

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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project will be in compliance with the applicable Federal, State and local statutes and regulation related to solid waste. There will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

48. Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities; the construction of which could cause significant environmental effects?

a) Electricity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: Riverside County General Plan, Staff Review

Findings of Fact:

a-h) GPA No. 945 proposes a land use and zoning change only, therefore, the proposal does not directly impact any facility used for the transmission of the specified utilities, nor, will the proposal require the construction of new or the expansion of existing facilities which could cause significant environmental effects. Subsequent implementing development applications will be reviewed in order to determine potential impacts on such facilities and for compliance with current plans relating to utility facilities.

This is a programmatic level CEQA analysis. This project will result in amending the site's General Plan Foundation Component, Land Use Designation, and Zoning Classification, which could eventually lead to development on the property. Should a development proposal or land use application for subdividing, grading, or construction of the site be submitted, a subsequent Environmental Analysis shall be prepared, to assess the potential impacts. There will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

49. Energy Conservation

a) Would the project conflict with any adopted energy conservation plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Riverside County General Plan

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Findings of Fact: GPA No. 945 proposes a land use and zoning change only, therefore, the proposal does not directly impact or conflict with any adopted energy conservation plans. Prior to approval, subsequent implementing development applications will be reviewed for consistency with adopted energy conservation plans. There will be no impacts.

Mitigation: No mitigation is required

Monitoring: No monitoring is required

MANDATORY FINDINGS OF SIGNIFICANCE

50. 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, 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Staff review, Project Application Materials

Findings of Fact: As GPA No. 945 proposes a land use change only and does not propose grading or construction, the project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or 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. Prior to approval, subsequent implementing development applications will be reviewed for potential impacts on the environment. There will be no impacts.

51. Does the project have impacts which 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, other current projects and probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Source: Staff review, Project Application Materials

Findings of Fact: No impacts have been identified for GPA No. 945 that are individually limited, but cumulatively considerable. Prior to approval, future implementing development applications as a result of GPA No. 945 will be reviewed for any potential cumulative impacts. There will be no impacts.

52. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Staff review, project application

Findings of Fact: GPA No. 945 proposes a land use and zoning change only, therefore, the proposal would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. No improvements to the site are associated with GPA No. 945. Future implementing development applications as a result of GPA No. 945 will be reviewed as necessary to determine potential environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. There will be no impacts.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any: N/A

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92505

VII. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Revised: 10/14/2015 3:43 PM
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AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY

CHAIR March 12, 2012

Simon Housman
Rancho Mirage

Tamara Harrison, Urban Regional Planner IV
Riverside County Planning Department
4080 Lemon Street, Twelfth Floor
Riverside CA 92501
HAND DELIVERY

VICE CHAIRMAN
Rod Ballance
Riverside

COMMISSIONERS

Arthur Butler
Riverside

RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

File No.: ZAP1045FV12

John Lyon
Riverside

Related File No.: GPA00945 (General Plan Amendment) and CZ07743 (Change of Zone)

Glen Holmes
Hemet

APN: 964-050-006 through 964-050-009

Grag Pettis
Cathedral City

Dear Ms. Harrison:

Richard Stewart
Moreno Valley

On March 8, 2012, the Riverside County Airport Land Use Commission (ALUC) found the above-referenced general plan amendment and change of zone **CONSISTENT** with the 2007 French Valley Airport Land Use Compatibility Plan (FVALUCP), as amended in 2011.

STAFF

The general plan amendment is described as follows: A proposal to amend the Southwest Area Plan's land use designation on 18.99 acres located southerly of Auld Road, easterly of Dickson Path, and westerly of Maddalena Road (within the unincorporated community of French Valley) from Rural Residential within the Rural Foundation Component (R:RR) to Commercial Retail within the Community Development Foundation Component (CD:CR).

Director
Ed Cooper

Russell Brady
John Guerin
Barbara Santos

The change of zone is described as follows: A proposal to change the zoning of the site described above from A-1-5 (Light Agriculture, 5 acre minimum lot size) to C-1/C-P (General Commercial).

County Administrative Center
4080 Lemon St., 14th Floor.
Riverside, CA 92501
(951) 955-5132

The finding of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of a proposed project. In this situation, both the existing designation and zoning and the proposed designation and zoning are consistent with the FVALUCP.

www.rcaluc.org

A copy of the "Notice of Airport in Vicinity" is enclosed, for your information.

If you have any questions, please contact Russell Brady, Airport Land Use Commission Contract Planner, at (951) 955-0549, or John Guerin, Airport Land Use Commission Principal Planner, at (951) 955-0982.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION


Edward C. Cooper, Director

JJGJG:bks

**COUNTY OF RIVERSIDE
AIRPORT LAND USE COMMISSION**

STAFF REPORT

AGENDA ITEM: 3.1

HEARING DATE: March 8, 2012

CASE NUMBER: ZAP1045FV12 – Congregation Havurim, Hoskings Murrieta, Inc., LOLA I, Londen Land Co. LLC, and Janet Smith
(Representative: Leonard Bustin)

APPROVING JURISDICTION: County of Riverside

JURISDICTION CASE NO: GPA 945 (General Plan Amendment), CZ 7743 (Change of Zone)

MAJOR ISSUES: None

RECOMMENDATION: Staff recommends a finding of CONSISTENCY for the general plan amendment and change of zone.

PROJECT DESCRIPTION: GPA 945 is a proposal to amend the Southwest Area Plan's land use designation on 18.99 acres from R:R (Rural Residential within the Rural Foundation Component) to CD:CR (Commercial Retail within the Community Development Foundation Component). CZ 7743 is a proposal to change the zoning of the site from A-1-5 (Light Agriculture – 5 acre minimum) to C-1/C-P (General Commercial).

PROJECT LOCATION: The site is located southerly of Auld Road, easterly of Dickson Path, and westerly of Maddalena Road in the unincorporated community of French Valley (easterly of the City of Murrieta and northerly of the City of Temecula), approximately 9,000 feet easterly of Runway 18-36 at French Valley Airport.

LAND USE PLAN: 2011 French Valley Airport Land Use Plan

- a. Airport Influence Area: French Valley Airport
- b. Land Use Policy: Zone E
- c. Noise Levels: Below 55 CNEL

BACKGROUND:

Non-Residential Land Use Intensity: The site is located in Zone E of the French Valley Airport

Influence Area. Land use intensity is not limited within Zone E.

Prohibited and Discouraged Uses: No specific development is proposed at this time. The applicant does not propose any uses prohibited or discouraged in Zone E (hazards to flight) within the project. The typical uses allowed and permitted within the General Commercial zone would generally not present any hazards to flight.

Noise: The property lies outside the area that would be subject to average exterior noise levels of 55 CNEL or greater under ultimate airport development conditions. Therefore, no special mitigation of noise from aircraft is required.

Part 77: The elevation of the site ranges from 1,372 to 1,384 feet above mean sea level (1372-1384 feet AMSL) according to the Riverside County GIS. The elevation of Runway 18-36 at its northerly terminus is approximately 1347 feet AMSL. At a distance of approximately 9,000 feet from the runway, FAA review would be required for any structures with top of roof exceeding 1437 feet AMSL. The project does not propose any specific development at this time; however, the proposed C-1/C-P zone allows structures up to 50 feet in height. At this maximum height, a structure would only approach 1434 feet AMSL. Therefore, Federal Aviation Administration (FAA) obstruction evaluation review would likely not be required depending on the actual grading and structure height proposed.

Open Area: Zone E of the French Valley Airport Land Use Plan does not have any requirements for provision of open space.

Attachment/Disclosure: State law requires notification in the course of real estate transactions if the property is located in an Airport Influence Area.

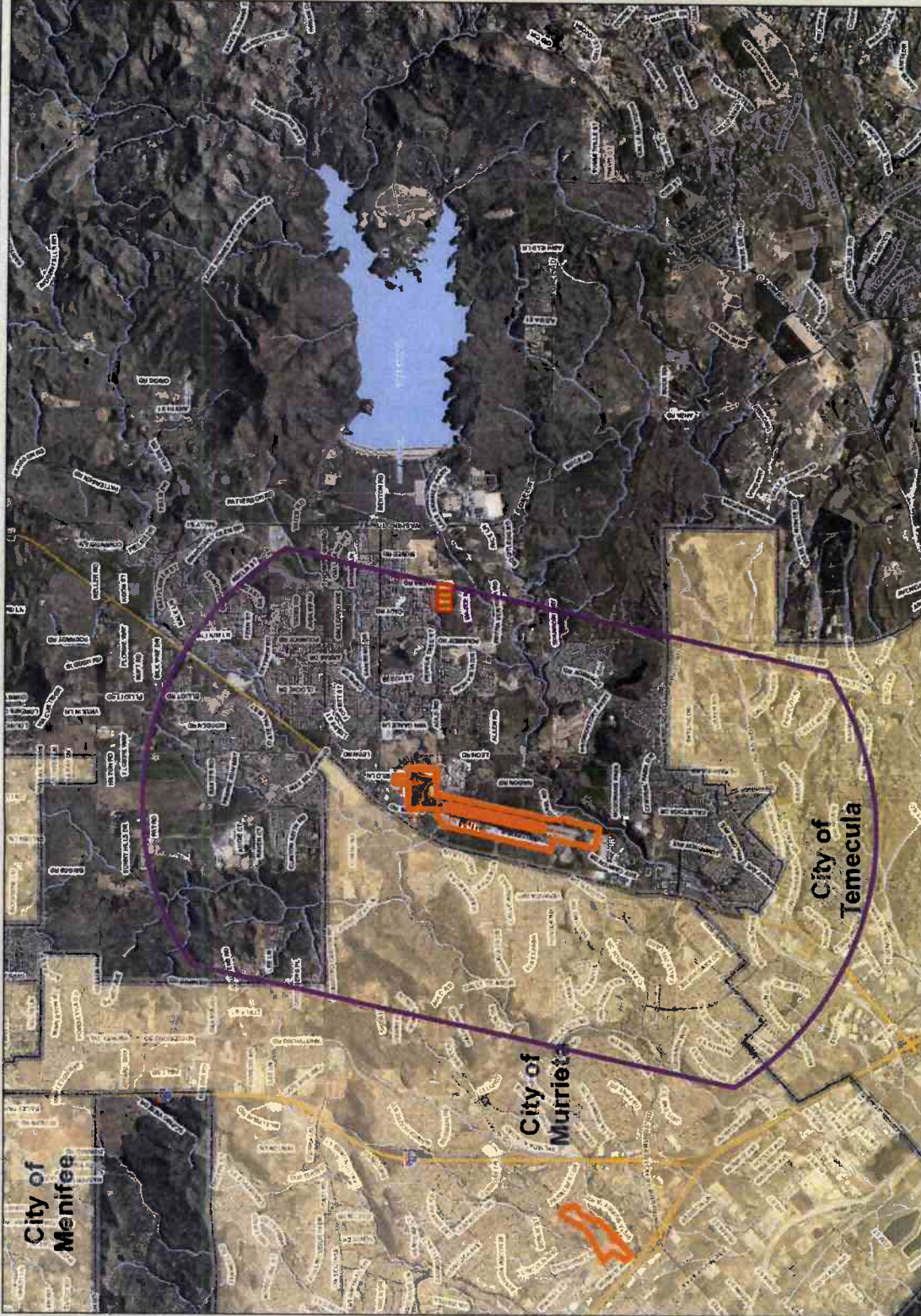
General plan amendments and changes of zone are not subject to conditions.

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Professions Code Section 11010 (b) (13)(A)

GPA00945 - AIA Map

Within: French Valley



- Legend**
- Airports
 - AIA
 - City Boundaries
 - Cities
 - adjacent_highways
 - Interstate
 - Interstate 3
 - State Highways: 60
 - State Highways 3
 - US HWY
 - OUT
 - highways_large
 - HWY
 - INTERCHANGE
 - INTERSTATE
 - USHWY
 - counties
 - counties
 - cities

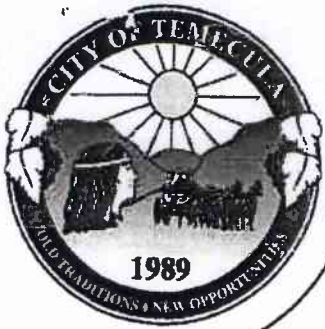
Notes
 APNs: 964-050-006, 964-050-007, 964-050-008, and 964-050-009

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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City of Temecula

Community Development

41000 Main Street • Temecula, CA 92590

Phone (951) 694-6400 • Fax (951) 694-6477 • www.cityoftemecula.org

May 19, 2014

Larry Ross, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

RECEIVED
MAY 22 2014

ADMINISTRATION
RIVERSIDE COUNTY
PLANNING DEPARTMENT

SUBJECT: Response General Plan Amendment No. 945D1 and Change of Zone No. 7822

Dear Mr. Ross:

Thank you for the opportunity to comment on the above referenced General Plan Amendment (GPA) and Change of Zone. The proposed project is located within the City's Sphere of Influence, as such; the City of Temecula Community Development Department reviews proposed projects that are within the City's sphere of influence to determine if there are potential impacts or concerns the City may have with the proposed projects.

The Initial Case Transmittal Notice indicates the proposed GPA would amend the General Foundation Component amendment from Rural to Community Development, and would amend the land use from Rural Residential (5 acre minimum) to Commercial Retail. The Change of Zone proposed would amend the zoning from Light Agriculture to General Commercial.

The City of Temecula is requesting an Initial Study be prepared to determine potential impacts of the project. As part of the Initial Study, please include the following as part of the traffic impact analysis (TIA):

The proposed project's TIA should evaluate "collector" or higher classification street intersections within a 5 mile radius that may experience 50 or more peak hour trips from the proposed project, as defined in Section 6.0 of the County's guidelines. At a minimum, the following intersections in the City of Temecula should be included in the TIA:

- Winchester Road at Nicolas Road
- Winchester Road at Margarita Road
- Winchester Road at Ynez Road
- Winchester Road at I-15 Ramps
- Murrieta Hot Springs Road at Pourroy Road
- Murrieta Hot Springs Road at Butterfield Stage Road
- Butterfield Stage Road at Calle Chapos
- Butterfield Stage Road at La Serena Way
- Butterfield Stage Road at Rancho California Road
- Nicolas Road at Joseph Road

The Butterfield Stage Road extension between Calle Chapos and La Serena Way will be completed within the month. Therefore, any intersection analysis performed on Butterfield Stage Road should also be included in all scenarios; Existing Plus Project to Buildout."

If you have any questions or comments, please contact me at (951) 506-5173 or e-mail me at Armando.villa@cityoftemecula.org.

Sincerely,



Armando G. Villa, AICP
Director of Community Development

cc: Greg Butler, Assistant City Manager
Tom Garcia, Director of Public Works
Dale West, Associate Planner



City of Temecula

Community Development

41000 Main Street • Temecula, CA 92590

Phone (951) 694-6400 • Fax (951) 694-6477 • www.cityoftemecula.org

July 8, 2014

Larry Ross, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

SUBJECT: Comments Regarding Notice of Public Hearing and Intent to Adopt a Negative Declaration for General Plan Amendment No. 945D1 and Change of Zone No. 7822

Dear Mr. Ross:

Thank you for the opportunity to comment on the above referenced Notice of Public Hearing and Intent to Adopt a Negative Declaration for General Plan Amendment (GPA) No. 945D1 and Change of Zone (CZ) No. 7822. The proposed project is located within the City's Sphere of Influence, as such; the City of Temecula Community Development Department reviews proposed projects that are within the City's sphere of influence to determine if there are potential impacts or concerns the City may have with the proposed projects.

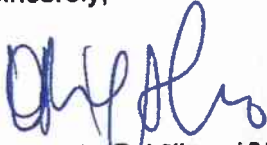
The City submitted a comment letter, dated May 19, 2014, requesting an initial study be prepared to determine the potential impacts. Additionally, we requested that the traffic impact analysis analyze "collector" or higher classification street intersections within a five-mile radius that may experience 50 or more peak hour trips from the proposed project.

The proposed project will result in the land use conversion from the Rural Foundation Component to the Community Development Foundation Component, and a change in Zoning from Light Agriculture to General Commercial. This conversion is a significant change in land use intensity and should not be allowed without an appropriate level of environmental analysis.

The City of Temecula is requesting the Riverside County Planning Commission direct staff to adequately analyzed the potential environmental impacts of the project.

If you have any questions or comments, please contact me at (951) 506-5173 or e-mail me at armando.villa@cityoftemecula.org.

Sincerely,



Armando G. Villa, AICP
Director of Community Development

cc: Juan Perez, Director, Riverside County Transportation, 4080 Lemon Street, 3rd Floor,
Riverside, CA 92501

Greg Butler, Assistant City Manager
Tom Garcia, Director of Public Works
Dale West, Associate Planner

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY
GENERAL PLAN

JUSTIFICATION FOR AMENDMENT


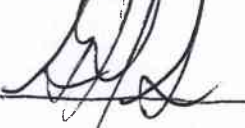

Reference APNs 964-050-006,007,008 & 009

Our application is to change the general plan designation of four parcels from Rural foundation to Community Development. Upon acceptance of this application, we shall also apply for a concurrent change of zone to Commercial Retail.

Our plan cures problems created by the proposed route of Butterfield Stage Road and incorporates sensible and necessary land use updates in the process. The alignment of Butterfield Stage Road at the intersections of Auld Road, Dickson Path and Pourroy Road will divide a contiguous twenty acre Commercial Retail site into three smaller disconnected parcels. Butterfield Stage Road is further planned to curve around our parcels and our access will become sub-standard. We have solved these problems with this petition. Our application proposes a safe access and re-establishes a site large enough for a shopping center of approximately nineteen acres at this location. Subject to site plan approval the applicants shall record a private reciprocal easement agreement. Due to the co-joined nature of our petition filed by this small congregation of approximately fifty families, largely in response to condemnations and losses for the Butterfield Stage Road right of way, we request that County remove the burden of cost for this application and the continuance of our zoning request.

Dickson Path between APN 964-050-001 (existing Commercial Retail) and applicant APN 964-050-006 will no longer be needed upon the construction of Butterfield Stage Road. Recommend vacation at that time.

We are located far enough away from the commercial retail sites on Highway 79 to service the surrounding subdivisions and our ideal location will encourage local and cross-town traffic to remain on the Butterfield Stage Road bypass.

initial	1	
initial	2	
initial	3	



RIVERSIDE COUNTY

PLANNING DEPARTMENT

Steven Weiss, AICP
Planning Director

November 4, 2015

MEMO

RE: AGENDA ITEM 4.3 – GPA00945 & CZ07743 – STAFF RESPONSES TO NEW LETTERS

To: Planning Commission

After preparation of the staff report package and prior to the Planning Commission hearing, County staff received the attached letters regarding GPA00945. Below is a listing, citing each letter and a brief accompanying staff response.

1. Davis – Wojcik – Duarte Law Corporation

- Representing the interests of property owners in the area. Generally opposed to the land use change. States, the middle property as remaining residential in middle of commercial land uses, approved under GPA00945D1 and proposed under GPA00945. States the GPA00975 was successfully denied, due to incompatibility and community concerns.

2. Petition to Dismiss GPA00945

- Multiple signatures of people not in favor of the project.

3. Corey Sullivan

- Resident concerned about the land use change to commercial. States potential issues related to traffic, pollution, noise, and accidents. Is against the change, would like the area to stay residential/rural.

4. Noah Rau & Brianne Yhlen

- Property owners of the parcel in the middle of GPA00945D1 and GPA00945. Is opposed to the land use change. Disagrees with the new circumstance that the Auld Road reconfiguration will change the area.

5. Kyle & Lauren Mikowski

- Homeowners along Pourroy Road. Prefers the area stays rural residential and not change to commercial land use.

6. Jeanne Marie Bender

- Homeowner in the area, north of project site. They are concerned about increased traffic, trash, and privacy. Is against the proposed land use change.

7. Joe Swall

- Prefers the land use stays residential. Has concerns as to what type of commercial use will be established at the site. There are no current plans for any specific use as this is a General Plan Amendment and change of Zone only.

8. Johnson & Sedlack Attorney at Law

- Submitted a 20-page document opposing the project and contesting the environmental, representing Noah Rau & Brianne Yhlen (Property Owners to the west), as well as another property owner to the south

9. Endangered Habitats League ("EHL")

- Recommends the Planning Commission deny the project. States the land use change "leapfrogs" over vacant parcels.

