribal resources would reduce this impact to less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

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

American, the Native American Heritage Commission shall be contacted within 24 hours. Subsequently, the Native American Heritage Commission shall identify the most likely descendant and notify them of discovery. The most likely descendant shall then make recommendations and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

2. To address the possibility that historical, archaeological, and/or tribal cultural resources (collectively referred to as “cultural resources” in these standard conditions) may be encountered during grading or construction, a qualified professional archaeologist shall monitor all construction activities that could potentially impact cultural resources (e.g., grading, excavation, and/or trenching). The Pechanga Band of Luiseño Indians may assign individuals to monitor all grading, excavation, and groundbreaking activities as well, and the tribal monitors shall be allowed on-site during any construction activities that could potentially impact cultural resources. However, monitoring may be discontinued as soon the qualified professional and the consulting tribe(s) are satisfied that construction will not disturb cultural resources.
3. At least 30 days but no more than 60 days prior to the issuance of any grading permit, the project archaeologist shall file a pre-grading report with the City to document the proposed methodology for grading activity observation, which will be determined in consultation with the tribe(s) that intend to assign tribal monitors pursuant to Standard Condition 2. The archaeologist and the tribal monitor(s) will have the authority to temporarily halt and redirect grading activities in order to evaluate the significance of any cultural resources discovered on the project site.
4. At least 30 days but no more than 60 days prior to the issuance of any grading permit, the project applicant shall contact the Pechanga Band of Luiseño Indians with notification of the proposed grading and shall enter into a Tribal Cultural Resources Treatment and Monitoring Agreement with the tribe(s). The agreements shall include, but not be limited to, outlining provisions and requirements for addressing the handling of tribal cultural resources; project grading and development scheduling; terms of compensation for tribal monitors; and establishing on-site monitoring provisions and/or requirements for professional tribal monitors during all ground-disturbing activities. The terms of the agreements shall not conflict with any of these standard conditions. A copy of the signed agreement shall be provided to the Planning Director and the Building Official prior to the issuance of the first grading permit.
5. If during grading or construction activities, cultural resources are discovered on the project site, work shall be halted immediately within 50 feet of the discovery, and the resources shall be evaluated by the archaeologist and the tribal monitor(s). Any cultural resources that are discovered shall be evaluated and a final report prepared by the archaeologist. The report shall include a list of the resources discovered; documentation of each site/locality; interpretation of the resources identified; a determination of whether the resources are historical resources, unique or non-unique archeological resources, and/or tribal cultural resources; and the method of preservation and/or recovery for the identified resources. If the archaeologist, in consultation with the tribes, determines the cultural resources to be either historic resources or unique archaeological resources, avoidance and/or mitigation will be required pursuant to and consistent with CEQA Guidelines Section 15064.5(c) and Public Resources Code Section 21083.2. Further, ground disturbance shall not resume within the area of the discovery until the City, project applicant, project archaeologist, and consulting tribe(s) reach an agreement regarding the appropriate treatment of the cultural resources, which may include avoidance or appropriate mitigation. Pursuant to California Public Resources Code Section 21083.2(b),

avoidance is the preferred method of preservation for archaeological and cultural resources. Work may continue outside of the buffer area and will be monitored by additional tribal monitors, if needed, as determined by the project archaeologist and the consulting tribe(s).

6. In the event that cultural resources are discovered during the course of grading (inadvertent discoveries), the following shall be carried out for final disposition of the discoveries:
 - a. The landowner(s) shall agree to relinquish ownership of all recovered tribal cultural resources to the consulting tribe(s), including sacred items and all artifacts, as part of the required treatment for impacts to cultural resources.
 - b. One or more of the following treatments, in order of preference below, with (i) being the preferred treatment and (ii) being the secondary preferred treatment, shall be employed with the agreement of all parties. Evidence of such agreement shall be provided to the City:
 - i. Preservation in place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place they were found with no development affecting the integrity of the resources.
 - ii. On-site relocation to a preservation area shall be accomplished as requested by the consulting tribe(s). The preservation area location shall be governed by measures and provisions to protect the preservation area from any future impacts in perpetuity. Relocation shall not occur until all legally required cataloging and basic recordation have been completed. No recordation of sacred items is permitted without the written consent of the consulting tribe(s).
 - iii. Only if (i) and (ii) above cannot be employed, curation shall be arranged with an appropriate qualified repository that meets federal standards per 36 CFR Part 79. The cultural resources would be professionally curated and made available to other archeologists/researchers/tribal governments for further research and culturally appropriate use. The collections and associated records shall be transferred to a curation facility meeting the above federal standards to be accompanied by a curation agreement and payment of any fees necessary for permanent curation.

