

**RESOLUTION NO. 2026-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING THAT CERTAIN GRANT OF PERMANENT EASEMENT FOR STORM DRAINAGE PURPOSES, MAINTENANCE AND ACCESS EASEMENT AGREEMENT AND THAT CERTAIN GRANT OF TEMPORARY CONSTRUCTION EASEMENT IN CONNECTION WITH THE CONSTRUCTION OF STORM DRAINAGE INLETS AND RELATED IMPROVEMENTS TO TIE IN TO THE AD 159 – BUTTERFIELD STAGE ROAD STORM DRAIN – LINE A STAGE 2 IMPROVEMENTS AND MAKING FINDINGS THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED PURSUANT TO SECTION 15162 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES AND SECTION 21166 OF THE PUBLIC RESOURCES CODE (PORTIONS OF APN 965-400-001)**

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Findings. The City Council of the City of Temecula does hereby find, determine and declare that:

A. The City of Temecula (“City”) is a municipal corporation, located in the County of Riverside, State of California.

B. The City approved Planning Application No. PA14-0087, Tentative Tract Map (TTM 36483) for the Creation of 164 Single Family Residential Lots and Nine (9) Open Space Lots on 42.64 Acres for Planning Area 4 Within the Paloma Del Sol Specific Plan and Making a Finding of Exemption from the California Environmental Quality Act Under Public Resources Code Section 21166 and Government Code Section 65457 (APNs: 949-400-001, -002) (Development Project) pursuant to Planning Commission Resolution No. 2024-13. Woodside 05S, LP, a California Limited Partnership (Woodside Homes) was the developer of the Development Project at the time the City approved the Development Project. Taylor Morrison of California LLC, a California limited liability company (Taylor Morrison) is the successor to the interests of Woodside Homes.

C. Condition 89 of the final conditions of approval for the Development Project required that the developer (now Taylor Morrison) obtain a storm drain easement on property located outside of the Development Project to construct off-site improvements for the construction of certain storm drain improvements. The improvements that the City will construct in said storm drain easement area include, but are not limited to, the construction of storm drainage inlets and related improvements to tie in to the AD 159 – Butterfield Stage Road Storm Drain – Line A Stage 2 Improvements (Storm Drainage Improvements).

D. Taylor Morrison negotiated with Stage & Portola, LLC, a California limited liability company (Grantor) for the grant in favor of the City of Temecula of (i) an approximate 13,190 square foot permanent easement for storm drainage purposes, maintenance and access (Permanent Easement) and (ii) an approximate 5,624 square foot temporary construction easement (Temporary Construction Easement) for a term of twelve months on the real property identified as Riverside County Tax Assessor's Parcel Number 965-400-001 (Subject Property) to facilitate the City's construction of the Storm Drainage Improvements in the approximate 13,190 square foot Permanent Easement. The Subject Property is located near Butterfield Stage Road and De Portola Road. The Grant of Temporary Construction Easement authorizes the City to possess and use the Temporary Construction Easement for construction staging purposes, storage of equipment and material in connection with the City's construction of the Storm Drainage Improvements for a term of twelve months, commencing thirty (30) days after the date on which the City provides written notice of its intent to commence use of the Temporary Construction Easement to facilitate the construction of the Storm Drainage Improvements.

E. After the City completes the construction of the Storm Drainage Improvements in the area of the Permanent Easement, the City intends to transfer its interest in the Permanent Easement to the Riverside County Flood Control and Water Conservation District (District). The District reviewed and approved the terms of the Permanent Easement during the negotiations between the City and Grantor regarding the terms of said Permanent Easement.

Section 2. Approval of Grant of Permanent Easement for Storm Drainage Purposes, Maintenance and Access Easement Agreement. The City Council of the City of Temecula finds that the acquisition of the 13,190 square foot non-exclusive permanent easement (Permanent Easement) for storm drainage purposes, maintenance and access described in EXHIBIT A and depicted on EXHIBIT B to the attached Grant of Permanent Easement for Storm Drainage Purposes, Maintenance and Access Easement Agreement (Grant of Permanent Easement) is in the public interest and is necessary for the construction of the Storm Drainage Improvements. The Grant of Permanent Easement authorizes the City to access, construct, operate and maintain, at the City's sole cost and expense, the Storm Drainage Improvements within the area of the Permanent Easement. Under the Grant of Permanent Easement, the City is required to act as "Maintenance Manager" in connection with the maintenance of the Storm Drainage Improvements. The operation, maintenance, repair, restoration and related obligations will transfer to the Riverside County Flood Control District when the City transfers its rights in the Permanent Easement to the Riverside County Flood Control District, which reviewed and approved the terms of said Permanent Easement.

Section 3. Approval of Grant of Temporary Construction Easement. The City Council of the City of Temecula finds that the acquisition of the approximate 5,624 square foot Temporary Construction Easement described in EXHIBIT A and depicted on EXHIBIT B to the Grant of Temporary Construction Easement is in the public interest and is necessary to facilitate the construction of the Storm Drainage Improvements. Pursuant to the Grant of Temporary Construction Easement, the City is authorized to use the Temporary Construction Easement to facilitate the construction of the Storm Drainage Improvements, including use of said area for construction staging purposes, storage of equipment and material in connection with the City's construction of the Storm Drainage Improvements. Under the Temporary Construction Easement, the City agrees that, prior to or on the termination date of the Temporary Construction

Easement, the City will remove any construction equipment and materials stored in the area of the Temporary Construction Easement in connection with the construction of the Storm Drainage Improvements.