10. Valley Wide Recreation & Park District

- Provides conditions that will be imposed upon any future development. Pertains to park fee assessment and ongoing maintenance districts.

11. Johnson & Sedlack Attorney at Law

- Letter requesting to be noticed of all future project hearings.

12. Johnson & Sedlack Attorney at Law

- Submitted a 22-page document opposing the project and contesting the environmental, representing "Concerned Area Residents" and Tocalota Estates.

DWD

DAVIS • WOJCIK • DUARTE

A PROFESSIONAL LAW CORPORATION

November 2, 2015

Ms. Ruthanne Taylor-Berger
County Administrative Center
4080 Lemon Street
Riverside, California 92501

VIA EMAIL AND U.S. MAIL

Re: Proposed General Plan Amendment No. 945

Dear Commissioner Taylor-Berger:

As you may know, this office previously represented the interests of concerned residents with respect to proposed General Plan Amendment No. 975 in the area neighboring Auld and Pourroy Roads. After several continuances, a community meeting conducted by the applicant, a lengthy hearing in which several residents spoke out against the amendment, and an extensive discussion among the sitting Planning Commissioners, the Commission unanimously voted to *deny* staff's recommendation and not approve the application.

While we were pleased with the Commission's finding, my clients have again become aware of another application, Proposed General Plan Amendment No. 945 and Change of Zone No. 7743 that similarly affects their joint interests and have retained my office to represent them in formally opposing the application. Quite simply, the rationale and logic which led the Commission to deny the prior application requires you and your colleagues to reach the same result in this matter. One only look to the comments of your colleagues, made after a lengthy public hearing with numerous speakers in opposition to the project, for justification to also deny this new application.

Commissioner Valdivia--

"I am concerned that there are parcels now that are being removed and I am concerned about the land assemblage that I see that would be conducive for some future development. *Seems to be very inconsistent and, as a result, I don't think I'll be supporting staff's recommendation.*"

Commissioner Leach--

"I do love transition pieces, as you know, I always push for the happy neighbors on both sides..."

I don't think with the assemblage of parcels that are there that it's going to be doable, especially losing that one piece over there. And having an entrance, *regardless of how Butterfield Stage comes in and how that's going to go, knowing this is very far in the future because we don't know what Butterfield Stage is doing.*"

1001 E. Morton Place, Ste. A
Hemet, CA 92543
Phone: (951) 652-9000
Fax: (951) 658-8308

Please respond to:

lawdwd.com

28544 Old Town Front St., Ste. 201
Temecula, CA 92590
Phone: (951) 587-2222
Fax: (951) 658-8308

Commissioner Ruthanne Taylor-Berger
November 2, 2015
Page 2

Commissioner Sanchez--

"I would have much rather have seen, a more larger set of parcels coming together as one and then maybe using the transition that Commissioner Leach just explained coupled with the creek that's there and that would have been a little bit more appealing to me, but right now I'm having trouble supporting this as well."

Commissioner Hake

"I have struggled mightily with this from the get go....*What we're struggling with is that there is no project here, we are being asked to make a policy decision here*....I'm struggling with it, I don't think I can move forward with it today.

Commissioner Leach--

"Even with buffers and that kind of thing, it still, to me, needs to be a transition. I'd like to see a project to recommend to the Board that they approve this. It hurts my heart a little bit because I don't have a whole picture to make that recommendation."

As before, GPA No. 945 also consists of an application that (1) is without a project, (2) has lost a key parcel, (3) improperly relies upon the future development of a Butterfield Stage Road alteration, and (4) forms a land assemblage without transition that is wholly inconsistent with neighboring uses.

Rest assured your constituents living in the area remain steadfastly committed to opposing these fundamental threats to their quality and standard of living.

BACKGROUND

At the outset, it is my understanding that GPA 945 was originally submitted in February of 2008 contemplating a change of a total of 4 parcels, totaling 20 acres, from Rural: Rural Residential to Community Development: Commercial Retail. Sometime thereafter, some of the applicants requested to be separated from the original application of GPA No. 945 and these applicants became GPA 945D1. The applicants further requested a concurrent change in zoning as part of the new application. With these revisions, No. 945D1 was submitted to the Planning Commission, and on July 16, 2014 the Planning Commission approved the General Plan Amendment and change of zoning.

Commissioner Ruthanne Taylor-Berger
November 2, 2015
Page 3

However, each and every one of the notices regarding this GPA was generated using an outdated tax roll. The use of outdated information resulted in a failure to notify several neighboring landowners, including my client, Mr. Noah Rau, of the proposed amendment and change in zoning. Please be advised that Mr. Rau *reserves all rights and does not, by way of this correspondence, intend to waive any claims against the County or any such responsible parties.*

The original GPA 945 application has since been further revised to now include only two parcels totaling approximately 9.5 acres. The most recent parcel to withdraw is that of Mr. Rau, who now finds himself literally in the middle of this mess as the record owner of APN 964-050-007. Mr. Rau intends to utilize his property as a single family residence with the remaining acreage devoted to the historical use for horses and, like many of his neighbors, vehemently opposes this amendment.

A Notice of Public Hearing and Intent to Adopt a Mitigated Negative Declaration in regards to this issue was received, and we are advised that the hearing will be held on November 4, 2015. We are also aware that the Planning Commission has determined that the above project will not have a significant effect on the environment; however, the County fails to recognize and consider the effects on residents of this area, like Mr. Rau. The previous zoning change was made to the west of Mr. Rau's property without his knowledge and or consent, and to further add to his frustration, this GPA attempts to add further commercial zoning changes.

PROBLEMS WITH GPA NO. 945

I have reviewed Staff's recommendation on this issue and it my understanding that the Planning Department is supporting the proposed Amendment and Change of Zone. As before, I believe the Commission should disregard the recommendation and maintain a consistent plan for this region by maintaining the status quo.

Again, the basis for denial of GPA No. 945 is identical to the basis for denial of GPA No. 975. Specifically, the premature reliance upon the proposed Butterfield Stage Road, the inconsistency in land use caused by the proposed assemblage of properties, as well as the lack of traditional transitional elements, are just some of the reasons why, as before, the Commission should deny this application. If the Commission were to ignore the evidence which previously lead them to conclude that a fundamental change to the land designation was inappropriate, I fear such an inconsistent determination would set an unhealthy precedent for the general public resulting from the uneven application of similar facts.

Review of the staff report indicates that the recommendation was based largely upon the proposed Butterfield Stage Road and the anticipated effect this will have on the region. However, this proposed road is no closer to completion than it was three years ago, let alone three months ago.

Commissioner Ruthanne Taylor-Berger

November 2, 2015

Page 4

Reliance upon its completion when the proposed road (which dates back to 2006 and certainly does not constitute a changed circumstance) necessarily requires *eminent domain* of neighboring parcels (including the aforementioned Mr. Rau) is premature and misguided. Notwithstanding what the maps and proposed realignments suggested several years ago in Tentative Parcel Map 32379, there exists several practical problems (including the current lack of funds to complete the project) in addition to the inevitable legal challenges to any such proposal. Making planning decisions in reliance upon this proposed road is putting the proverbial cart in front of the horse and represents--in my opinion--an irresponsible and reckless course of action.

Furthermore, the parcels of GPA No. 945 and 945D1 – while linear – are not contiguous. If adopted as proposed, a single family residence with show horses would find itself in the midst of several separate commercial developments. This is simply not good planning and further highlights the fact that this application is inappropriate given the assemblage of properties. More importantly, the homes and lifestyles of those residents who intend to continue to live on the properties that they have invested millions of dollars in, are being put at risk for the benefit of a select few who have no intention of residing in the region.

As evidence of the citizens' concerns, I would refer you to the enclosed petition, which I was asked to forward to you on their behalf. As you can see, the residents were able to gather nearly 70 signatures in the short few weeks since the Notice of Hearing was mailed to owners in the area. This is indicative of the strong disagreement with the proposal as it stands. But for the indisputable inadequacies in noticing GPA No. 945D1, I believe the Commission would have seen the same vocal opposition to that project as well. Regardless, rest assured, given enough time, this determined group could and would gather significantly more opposition to this proposal and has demonstrated a willingness to put its money where its mouth is.

Additionally, it is my understanding that, if you haven't already, you will be hearing from several of the residents directly, voicing their specific arguments in opposition to GPA No. 945. These individuals, whose lifestyles and investments are at stake, have eloquently articulated their complaints, concerns, and justifications for opposing the application in a way that demonstrates why they are passionate about maintaining the status quo.

CONCLUSION

I realize that you were not a part of the original proceedings on the GPA 975 issue. Nevertheless, I urge you to recognize--as your colleagues did--that this type of alteration to the General Plan is not consistent with the current use in the area and would not only cause a drastic change in the area, but also lead to a hodgepodge array of projects with no internal consistency. Furthermore, reliance upon so-called "new circumstances" including the speculative 2006 map for Butterfield Stage Road is no justification for fundamentally altering this community.

Commissioner Ruthanne Taylor-Berger

November 2, 2015

Page 5

I appreciate your attention to this important issue and look forward to addressing it with you and the other Commissioners at the hearing. If you would like to discuss this matter further, I invite you or your staff to contact me to discuss my clients' positions. I look forward to hearing from you.

Very truly yours,
DAVIS | WOJCIK | DUARTE



Matthew Duarte, Esq.

enclosures

cc: Olivia Balderrama, Supervisor's Office (via email: obalderrama@rcbos.org)
John Earle Hildebrand, Planning Dept. (via email: jhildebr@rcplma.org)
Clients

Petition to Dismiss the Adoption of a Mitigated Negative Declaration for GPA 945

Petition summary and background	We the residents, located in the area surrounding the proposed change of zoning described as the region west of Maddalena Road and south of Auld Road, as evidence by our signatures below hereby REJECT the General Plan Amendment No. 945 Intent to adopt a negative declaration made by the applicant Ashlee Lewis.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to dismiss this proposed zoning change.



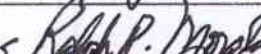
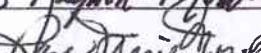
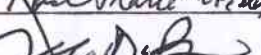


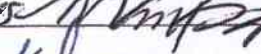


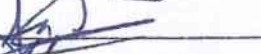
Printed Name	Signature	Address	Date
Jill Smith		32341 Perigord Rd Winchester	10-25-15
Barry Jones		32348 Perigord Rd Winchester	10-25-15
Johnny Terrence		32355 PERIGORD RD WINCHESTER	10-25-15
Jack Crossbass		32343 PERIGORD RD, WINCHESTER	10-25-15
DENNIS STEPHEN		32397 Perigord Rd Winchester	10-25-15
LARRY HOLT		32404 Perigord Rd Winchester	10-25-15
Connie Dent		32432 Perigord Rd Winchester	10-25-15
MIKE RODRIGUES		32467 Perigord Rd Winchester	10/25/15
David Jenkins		32332 Saint Martin St. Winchester	10-25-15
FRANK AWSON		32318 Saint Martin St.	10-25-15
Zane Laughlin		32304 Saint Martin St.	10-25-15
Stephonia Broad		32369 Perigord Rd	10-25-15

Printed Name	Signature	Address	Date
Benjamin Smith		32341 Perigord Rd Winchester	10-26-15
Tony Huxner		36874 MONTREAUX RD Winchester	10-26-15
JAMES OTT		36862 MONTREAUX - Winchester	10-26-15
Cortney Ellingworth		36875 Montreaux Rd. Winchester	10-26-15
Eric Ellingworth		36875 Montreaux Rd. Winchester	10-26-15
Noelle Clark		36803 Montreaux Rd. Winchester	10-27-15
PATRICK JONES		36755 MONTREAUX RD Winchester	10-27-15
Jane Richardson		32280 Renair Rd Winchester, Ca.	10-27-15
Michael Hinger		32326 Picasso Ct. Winchester, CA 92596	10-27-15
Suzanne Cruz		32215 Perigord Rd. Winchester, CA 92596	10-31-15
Eliseo Delgado		32207 Perigord Rd. Winchester, CA 92556	10-31-15
Tanya Gorton		32157 PERIGORD RD Winchester, CA 92596	10-31-15
KASARA PETERSON		32187 PERIGORD RD WINCHESTER, CA 92596	10/31/15
Leah Dye		32159 Perigord Rd. Winchester 92596	10-31-2015

Printed Name	Signature	Address	Date
Mario Flores		32425 PERIGORD RD. WINCHESTER CA 92586	10-25-2015
Heather Goodwin-Parrero		32453 Perigord Rd 92596	(951) 926-4717
Butch Parrero		32453 Perigord Rd 92596	951 926 4717
Lauren Preece		32440 Perigord Rd. 92596	10/25/2015
MARCELS WAKELING		32418 Perigord Rd 92596	10/25/2015
Michele Rushton		32390 Perigord Rd.	10-25-15
Manuel Canchola		32371 Perigord Rd	10-25-15
John Parrero		32327 Perigord Rd	10-25-15
John Parrero		32327 Perigord Rd	10-25-15
Maria Gray		32495 perigord Rd	10-26-15
Edward Collins		32481 Perigord Rd	10/26/2015
Gaila Collins		32481 Perigord Rd.	10/26/2015
Sylvia Swan		32488 perigord Rd	10/26/2015
Joe Swan		32488 perigord Rd	10/26/2015
Margaret Canchola		32376 Perigord Rd.	10-26-2015
Anthony Canchola		32376 Perigord Rd.	10-26-2015

Petition to Dismiss the Adoption of a Mitigated Negative Declaration for GPA 945

Petition summary and background	We the residents, located in the area surrounding the proposed change of zoning described as the region west of Maddalena Road and south of Auld Road, as evidence by our signatures below hereby REJECT the General Plan Amendment No. 945 Intent to adopt a negative declaration made by the applicant Ashlee Lewis.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to dismiss this proposed zoning change.

Printed Name	Signature	Address	Date
VERNA J JONES		32458 St. Martin St Winchester Ca 92596	10/27/15
NOEL D. JONES		32458 St. Martin St Winchester Ca 92596	10/27/15
Ralph R. Morales		32480 SAINT MARTIN ST. WINCHESTER, CA. 92596	10/27-2015
ROSE MARIE MORALES		32480 Saint Martin St Winchester, Ca. 92596	10-27-2015
Fred Bridges		32495 Perigord Rd Winchester, Ca 92596	10/28/15
Matthew Levasseur		32313 Perigord Rd Winchester California 92596	10/30/15
MARY TERRELL		32355 Perigord Rd Winchester Ca 92596	10/31/15
KYLE LARA		32446 PERIGORD RD. WINCHESTER CA. 92596	10/31/15
GERALD DYE		32159 PERIGORD RD WINCHESTER 92596	10/31/15
FARROW CRANE		32299 PERIGORD RD WINCHESTER CA 92596	10/31/15
Rick Vandell		32255 Perigord Rd Winchester Ca. 92596	10/31/2015

Petition to Dismiss the Adoption of a Mitigated Negative Declaration for GPA 945

Petition summary and background
 We the residents, located in the area surrounding the proposed change of zoning, west of Maddalena Road and south of Auld Road, as evidence by our signatures below hereby **REJECT** the General Plan Amendment No. 945 Intent to adopt a negative declaration made by the applicant Ashlee Lewis

Action petitioned for
 We, the undersigned, are concerned citizens who urge our leaders to act now to ~~and~~ dismiss this proposed zoning change.

Printed Name	Signature	Address	Date
Noah Rau	<i>Noah Rau</i>	32343 Auld Road Winchester, CA 92596	10-24-15
Jeanne M. Bender	<i>Jeanne M. Bender</i>	37595 GREEN KNOLLS ROAD WINCHESTER, CA 92596	10.24.15
Rudy Adams	<i>Rudy Adams</i>	32515 Buena Ventura Rd Winchester CA 92596	10-24-15
Gloria Adams	<i>Gloria Adams</i>	32515 Buena Ventura Rd Winchester CA 92596	10-24-15
SANSH GREEN	<i>SANSH GREEN</i>	32495 BURN VENTURA RD WINCHESTER CA 92596	10/24/15
Ron GREEN	<i>Ron GREEN</i>	32295 BUENA VENTURA RD WINCHESTER CA 92596	10/24/15
Briame Yhien	<i>Briame Yhien</i>	32343 Auld Rd Winchester, CA 92596	10/24/15
Lauren Mikowski	<i>Lauren Mikowski</i>	37300 PONTROY RD Winchester CA 92596	10/24/15
Charles Mayhew	<i>Charles Mayhew</i>	3255 Priscilla ST Winchester	10-26-15
hans Mayhew	<i>hans Mayhew</i>	" "	10-26-2015
Heather Carver	<i>Heather Carver</i>	32660 Priscilla St. Winchester CA 92596	10/30/15
DAVID CARVER	<i>DAVID CARVER</i>	" "	10-30-15

Corey Sullivan

32125 Buena Ventura Road, Winchester, CA 92596

(408) 202-8859

October 31, 2015

Riverside County Planning Department
Attn: John Hildebrand
P.O. Box 1409
Riverside, CA 92502-1409

RE: General Plan Amendment NO. 945

Dear Mr. John Hildebrand:

I was deeply troubled to learn that the Riverside County Planning Commission is reviewing a proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD) in General Plan Amendment no. 945. My family and I fled the freeways and high density living of the San Francisco Bay Area just a few months ago to live here and we did not expect to have it follow us to our new home. As you can imagine, we are strongly against this proposal and urge the commission to consider the deep negative impact it will have on the immediate area.

At first thought, here are some of the immediate detriments of this proposed plan:

1. Increased traffic throughout the day and night
2. Pollution of the Tocalota Creek from runoff and discarded debris
3. Increased refuse and discarded debris along roads and private property
4. Heightened stress on livestock
5. Increased damage to roads and private property
6. Increase in the amount of noise
7. Greater light pollution and brightening of night time skies
8. The increased potential for traffic accidents around blind corners and difficult roads

Most of all, if this amendment is approved; it will be a gateway to further development and commercialization of the area and will ultimately be looked at as the beginning of the end for our community. Rather than considering our homes and land as future parking lots and imaging it is a fertile land for planted rows of streetlights, I would like to encourage the commission to think of this area as a gateway to the wine country, as the start to all things that the rest of the world has come to know our region for. In this other future, different than the one being proposed, the residents continue to beautify the area, add value to the land, increase its utility, provide for ourselves, maintain and improve our quality of life, and raise the value of the land beyond the boundaries of Auld and Pourroy Roads.

We are looking forward to learning of the commission's rejection of the proposed amendment in the November 4th meeting.

Sincerely,

Corey Sullivan
32125 Buena Ventura Road,
Winchester, CA 92596

Noah Rau, Brianne Yhlen
32343 Auld Rd.
Winchester, CA 92596
APN: 964-050-007-7

November 1, 2015

Members of the Riverside County Planning Commission
Attn: John Hildebrand, Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409

RE: Opposing General Plan Amendment No. 945

Dear Mr. Hildebrand and Members of the Riverside County Planning Commission:

As home owners and residents of a property within the region described in the Notice of Public Hearing for General Plan Amendment No. 945, we appreciate this opportunity to provide comments.

The description for the region that would be re-zoned under General Plan Amendment No. 945 includes our property, however; our property is not included as noted on page 2 of your staff report. Unfortunately this note on page 2 is the only reference to our property in the staff report and incomplete Environmental Assessment because all other descriptions and references in the documentation assume that our property is still part of this proposal.

We were marketed the property as a rural residential horse property in July 2014 and we closed escrow on our property (APN 964-050-007) on September 10, 2014. This rural residential horse property was exactly what we were looking for. We were not informed of any ongoing zoning changes proposed to take place in the area until we heard about proposed GPA 975 from a neighbor on March 25, 2015. Upon hearing of this proposal, we conducted intense research over the next several weeks and discovered the proposed GPA 945 and the GPA 945D1 that was approved without our knowledge.

Basis of Approval Recommendation:

On page 3 of the staff report it is stated that there is a "New Circumstance" for a proposed Butterfield Stage Road re-alignment. We cannot see what this new circumstance could be because the report refers to Tentative Parcel Map (TPM) No. 32379 that was approved back in July 2006 and is yet to be acted upon. This is certainly not a new circumstance; in fact the TPM No. 32379 is set to expire in just seven months. This proposed Butterfield Stage Road re-alignment would require initiation of eminent domain proceedings to acquire necessary property. More than nine years later, these proceedings have not been initiated and this leads us to believe that this proposal is a poor basis for an approval recommendation of GPA 945. Further, TPM No. 32379 should not have been a basis in the GPA 945D1 approval last year.