MITIGATION MEASURES

None required.

19. Utilities and Service Systems

Issues, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

DISCUSSION

a,c) **Less Than Significant Impact.**

Wastewater Treatment

The EVMWD currently operates three wastewater treatment facilities: The Regional Water Reclamation Facility (WRF), the Horsethief Canyon Wastewater Treatment Plant (WWTP), and the Railroad Canyon WWTP (EVMWD 2016a). In addition, flow in the southern part of the EVMWD's service area is treated at the Santa Rosa Water Reclamation Facility operated by the Rancho California Water District. The project site is within the Regional WRF wastewater collection area (EVMWD 2016a).

As shown in Table 3-4, Lift Station Summary, of the 2016 Sewer System Master Plan, there are 29 lift stations that serve the Regional WRF (EVMWD 2016b). The capacity of the lift stations that serve the Regional WRF range in capacity between 120 gallon per minute (gpm) and 2,400 gpm (EVMWD 2016b). The Regional WRF has an average daily intake of 5.46 million gallons per day (mgd) with a flow capacity of 8 mgd and a peak flow capacity of 17.6 mdg (EVMWD 2016b). In addition, the RWRF also has a planned capacity expansion to 18.2 mgd by 2040 (EVMD 2016a).

Future cannabis businesses must show that wastewater generated by the business would be accommodated by wastewater treatment facilities, and EVMWD must approve of the findings before a project can be operational. However, with the remaining capacity of the Regional WRF, as well as the

planned capacity expansion, future cannabis businesses would be accommodated and impacts to wastewater treatment is less than significant.

Water Treatment

Water treatment facilities filter and/or disinfect water before it is delivered to customers. The EVMWD supplies water to the City. Water line improvements at future project sites, if necessary, would be constructed in accordance with Title 13, Public Services, of the Wildomar Municipal Code.

EVMWD purchases water from the Western Municipal Water District (WMWD) from two different sources (EVMWD 2016a). One source of purchased water from WMWD is treated at the Metropolitan Water District's Skinner Filtration Plant, which blends primarily Colorado River water and a small amount of State Water Project water. The other source of purchased water from the WMWD is conveyed from the Temescal Valley Pipeline and treated at the Mills Filtration Plant (EVMWD 2016a). Surface water from Canyon Lake (Railroad Canyon reservoir) is treated at Canyon Lake Water Treatment Plant. The water treatment facilities, their capacities, and remaining available treatment capacities are shown in **Table 19-1**, EVMWD Water Treatment Facilities.

Table 19-1
EVMWD Water Treatment Facilities

Treatment Plant	Capacity (mgd)	Average Daily Intake¹ (mgd)	Remaining Treatment Capacity (mgd)
Canyon Lake Water Treatment Plant	9	4.5	4.5
Skinner Filtration Plant ¹	630	220	410
Mills Filtration Plant ¹	220	90	130
Total:	859	314.5	544.5
Source: EVMWD 2016a, MWD 2017.			
¹ Estimates based on average of Skinner and Mills daily effluent graphs.			

As shown in **Table 19-1**, the EVMWD water treatment facilities have a remaining water treatment capacity of approximately 544.5 mgd. According to the proposed ordinance, cultivation and manufacturing sites must provide an environmental plan indicating how the site would be conducted in accordance with state and local laws related to water usage, as part of the conditional use permit application. Moreover, cannabis retail sites would use similar amounts of water compared to other commercial/retail sites due to the limited use of water for retail uses (most commonly in the form of a restroom). Cannabis retail sites that use existing structures would not result in a substantial change in water usage compared to the existing structure's water use. Therefore, the water demands of future projects would be accommodated, and impacts would be less than significant.

