



NOTICE OF EXEMPTION

July 30, 2019

Project Name: County of Riverside, Economic Development Agency (EDA) Community Facilities District (CFD) No. 19-1M (La Ventana) of the County of Riverside; Adoption of Ordinance No. 953, an Ordinance of the County of Riverside Authorizing the Levy of a Special Tax Within the La Ventana CFD

Project Number: ED9150090

Project Location: County of Riverside, Community Facilities District No. 19-1M (La Ventana)
(See Attached Exhibit)

Description of Project: On January 27, 2015, the Board of Supervisors revised Board Policy B-12 entitled "Land Secured Financing Districts" to include "Service and Maintenance CFDs" to fund the ongoing maintenance of landscape, storm water Best Management Practices (BMP), street lighting, or other similar improvements and set goals and policies concerning Community Facilities Districts (CFD). As approved by voters, a special tax is to be levied on each individual parcel located within the boundary of the CFD to fund the costs associated with services for lighting and maintenance services for streets, roads, parks, parkways, and open space. The special tax is levied according to a Rate and Method of Apportionment which is developed with respect to the specific features of the particular development within the District and which is approved by the eligible voters and later adopted by ordinance. The special tax levy is annually placed on the tax roll for each Assessor Parcel Number noted in the CFD Boundary Map. La Ventana 242, LLC is the Developer of Tract Map No. 31100 (Developer) and requested that the County form a CFD to cover the costs associated with the maintenance of public improvements within the district. The boundaries of CFD No. 19-1M (La Ventana) will encompass the entire Tract Map No. 31100 which is projected to include 221 assessable single family dwelling units. On May 7, 2019, the Board of Supervisors adopted Resolution 2019-070, a resolution of intention, as the initial step for forming the CFD and declaring the Board's intention to levy a special tax to fund the of Intention to establish a CFD for La Ventana in order to authorize the levy of special taxes to fund, pay for, and finance authorized maintenance and service activities.

On June 11, 2019, per agenda item 19.2, the Board of Supervisors held a public hearing to receive public comments and conduct a majority protest hearing concerning the establishment of the CFD and the levy of the special tax. At the conclusion of the public hearing, the Board of Supervisors adopted Resolution No. 2019-112, the resolution of formation of the CFD, authorizing the levy of a special tax within the CFD to pay for on-going maintenance services, calling a special election to submit to the respective qualified voters the question of levying such special tax, and establishing an appropriations limit for the CFD; and designating the election official for such matters.

On July 23, 2019, per agenda item 3.21, the Board of Supervisors adopted Resolution No. 2019-161 declaring the results of the election regarding the proposed special tax and finding that 100% of the votes cast were in favor of the levy of the special tax. In addition, the Board introduced Riverside County Ordinance No. 953 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters.

09/09/2025 Item 3.18

P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8916 • F: 951.955.6686

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The Board of Supervisors is now proposing to formally adopt Riverside County Ordinance No. 953 authorizing the levy of the special tax pursuant to the Rate and Method of Apportionment approved by the voters. Riverside County Ordinance No. 953, which authorizes the levy of a special tax within the La Ventana CFD to fund services for maintenance and service activities, is identified as the proposed project under the California Environmental Quality Act (CEQA). The Ordinance includes the creation of a funding mechanism to provide maintenance and service activities within the CFD. No expansion of an existing use will occur. No additional direct or indirect physical environmental impacts are anticipated from the provision of maintenance services identified in the Riverside County Ordinance No. 953.

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency

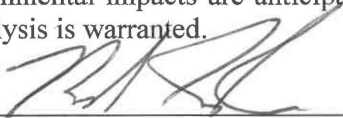
Exempt Status: Not a project as defined in California Environmental Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378; Section 15301, Existing Facilities Exemption; Section 15061(b) (3), General Rule or “Common Sense” Exemption. Codified under Public Resources Code Division 13, Chapter 2.5, Section 21065, and California Code of Regulations Title 14, Articles 5, 19, and 20, Sections 15061, 15301, and 15378.