Noah Rau, Brianne Yhlen
32343 Auld Rd.
Winchester, CA 92596
APN: 964-050-007-7

Shortcomings of Staff Report:

In addition to the faulty basis for recommending approval, the following are some of the items noted as false and improperly analyzed.

- On page 4 it is stated that *"GPA 945 creates a continuation of the Auld Road commercial corridor to Maddalena Road"*.

This is impossible with my rural residential property located between this proposal and GPA 945D1.

- On page 6 it is stated that *"The Amendment results in a logical extension of existing and future Commercial Retail development patterns along the Auld Road corridor, which supports the County's goals and vision."*

Leapfrogging a rural residential property and adding more commercial is **NOT** a logical extension of a commercial corridor!

- On page 8, Finding No. 2 states that *"The project site is surrounded by properties which have a General Plan Land Use Designation of Specific Plan to the north, Rural Residential (RR) to the east and south, and Commercial Retail (CR) to west."*

In order to get to commercial retail on the west, my property must be leapfrogged so this is incorrect and there is Rural Residential to the west.

- On page 9, Finding No. 10 states that *"Furthermore, this project will result in providing a nearly seamless continuation of commercial property on the south side of Auld Road, from Dickson Path on the west to Maddalena Road on the east."*

I strongly disagree that once again jumping over my property is a nearly seamless continuation of commercial property on the south side of Auld Road and it should have been stopped at Dickenson Path.

Shortcomings of the Environmental Assessment No. 41773:

The following are some of the items noted as improper statements and misleading information in the EA that does not properly investigate environmental impacts.

- Section II.A.2. *States that the proposed project site is bound by Dickenson Path in addition to Auld and Maddalena Roads.*

This is entirely false because my property lies between this site and Dickenson Path

- Section II.I.2. *States that Community Development is to the north and west of the proposed site.*

Noah Rau, Brianne Yhlen
32343 Auld Rd.
Winchester, CA 92596
APN: 964-050-007-7

This is false since my property is located to the west and is rural residential.

- Section V.4.c. The finding states *"Given the existing Community Development Foundation Component (including commercial and residential designations) land use designations found to the east and the north of the subject site, there is a logical progression of Community Development within the area."*

There is not CD to the west as implied here since my property is rural residential A-1-5 making this not such a logical progression.

- Section V.28.b. The finding states *"Aside from the existing Light Agriculture zone to the east and south of the site, the amendment proposal is consistent with the more intense surrounding zoning designations with the Specific Plan (SP) zone to the north and General Commercial (C-1/CP) to the west. There will be no impacts"*

Again, there is Rural Residential to the west and the proposed site is surrounded by rural residential and residential community development.

Current Use of our Property:

We currently live and keep Arabian show horses on our property. We purchased this property specifically because we could enjoy our horses and a rural way of life with our children. Horses are extremely sensitive animals and react to visual or noise stimulus and can be dangerous by way of spooking or bolting when presented with scary or foreign things. Again, we purchased this property so we could enjoy it with our children and horses and it would be unsafe in a commercial setting. Not only is it dangerous for us as equestrians but our horses can develop health issues like ulcers from stressful environments. An increase in traffic, noise, or light can be cause for unnecessary stress which can lead to health concerns. Colic, mares miscarrying foals, ulcers, and weight loss are to name a few. We love and value the health and well-being of our horses as well as our family and friends who come to enjoy them with us. Keeping our horses in a construction zone and then a commercial setting would drastically alter their well-being. Any loss would be unacceptable.

Conclusion:

This proposed project has the real potential to cause impacts to our family and animals caused from re-zoning and subsequent development. Some of these potentially detrimental impacts would include noise, dust, fire danger, heavy equipment air pollution, topography change with drainage concerns, groundwater pollution, wildlife refuge, increased traffic congestion, increased crime, and light pollution.

Any or all of these environmental impacts would affect the health and well-being of our two young children and our beloved animals.

Riverside County Planning Department
Attn: John Hildebrand
P.O. Box 1409
Riverside, CA 92502-1409

RE: General Plan Amendment NO. 945

Dear Mr. John Hildebrand:

As homeowners and residents on Pourroy Road, my Husband and I found it very disappointing to hear about the possible zone change proposed in GPA 945. We believe that the proposed expansion and reconfiguration, in conjunction with the proposed rezoning of the parcels referenced in GPA 945 from rural residential to commercial will have a significant negative impact on the character and quality of our community. Therefore we are in complete opposition of this projected change.

It has been four months since we took possession of our property and learned of the Pourroy Road / Butterfield Stage Highway expansion concept plan, AND rezoning of the aforementioned parcels. We still feel shocked and unable to fully express our disappointment at the realization that the people who formulated these propositions do not seem to have the best interest of the residents, who stand to lose the most, if the changes come to fruition.

Winchester's brand of the OLD WILD WEST is proud to be a Gateway community to Temecula's wine country. Why would one even consider losing this area's pervading rural landscape to yet another shopping center? The affected existing residential acreage parcels should remain designated as such for a reason; to act as a buffer between existing tract homes and the surrounding countryside. Creation of another shopping center will only add to the specter of flooding due to loss of natural terrain, as well as loss of habitat for native flora and fauna. This is your opportunity to decide now to stop sprawl and its associated increased traffic, noise and light pollution.

I hope we can keep our community as desirable estates that many homeowners, including myself, would love and have pride in calling home and be able to raise our children in what we still think is a rural environment. We implore you to act now to preserve Winchester's charm.

Kyle & Lauren Mikowski
37300 Pourroy Rd. Winchester (2596
858.775.1487

Hildebrand, John

From: jmb1lab@aol.com
Sent: Sunday, November 01, 2015 11:13 AM
To: Hildebrand, John
Subject: GPA 945

To: County of Riverside Planning Department
Attn: John Hildebrand

Dear Sir,

This is in regards to GPA No.945 which is coming before you Wednesday, November 4, 2015 for consideration. This amendment will further alter our rural community by changing some A-1 Land Use, Rural Residential - 5 acre parcels on Auld Road to Commercial Development.

As the crow flies, this area is barely one-half mile North of our property and infringes on our privacy with unwanted business traffic on our residential roads. It also attracts undesirables who offend by dumping their household trash and wornout furniture unto our private properties

Our access road (Buena Ventura Road) is the first through road South of this proposal and would become the shortcut means to avoid increased traffic at the intersection of Auld Road and Pourroy Road; just as the school traffic from the housing tract does currently. They drive through here at reckless speeds, making it dangerous to even walk along our roads. They have no regard for those of us who live here. We do not need an increase of this type of invasive, unsafe traffic.

I strongly oppose GPA No.945 and ask that you seriously consider denying this petition.

Respectfully,
Jeanne Marie Bender, Property owner
37595 Green Knolls Road
Winchester, CA 92596

Sent from my LG G Pad 7.0 LTE, an AT&T 4G LTE tablet

Hildebrand, John

From: Joe Swall <joeswall@laserelectric.com>
Sent: Wednesday, October 21, 2015 2:57 PM
To: Hildebrand, John
Subject: RE: Land Use CZ07743 GPA00945

John,

Someone approved a bail bonds man (Fausto's Bail Bonds) down the road from this location so now we have criminals, drunks and crake heads coming and going in and out of our neighborhood. I have no faith in the process that you describe.

My vote is still no to any commercial zoning please make all my concerns known to the Planning Commission.

Thank you



Joe Swall
Senior Estimator/CAD Design
Laser Electric, Inc.
7626 Miramar Rd. #3300
San Diego, CA 92126
(858) 348-8984
(951) 232-8133 (cell)
<http://www.laserelectric.com>

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 **Please consider the environment before printing this e-mail.**

From: Hildebrand, John [mailto:JHildebr@rctlma.org]
Sent: Wednesday, October 21, 2015 2:35 PM
To: Joe Swall
Subject: RE: Land Use CZ07743 GPA00945

Any future implementing project will need to go through a separate County review process, noticing, and public hearing again. Construction of new buildings requires entitlement approval, which is subject to the same process.

Regards,

Riverside County Planning Department
4080 Lemon Street, 12'th Floor
Riverside, CA 92501

John Earle Hildebrand III – Senior Project Associate
eMail: jhildebr@rctlma.org
Phone: (951) 955-1888

From: Joe Swall [<mailto:joeswall@laserelectric.com>]
Sent: Wednesday, October 21, 2015 2:29 PM
To: Hildebrand, John
Subject: RE: Land Use CZ07743 GPA00945

John,

How can you approve this without knowing what would be built on it now or in the future. According to the new zoning classification Ashlee Lewis could build an Escort Service/Bar and Cocktail Lounge under that designation I would say no to the plan. This is a community of families and rural farms with schools and school age children nearby not a commercial area please make note of my concerns to the Planning Commission.

Thank You



Joe Swall
Senior Estimator/CAD Design
Laser Electric, Inc.
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Please consider the environment before printing this e-mail.

From: Hildebrand, John [<mailto:JHildebr@rctlma.org>]
Sent: Wednesday, October 21, 2015 1:57 PM

To: Joe Swall
Subject: RE: Land Use CZ07743 GPA00945

There are no plans to build anything specific on the site. The project includes just the General Plan Amendment and Change of Zone entitlements, to change the property to commercial. The County's development code describes what is allowed in each zoning district. Please refer to the code for more information, which can be found here:

[http://planning.rctlma.org/Portals/0/zoning/ordnance/Ord 348 clean version.pdf](http://planning.rctlma.org/Portals/0/zoning/ordnance/Ord_348_clean_version.pdf)

Regards,

Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

John Earle Hildebrand III – Senior Project Associate
eMail: jhildebr@rctlma.org
Phone: (951) 955-1888

From: Joe Swall [<mailto:joeswall@laserelectric.com>]
Sent: Wednesday, October 21, 2015 1:43 PM
To: Hildebrand, John
Subject: Land Use CZ07743 GPA00945

John,

I live at 32488 Perigord Road, Winchester CA 92596. What is this General Plan Amendment No. 945 Change of Zone No. 7743? What is planned to be built on this property? What can be built in the future if it is C-1/C-P (General Commercial)?

Thank you



Joe Swall
Senior Estimator/CAD Design
Laser Electric, Inc.
7626 Miramar Rd. #3300
San Diego, CA 92126
(858) 348-8984
(951) 232-8133 (cell)
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ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



October 29, 2015

VIA ELECTRONIC MAIL

Planning Commission
Riverside County
4080 Lemon St
Riverside CA 92501

RE: Items 4.1 – 4.7, Hearing Date: November 4, 2015

Dear Chair and Members of the Commission:

Endangered Habitats League (EHL) appreciates the opportunity to comment on three items before you. For your reference, EHL served on the advisory committees for all three components of the Riverside County Integrated Project.

4.1 GPA 896 – *No position*

This GPA would change land in Temescal Wash from OS to CD. Prior to Commission action, MSHCP consistency should be confirmed via adherence to the HANS determination to set aside the southern portion of the site for wildlife connectivity.

4.2 GPA 917 – *Recommend denial*

This GPA would convert Rural land in Reche Canyon to RC estate lots. It is in an high fire hazard area. There is no planning rationale for putting additional life and property at risk of fire, for adding population remote from most infrastructure and services, in using land inefficiently for large lots, or for adding long distance commuters to the highways. Please note that this GPA was initially recommended for denial of initiation by staff.

4.3 GPA 945 – *Recommend denial*

The conversion of this 19-acre Rural parcel to Community Development (commercial retail) would “leapfrog” over vacant parcels already so designated. Note that this GPA was initially recommended for denial of initiation by staff.

4.4 GPA 955 – *Recommend denial*

The initial staff recommendation for denial found no new conditions or circumstances that would justify this large 591-acre Foundation change, thus the General Plan standard is not met. The modification to 2-acre estate lots instead of low density

residential does not change this fact. The current designation – Open Space Rural – is the lowest density in the General Plan and reflects the lack of infrastructure, services, and sewer. The project is simply sprawl. Also, according to the staff report, the area is a “sand source” for the Coachella Valley Fringe-toed Lizard Preserve Dunes.

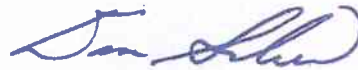
4.5 GPA 983 – *No position*

4.6 GPA 1036 – *No position*

4.7 GPA 1039 – *No position*

Thank you for considering our views.

Yours truly,



Dan Silver
Executive Director



**VALLEY-WIDE RECREATION
AND PARK DISTRICT**
GoRecreation.org

AWARD WINNING CALIFORNIA PARKS

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November 2, 2015

John Hildebrand
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409

RE: GENERAL PLAN AMENDMENT NO. 945 AND CHANGE OF ZONE NO. 7743

Dear Mr. Hildebrand:

Valley-Wide Recreation and Park District has reviewed the development packet for the above referenced projects and has the following comments:

1. Developer is required to annex into the District.
2. The project is required to annex into the French Valley Community Financing District.
3. Since the proposal will change the land use and zoning designations to commercial, Quimby Fees will be required at the current rate at time of approval.
4. Prior to any tentative map approval, the applicant shall meet with District staff to discuss landscape and basin maintenance.

Should you have any questions, please feel free to contact me at (951) 654-1505.

Sincerely,

Dean Wetter, General Manager
Valley-Wide Recreation and Park District

Johnson & Sedlack

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November 10, 2015

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EMAIL AND US MAIL

***RE: Written Request for all Public Notices regarding General Plan Amendment No. 945,
Change of Zone 7743, EA 41773***

Greetings:

Please allow this letter to serve as a written request to receive all notices regarding the Negative Declaration for, and approval of, General Plan Amendment No. 945, Change of Zone 7743, EA 41773.

This written request is intended to include all public notices issued pursuant to the County of Riverside ordinances, as well as pursuant to the California Environmental Quality Act ("CEQA"), including notice of any CEQA determination regarding the subject Project. This written request is also intended to include any notices of public hearings regarding the Project.

Please send all notices to the following address:

Johnson & Sedlack
26785 Camino Seco
Temecula, CA 92590

Thank you very much for your assistance.

Sincerely,



Raymond W. Johnson
JOHNSON & SEDLACK

Johnson & Sedlack

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November 3, 2015

Planning Commission
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VIA E-MAIL and U.S. MAIL

Re: Agenda Item 4.3- Opposition to General Plan Amendment No. 945 and Change of Zone No. 7743, Adoption of a Negative Declaration

Greetings:

I hereby submit these comments on behalf concerned area residents and Tualota Estates in opposition to adoption of a Negative Declaration for, and proposed approval of, General Plan Amendment (GPA) No. 945, Change of Zone (CZ) No. 7743.

The Project proposes to amend the site's General Plan Foundation Component from Rural (R) to Community Development (CD); change the site's land use designation from Rural Residential (RR) (5-acre minimum) to Commercial Retail (CR) (0.20-0.35 FAR); and change the Zoning Classification from A-1-5 (Light Agriculture, 5-acre minimum) to C-1/C-P (General Commercial) on two parcels totaling 9.49 acres (the "Project"). The Project site is located within the Southwest Area Plan east of Dickson Path, South of Auld Road, West of Maddalena Road, and North of Mazoe Street. The site is within the General Plan's Highway 79 Policy Area.

For the reasons detailed below, the proposed Project fails to comply with the California Environmental Quality Act ("CEQA")(Pub. Res. Code §§ 21000 *et seq.*) and is inconsistent with the County's General Plan¹.

¹ In order to conserve paper and where available, citations are provided herein in electronic format. Please consider these documents as if they were attached in their entirety. If for whatever reason the citation provided is no longer available, please contact Johnson & Sedlack and I will be happy to provide you with a hard copy of the document.

I. Improper Piecemeal Environmental Review and Failure to Consider Cumulative Impacts

The California Supreme Court has prohibited the piecemeal evaluation of a Project's environmental impacts. A lead agency may not split a single large project into small pieces to minimize the impacts of the whole action or avoid environmental review of the entire Project. (*Laurel Heights Improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.376, *Orinda Assn. v. Bd. Of Supervisors* (1986) 182 Cal.App.3d 1145, 1171) The County's consideration of the effects of this Project improperly piecemeals environmental review.

The proposed Project comes on the heels of an earlier, February 13, 2008 submittal requesting the Board of Supervisors adopt an order initiating proceedings to adopt a General Plan Amendment for 18.99 gross acres from Rural: Rural Residential (RUR-RR) to Commercial Retail (CD:CR) for APNs 964-050-006, 964-050-007, 964-050-008, and 964-050-009. At the time, a planned realignment of several roads with an approved Tentative Parcel Map would break up a 20-acre parcel designated CR to the west of the Project site, which 20 acres the project proposed to "replace." However, when the alignment was completed, the existing 20-acre parcel still have three remaining pieces designated CR comprising a total of 13.5 acres: 7 acres, 4 acres, and 2.5 acres. Staff felt that even with any road realignment, an adequate amount of CR would remain in the area; an additional 20 acres to "replace" the lost 6.5 acres of CR would be excessive.

The Planning Director and Planning Commission in 2010 recommended the Board of Supervisors *decline* to initiate the General Plan Amendment². The Board of Supervisors went against this recommendation and adopted an order to initiate GPA 945 to amend the Land Use designation on these ~20 acres (18.99 acres).

On February 14, 2008, another GPA, GPA No. 975, was submitted to amend a site adjacent to this Project from RR to Medium Density Residential. According to the Planning Commission Staff Report, the original submittal included all four parcels of original GPA 945 and totaled 93 acres. (<http://planning.rctlma.org/Portals/0/hearings/pc/2015/rpc072915.pdf> [Item 3.1])

GPA 975 ended up being initiated inclusive of the parcel designated APN 964-050-007, the middle-west lot of original GPA 945. The owner at the time had asked to become part of GPA 945; however, when GPA 975 went to the Board of Supervisors on April 18, 2010, the Board initiated GPA 975 inclusive of that parcel. APN 964-050-007 has since been removed from both the GPA 975 application and the current GPA 945 application. (<http://planning.rctlma.org/Portals/0/hearings/pc/2015/rpc072915.pdf> [Item 3.1]) The Board of Supervisors has not yet held a public hearing on GPA 975.

² The Staff Report for the Project wrongly states GPA 945 was recommended for initiation by County staff, the Planning Director, and Planning Commission. In fact, they each recommended the Board of Supervisors decline to initiate GPA 945.

In October 2014, the Board of Supervisors voted to adopt a Negative Declaration for GPA No. 945D1, CZ No. 7822, and tentatively approve the GPA and CZ pending final adoption of a resolution and ordinance from the board. GPA No. 945D1 parsed out 4.5-acre western-most parcel of original GPA 945 located at the southeast corner of Dickson Path and Auld Road, and approved the request to amend the site's General Plan Foundation Component from Rural (R) to Community Development (CD); change the site's land use designation from Rural Residential (RR) (5-acre minimum) to Commercial Retail (CD: CR) (0.20-0.35 FAR); and change the Zoning Classification from A-1-5 (Light Agriculture, 5-acre minimum) to C-1/C-P (General Commercial). GPA 945D1 was adopted on June 30, 2015, with the Zone Change agendized for approval November 3, 2015.

This Project proposes to further complete the original 2008 submittals by amending the General Plan and rezoning the 9.49 eastern-most lots of GPA 945. By limiting CEQA review to only these 9.49 acres, the County improperly segments review of the environmental effects of the whole action being proposed. An Environmental Impact Report must be prepared to evaluate the effects of the entire action being proposed.

On the other hand, if evaluated separately, the Initial Study/ Negative Declaration fails to consider the cumulative effects of this Project and these neighboring proposed actions. CEQA mandates a lead agency consider a project's cumulative impacts:

"An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulative considerable.

'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past project, the effects of other current projects, and the effects of probably future projects." (CEQA Guidelines § 15064 (h)(1), 15355.)

Considered cumulatively, the environmental effects of GPA 945, GPA 945D1, and GPA 975 may be significant due to a *drastic* increase in proposed land use intensity. Significant cumulative impacts to traffic, land use/planning, air quality, aesthetics/lighting, etc. may occur. Environmental review must consider these cumulative effects in an EIR.