Stormwater Drainage

Stormwater drainage impacts are addressed in section VI.10.c.iii, above. Future projects would be required to comply with Wildomar Municipal Code Section 13.12.050, which requires development to comply with a MS4 Permit from the San Diego Regional Water Quality Control Board. Future projects would include BMPs that would reduce the amount of runoff entering stormwater drainage systems and would reduce the amount of pollutants entering these systems. Therefore, with the implementation of BMPs and compliance with the Wildomar Code Section 13.12.050, impacts to stormwater drainage systems would be less than significant.

Electricity and Natural Gas

Future project sites that are undeveloped would require connection to utilities such as natural gas lines in the vicinity of the site in accordance the installation requirements of City of Wildomar Municipal Code Section 16.40.010. Future applicants would be responsible for the payment of electricity and gas connections as well as use of the utility. As part of the conditions of approval of the proposed ordinance, all cannabis businesses must comply with electrical codes in compliance with state and local licenses. Additionally, as part of the conditional use permit application, cultivation and manufacturing sites would be required to provide a description of the source of power, the size of the electrical service or system, and the total demand to be placed on the system. Therefore, impacts are less than significant.

b) **Less Than Significant Impact.** The City is within the service boundary for the EVMWD. The EVMWD utilizes both groundwater and imported water supplies to ensure adequate water is available for consumers. Imported water is utilized to ensure that significant overdraft of local groundwater supplies does not occur. Imported water is obtained from the Metropolitan Water District, local surface water from Canyon Lake, and local groundwater from the Elsinore Basin. EVMWD has a total of 13,128.2 acre-ft/year of groundwater rights and safe yield (EVMWD 2016a). The EVMWD has the ability to obtain a capacity of 26,296 acre-feet per year (23.4 mgd) during average years and wet years (EVMWD 2016a). Based on existing research, indoor commercial cannabis cultivation could require up to 0.35 gallons per day per square foot of cultivated canopy, which may result in water demands of up to 0.39 acre-feet per year per 1,000 square feet of cultivated canopy area.

As shown in the 2015 Urban Water Management Plan, the projected 2020 water demand and supply would be 36,205 acre-feet per year and 44,052 acre-feet per year; supply would exceed demand by 7,847 acre-feet/year (EVMWD 2016a). The 2030 and 2040 total water demands are 45,005 acre-feet/year and 53,605 acre-feet/year, respectively, and the 2030 and 2040 total water supplies are 52,971 acre-feet/year and 61,476 acre-feet/year, respectively (EVMWD 2016a). In 2030 and 2040, the supply would exceed the demand by 7,966 acre-feet/year and 7,871 acre-feet/year, respectively.

Water demand for indoor cultivation varies depending on whether the grower employs a water capture/reuse system; the use of dehumidifiers or modified air conditioning systems that can capture water for reuse can reduce water demand. However, based on existing research, indoor commercial cannabis cultivation could require up to 0.35 gallons per day per square foot of cultivated canopy, which may result in water demands of up to 0.39 acre-feet per year per 1,000 square feet of cultivated canopy area. With the small number of sites in the City that meet the locational criteria for cultivation, EVMWD has adequate water supply to meet the potential demands of cultivation.

In addition to water supplies from the EVMWD, cultivators may choose to use water from wells. Section 13.20 Water Wells of the Wildomar Municipal Code requires a permit before any well drilling, as well as the inspection of wells and well sites, and provides standards for water quality.