Reasons Why Project is Exempt: The direct effects of the adoption of the Ordinance to levy a special tax within the La Ventana CFD would not constitute a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. Section 15378 (b) provides a list of five activities that are not considered a project under CEQA. The proposed Ordinance would qualify under two conditions identified in Section 15378 (b): (4) the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment and (5) organizational or administrative activity of the government that will not result in direct or indirect physical changes to the environment. The adoption of the Ordinance by the Board satisfies these conditions as the Ordinance would provide a funding mechanism to provide ongoing maintenance of existing buildings that would not result in direct or indirect physical changes to the environment. Based on the above conditions, the adoption of the Ordinance is not a project as defined by CEQA Section 21065 and State CEQA Guidelines Section 15378. The indirect effects of the adoption of the Ordinance which would result in continued maintenance activities within the La Ventana CFD are categorically exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The project will not cause an impact to an environmental resource of hazardous or critical concern nor would the project include a reasonable possibility of having a significant effect on the environment due to unusual circumstances. The project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the provision of services to maintain the La Ventana CFD.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the site’s use. The development on the site was previously reviewed under CEQA which evaluated the effects of the development of single-family homes within Tract 31100, which is La Ventana CFD and subsequently approved. This approved development represents the environmental baseline and existing conditions under CEQA, as it is a dependent condition for the project, as proposed, to occur. The project is limited to the maintenance of the approved development within the La Ventana CFD. The maintenance within the La Ventana CFD is consistent within the activities permitted under Section 15301 and would ensure that the area does not physically deteriorate and potentially result in blight. The continued maintenance would not require any expansion of public services and facilities beyond what was approved for development; therefore, the project is exempt as it meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.