II. The Initial Study Improperly Defers needed Environmental Review

In addition to the overarching failure to consider adjacent cumulative projects, the Initial Study/ Negative Declaration fails to comply with CEQA by omitting evaluation of the ultimate or secondary effects of the land use change. CEQA requires consideration of the indirect and secondary impacts of an amendment to the General Plan or Zoning Ordinance where such impacts are reasonably foreseeable. (Guidelines § 15358(a)(2)) While CEQA does not require speculation, it requires the agency forecast project impacts and use "its best efforts to find out and disclose all that it reasonably can." (Guidelines § 15144) CEQA recognizes the degree of specificity will be less in evaluating amendments to a zoning ordinance or general plan but nevertheless requires agencies consider of the ultimate consequences of such changes to the physical environment. (Guidelines §§ 15146, 15378, *City of Redlands, supra*, 96 Cal.App.4th 398.)

CEQA places the burden of environmental investigation on the agency. An “agency should not be allowed to hide behind its own failure to gather relevant data.” (*Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 311, *City of Redlands v. County of San Bernardino* (2002) 96 Cal.App.4th 398.)

The Initial Study here fails to evaluate the reasonably foreseeable ultimate consequences of this Project in compliance with CEQA’s overarching information disclosure and environmental protection purposes. The Initial Study instead repeatedly states analysis is deferred until “a development proposal” or other “future implementing project.” The vast majority of the conclusions in the ND are not based on substantial evidence or *any* evaluation.

The Initial Study also repeatedly states, “this is a programmatic level CEQA analysis,” and claims the Project is too speculative to provide a detailed analysis at this time. The reference to this analysis as “programmatic” is misleading and false. CEQA allows the preparation of a “Program” EIR to evaluate a series of related actions in order to consider broad policy issues, ensure cumulative impacts are addressed, and avoid duplication of work, among other things. (Guidelines § 15168) Subsequent projects are then considered in light of the Program EIR. This Project is *not* being evaluated in a Program EIR, but instead proposes adoption of a Negative Declaration (with no mitigation) for a site- specific General Plan Amendment and Zone Change. The deferral of analysis permitted with a Program EIR does not justify deferral here absent the same level of in depth CEQA review and proposed mitigation.

While development-level analysis may presently be impossible, the County can reasonably forecast impacts of the GPA and zone change based on the assumptions made in the General Plan, General Plan EIR, Zoning Ordinance, and other planning documents. For instance, the County could reasonably apply the “probable” FAR of 0.23 and 500 SF/Employee rates of General Plan Appendix E, predicted development area, and ITE trip Generation Rates to forecast traffic, air quality, noise and other ultimate impacts of the Project. In other places, the Initial Study omits even basic disclosure and inquiry, i.e., the location of the nearest fire station, information about the dam inundation area, etc. The Initial Study fails to comply with the law where it kicks the can down the road without *any* effort at analysis or disclosure.

Furthermore, if deferred, there is no guarantee in depth review would *ever* occur. If a future discretionary approval is not needed, a development project at the site may be permitted with no further CEQA review. Also, if impacts are no longer potentially “significant” as a result of the GPA and Zone Change, cursory review with an initial study may be deemed sufficient. In addition, CEQA Guidelines § 15183 provides a type of “exemption” for projects consistent with the general plan or zoning ordinance. Future development at the site may consequently *never* require the CEQA review alluded to in the Initial Study.

The County must properly evaluate the ultimate impacts of these land use changes *now*.

III. The Initial Study is Inadequate and an EIR must be prepared to evaluate the Potentially Significant Effects of the Project

The adoption of a Negative Declaration for this Project is improper as there is evidence the Project may result in significant environmental impacts. An EIR is required for any proposed

project that may have a significant effect on the environment. (Public Resources Code § 21100 (a).) A lead agency may prepare a negative declaration for a proposed project in lieu of an EIR only where there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. (State CEQA Guidelines § 15070 (a))

There is substantial evidence in the record the Project may result in significant impacts to/from, at least, aesthetics, agriculture, air quality, geology, hazards, hydrology/water quality, land use/ planning, noise, and traffic. The Project is also likely to result in significant cumulative impacts not addressed in the Initial Study from the related projects set out above and other proposed projects in this area.

Furthermore, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, *all feasible mitigation* must be adopted. In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. No mitigation is proposed for this Project's potentially significant effects. Hence, as detailed herein, the Initial Study/ Negative Declaration is inadequate and an EIR must be prepared for this Project.

Aesthetics

The Project has the potential to cause aesthetic impacts from obstructing views and creating an aesthetically offensive site open to public view by permitting development inconsistent with existing development and land use designations in the area.

As stated in the General Plan, "Rural areas comprise one of the most distinctive and attractive segments of the County and are the expressed lifestyle choice for many residents." (General Plan p. LU-52) Accordingly, General Plan Policies include LU 17.3 to, "Ensure that development does not adversely impact the open space and rural character of the surrounding area"; and LU 17.6 to, "Provide programs and incentives that allow rural areas to maintain and enhance their existing and desired character."

The Project site is currently vacant land, designated by the General Plan Foundation Component as Rural (R) and with a land use designation Rural Residential. The site is surrounded by single-family residential and vacant land. The Project would change the Site's Foundation Component designation to Community Development and land use designation to Commercial Retail. The Project consequently may result in significant aesthetic impacts through inconsistent development contrary to policies established to maintain the existing attractive and distinctive rural character of the area. The Project instead proposes to diminish this rural area; an act that may be aesthetically offensive and substantially damaging to scenic resources according to these General Plan Policies.

The Project may also have significant aesthetic impacts from obstructing views. The site's land use designation currently permits minimal development onsite through the R:R (5-acre minimum) land use designation and A-1-5 (Light Agriculture, 5-acre minimum). The proposed Project would likely permit substantial additional site building coverage beyond the current planning and zoning, approximately 3.3 acres of the site with a one-story development. Views from the roadway and neighboring residences may thus be obstructed.

Lighting is also an issue. The Project land use designation would create a great deal more lighting than the rural designation from both stationary and vehicle lighting in excess of the current allowed uses. While Ordinance No 655 may reduce light spill over from stationary sources, there is no consideration of potential increases in lighting from vehicle trips to and from commercial retail uses. What is more, even with the requirements of Ordinance No. 655, stationary lighting may still be exceptional at this site due to its rural and residential location.

There is also evidence of cumulative aesthetic impacts. The various proposed projects (GPA 945, GPA 945D1, GPA 975) would significantly alter the landscape, impact scenic views, and increase lighting in this rural/ agricultural area. The Initial Study/ Negative Declaration fails to address these cumulative effects.

Agriculture

The Project may cause potentially significant impacts to agricultural resources. First, the site is located within 300 feet of agriculturally zoned property, and so may adversely impact adjacent agricultural uses. The Initial Study states that, due to the Community Development (including commercial and residential) designations to the east and north of the site, the Project continues a "logical progression of Community Development within the area." This contention flies in the face of the General Plan's stated goal to preserve rural areas, "define their edges and provide separation between developed areas," and prevent their diminishment from "encroaching urbanization." (General Plan p. LU-52 through -53) The Project proposes additional sprawl and encroachment into a rural and agricultural area in a manner that may cause significant impacts to existing agricultural zoning.

The Project may also involve other changes in the existing environment which could result in conversion of Farmland to non-agricultural use. The County seeks to preserve agriculture to maintain the viability of the agricultural industry, a critical component of the County's economy, and to preserve the resource represented by farmland - its productive soils and its secondary role as an open space amenity. Locally important farmlands are designated based on their importance as an agricultural resource, and include:

- Lands with soils that would be classified as Prime or Statewide Important Farmlands but lack available irrigation water.
- Lands planted in 1980 or 1981 in dry land grain crops such as barley, oats, and wheat.
- Lands producing major crops for Riverside County but that are not listed as Unique Farmland crops. Such crops are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelon.
- Dairylands including corrals, pasture, milking facilities, hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.
- Lands identified by the County with Agriculture land use designations or contracts.
- Lands planted with jojoba that are under cultivation and are of producing age.

There is also no disclosure of why the designation "Farmland of Local Importance" was applied to the site. There is also no evaluation of the viability of agricultural uses at the site, such as a

LESA evaluation to evaluate soil quality, water availability, etc. Impacts to this Farmland of Local Importance have been inadequately evaluated and disclosed, and may be significant.

The Initial Study also inadequately considers the potentially significant impacts of this encroachment on adjacent or nearby sites. As there are agriculturally zoned properties within 300 feet of this Project, the Project may cause significant impacts from noise, traffic, lighting, growth inducement/ sprawl, and other issues resulting from the change in use at the site. The effects of potential conflicts in use to adjacent agricultural properties may be significant.

Also, cumulative effects of this Project, GPA 945D1, and GPA 975 are not considered with respect to nearby agricultural uses. The effects of this proposed urban sprawl into this rural area have been inadequately addressed.

These potentially significant impacts are not mitigated. The proposed deferral of mitigation until development application review is improper as mitigation is presently available to reduce or avoid adverse agricultural impacts. For instance, mitigation should be adopted requiring a 200-foot setback vegetative buffer (e.g. landscaped area) between any commercial building or parking area developed at the site and adjacent to agriculturally zoned property. Access to the site should be restricted to roadways and turning movements that will prevent impact to nearby agricultural uses. Other mitigation should include purchasing agricultural easements or agricultural land for preservation in the County at a 1:1 ratio.

Air Quality

The Initial Study/ Negative Declaration states the increase in air quality impacts is “too speculative to provide a detailed analysis at this time,” and thus concludes impacts will be less than significant. The County could reasonably forecast the impacts of the proposed increased intensity of use based on traffic (ITE Trip Generation Rates); and land use and zoning designations (General Plan EIR). There is no justifiable reason to fail to generally forecast Project air quality impacts.

The Initial Study/ Negative Declaration also omits consideration of whether the Project is inconsistent with SCAQMD’s Air Quality Management Plan (AQMP), where the use of this site, and others in the area, were presumed to be RR. The Project is likely to conflict with the AQMP individually and cumulatively.

Cumulative air quality impacts from mobile source emissions are also likely. This Project is located within the Highway 79 Policy Area, established to ensure adequate transportation infrastructure capacity to accommodate added traffic growth. This Project, GPA 945D1, and GPA 975 will increase traffic growth beyond levels considered in the General Plan. Numerous other amendments to the General Plan in the Highway 79 Policy Area are currently being considered as well. (See, GPA 998, GPA 976, GPA 926, etc. < <http://planning.rctlma.org/Portals/0/hearings/pc/2015/rpc102115.pdf>> [Item 4.3]) Jointly these projects are likely to *significantly* increase traffic on Highway 79 and connecting roadways, thus also substantially increasing air pollutant emissions.

No mitigation has been proposed or adopted for the Project's potentially significant air quality impacts. Mitigation should include measures to reduce construction emissions when development occurs, including adopting dust control measures, setbacks from adjacent residences, construction routes, and use of CARB Tier IV certified equipment. Operational mitigation should include the following terms:

1. Require planting of shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.
2. Require installation of EVSE QuickCharge charging stations onsite with any proposed development.
3. Require paving with concrete or reflective surface with any proposed development.
4. Prohibit gas powered landscape maintenance equipment with any proposed development.
5. Provide preferential parking for carpool/vanpool vehicles and EV with any proposed development.
6. Provide secure, weather protected bike parking with any proposed development.
7. Connect to existing trail systems with any proposed development.
8. All buildings with any proposed development shall be constructed to applicable LEED Gold standards.
9. Buildings with any proposed development shall exceed applicable Title 24 requirements by 20%.
10. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc. with any proposed development.
11. Require photovoltaic solar or alternative renewable energy sources sufficient to provide 100% of all electrical usage for any proposed development.
12. Require installation of solar water heating systems to generate all hot water requirements with any proposed development.

Biology

Any evaluation of potential biological impacts is improperly deferred. There is no reason required surveys could not be presently completed.

The Initial Study/ Negative Declaration improperly limits impact evaluation to onsite areas without any consideration of off-site effects. (Guidelines §§ 15064 (d), 15360) Tocalota Creek runs nearby the site. The Project may impact riparian and riverine habitat or wetland by ultimately increasing traffic, noise, runoff, etc. in this area.

Cumulative impacts to biological resources are also potentially significant where the Project and others proposed in the area would propose significantly more intense development in this currently rural area, increasing noise, lighting, traffic, etc. and reducing available open space and habitat area.

Cultural Resources

Any evaluation of potential impacts to cultural/ archaeological resources is improperly deferred despite Pechanga's request to initiate consultation. The public and decision-makers must be informed of the full scope of this Project's impacts on the environment now, before it is too late to reverse course.

Evaluation of paleontological impacts is also wrongly deferred where the Project is located in an area of high paleontological sensitivity. No information is provided to the public or decision-makers concerning the potential effects of significantly increasing development and disturbance on the site with a CR land use. No mitigation has been adopted for these potentially significant impacts.

Geology/Soils

The Project is located in an area highly susceptible to ground subsidence, yet no geotechnical study has been prepared to determine whether the site is capable of supporting the proposed increased land use intensity. No mitigation has been adopted for potential geotechnical impacts.

GHGs

The Initial Study/ Negative Declaration improperly defers evaluation of GHG impacts. As with air quality and traffic impacts, it is possible to forecast the effects of the proposed increased land use intensity with reference to the General Plan EIR, ITE Trip Generation data, and other planning documents. Such impacts are likely significant due to increased vehicle trips and associated mobile source emissions.

Compliance with the County's Climate Action Plan is insufficient mitigation. The CAP was adopted to reduce predicted emission levels based on the General Plan. A more intense land use was not considered.

Hazards

The site is located in a high fire area. While the Initial Study accurately states, "the project does not propose to add people or structures to the site." The Initial Study again wrongly fails to evaluate the ultimate effects of the GPA. The CR land use designation proposes to substantially increase the use of the site, in terms of both people and structures, compared to the RR designation.

The Initial Study also identifies potentially significant hazards to emergency access, stating, "The project will result in higher development intensity of the site than was proposed in the General Plan...[which] may result in an overburden of streets previously identified as evacuation routes for other projects." The Initial Study fails to actually cite what those routes are or in any way evaluate or disclose the potential effects to those routes. Given the site's location in a high fire hazard area and dam inundation area (discussed below), the potential to overburden evacuation routes is significant. Cumulative impacts to emergency access are also likely significant for the same reason, and undisclosed in the Initial Study. No mitigation is adopted to ensure that adequate emergency access will be provided with future development proposals.

Hydrology/Water Quality

As discussed above, the site is located near Tocalota Creek. No information is provided about the creek, drainage patterns, runoff, etc. The Project's proximity to the Creek evidences potential for impacts from increasing potential site coverage and land use intensity.

No information is provided concerning groundwater at the site, yet the Initial Study finds a less than significant impact would occur despite planning for greater intensity of development at the site. This conclusion is unsupported by any fact or evidence.

In addition, the Staff Report states the site *is* located within a Flood Zone and Dam Inundation Area, contrary to the statement of the Initial Study p.2. Initial Study p. 22 acknowledges, “the northwest corner of the project site is located in an area of flooding sensitivity” but fails to provide further information. Page 24 states “Dam Inundation Area” with *no further information* about the potential flooding hazards at the site or potential impacts of increasing development intensity and attracting people to this flood prone site.

The site is evidently located in the Dam Inundation Area of Lake Skinner. According to the County’s General Plan EIR No. 521 (February 2015) the dam has a rating of “H” signifying a “High” hazard potential. “A dam is considered a ‘high’ hazard potential if it stores more than 1,000 acre-feet of water, is higher than 150 feet tall and has the potential for downstream property damage and/or causing downstream evacuation. These are dams where failure or misoperation would likely cause loss of human life.” The impact of the GPA and CZ must be considered in light of the potential for attracting persons to an area of potential dam inundation.

Consideration must also be given to flooding impacts to surrounding sites if a more intense use is permitted at the Project site. Would a CR structure at the Project site impede or redirect flood flows to adjacent sites in the event of a flood?

Land Use/Planning

The Project is likely to result in significant impacts to land use and planning, individually and cumulatively.

In recommending rejection of the original 2008 submittal for a GPA and CZ to commercial for an 18.99 site, County Planning expressed the opinion the addition of so much commercial would be excessive for the area in light of the remaining 13.5 acres of commercially designated land remaining with any proposed road realignment. This is especially true given the General Plan anticipates commercial development will occur on only about 40% of land designated CR, so more than enough CR land (8 acres/ 20 acres) would remain *even with* the proposed road realignment. (General Plan p. LU-63)

If the road is not realigned pursuant to the applicable tract map, the County will end up with ~35 acres of CR land in an area planned for ultimate development of just 8 acres. This is a substantial alteration of the planned land use in the area.

The Initial Study states significant impacts will not occur because the General Plan intended urban uses in French Valley. This is misleading. The Riverside County General Plan’s Southwest Area Plan seeks to focus urban development in City/urban centers in order to continue to preserve the rural and agricultural character of the area. (See, SWAP p. 15 [”Land Use Concept”]) “By concentrating development patterns in this manner, future growth will be accommodated and the unique rural and agricultural lifestyle found elsewhere in the Southwest planning area will be maintained.” In French Valley, urban development is to occur through a number of Specific Plans.

Here, the Project site is not part of a Specific Plan. The Project site is presently designated by the General Plan Foundation Component as Rural, a designation that is deemed by the General Plan to be one of "Riverside County's most important land uses in terms of historic character and lifestyle choice." (General Plan p. LU-52) The General Plan states:

"Rural areas comprise one of the most distinctive and attractive segments of the County and are the expressed lifestyle choice for many residents. Rural uses include a range of choices, from agricultural, to equestrian, to estate, to remote cabins and resorts. Like agricultural uses, rural uses define the unique character of many communities in Riverside County and help to define their edges and provide separation between developed areas. Rural areas are also valuable in providing important wildlife habitat and habitat linkages. Many visitors are drawn to this County to enjoy the rural atmosphere. The importance of the rural character to Riverside County is reflected in the following RCIP Vision statements:

'The extensive heritage of rural living continues to be accommodated in areas committed to that lifestyle and its sustainability is reinforced by the strong open space and urban development commitments provide for elsewhere in the RCIP.'

'Each of our rural areas and communities has a special character that distinguishes them from urban areas and from each other. They benefit from some conveniences such as small-scale local commercial services and all-weather access roads, yet maintain an unhurried, uncrowded life style. Rural residents accept the fact that they must travel some distance for more complete services and facilities.'

"Due to increasing growth pressures, there is danger that the character of some rural areas may be diminished by encroaching urbanization. There is a delicate balance between accommodating future growth and preserving this rural lifestyle. In some instances, allowing limited growth is desirable and appropriate while in others, there is a need to maintain the character of an area...."

"The Rural General Plan Foundation Component is intended to identify and preserve areas where the rural lifestyle is the desired use, including areas of remote cabins, residential estates, limited agriculture, equestrian, and animal keeping uses. In the future, the challenge will focus on preserving the character of established rural areas while accommodating future growth, preventing the encroachment of more intense urban uses, and ensuring compatibility between rural and urban uses." [emphasis added] (General Plan p. LU-52 through -53)

To this end, the General Plan adopts the following policies for rural designations:

- LU 17.1 Require that grading be designed to blend with undeveloped natural contours of the site and avoid an unvaried, unnatural, or manufactured appearance. (AI 23)
- LU 17.2 Require that adequate and available circulation facilities, water resources, sewer facilities and/or septic capacity exist to meet the demands of the proposed land use. (AI 3)

- LU 17.3 Ensure that development does not adversely impact the open space and rural character of the surrounding area. (AI 3)
- LU 17.4 Encourage clustered development where appropriate on lots smaller than the underlying land use designation would allow. While lot sizes may vary, the overall project density must not exceed that of the underlying land use designation unless associated with an incentive program.
- LU 17.5 Encourage parcel consolidation. (AI 29)
- LU 17.6 Provide programs and incentives that allow rural areas to maintain and enhance their existing and desired character. (AI 9, 30)

The Project site presently, in keeping with this intent, is designated Rural Residential (RR) 5 ac min., which use permits single-family residences with a minimum lot size of 5 acres, limited animal keeping and agricultural uses, recreational uses, compatible resource development (not including the commercial extraction of mineral resources) and associated uses and governmental uses. Existing uses on surrounding land is single-family residential, vacant, or single-family residential as part of a Specific Plan.