Moreover, an adjudication is a court ruling issued when there are disputes over legal rights to water, and the groundwater rights of all the overlies and appropriators are determined by the court. The City of Wildomar is within an adjudicated basin (Santa Margarita River Watershed). The Santa Margarita River Watershed is exempt from the Sustainable Groundwater Management Act which provides the framework for statewide groundwater management by local authorities (SGMA 2016). As part of the conditional use permit application of the proposed ordinance, cultivation and manufacturing sites are required to provide an environmental plan which indicates how the site would be conducted in accordance with state and local laws related to water usage. Additionally, for cultivation sites, the proposed ordinance requires verification of all water sources used by the site and verification that the site does not utilize water that has been illegally diverted from any stream, creek, or river.

d) **Less Than Significant Impact.** The main disposal site that would serve future project sites is the El Sobrante Landfill in Corona. The landfill is projected to reach its full capacity of 209,910,000 cubic yards in 2051 (CalRecycle 2019). The landfill covers approximately 1,322 acres and has a maximum permitted throughput of approximately 16,054 tons/day (CalRecycle 2019). The El Sobrante Landfill has a remaining capacity of 143,977,170 tons (CalRecycle 2019).

Future cannabis businesses would result in a slight increase in the amount of solid waste generated that would be accommodated in regional landfill facilities. Additionally, the proposed ordinance requires that cannabis businesses dispose of chemical, dangerous, and hazardous waste in a manner consistent with federal, state, and local laws, regulations, rules, or other requirements. The proposed ordinance also requires that cannabis waste be stored, managed, and disposed of in accordance with Section 5054 of title 16, Division 42 of the California Code of Regulations which states that to be rendered as cannabis waste for proper disposal, cannabis goods must first be destroyed on the licensed premises. Additionally, this section states that cannabis goods intended for disposal shall remain on the licensed premises until rendered into cannabis waste and must be accessible only to the licensee and its employees and must be stored separate from other cannabis goods. Compliance with local, state, and federal laws on waste disposal would ensure impacts are less than significant.

e) **Less Than Significant Impact.** Solid waste would be generated during future construction and operation of a project. The Solid Waste Reuse and Recycling Access Act of 1991 requires that adequate areas be provided for collecting and loading recyclable materials such as paper, products, glass, and other recyclables. City of Wildomar Municipal Code Section 8.104 regulates solid waste handling and mandates that sufficient receptacles be in place onsite to accommodate refuse and recycling. Compliance with state law and the City's Municipal Code would ensure the project would result in a less than significant impact.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Section 13.12.050, Regulatory Consistency, and the MS4 Permit from the San Diego Regional Water Quality Control Board, stormwater drainage improvements must be consistent and in accordance with these provisions.
2. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Section 16.40.10, Installation Requirements, the project would comply with the installation requirements for undergrounding utilities.
3. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Section 8.104, Solid Waste Collection and Disposal, the generation, accumulation, handling, collection, transportation, conversion, and disposal of solid waste must be controlled and regulated through the provisions of this chapter.

MITIGATION MEASURES

None required.

20. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			✓	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			✓	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			✓	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			✓	

DISCUSSION

a) **Less Than Significant Impact.** California Government Code Chapter 6.8 directs the California Department of Forestry and Fire Protection (CALFIRE) to identify areas of very high fire hazard severity within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities, which quantifies the likelihood and nature of vegetation fire exposure to buildings. LRA VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data. In 2008, the California Building Standards Commission adopted California Building Code Chapter 7A requiring new buildings in Very High Fire Hazard Severity Zones to use ignition-resistant construction methods and materials.

The eastern and western portions of the City of Wildomar have been designated Very High Fire Hazard Severity Zones (CAL FIRE 2009). Future development on project sites would be subject to compliance with the 2019 California Building Code (or the most current version) and the 2019 edition of the California Fire Code (or the most current version). The 2019 California Fire Code (Part 9 of Title 24 of the California Code of Regulations) includes Section 4905.2, Construction Methods and Requirements within Established Limits. Fire Code Chapter 49 cites specific requirements for wildland-urban interface areas that include, but are not limited to, providing defensible space and hazardous vegetation and fuel management. Wildomar is covered under the Riverside County Operational Area Emergency Operations Plan (2006) and the Riverside County Operation Area Multi-Jurisdictional Local Hazard Mitigation Plan (2012). These plans provide guidance to effectively respond to any emergency, including wildfires. In addition, all proposed construction is required to meet minimum standards for fire safety and would be

required to conform with the California Building Code and Fire Code. Therefore, impacts are considered less than significant.