Section 4. Environmental Review. The environmental effects of the construction of the Storm Drainage Improvements were studied and analyzed as an integral part of the consideration and approval of Tentative Tract Map 36483 (PA14-0087). In approving Planning Commission Resolution 2024-13, the Planning Commission found that the Paloma Del Sol Specific Plan was formally adopted in 1988. An Environmental Impact Report (EIR) was prepared and certified on September 6, 1988 as part of this effort. Since that time, four Addenda to the EIR have been prepared for the project area with the most recent adopted on January 8, 2002. The proposed Development Project was determined to be consistent with the previously adopted Paloma Del Sol Addendum and no further environmental review is required (Public Resources Code Section 21166 and Government Code Section 65457). City Staff reviewed the EIR, the First Addendum to the EIR adopted December 8, 1992, the Second Addendum to the EIR adopted on March 17, 1999, the Third Addendum to the EIR adopted on September 9, 1999, and the Fourth Addendum to the EIR adopted on January 8, 2002 (collectively, EIR and Addenda). In addition, City Staff reviewed the Consistency Evaluation Pursuant to Public Resources Code Section 21166 prepared by Psomas and dated August 26, 2020, and the Memorandum re Revalidation of the Consistency Evaluation for Paseo Del Sol Residential Development, also prepared by Psomas and dated September 14, 2023. Based on this substantial evidence, City Staff determined that the proposed Development Project does not require the preparation of a subsequent or supplemental EIR as none of the conditions described in Public Resources Code Section 21166 exist. Specifically as it relates to Section 21166, Tentative Tract Map 36483 and associated Development Project improvements do not represent a substantial change from the Paloma del Sol Specific Plan evaluated in the certified EIR and Addenda and is within the scope of the potential development contemplated by that Plan; there are no substantial changes with respect to the circumstances under which the Development Project is undertaken that would result in new significant or substantially more severe impacts; and there is no new information of substantial importance, which was not known and could not have been known at the time of the certified EIR. The Planning Commission further found that the Development Project would not have any new or substantially more severe impacts than what was evaluated in the EIR and Addenda, and there are no mitigation measures or alternatives that would reduce significant impacts and were previously found not to be feasible but which are now feasible. Accordingly, the Planning Commission concluded based on this evaluation, none of the conditions in Section 21166 of the Public Resources Code apply and no subsequent or supplemental EIR is required. In addition, the Development Project is exempt as it is a residential development project undertaken to implement a specific plan for which an EIR previously was prepared per Government Code Section 65457. The application for a Tentative Tract Map to construct 164 single family residential lots and nine (9) open space lots is consistent with the project that was analyzed by the EIR and Addenda. The Development Project is required to meet all requirements and mitigation contained in EIR and Addenda.

City Staff reviewed the environment documentation for the Development Project, including the Notice of Exemption filed on June 20, 2024 with the Clerk of the County of Riverside, in connection with the review and preparation of documents relating to the recommended approval of the Grant of Permanent Easement and Grant of Temporary

Construction Easement. Pursuant to the criteria of Section 15162 of the CEQA Guidelines and Section 21166 of the Public Resources Code, City Staff concluded that no substantial changes have occurred in the proposed Storm Drainage Improvements considered in connection with the Development Project, no substantial changes have occurred in the circumstances under which said proposed Drainage Improvements are undertaken, and the City has obtained no new information of substantial importance that would require further environmental analysis. These environmental findings are the appropriate findings with respect to the proposed acquisition of the Permanent Easement and Temporary Construction Easement in connection with the construction of the Storm Drainage Improvements. Accordingly, the City hereby finds that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines and Section 21166 of the Public Resources Code in connection with the approvals of the Grant of Permanent Easement and Grant of Temporary Construction Easement.

Section 5. City Manager's Authority. The City Manager (or the City Manager's designee), is hereby authorized, on behalf of the City, to take all actions necessary and convenient to carry out and effect the acquisition of the Permanent Easement and Temporary Construction Easement for the construction of the Storm Drainage Improvements, including any actions required to administer the City's obligations, responsibilities, and duties to be performed under the Grant of Permanent Easement and Grant of Temporary Construction Easement, including execution and recording of a Quitclaim Deed or other instrument to transfer to the Riverside County Flood Control District the City's interest in the Permanent Easement after the Storm Drainage Improvements are constructed and Notice of Termination of Temporary Construction Easement to evidence the termination of the City's use and possession of the Temporary Construction Easement.

Section 6. Certification. The City Clerk shall certify the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula this 12<sup>th</sup> day of May, 2026.

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Jessica Alexander, Mayor

ATTEST:

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Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA     )  
COUNTY OF RIVERSIDE    ) ss  
CITY OF TEMECULA         )

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2026-        was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 12<sup>th</sup> day of May, 2026, by the following vote:

AYES:                    COUNCIL MEMBERS:

NOES:                    COUNCIL MEMBERS:

ABSTAIN:                COUNCIL MEMBERS:

ABSENT:                 COUNCIL MEMBERS:

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Randi Johl, City Clerk