The Project would diminish this rural area by approving encroaching urbanization. The Project would amend the site's General Plan Foundation Element designation to Community Development and the General Plan Designation to CR, a designation inappropriate to the area. "The Community Development General Plan Foundation Component depicts areas where urban and suburban development are appropriate." (General Plan LU-58) "It is the expressed goal of the General Plan to focus future growth into those areas designated for Community Development and in a pattern that is adaptive to transit and reduces sprawl." [emphasis added](General Plan p. LU-58)

The following policies apply to commercially designated properties within the Community Development General Plan Foundation Component, as further depicted on the area plan land use maps.

LU 23.1 Accommodate the development of commercial uses in areas appropriately designated by the General Plan and area plan land use maps. (AI 2, 6)

LU 23.2 Once 40% of the area designated Commercial Retail within any Area Plan is built out, commercial retail development applications that are proposed within that Area Plan will only be considered for approval based on demonstrated market need, as well as a demonstrated ability to accommodate the traffic impacts the development will generate. (AI 1)

LU 23.3 Site buildings along sidewalks, pedestrian areas, and bicycle routes and include amenities that encourage pedestrian activity. (AI 3)

LU 23.5 Concentrate commercial uses near transportation facilities and high density residential areas and require the incorporation of facilities to promote the use of public transit, such as bus turnouts. (AI 3)

LU 23.6 Require that commercial projects abutting residential properties protect the residential use from the impacts of noise, light, fumes, odors, vehicular traffic, parking, and operational hazards. (AI 3)

LU 23.7 Require that adequate and available circulation facilities, water resources, and sewer facilities exist to meet the demands of the proposed land use. (AI 3)

Project Design LU 23.9 Require that commercial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area. (AI 3)

The Project would, contrary to these goals, increase sprawl into an area the General Plan intended for rural uses. The Project fails to satisfy the General Plan policies for development of Rural and Community Development areas. The Project proposes additional CR away from adequate infrastructure, including adequate circulation facilities (as discussed in the transportation section re: Highway 79 Policy Area, below); and away from population centers. The Project would be inconsistent with existing open space and rural uses.

The Project also fails to comply with the rural goals of clustering development to allow more rural and open space uses. The Project and other cumulative projects would simply expand urban and suburban uses into the designated rural areas. The Project and cumulative projects fail to promote the County's goal to protect the distinctive rural areas of the County.

The Project is also incompatible with surrounding zoning. The Initial Study states, "Aside from the Light Agriculture zone to the east and south of the site, the amendment proposal is consistent with the more intense surrounding zoning designations with the Specific Plan (SP) zone to the north and General Commercial (C-1/C-P) to the west. There will be no impacts." This claim is absurd based on the facts presented. Essentially the Project is inconsistent with half the surrounding zoning (east & south) and consistent with half (north & west). The no impact finding is unsupported by fact.

Next, the Project is incompatible with existing land uses, which include single-family residences to the north; and scattered residences plus vacant land to the south, east, and west. This is definitely not the "high density" area the General Plan intended for Community Development and CR use.

The Initial Study fails to consider growth-inducing impacts of this Project and proposed cumulative projects. Indirect or secondary effects of a project "may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems." (Section 15358)(a)(2)). These cumulative projects expand urban and suburban development into an area planned for rural use, inducing further sprawl and changes in the pattern of land use in the area.

The Project also has the potential to impact a land use within Temecula's sphere of influence. The Initial Study states Temecula raised no comments or concerns about the Project. This is false. In a letter dated May 19, 2014, the City of Temecula requested a traffic impact analysis. No such analysis has been prepared. The Project thus may have impacts beyond County

jurisdiction also not evaluated, disclosed, or mitigated. An EIR must be prepared to evaluate the land use/planning impacts of this Project.

The Land Use/ Planning portion of the Initial Study in places cites the 18.99-acre original project. (Initial Study p. 24-26[Finding 27(a), 28(e)]) The scope of the Project being evaluated should be clarified.

Mineral Resources

The Initial Study states that Project would have no impact to mineral resources because, among other things, “[t]here are no proposed or known quarries or mines on the project site.” This conflicts with the finding in the Initial Study, p. 11, that no impacts to cultural resources would occur because, “the project site has been previously disturbed through mining operations for the past 40 years.”

Noise

The Initial Study improperly defers evaluation of Project noise impacts. There is no information concerning existing noise levels, but these levels are likely low due to rural uses and the site’s location outside the 55 CNEL or greater noise contour for French Valley Airport. Increased noise levels with the change in land use designation can be forecast using average noise generation for a CR project this size and its likely traffic generation. (See, General Plan 2013 Appendix I <http://planning.rctlma.org/Portals/0/genplan/general_plan_2013/4%20Technical%20appendices/App_I_Noise_Data_Adopted_Final.pdf>) The Project is likely to result in a potentially substantial increase in ambient noise above existing noise levels in this rural area. The Project may also exceed County standards.

Cumulative noise impacts are also likely to be significant with at least this Project, GPA 945D1, and GPA 975. Increases in traffic noise and stationary noise to adjacent persons, property, biological resources, and the rural area in general are likely substantial with this cumulative increase in development intensity.

No mitigation has been adopted to reduce these significant impacts. Such mitigation should include:

- 1) Any development shall install noise barriers sufficient to reduce noise to 65dB or below at adjacent properties, consisting of
- 2) Berms and landscaping shall be installed to reduce noise impacts to adjacent properties.
- 3) Traffic calming measures consistent with rural uses shall be considered to reduce the effects of traffic noise.
- 4) Construction noise shall be minimized through use of temporary noise barriers 12-feet tall with an STC rating of 25 dB or greater.
- 5) Where technically feasible, utilize only electrical construction equipment
- 6) During construction, the developer shall require that all contractors turn off all construction equipment and delivery vehicles when not in use and prohibit idling in excess of 3 minutes.

- 7) Require the use of rubberized asphalt for construction of all roadways and parking areas.
- 8) Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
- 9) Require resurfacing of roads.
- 10) Ban heavy trucks near vibration sensitive uses.
- 11) The construction contractor shall locate equipment staging in areas at least 50 ft from noise-sensitive receivers nearest the Project site during all Project construction.

Public Services

Despite the site's location in a high fire hazard area, no information is actually provided concerning the ability of the Riverside County Fire Department to maintain acceptable service ratios or response times to the site should it be developed with more intense, CR use. Cumulative impacts of adjacent proposed projects are likewise not considered. Given this interface area, these issues must be considered. Potentially significant impacts to fire services may result.

Impacts to other public services such as sheriff services are likewise inadequately evaluated.

Traffic/Circulation

The Project is located within the Highway 79 Policy Area the purpose of which is to address transportation infrastructure capacity within the policy area and ensure all new development projects demonstrate adequate transportation infrastructure capacity to accommodate the added traffic growth.

The Initial Study states regarding the GPA and CZ's impact on the Policy Area:

"This Policy intends to limit the existing build-out of the current Land Use Designation, due to potential infrastructure limitations. The proposed increase to the project site's density is in conflict with the policy. Mitigation, which shall be adhered to during time of any implementing project, is proposed below. This mitigation will assure that the goals of the Policy are met at the implementation stage of development. ... With the proposed mitigation, the impacts are less than significant." (Initial Study p. 34)

No mitigation is proposed or adopted. The Initial Study instead states impacts would simply be less than significant. This is incorrect.

As discussed above, cumulative impacts in the Highway 79 Policy Area are also likely given the many proposed GPAs in the area. These impacts are unconsidered and undisclosed.

No traffic analysis has been prepared to evaluate impacts to local roads and intersections despite the fact that impacts to traffic are regularly forecast based on proposed use. (*See, ITE Trip Generation Manual*) There is no consideration of whether these local roads and intersections can handle additional CR traffic from this Project and/or cumulative projects.

Furthermore, according to the Staff Report, "In a letter dated May 19, 2014 the City of Temecula requested a traffic impact analysis, and specified intersections that they would like to have analyzed." As the site is within Temecula's sphere of influence, this request should be resolved by preparation of traffic analysis. The proposed Project and cumulative projects may impact not only the County's planning but Temecula's as well.

Also, as discussed above, there may be impacts to emergency access, as acknowledged in the Initial Study's hazard analysis, but ignored in the traffic analysis (Threshold question 43(h).

Utility/ Service Systems

The evaluation of impacts to utilities and service systems improperly defers needed analysis.

Given the State's unprecedented drought and water restrictions adopted by the Governor, even relatively small increases in water demand may have significant impacts. The increased land use intensity may significantly increase water demands.

Furthermore, cumulative impacts to water supply, sewer, and other utilities may occur with the other proposed GPAs in the Project area. While one project may have an insignificant impact, cumulatively the effect on services may be significant and require expansion of facilities either on- or off- the Project site.

IV. The County cannot make Findings needed for the General Plan Amendment

The County must make eight findings to justify the General Plan Amendment. The facts do not support these findings being made.

First, as discussed above, the Project does conflict with General Plan and its vision to retain rural spaces while developing within urban areas. Second, with respect to the road realignment and as discussed above, *ample* developable CR land still exists should the realignment occur. The General Plan presumes only 40% of CR land will be put to CR use, and the realignment would leave more than enough land for this to occur. It is also important to note the realignment is proposed as part of a TPM and may, in fact, never occur.

Third, the proposed plan *does* present a conflict with the Rural and Community Development principles of the General Plan, as discussed above, by promoting urban sprawl without adequate circulation infrastructure and without retaining this unique rural environment.

Fourth, as discussed above, the Project would be detrimental to various General Plan policies. There is also no support for the proposed finding the Project promotes either Policy LU 23.1 or LU3.1(c). Policy LU 23.1 seeks to, "Accommodate development of commercial uses in areas appropriately designated by the General Plan and the plan land use maps." This Project would develop commercial uses in areas designated rural.

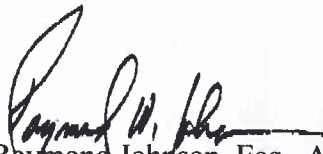
Policy LU 3.1(c) seeks to “Promote parcel consolidation or coordinated planning of adjacent parcels through incentive programs and planning assistance.” This Policy applies to County programs, no individual projects. In any case, the proposed supporting claim that the “project will result in a nearly seamless continuation of commercial property on the southside of Auld Road” overlooks the seam—i.e. the middle parcel which no longer a part of this project or GPA 975. This proposed finding also overlooks the fact that no CR has yet been developed. The Project does not continue the actual, existing land uses of single-family residential and vacant land.

IV. Conclusion

In sum, the required findings for a General Plan amendment cannot be made. Also, adoption of a Negative Declaration for this Project is not permitted where the Project may have significant environmental effects that have not been evaluated, disclosed, or mitigated. For these reasons, I respectfully ask the Planning Commission to recommend denial of this Project. At a minimum, an EIR must first be prepared.

Thank you for your consideration of these comments.

Sincerely,



Raymond W. Johnson, Esq., AICP, LEED GA
JOHNSON & SEDLACK

RAYMOND W. JOHNSON, Esq., AICP, LEED GA
26785 Camino Seco
Temecula, CA 92590
(951) 506-9925
(951) 506-9725 Fax
(951) 775-1912 Cellular

Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Thirty years subdivision design: residential, commercial and industrial
- Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
 - Review and supervision of preparation of EIR's and joint EIR/EIS's
 - Preparation of Negative Declarations
 - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
 - Sierra Club
 - San Bernardino Valley Audubon Society
 - Sea & Sage Audubon Society
 - San Bernardino County Audubon Society
 - Center for Community Action and Environmental Justice
 - Endangered Habitats League
 - Rural Canyons Conservation Fund
 - California Native Plant Society
 - California Oak Foundation
 - Citizens for Responsible Growth in San Marcos
 - Union for a River Greenbelt Environment
 - Citizens to Enforce CEQA
 - Friends of Riverside's Hills
 - De Luz 2000
 - Save Walker Basin
 - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals
- Member, U.S. Green Building Council, LEED GA

Johnson & Sedlack, Attorneys at Law

26785 Camino Seco
Temecula, CA 92590
(951) 506-9925

12/97- Present

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions

26785 Camino Seco
Temecula, CA 92590
(909) 506-9825

8/94- Present

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department

Environmental Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-8/94

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department

General Plan Team
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

6/91-6/92

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

San Bernardino County Planning Department

North Desert Regional Planning Team

15505 Civic
Victorville, CA
(619) 243-8245

6/90-6/91

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting

229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640

2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO

6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.

Lee's Summit, MO
Owner

9/78-5/84

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association

Lee's Summit, Mo.
Project Coordinator

6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO

220 SW Main
Lee's Summit, MO 64063
Community Development Director

4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff

9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800
Economist/Planner

5/73-4/75

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

Spaan

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

DATE: May 5, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: GPA00945

(Charge your time to these case numbers)

The attached item(s) require the following action(s) by the Board of Supervisors:

- Place on Administrative Action (Receive & File; EOT)
 - Labels provided If Set For Hearing
 - 10 Day 20 Day 30 day
 - Place on Consent Calendar
 - Place on Policy Calendar (Resolutions; Ordinances; PNC)
 - Place on Section Initiation Proceeding (GPIP)
 - Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
 - Publish in Newspaper:
 - **SELECT Advertisement**
 - **SELECT CEQA Determination**
 - 10 Day 20 Day 30 day
 - Notify Property Owners (app/agencies/property owner labels provided)
- Controversial: YES NO

Designate Newspaper used by Planning Department for Notice of Hearing: NONE - GPIP

Please schedule on the May 25, 2010 BOS Agenda

Pres sent 5/13/10.

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

Ron
5-11-10

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 13, 2010

REVIEWED BY EXECUTIVE OFFICER

DATE

Tina Grande

Departmental Concurrence

SUBJECT: GENERAL PLAN AMENDMENT NO. 945 – Foundation-Regular - Applicant: Leonard Bustin – Engineer/Representative: Michael Schweitzer. - Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Policy Area(s) – Highway 79 Policy Area; Rural: Rural Residential (RUR-RR) (5 acre minimum lot size)– Location: Northerly of Mazoe Street, southerly of Auld Road, easterly of Dickson Path and westerly of Maddalena Road – 18.99 Gross Acres – Zoning: Light Agriculture- 5 acre minimum lot size (A-1-5)
REQUEST: This General Plan Amendment proposes to change the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan Land Use designation of the subject site from Rural Residential (RUR: RR) (5 acre minimum lot size) to Commercial Retail (CD: CR) (0.20-0.35 FAR) - APNs: 964-050-006, 964-050-007, 964-050-008 and 964-050-009

RECOMMENDED MOTION: The Planning Director recommends that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for the above referenced general plan amendment. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

BACKGROUND: The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the

Ron Goldman
Planning Director

Initials:
RG: [initials]

(continued on attached page)

Policy

Policy

Consent

Consent

Dept Re):

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

The Honorable Board of Supervisors
Re: General Plan Amendment No. 945
Page 2 of 2

report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. **AGENDA ITEM 7.1: GENERAL PLAN AMENDMENT NO. 945** - Foundation / Regular - Applicant: Leonard Bustin - Engineer/Representative: Michael Schweitzer. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Policy Area(s) - Highway 79 Policy Area; Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size)- Location: Northerly of Mazoe Street, southerly of Auld Road, easterly of Dickson Path and westerly of Maddalena Road - 18.99 Gross Acres - Zoning: Light Agriculture- 5 Acre Minimum Lot Size (A-1-5)

II. **PROJECT DESCRIPTION**

This General Plan Amendment proposes to change the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan Land Use designation of the subject site from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) to Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio).

III. **MEETING SUMMARY**

The following staff presented the subject proposal:

Project Planner: Tamara Harrison, Ph: (951) 955-9721 or E-mail tharriso@rctlma.org

The following did not wish to speak but want to be recorded in favor of the subject proposal:

Scott Seidman, Applicant, 43696 Ortena St., Temecula, CA 92592

Leonard Bustin, Applicant

No one spoke in a neutral position or in opposition of the subject proposal.

IV. **CONTROVERSIAL ISSUES**

NONE

V. **PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

TO DECLINE TO INITIATE the GENERAL PLAN AMENDMENT

VI. **CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 7.1
Area Plan: Southwest Area
Zoning District: Rancho California
Supervisorial District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 945
Applicant: Leonard Bustin
Engineer/Representative: Michael Schweitzer

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for GPA00945 from Rural: Rural Residential to Community Development: Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board tentatively decline to adopt an order initiating proceedings for the general plan amendment. For additional information regarding this case, see the attached Planning Department Staff Report(s).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: No Comments

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty disagreed with staff's recommendation to decline to initiate proceedings for General Plan Amendment No. 945. Mr. Petty commented that the re-alignment of Butterfield Stage Road presents a new circumstance for the area that would justify reconsidering the current General Plan designation. Commissioner Petty also commented that he would have liked for staff to present an alternative designation as opposed to recommending to tentatively decline to adopt an order initiating proceedings for the case. Finally, Mr. Petty stated that the applicant should be allowed to move forward with the proposal to Commercial Retail.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 7.1
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 945
Applicant: Leonard Bustin
Engineer/Representative: Michael Schweitzer

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component of the subject site from "Rural" (RUR) to "Community Development" (CD) and to amend the General Plan Land Use designation of the subject site from "Rural Residential" (RR) (5 acre minimum lot size) to "Commercial Retail" (CR) for an approximately 18.99 acre site. The project is located southerly of Auld Road, northerly of Mazoe Street, easterly of Dickson Path and westerly of Maddalena Road.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "French Valley" community within the "Southwest" area plan and is also located within the City of Temecula's Sphere of Influence. The Rural Residential designation can be found to the south and to the east of the subject site. The Commercial Retail designation can be found to the west of the site directly across Dickson Path. Medium Density Residential can be found directly north of the site across Auld Road. The City of Temecula's General Plan has given the subject site an anticipated land use designation of Rural (RR) (0-0.2 du/ac max).

A 20 acre parcel to the west of the subject site across Dickson Path at the southeast corner of Pourroy Road and Auld Road is currently designated as Commercial Retail (CR) and remains vacant. The planned realignment of a number of General Plan Circulation Element roads will break up the existing 20 acre piece of CR and the applicant is seeking to replace the full 20 acres of CR at the subject site (the existing Commercial Retail parcel does not share the same owner as the parcels in question). Staff recognizes that the anticipated road alignment will alter the existing CR in the area; however, there will be an adequate amount of CR that will remain once the re-alignment is complete and an additional 20 acres of Commercial Retail would be excessive for the area. Once the road alignment is complete, the existing 20 acres of CR will be broken down into 3 pieces (see attached exhibit titled "Circulation Element Roads"). One of the parcels will be approximately 7 acres, one will be approximately 4 acres and the third parcel will be approximately 2 ½ acres.

The subject site falls within the General Plan's Highway 79 Policy Area and would be required to comply with the policy area and its requirements before any approvals can be made. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

County mapping has identified the subject site as being located within the boundaries of the County Multi-Species Habitat Conservation Plan (MSHCP). Although the site is not specifically listed within a Cell Group under MSHCP, the site will be required to conform to additional plan wide requirements of

the MSHCP such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable.

County mapping has also identified the site as being located within Compatibility Zone E of the French Valley Airport and will require review by the County's Airport Land Use Commission.