b) **Less Than Significant Impact.** The City does not have high-speed prevailing winds, and average wind speeds are approximately 6 miles per hour during the windier part of the year, from November to June. Development of future projects would reduce the amount of exposed vegetation that could be used as fuel on a project site; all cultivation sites would be indoors and therefore, would not act as fuel on a site. Site conditions would not contribute to an increase in exposure to wildfire risk. Future projects would be located in urbanized portions of the City within the C-1/C-P, C-P-S, I-P, and M-SC zones. Additionally, all development on future project sites would be subject to compliance with the California Building Code. Moreover, the City of Wildomar is under the Riverside County Operational Area Multi-Jurisdictional Local Hazard Mitigation Plan, which provides guidance to effectively respond to and mitigate emergencies, including wildfires. The proposed ordinance also requires compliance with California Fire and Building codes which would reduce impacts to less than significant.

c) **Less Than Significant Impact.** Future project sites could require expansion of connection to utilities such as electricity, water, and sewer. Future project applicants are required to pay for connections and maintenance of onsite utility infrastructure. The utilities would be installed to meet service requirements, and therefore, would not directly increase fire risk. Impacts are less than significant.

d) **Less Than Significant Impact.** As discussed in Section VI.7 and VI.10 respectively, above, the C-1/C-P, C-P-S, I-P, and M-SC zones are not within a landslide hazard area; the majority of the City is outside the flood hazard zone. Future construction activities related to the proposed project would be subject to compliance with the CBC and would include best management practices (BMPs). Best management practices may include but are not limited to covering of the soil, use of a dust-inhibiting material, landscaping, use of straw and jute, hydroseeding, and grading in a pattern that slows stormwater flow and reduces the potential for erosion, landslides, and downstream flooding. Operationally, drainage at future project sites would also include BMPs. Therefore, with implementation of BMPs, impacts are less than significant.

STANDARD CONDITIONS AND REQUIREMENTS

1. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Chapter 8.28, *Fire Code*, requires compliance with the 2016 California Building Code (or most current version) and the 2016 edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations).
2. Future projects are required to comply with the provisions of City of Wildomar Municipal Code Chapter 8.28, *Fire Code*, requires adherence to California Fire Code Chapter 49, which cites specific requirements for wildland-urban interface areas.

MITIGATION MEASURES

None Required.

V. MANDATORY FINDINGS OF SIGNIFICANCE

Issues, does the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			✓	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			✓	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			✓	

DISCUSSION

The following mandatory findings of significance are in accordance with CEQA Guidelines Section 15065.

a) **Less Than Significant Impact.** Based on the evaluations and discussion in this IS/ND, the proposed ordinance has a very limited potential to incrementally degrade the quality of the environment because most projects would occur in existing structures. As discussed in section VI.5, Cultural Resources, all future cannabis businesses would be required to get written approval from the City prior to making modifications of a structure, and all projects would have to comply with the City's General Plan and Municipal Code policies pertaining to historical and archeological resources. Furthermore, as discussed in section VI.7, Geology and Soils, future projects would have a less than significant impact on geological and paleontological resources upon compliance with the recommendations of site-specific soils and geotechnical review, the CBC, NPDES and SWPPP, and policies of the General Plan. As discussed in section VI.8, Hazards and Hazardous Materials, and section VI.20, Wildfire, future projects would result in a less than significant impact with respect to wildfire with conformance to building codes and City standards. Therefore, the proposed ordinance would not significantly affect the environment after implementation local, state, and federal codes and regulations. Therefore, any impacts would be considered less than significant.

b) **Less Than Significant Impact.**

Aesthetics

Implementation of the proposed ordinance would not contribute to cumulative visual resource or aesthetic impacts. Future projects would include several design measures to minimize light pollution. All projects in Wildomar are required to comply with the City's light pollution ordinance. Future cannabis projects would be consistent with the General Plan. While new buildings may obscure views of surrounding ridgelines from proximate public vantage points, these proposed buildings, in combination with other development in the vicinity would not significantly impact any scenic vistas. Therefore, the proposed ordinance would have a less than cumulatively considerable impact to aesthetics.

Agriculture and Forestry Resources

Implementation of future projects would not result in any impacts to agriculture or forestry resources and would therefore not contribute to cumulative impacts to these resources.