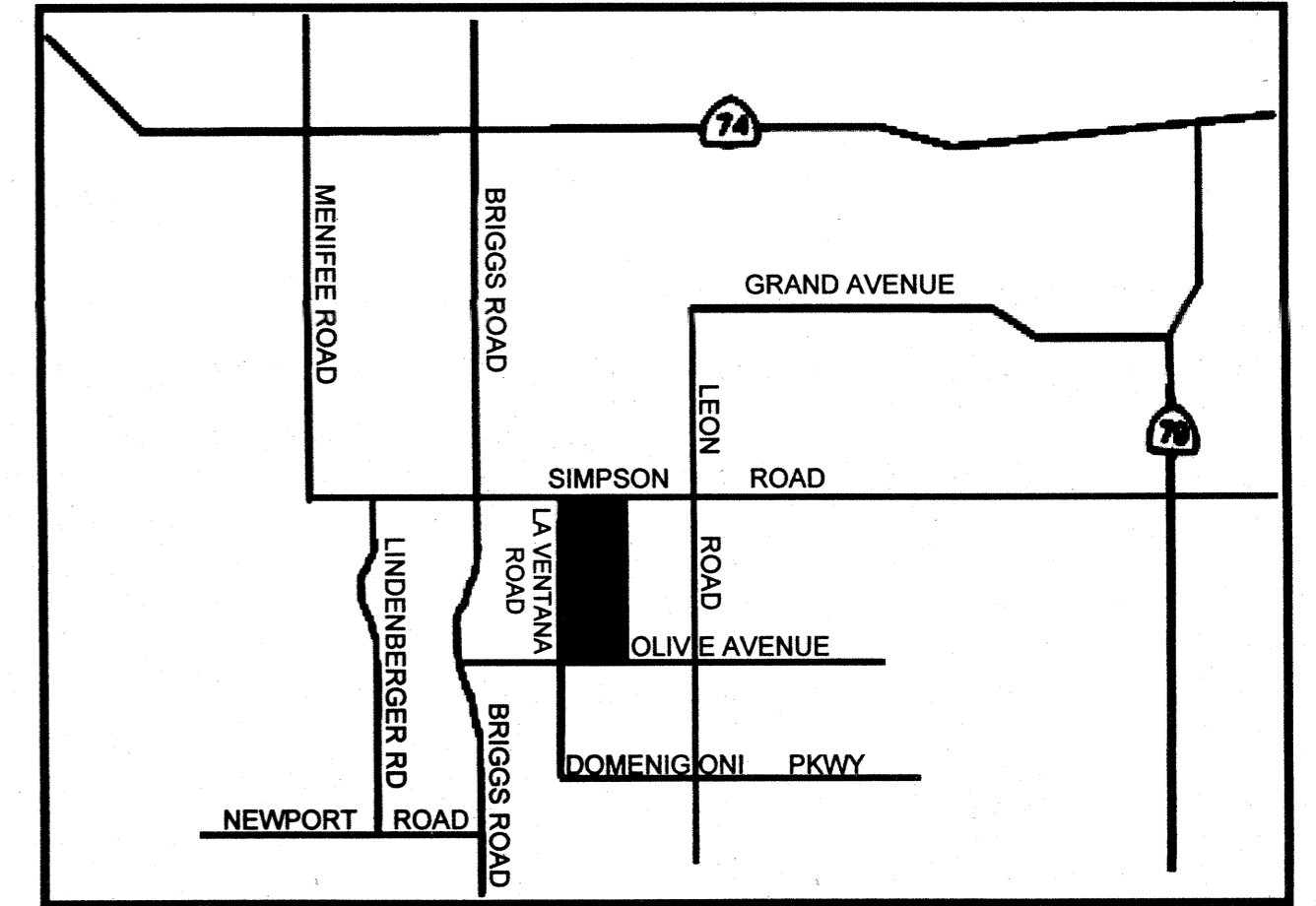
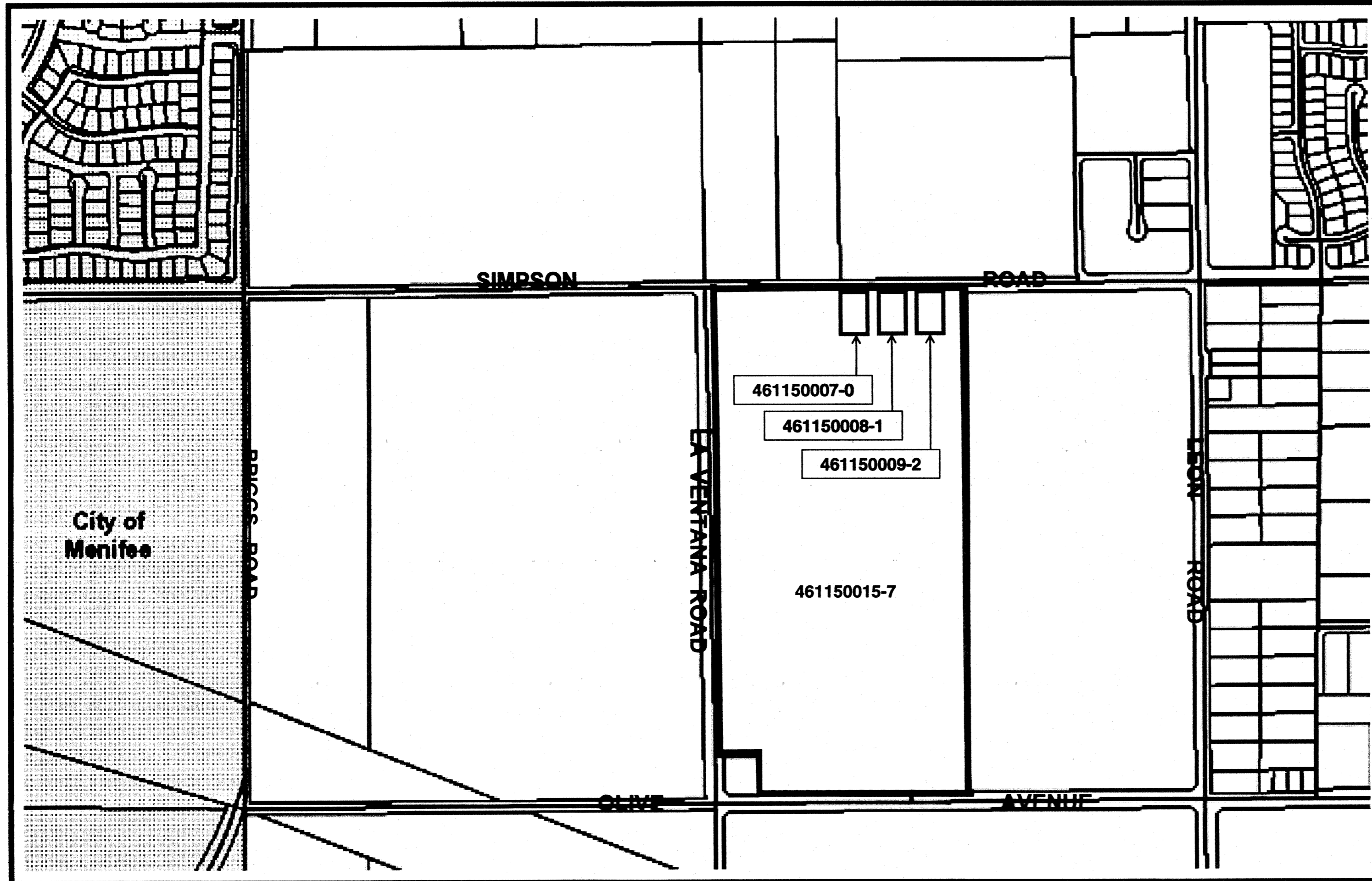
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid.* This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the project may have a significant effect on the environment. The adoption of the Ordinance and creation of funding to provide continued maintenance of the La Ventana CFD will not result in any direct or indirect physical environmental impacts. The use and operation of the La Ventana CFD will be substantially similar to the existing use and the ongoing maintenance will not create any new environmental impacts to the environment. No alterations and no impacts beyond the ongoing, existing use of the La Ventana CFD would occur. Therefore, in no way, would the project as proposed have the potential to cause a significant environmental impact and the project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed:  Date: 7/31/19