RECOMMENDATION:

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 945 from Rural: Rural Residential to Community Development: Commercial Retail. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

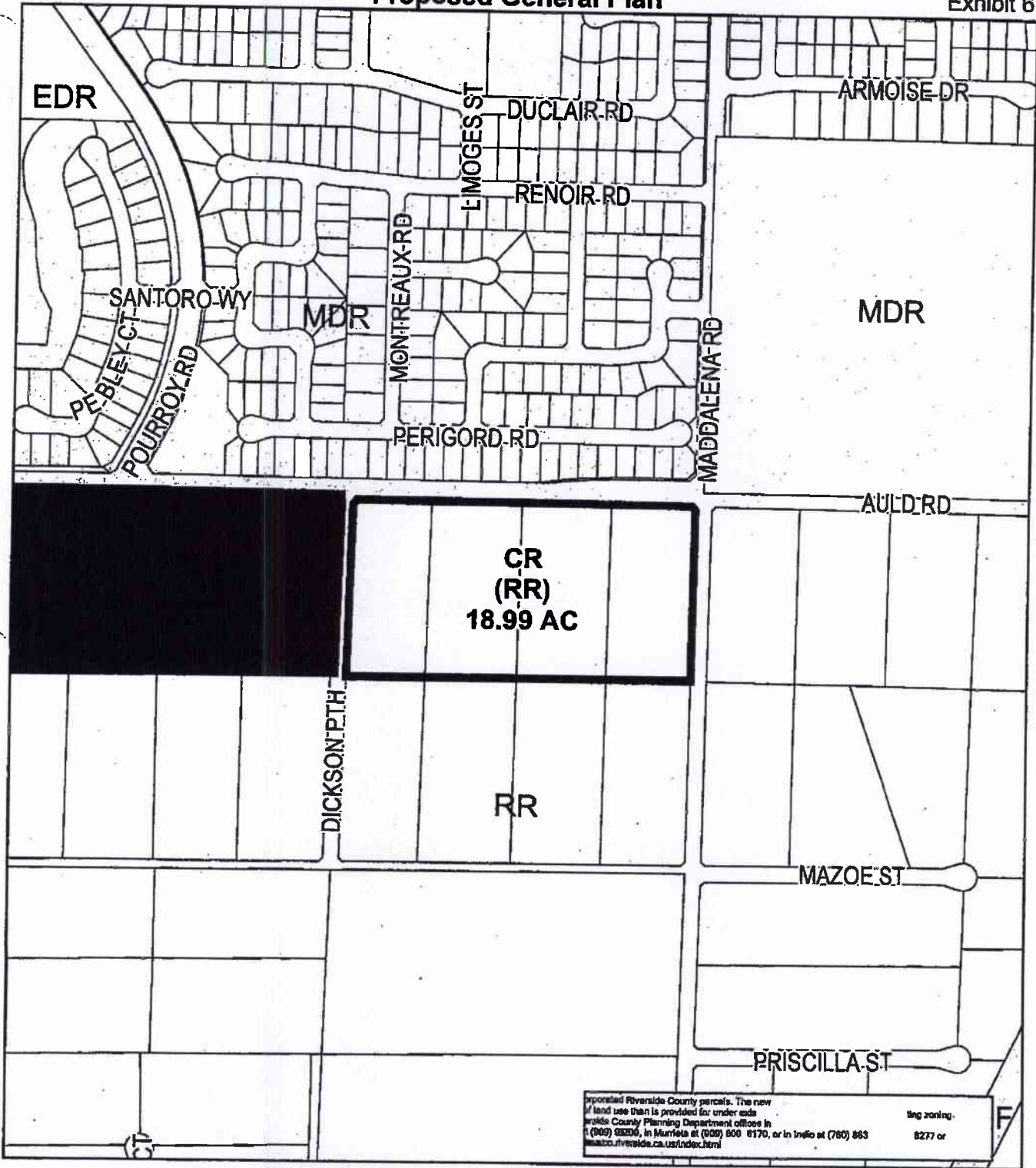
1. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$5351.33.
3. The project site is currently designated as Assessor's Parcel Numbers 964-050-006, 964-050-007, 964-050-008 and 964-050-009.

Supervisor Stone
District 3
Date: 3/27/08

GPA00945

Planner: Amy Aldana
Date: 3/13/08
Exhibit 6

Proposed General Plan



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: Rancho California
Township/Range: T7SR2W
Section: 9



Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 E2

Supervisor Stone
 District 3
 Date Drawn: 3/27/08

GPA00945
EXISTING ZONING

Planner: Amy Aldana
 Date: 3/13/08
 Exhibit 2



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murfeta at (909) 800-6170, or in Indio at (760) 863-8277 or website at <http://www.rma.co.riverside.ca.us/index.html>

Zone
 Area: Rancho California
 Township/Range: T7SR2W
 Section : 9

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 964-05
 Thomas
 Bros. Pg. 929 E2

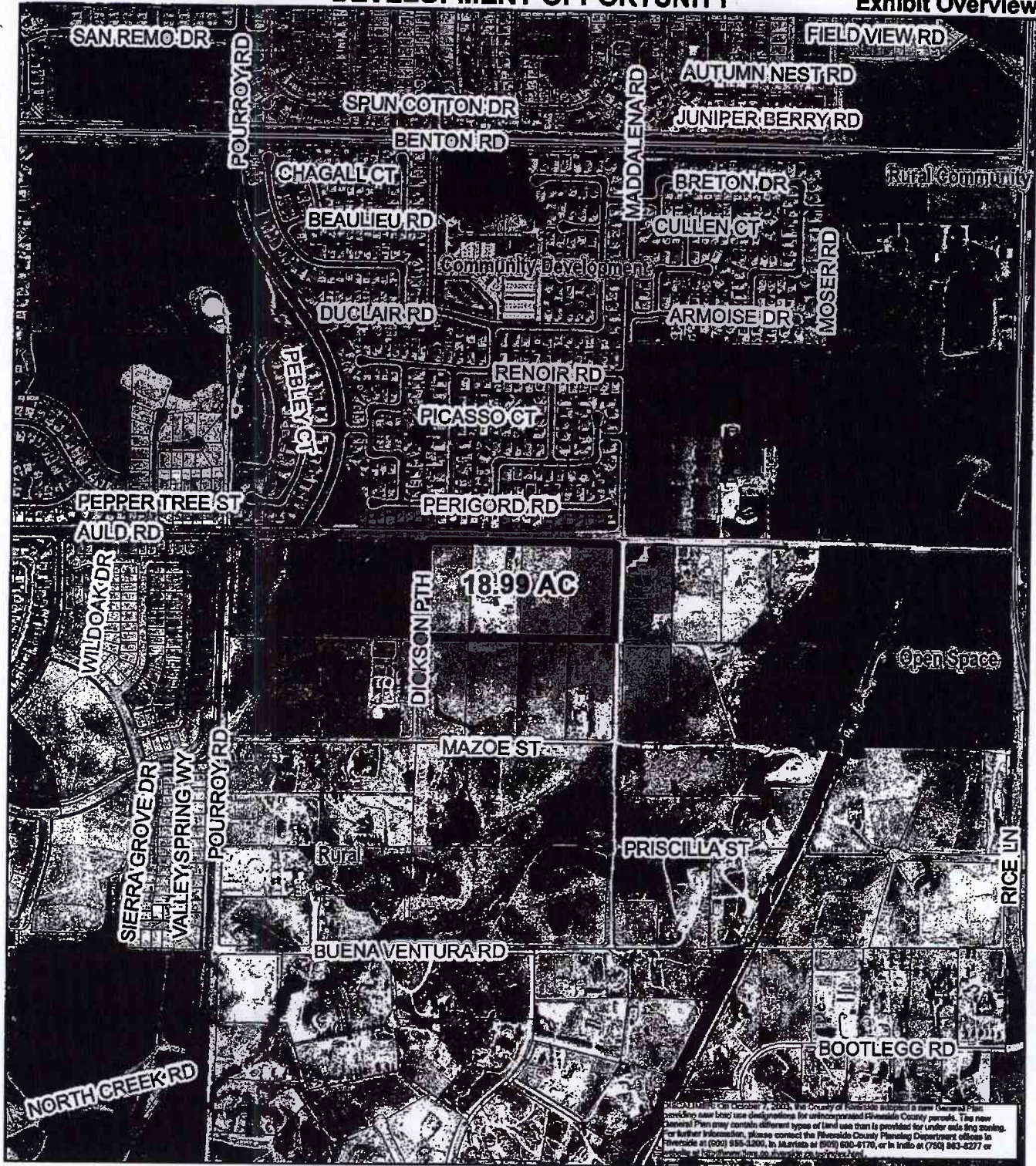


Supervisor Stone
District 3
Date Drawn: 3/27/08

GPA00945

DEVELOPMENT OPPORTUNITY

Planner: Amy Aldana
Date: 3/13/08
Exhibit Overview



Area
Plan: Rancho California
Township/Range: T7SR2W
Section: 9

RIVERSIDE COUNTY PLANNING DEPARTMENT



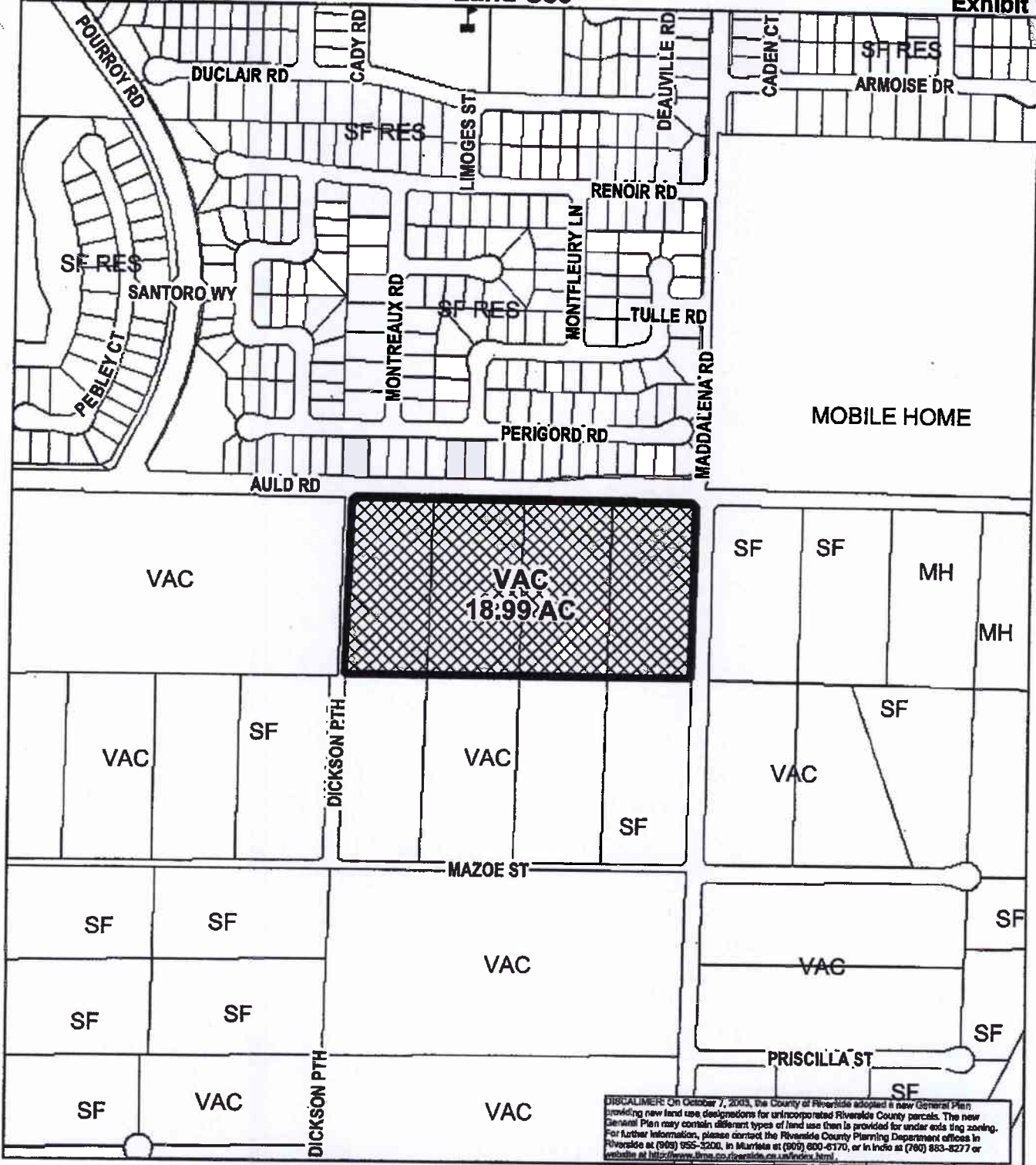
Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 E2

Supervisor Stone
District 3
Date Drawn: 3/27/08

GPA00945

Land Use

Planner: Amy Aldana
Date: 3/13/08
Exhibit 1



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or visit our website at <http://www.ltrm.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T7SR2W
Section: 9



Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 E2



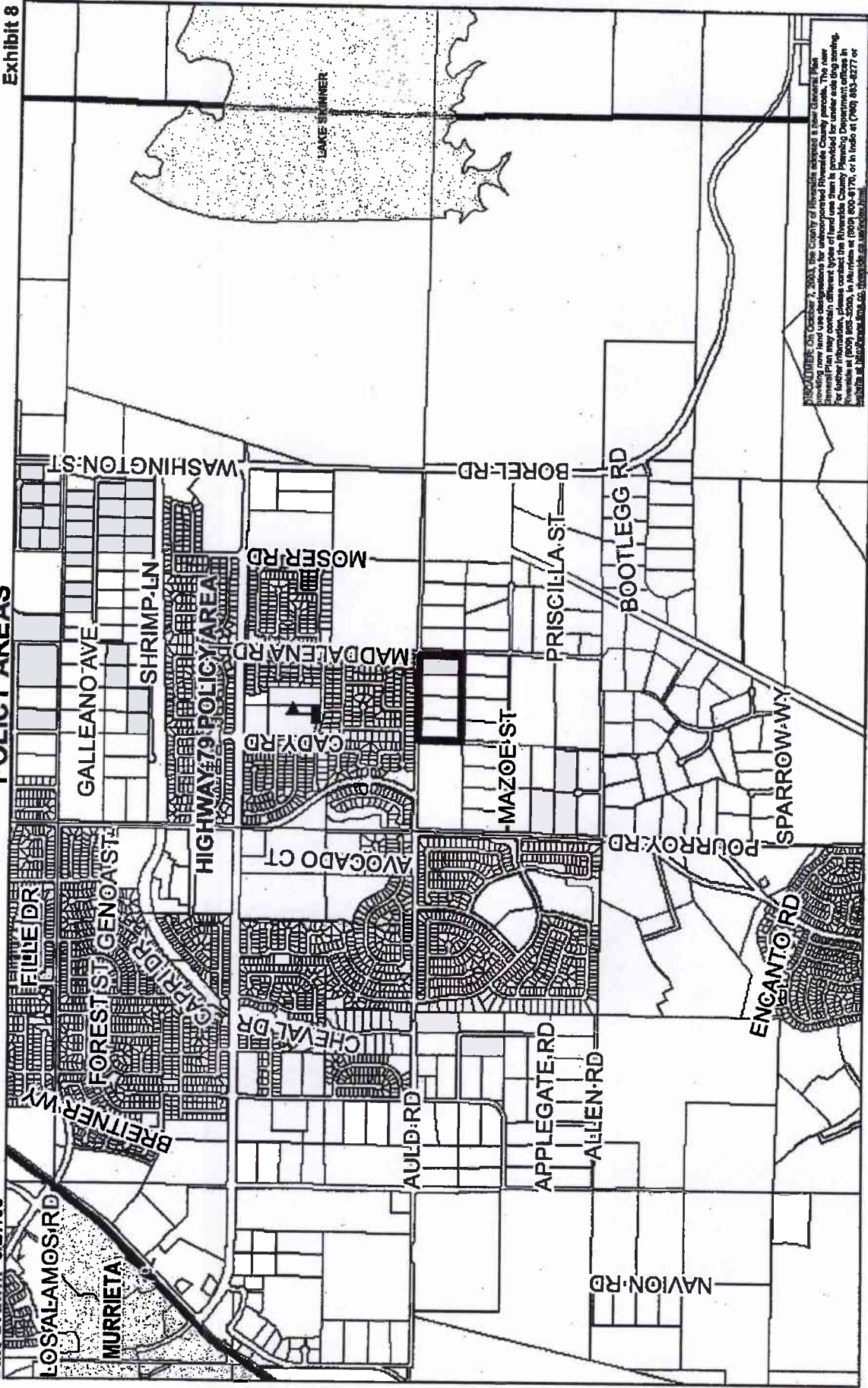
Supervisor Stone
District 3

Date Drawn: 3/27/08

GP00945

POLICY AREAS

Planner: Amy Aldana
Date: 3/13/08
Exhibit 8



RESOLUTION: On October 7, 2003, the County of Riverside adopted a new General Plan. This General Plan includes designations for unincorporated Riverside County parcels. The new General Plan includes a new type of land use designations for unincorporated Riverside County parcels. For further information, please contact the Planning Department at (951) 800-4170, or in fax at (951) 800-4177 or available at <http://www.riverside.ca.gov/planning>.

Zone Area: Rancho California
Township/Range: T7SR2W
Section: 9

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 E2

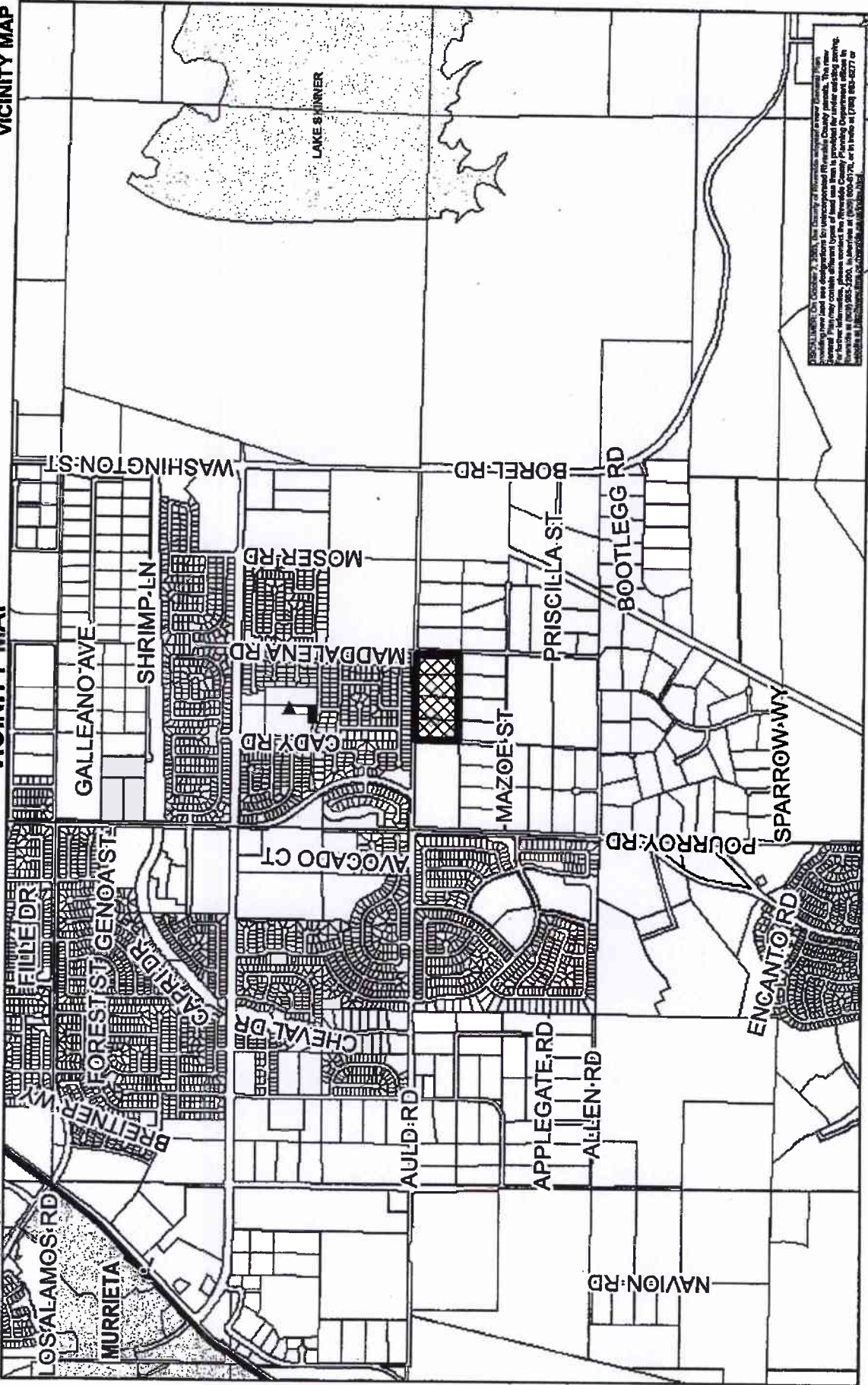


Supervisor Stone
District 3

Date Drawn: 3/27/08

GP#00945 VICINITY MAP

Planner: Penny Aldana
Date: 3/13/08
VICINITY MAP



DISCLAIMER: On October 7, 2007, the County of Riverside adopted a new Parcel Map. The County has had two designations for unincorporated Riverside County parcels. The new designations are: 1) Parcel Map 1 (PM 1) and 2) Parcel Map 2 (PM 2). The new designations are different from the old designations. The new designations are for parcels that are not in the County of Riverside. For more information, please contact the County of Riverside at (951) 862-5200, in Riverside at (951) 860-8170, or in Indio at (760) 862-5277 or visit the website at www.riverside.ca.gov/assessor.