Air Quality

The South Coast Air Quality Management District's approach for assessing cumulative impacts are based on the Air Quality Management Plan forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and California Clean Air acts. In other words, the SCAQMD considers projects that are consistent with the AQMP, which is intended to bring the basin into attainment for all criteria pollutants, to also have less than significant cumulative impacts. The discussion under Issue a) in section VI.3, Air Quality, describes the SCAQMD criteria for determining consistency with the AQMP and further demonstrates that future projects would be consistent with the plan. As such, the proposed ordinance would have a less than cumulatively considerable impact on air quality.

Biological Resources

All future projects would be required to comply with local, state, and federal laws pertaining to biological resources, and project applicants would be required to submit fees to the City in accordance with the requirements of the Western Riverside County Multiple Species Habitat Conservation Plan Mitigation Fee and Section 3.43.070 of the Wildomar Municipal Code. The proposed ordinance would have a less than cumulatively considerable impact on biological resources.

Cultural Resources

Future development on project sites would contribute to a cumulative increase in potential impacts to cultural and archaeological resources. However, compliance with local, state, and federal regulations pertaining to cultural resources would result in a less than cumulatively considerable impact.

Energy

Construction and operation of future projects would result in an increase in energy. Construction energy would be temporary and normal of development in the region. Operation of future projects in existing structures could use more energy than other permissible uses in these zones. As indicated in section VI.6, Energy, future projects would be subject to the more stringent 2019 Title 24 Standards, and would be required to comply with the conditional use permit application process which requires an environmental plan be submitted to indicate how the site would be conducted in accordance with state and local laws related to electricity usage, and sites must provide a description of the source of power, the size of the electrical system, and the total demand to be placed on the system for all proposed uses onsite. Therefore, the proposed ordinance would have a less than cumulatively considerable environmental impact to energy.

Geology and Soils

Future projects would be required to comply with the recommendations of site-specific soils and geotechnical review, as well as CBC standards and the policies of the General Plan. Therefore, impacts are expected to be less than cumulatively considerable.

Greenhouse Gas Emissions

Projects that would be located in existing structures would produce similar GHG emissions, compared to existing conditions, and projects that require tenant improvements would be required to comply with the 2019 California Green Building Code and the California Building Standards Code Title 24 – Energy Efficiency Standards and would have a less than cumulatively considerable environmental impact resulting from greenhouse gas emissions.

Hazards and Hazardous Materials

Future projects are not expected to utilize or contribute to hazards associated with the accidental release of hazardous materials. Portions of the City are within a very high fire hazard severity zone. Compliance with federal, state, and local regulations, including the CBC, California Fire Code, City Standards, and the proposed ordinance would ensure that cumulative hazard conditions are less than cumulatively considerable.

Hydrology and Water Quality

Future projects would implement BMPs during construction and operation activities, as well as comply with the NPDES, MS4 permit, and SWPPP to ensure water quality impacts are reduced. The majority of the City is outside a flood hazard zone. Therefore, the proposed project would have a less than cumulatively considerable impact related to hydrology.

Land Use and Planning

Future cannabis businesses would occur within the C-1/C-P, C-P-S, I-P, and M-SC zones, and would not divide an established community; no changes to the General Plan or policies affecting environmental regulation would occur. Future applicants would pay all applicable development impact fees. The City is in the early stages of ensuring that the existing zoning map is in compliance with the General Plan which could alter the number of sites available for cannabis businesses. As indicated above, based on Section 17.315.070 Locational Requirements of the proposed ordinance, there is a potential for 225 retail sites and 42 cultivation, manufacturing, distribution, and testing sites. However, independent CEQA and conditional use permit process would evaluate the zone changes that could impact future projects. New and/or additional sites would be analyzed if these sites differ from the maps included in the proposed ordinance. Additionally, according to the Business and Professions Code section 26051(c), the State will not approve a license if there is an excessive concentration. Therefore, the proposed ordinance would have a less than cumulatively considerable impact related to land use and planning.

Mineral Resources

The proposed ordinance would have no impact related to mineral resources and would therefore not contribute to any cumulative impacts to such resources.