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

PROPOSED BOUNDARY
COMMUNITY FACILITIES DISTRICT 19-1M (LA VENTANA)
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
SEC. 30 T. 5S., R. 2W



VICINITY MAP

Proposed Boundary

ASSESSOR PARCEL NUMBERS LOCATED
WITHIN PROPOSED BOUNDARIES OF
CFD 19-1M (LA VENTANA) AS OF
FISCAL YEAR 2018-2019:

- 461150007-0
- 461150008-1
- 461150009-2
- 461150015-7

FILED IN THE OFFICE OF THE COUNTY CLERK OF RIVERSIDE,
STATE OF CALIFORNIA THIS 7th DAY OF May 2019.

Horraine Williams, Esq.
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED
BOUNDARIES OF COMMUNITY FACILITIES DISTRICT 19-1M (LA
VENTANA) OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS
APPROVED BY THE BOARD OF SUPERVISORS AT A REGULAR MEETING
THEREOF, HELD ON THE 7th DAY OF May 2019, BY ITS
RESOLUTION NO. 2019-070

Horraine Williams, Esq.
CLERK OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE

RECORDED THIS 16th DAY OF May 2019.

AT THE HOUR OF 10:53 O'CLOCK A.M IN BOOK 83 OF MAPS OF
ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AT PAGE 87
IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF
RIVERSIDE, STATE OF CALIFORNIA.
FEE \$9.00 DOCUMENT NO. 2019-0171364

PETER ALDANA, RIVERSIDE COUNTY ASSESSOR-CLERK-RECORDER

DEPUTY *Adria Luna*

Prepared By:
COUNTY OF RIVERSIDE
EDA, CCSD

3403 Tenth Street, Ste. 400 Riverside, CA 92501
951-955-8916 Phone

REFERENCE IS HEREBY MADE TO THE ASSESSOR
MAPS OF THE COUNTY OF RIVERSIDE, FOR FISCAL
YEAR 2018-2019, FOR AN EXACT DESCRIPTION OF
THE LINES AND DIMENSIONS OF EACH LOT/PARCEL.

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: La Ventana Community Facilities District Ordinance No. 953, Authorizing the Levy of a Special Tax Within the 19-1M District, County of Riverside

Accounting String: 537180-23010-915202- ED9150090

DATE: July 30, 2019

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature: 

PRESENTED BY: Leni Zarate, Special Districts Administrator, Community Services Division, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: July 30, 2019

To: Kiyomi Moore/Josefina Castillo, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: County of Riverside Economic Development Agency Project ED9150090
La Ventana Community Facilities District (CFD) Ordinance No. 953, Authorizing the Levy of a Special Tax Within the CFD 19-1M District, County of Riverside

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009 or email at msullivan@rivco.org.

Attachment

cc: file