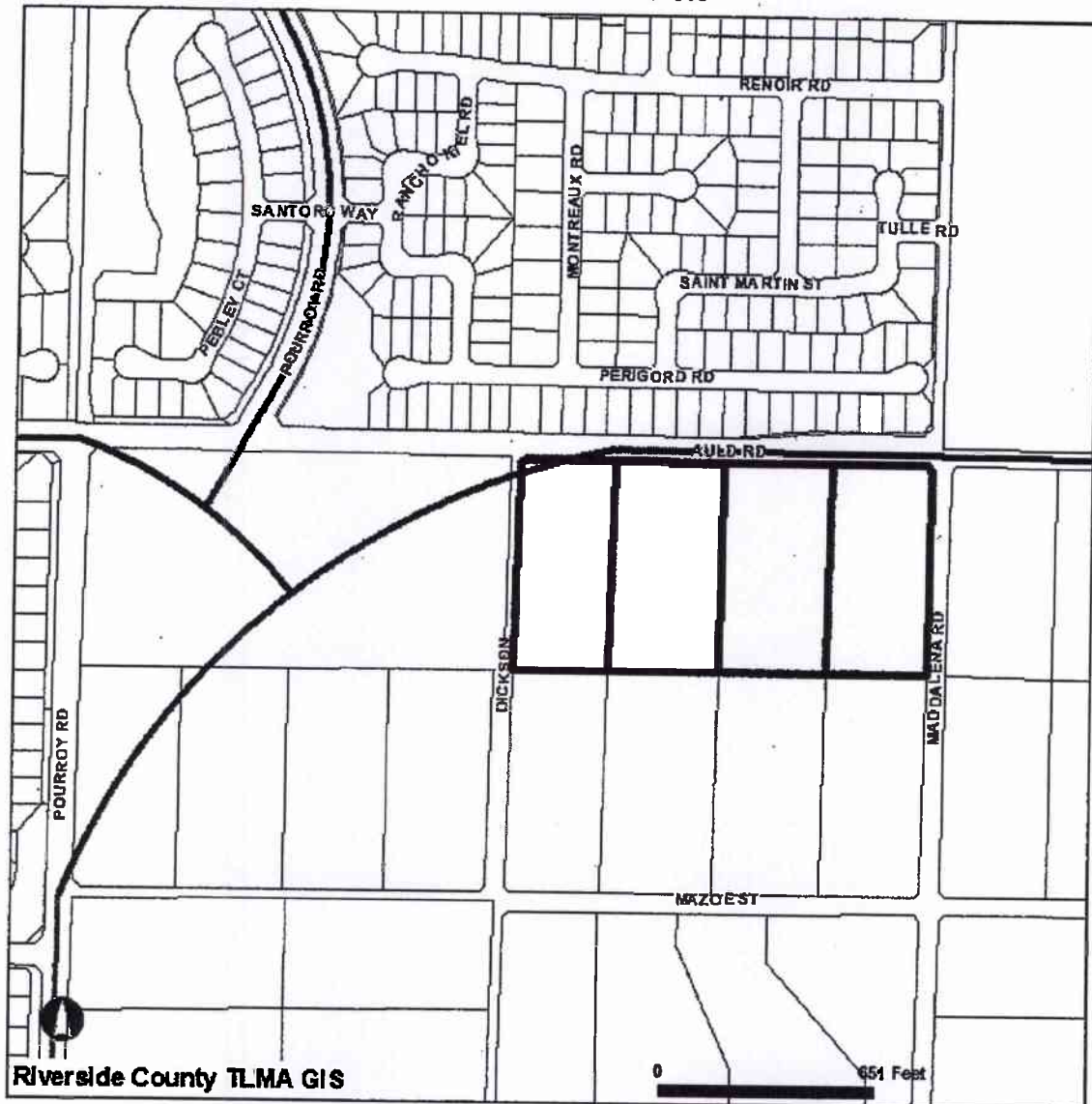
Zone Rancho California
 Area: T7SR2W
 Section : 9

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 964-05
 Thomas
 Bros. Pg. 929 E2



RIVERSIDE COUNTY GIS



Riverside County TLMA GIS

Selected parcel(s):
 964-050-006 964-050-007 964-050-008 964-050-009

CIRCULATION ELEMENT ROADS

- SELECTED PARCEL
- INTERSTATES
- HIGHWAYS
- ARTERIAL (128' ROW)
- SECONDARY (100' ROW)
- URBAN ARTERIAL (152' ROW)
- CITY
- PARCELS
- CIRCULATION ELEMENT RIGHT-OF-WAY

IMPORTANT

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LAND USE

Figure LU-3 Land Use Policy Map

Adopted April 12, 2005

Map Prepared February 28, 2005

CITY OF TEMECULA GENERAL PLAN

RESIDENTIAL

- Hilside (0-0.1 Du/Ac Max)
- Rural (0-0.2 Du/Ac Max)
- Very Low (0.2-0.4 Du/Ac Max)
- Low (0.5-2 Du/Ac Max)
- Low Medium (3-6 Du/Ac Max)
- Medium (7-12 Du/Ac Max)
- High (13-20 Du/Ac Max)

COMMERCIAL / OFFICE

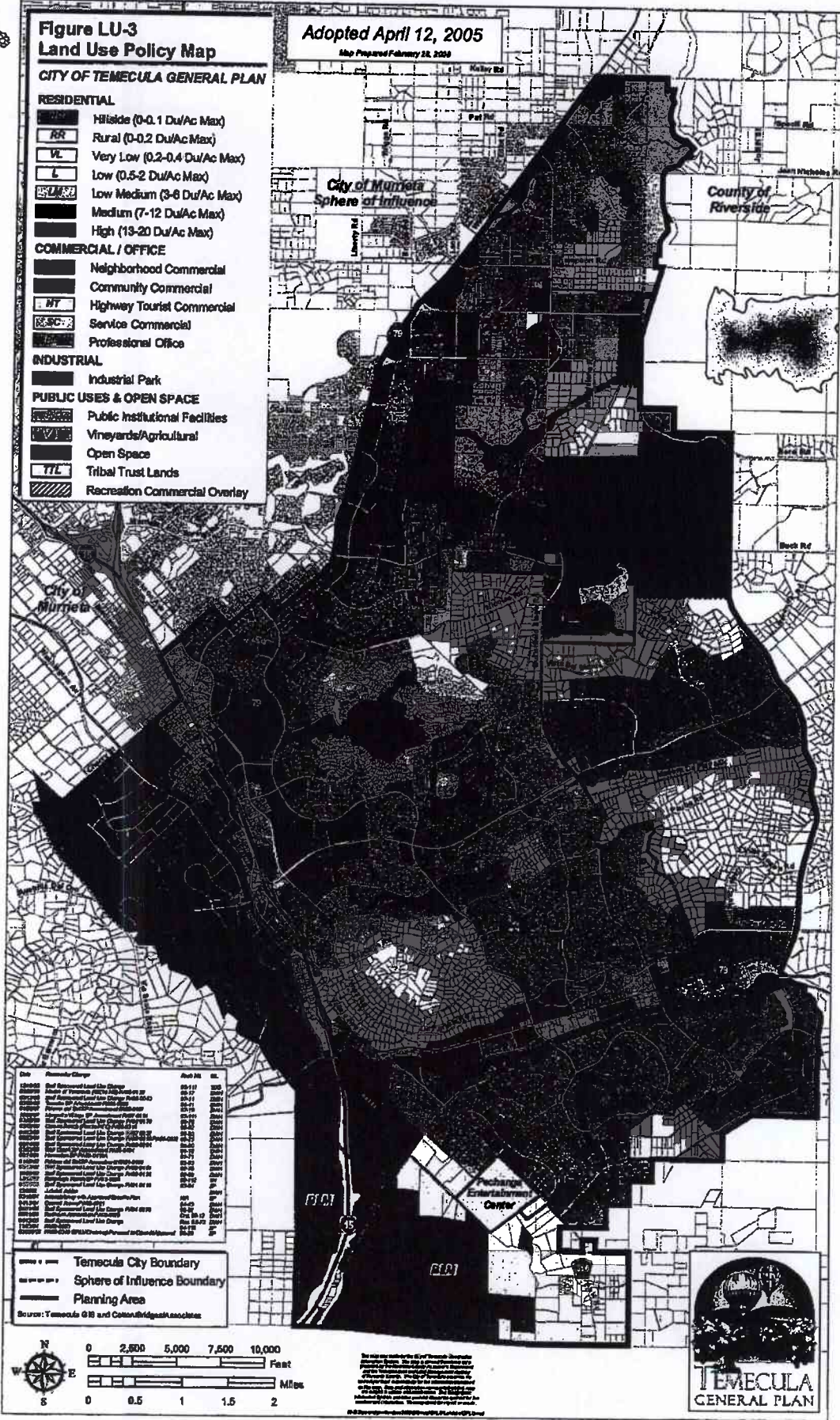
- Neighborhood Commercial
- Community Commercial
- Highway Tourist Commercial
- Service Commercial
- Professional Office

INDUSTRIAL

- Industrial Park

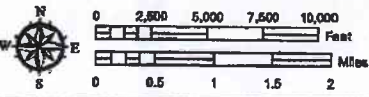
PUBLIC USES & OPEN SPACE

- Public Institutional Facilities
- Vineyards/Agricultural
- Open Space
- Tribal Trust Lands
- Recreation Commercial Overlay



Date	Amendment/Change	Sheet No.	of
02-08-05	Staff Approved Land Use Change	00-117	001
02-08-05	Staff Approved Land Use Change	00-117	002
02-08-05	Staff Approved Land Use Change	00-117	003
02-08-05	Staff Approved Land Use Change	00-117	004
02-08-05	Staff Approved Land Use Change	00-117	005
02-08-05	Staff Approved Land Use Change	00-117	006
02-08-05	Staff Approved Land Use Change	00-117	007
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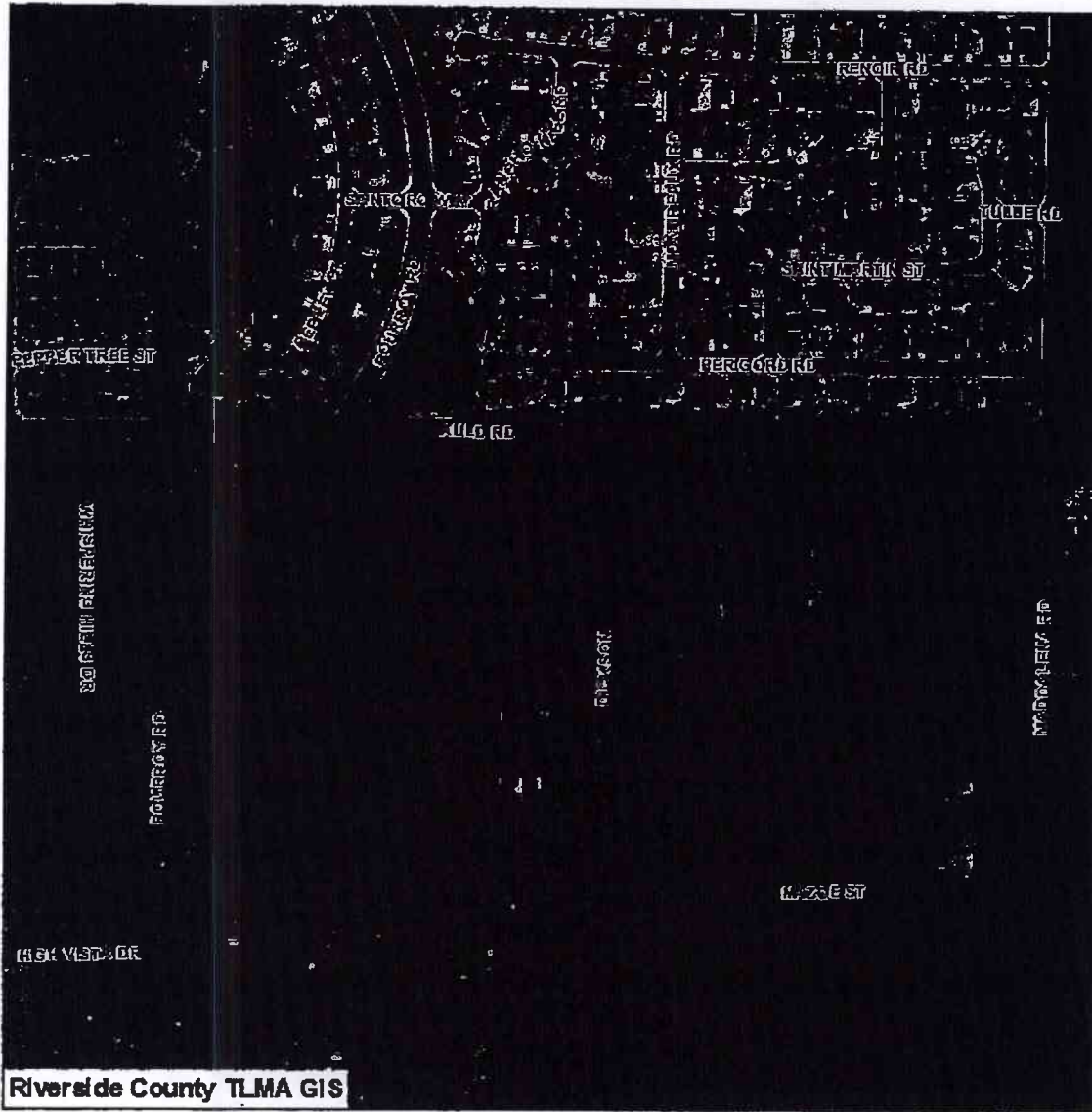
Temecula City Boundary
 Sphere of Influence Boundary
 Planning Area
 Source: Temecula GIS and Council/Staff Associates



This map is subject to the City of Temecula's Standard Planning Process. The City of Temecula reserves the right to amend this map at any time without notice. The City of Temecula is not responsible for any errors or omissions on this map. The City of Temecula is not responsible for any damages or losses resulting from the use of this map.



RIVERSIDE COUNTY GIS



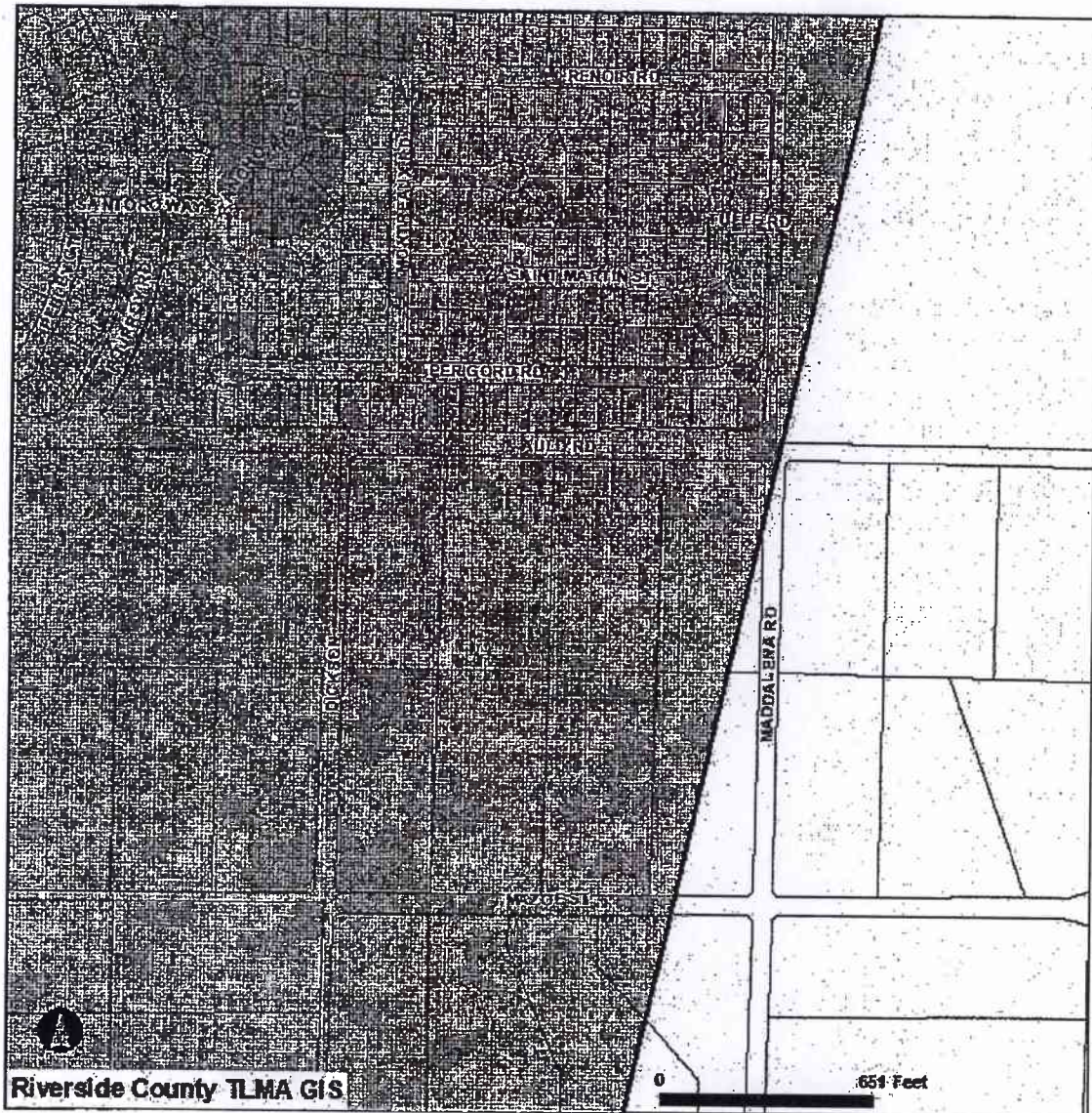
CIRCULATION ELEMENT ROADS

- STREAMS
- INTERSTATES
- HIGHWAYS
- ARTERIAL (128' ROW)
- SECONDARY (100' ROW)
- URBAN ARTERIAL (152' ROW)
- CITY
- PARCELS
- CIRCULATION ELEMENT RIGHT-OF-WAY

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RIVERSIDE COUNTY GIS



AIRPORTS

INTERSTATES
 COMPATILTY ZONE E

HIGHWAYS

PARCELS

AIRPORT INFLUENCE AREAS

IMPORTANT

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REPORT PRINTED ON...Tue Jan 19 11:19:37 2010

Applicant: Leonard Bustin on behalf of Congregation Havurim
41935 Calle Cabrillo
Temecula, CA 92592
(951) 695-4988
Feb. 6, 2008

To: Riverside County Planning Commission

Re: APN 964-050-006, 007, 008, and 009

Request: We request you amend the Southwest Area Plan for these 18.99 acres from Rural Residential A-1-5 to Community Development Foundation, Commercial Retail.

Location: Southeast corner of Auld and proposed Butterfield Stage Road intersection. See maps and photos showing site.

This request is to change the use of four parcels owned by three different owners from Rural Residential A-1-5 to Community Development, Commercial Retail. Leonard Bustin is the applicant on behalf of Congregation Havurim, a non-profit organization with a minimal budget that has been forced into a difficult position concerning the many fees in addition to the condemnation of about half of its site due to the Butterfield Stage Road alignment. Access for the parcels will also become sub-standard in the process. See enclosed map.

The owners of the affected sites have agreed to cooperate with one another to find a solution to the negative effects of the new road. The plan calls for a commercial site large enough to be practical for a shopping center. In addition to the higher use, access is to be improved by a private reciprocal easement. We shall prepare the easement language and record upon approval of our plan. See draft sketch enclosed.

Summary: A contiguous 20 acre commercial retail site was cut into three dislocated parcels and we are filling the void for a small regional shopping center. We believe our request is reasonable and makes common sense. We were forced into our predicament and our application cures many problems caused by the alignment.

We request you amend the Southwest Area Plan for the above 18.99 acres from Rural Residential A-1-5 to Community Development Foundation, Commercial Retail.