Noise

As discussed in section VI.13, Noise, the proposed ordinance would comply with all applicable noise standards and would have less than significant direct impacts related to construction and operational noise. Project construction could result in some noise disturbance; however, these impacts would be temporary and would be restricted to daytime hours. In addition, future projects would adhere to the

City of Wildomar's policies found in the General Plan Noise Element and the proposed ordinance limiting the construction hours of operation between 8 AM and 10 PM. It is possible that other construction projects in the vicinity could overlap with activity on future project sites, but other such projects are required to mitigate their construction noise impacts. Any combined impacts would be temporary, constituting intermittent annoyance perhaps, but not a significant cumulative noise impact. Therefore, the proposed ordinance would have a less than cumulatively considerable impact related to noise.

Population and Housing

Future cannabis projects would be located on sites zoned C-1/C-P, C-P-S, I-P, and M-SC, would have no impact on displacing a substantial number of housing units or people, and the construction of replacement housing would not be required. Therefore, the project would have a less than cumulatively considerable impact related to population and housing.

Public Services

Implementation of the future projects, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development in the immediate area, may increase the demand for public services such as fire and police protection which could result in the need for additional public services facilities; however, as substantiated above, future cannabis businesses would less than likely result in the need for additional police or fire personnel, and therefore would not require the expansion of facilities, due to the required security measures of the proposed ordinance and reviewal of all permits by the police and fire departments. Additionally, as a standard condition of approval, future project applicants are required to pay development impact fees to fund the expansion of such services. Development of any future public facilities would be subject to CEQA review prior to approval that would identify and address any resulting impacts. Therefore, the proposed ordinance would have a less than cumulatively considerable impact on public services.

Recreation

Implementation of future projects, in combination with other existing, planned, proposed, approved, and reasonably foreseeable development in the immediate area, would not significantly increase the demand for recreational space. Cannabis businesses would not substantially increase population. Additionally, as a standard condition of approval in the City, all project applicants are required to pay development impact fees to fund the expansion of such services. Development of any future public facilities would be subject to CEQA review prior to approval that would identify and address any resulting impacts. Therefore, the proposed ordinance would have a less than cumulatively considerable impact on public services.

Transportation

The cumulative setting for the proposed ordinance is development within the City. Cumulative traffic impacts are created as a result of a combination of the proposed ordinance and other future developments contributing to the overall traffic impacts and requiring additional improvements to maintain acceptable levels of service with or without the proposed ordinance. As substantiated above, neither cannabis retailers nor cultivators or other types of cannabis businesses would generate substantial daily trips when compared to other commercial and industrial land uses within the City.

A project's contribution to a cumulatively significant impact can be reduced to less than significant if the project implements or funds its fair share of improvements designed to alleviate the potential cumulative impact. As required by the City, payment of the Transportation Uniform Mitigation Fee and the City Development Impact Fee, fully mitigates a proposed project's cumulative impacts. (Article I, Development Impact Fees, of Municipal Code Chapter 3.40 and 3.44 respectively).

Tribal Cultural Resources

Future development on project sites could contribute to a cumulative increase in potential impacts to cultural and archaeological resources. However, compliance with local, state, and federal law would reduce potential impacts to tribal cultural resources associated with future development on a project site. Therefore, the proposed project would have a less than cumulatively considerable impact.

Utilities and Service Systems

Implementation of the proposed ordinance would increase demand for public utilities. However, future projects would not result in a significant increase in utility demands and would be accounted for in long-range plans for provision of such services, as provided in the General Plan. Therefore, the proposed ordinance would have less than cumulatively considerable impacts on utilities and service systems.

Wildfire

Future development of on project sites would not exacerbate wildfire risk for the region as future projects would be required to comply with the California Building Code, Fire Code, and other applicable federal, state, and local regulations which would ensure that cumulative hazard conditions are less than cumulatively considerable.

c) **Less Than Significant Impact.** The proposed ordinance does not have the potential to significantly adversely affect humans, either directly or indirectly. Noise and odor impacts would be less than cumulatively significant upon implementation of the conditions of approval in the proposed ordinance.

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