January 27, 2010

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
County of Riverside
4080 Lemon St., 9th Floor
Riverside, CA 92501

**RE: Items 6.0 and 7.0, General Plan Amendment Initiation Proceedings
(February 3, 2010)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals. In contrast to several of the staff recommendations, we urge the Commission to uphold the integrity of the current General Plan and to respect the MSHCP.

Item 6.1. GPA 958 (Mead Valley)

Disagree with recommendation for initiation. For convoluted reasons, staff has reversed its previous recommendation to deny encroachment of higher density into a Rural area. Specifically, staff states that because infrastructure from a previous subdivision has induced *unplanned* growth, that unplanned growth should move forward. Although only 5 acres, this is simply a reversion to the "service-based" growth that characterized the County prior to the 2003 Integrated Project.

Item 6.2. GPA 970 (Eastvale)

Disagree with recommendation for initiation. Even with the staff-proposed modification, it is unclear why development should be allowed in a flood-prone area. We are also not convinced that MSHCP and recreational purposes would be advanced by development along the Santa Ana River.

Item 6.3. GPA 1008 (Temescal Canyon)

Disagree with recommendation for initiation. New industrial uses are being proposed for a mining site in Temescal Wash, an important habitat area included in the MSHCP. Much of the site (totaling 328 acres) is now designated Open Space-Rural. It would seem obvious that the *only* new uses the County should consider would be those consistent with the County's adopted MSHCP. *However, this proposal is overtly acknowledged to be inconsistent with the approved MSHCP.*

Conservation within this Cell Group will range from 65%-75% of the Cell Group focusing on the central portions of the Cell Group. The site, much of it disturbed, is located within this central portion of the Cell Group.

According to the staff report, a "Criteria Refinement" or "Plan Amendment" would be required to alter the MSCHP to fit the applicant's proposal. Such changes to the MSHCP are typically politically rather than biologically driven, and are fraught with problems. We are extremely skeptical that alterations to the MSHCP would be beneficial or even acceptable, due to habitat depletion and lack of options. If initiated, the stage would be set for serious conflicts between the project and the MSHCP, the conservation community, and the state and federal wildlife agencies. Why would the Planning Dept purposely set up the Environmental Programs Dept for such a scenario? Isn't this bad faith with the adopted MSHCP? *This proposal's conflict with the MSHCP creates internal inconsistencies between elements of the General Plan, as the MSHCP is part of the General Plan.* This request should be denied, along with a strong policy statement that GPAs should be consistent rather than in conflict with the MSHCP.

Item 6.4. GPA 973 (Winchester)

No position.

Item 6.5. GPA 975 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 151-acre Rural area to Community Development (urban residential and commercial retail) would be incompatible with surrounding uses, create flood hazards, and "leapfrog" over vacant parcels already so designated.

Item 7.1. GPA 945 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 89-acre Rural land to Community Development (commercial retail) would "leapfrog" over vacant parcels already so designated.

Item 7.2. GPA 925 (French Valley)

Disagree with recommendation for initiation. This 231-acre proposal is part of a complex of parcels that now form an intact Rural community separator. It lies within the Sphere of Influence of the City of Murrieta. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* MSHCP cells are also involved, and these issues are unresolved. Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and associated GPAs 926, 974, 976 and 998 does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.3. GPA 976 (Winchester)

Disagree with recommendation for initiation. This 272-acre proposal is part of an intact Rural area that serves as a community separator. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and nearby GPAs does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.4. GPA 928 (French Valley)

Concur with recommendation to deny initiation. The proposal, within Murrieta's Sphere of Influence, to convert 33-acres of Rural to Community Development medium density residential has no demonstrable need and would represent a failure of orderly development. It would conflict with airport compatibility criteria. Finally, MSHCP issues are unresolved. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan."

Item 7.5. GPA 978 (Rancho California)

Concur with recommendation to deny initiation. There are no changed circumstances to justify a change from the Rural designator for this 46-acre site. Such a change would also pose inconsistencies with the MSHCP. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan." There is also inconsistency with airport standards.

Item 7.6. GPA 1085 (Reche Canyon)

Concur with recommendation to deny initiation. According to staff, "The site's characteristics are highly consistent with the existing Rural Mountainous designation given the steep slopes, lack of existing water and sewer, fire danger and limited access." Development intensity on this 319-acre site should not be increased in hazard zones, and to do so "would again create an internal inconsistency between the Land Use Map/Element and the Safety Element of the General Plan." Multiple MSHCP issues are also involved. No new circumstances justify a change.

Thank you for considering our views.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.

Carolyn Luna, EPD
Charles Landry, RCA
Interested parties

Leonard Bustin
41935 Calle Cabrillo
Temecula, CA 92592
GPA945-Applicant

Michael Schweitzer
41951 Remington STE#160
Temecula, CA 92590
GPA945-Engineer

Havurim Congregation
P.O. Box 891663
Temecula, CA 92589
GPA945-Owner

Leonard Bustin
41935 Calle Cabrillo
Temecula, CA 92592
GPA945-Applicant

Michael Schweitzer
41951 Remington STE#160
Temecula, CA 92590
GPA945-Engineer

Havurim Congregation
P.O. Box 891663
Temecula, CA 92589
GPA945-Owner

GPA945-OWNER

GPA945-ENGINEER

GPA945-OWNER

NOTICE OF PUBLIC HEARING
and
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

GENERAL PLAN AMENDMENT NO. 945 (Foundation and Entitlement/Policy) and CHANGE of ZONE NO. 7743 – Intent to Adopt a Mitigated Negative Declaration – Applicant: Ashlee Lewis – Engineer/Representative: Bill Warner – Third Supervisorial District – Area Plan: Southwest – Zone Area: Rancho California – Zone: Light Agriculture (A-1-5) (5-acre minimum) – Policy Area: Highway 79 – Location: East of Dickson Path, South of Auld Road, West of Maddalena Road, and North of Mazoe Street – Project Size: 9.49 acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD), amend its Land Use Designation from Rural Residential (RR) (5-acre minimum) to Commercial Retail (CR) (0.20-0.35 floor area ratio), and change the Zoning Classification from A-1-5 (Light Agriculture, 5-acre minimum) to C-1/C-P (General Commercial) on two parcels, totaling 9.49 acres.

TIME OF HEARING: **9:00 am** or as soon as possible thereafter
NOVEMBER 4, 2015
RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET
RIVERSIDE, CA 92501

For further information regarding this project, please contact Project Planner, John Hildebrand, at 951-955-1888 or email jhildebr@rctlma.org or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above project will not have a significant effect on the environment and has recommended adoption of a mitigated negative declaration. The Planning Commission will consider the proposed project and the proposed mitigated negative declaration, at the public hearing. The case file for the proposed project and the proposed mitigated negative declaration may be viewed Monday through Thursday, 8:30 a.m. to 5:00 p.m., at the County of Riverside Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on a proposed project may do so, in writing, between the date of this notice and the public hearing or appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that, as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands, within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: John Hildebrand
P.O. Box 1409, Riverside, CA 92502-1409

NOTICE OF PUBLIC HEARING
SCHEDULING REQUEST FORM

DATE SUBMITTED: 10/05/2015

TO: Planning Commission Secretary

FROM: John Hildebrand (Riverside)

PHONE No.: (951) 955-1888

E-Mail: jhildebr@rctlma.org

SCHEDULE FOR: Planning Commission on 11/04/2015

20-Day Advertisement: Advertisement Adopt Negative Declaration

GENERAL PLAN AMENDMENT NO. 945 (Foundation and Entitlement/Policy) and CHANGE of ZONE NO. 7743 – Intent to adopt a Negative Declaration – APPLICANT: Londen Land Companies, LLC c/o Ashlee Lewis – ENGINEER/REPRESENTATIVE: Bill Warner – SUPERVISORIAL DISTRICT: Third – AREA PLAN: Southwest – ZONE AREA: Rancho California – ZONE: Light Agriculture (A-1-5) (5-acre minimum) – POLICY AREA: Highway 79 – LOCATION: East of Dickson Path, South of Auld Road, West of Maddalena Road, and North of Mazoe Street – PROJECT SIZE: 9.49 acres – REQUEST: Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD), amend its Land Use Designation from Rural Residential (RR) (5-acre minimum) to Commercial Retail (CR) (0.20-0.35 floor area ratio), and change the Zoning Classification from A-1-5 (Light Agriculture, 5-acre minimum) to C-1/C-P (General Commercial) on two parcels, totaling 9.49 acres – PROJECT PLANNER: John Hildebrand at (951) 955-1888 or email jhildebr@rctlma.org (Legislative) – APNs: 964-050-008 and 964-050-009.

STAFF RECOMMENDATION:

- APPROVAL (CONSENT CALENDAR)
- APPROVAL
- APPROVAL WITHOUT DISCUSSION
- CONTINUE WITH DISCUSSION TO _____.
- CONTINUE WITHOUT DISCUSSION TO _____.
- CONTINUE WITHOUT DISCUSSION OFF CALENDAR
- DENIAL
- SCOPING SESSION
- INITIATION OF THE GENERAL PLAN AMENDMENT
- DECLINE TO INITIATE THE GENERAL PLAN AMENDMENT
- _____

Provide one set of mailing labels, including surrounding property owners, Non-County Agency and Interested Parties and, owner, applicant, and engineer/representative *(Confirmed to be less than 6 months old from date of preparation to hearing date)*

Provide one set of labels for owner, applicant, and engineer/representative.

Fee Balance: \$5,299.71, as of 10/04/2015.

CFG Case # CFG05122 - Fee Balance: \$ 2,210.00

Estimated amount of time needed for Public Hearing: 10 Minutes (Min 5 minutes)

Controversial: YES NO

Provide a very brief explanation of controversy (1 short sentence)

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 9/30/2015

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CZ07743/GPA00945 For

Company or Individual's Name Planning Department

Distance buffered 600'

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.


NAME: Vinnie Nguyen

TITLE GIS Analyst

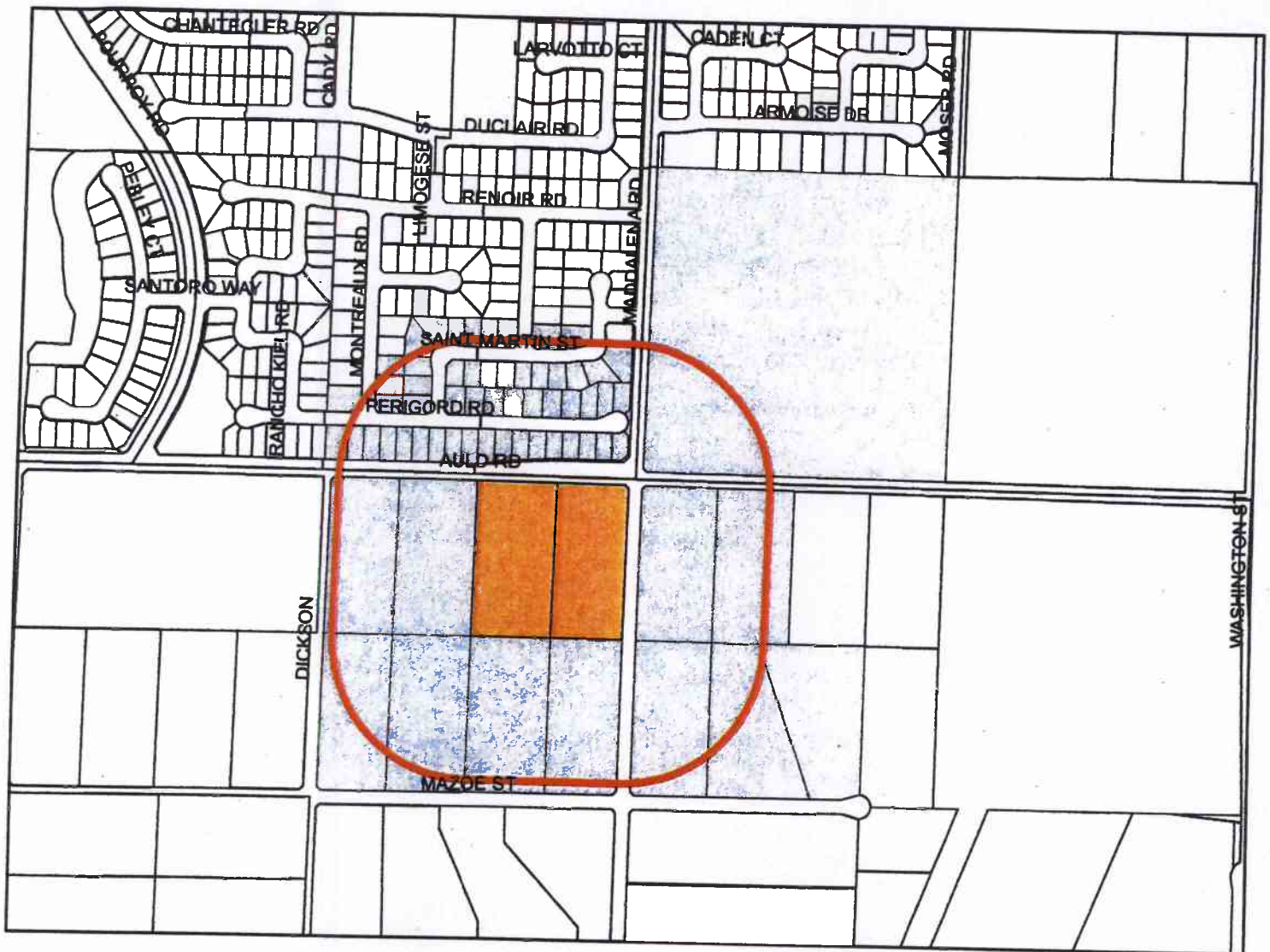
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

Expires 09/30/16 

CZ07743 / GPA00945 (600 feet buffer)



Selected Parcels

964-245-002	964-244-002	964-243-001	964-243-007	964-244-004	964-233-005	964-233-019	964-050-011	964-233-011	964-233-001
964-245-004	964-050-020	964-233-002	964-245-003	964-050-014	964-233-018	964-050-018	964-245-005	964-233-020	964-233-008
964-232-009	964-233-017	964-233-006	964-233-003	964-050-019	964-243-002	964-050-013	964-243-008	964-243-009	964-233-004
964-233-012	964-233-010	964-233-013	964-233-016	964-245-010	964-050-008	964-050-009	964-050-012	964-233-022	964-244-001
964-233-015	964-233-009	964-243-004	964-050-006	964-245-006	964-243-005	964-245-001	964-233-021	964-050-010	964-233-007
964-242-001	964-050-007	964-244-003	964-232-008	964-233-023	964-231-008	964-243-003	964-050-015	964-245-008	964-245-007
964-030-006	964-233-014	964-233-024	964-243-006	964-245-009	964-233-025	964-233-027	964-231-007		



525 262.5 0 525 Feet

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 964030006, APN: 964030006
ROSENTHAL RANCH LLC
C/O ROBERT L ROSENTHAL
32660 AULD RD
WINCHESTER, CA. 92596

ASMT: 964050014, APN: 964050014
CHERYL TURNBULL, ETAL
32521 AULD RD
WINCHESTER, CA. 92596

ASMT: 964050006, APN: 964050006
KATHY SWANNIE, ETAL
22 GOLDEN POPPY DR
COTO DE CAZA CA 92679

ASMT: 964050015, APN: 964050015
MARY BOLLMAN, ETAL
32573 AULD RD
WINCHESTER, CA. 92596

ASMT: 964050007, APN: 964050007
BRIANNE YHELN, ETAL
32343 AULD RD
WINCHESTER, CA. 92596

ASMT: 964050018, APN: 964050018
ELVIA ZAPATA
39738 FIRETHORN CT
MURRIETA CA 92563

ASMT: 964050010, APN: 964050010
HENDRIKA MONTELEONE, ETAL
35245 BRIGGS RD
MURRIETA CA 92563

ASMT: 964050019, APN: 964050019
LETICIA AVILA, ETAL
13108 GELDING CT
CORONA CA 92883

ASMT: 964050011, APN: 964050011
STEPHEN FAUCHER, ETAL
P O BOX 218
LA MESA CA 91944

ASMT: 964050020, APN: 964050020
SUSAN LEDFORD, ETAL
32624 MAZOE ST
WINCHESTER, CA. 92596

ASMT: 964050012, APN: 964050012
LONDEN LAND CO
4343 E CAMELBACK STE 400
PHOENIX AZ 85018

ASMT: 964231007, APN: 964231007
JANA KOON, ETAL
32388 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964050013, APN: 964050013
TONYA PETCHEL, ETAL
37245 MADDALENA RD
WINCHESTER CA 92596

ASMT: 964231008, APN: 964231008
SHIRLEY MARQUETTE, ETAL
31497 TULETTE LN
WINCHESTER CA 92596



ASMT: 964232008, APN: 964232008
VERNA JONES, ETAL
32458 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233006, APN: 964233006
AMBROSIO PARRENO, ETAL
32453 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964232009, APN: 964232009
TERESA RAMIREZ, ETAL
36878 MONTFLEURY LN
WINCHESTER, CA. 92596

ASMT: 964233007, APN: 964233007
JESSICA PORGES, ETAL
32467 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233001, APN: 964233001
DAVID GROSSGLASS
32383 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233008, APN: 964233008
EDWARD COLLINS, ETAL
C/O EDWARD COLLINS
32481 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233002, APN: 964233002
VERONICA STEPHENS, ETAL
32397 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233009, APN: 964233009
MARIA GRAY
32495 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233003, APN: 964233003
MICHELLE MARTIN, ETAL
32411 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233010, APN: 964233010
SYLVIA SWALL, ETAL
32488 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233004, APN: 964233004
MARIALOURDES CUSTODIO, ETAL
32425 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233011, APN: 964233011
DANIEL BRINCAT
41770 MARGARITA NO 2087
TEMECULA CA 92591

ASMT: 964233005, APN: 964233005
JANELLE NELSON, ETAL
32439 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233012, APN: 964233012
JOSE RIVAS
32460 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233013, APN: 964233013
LAUREN PREECE, ETAL
32446 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233020, APN: 964233020
TERECITA GARCIA, ETAL
32409 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233014, APN: 964233014
CONNIE DENT, ETAL
32432 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233021, APN: 964233021
NANCY BARTELL, ETAL
32423 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233015, APN: 964233015
PATRICIA WAKELING, ETAL
32418 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233022, APN: 964233022
M THOMPSON
32437 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233016, APN: 964233016
SAMANTHA HOLT, ETAL
32404 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233023, APN: 964233023
PATRICIA MORALES, ETAL
32451 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233017, APN: 964233017
MICHELE RUSHTON, ETAL
32390 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964233024, APN: 964233024
TARA MARTINEZ, ETAL
32465 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233018, APN: 964233018
DORA SOLIS
32381 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233025, APN: 964233025
KATHY MEADOWS, ETAL
32473 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233019, APN: 964233019
KIM ABAIR, ETAL
32395 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964233027, APN: 964233027
VALLEY WIDE RECREATIONAL AND PARK DIS'
C/O SAMUEL W GOEPP
P O BOX 907
SAN JACINTO CA 92581

ASMT: 964242001, APN: 964242001
NELSON CHANDARA
36923 MONTREAUX RD
WINCHESTER, CA. 92596

ASMT: 964243007, APN: 964243007
JILL SMITH, ETAL
32341 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964243001, APN: 964243001
BEAZER HOLMES HOLDINGS CORP
1800 E IMPERIAL HWY 200
BREA CA 92821

ASMT: 964243008, APN: 964243008
MARY TERRONES, ETAL
32355 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964243002, APN: 964243002
JOHN NOE
PMB 311
16625 DOVE CANYON STE 102
SAN DIEGO CA 92127

ASMT: 964243009, APN: 964243009
STEPHANIE BRODIE, ETAL
32369 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964243003, APN: 964243003
LAURA VANDEWATER, ETAL
32285 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964244001, APN: 964244001
MARGARET CANCHOLA, ETAL
32376 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964243004, APN: 964243004
ROYLENE SLEEGERS, ETAL
39 BRUEN ST NO 4
NEWARK NJ 7105

ASMT: 964244002, APN: 964244002
CHERYL JONES, ETAL
32348 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964243005, APN: 964243005
MATTHEW LEVASSEUR
32313 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964244003, APN: 964244003
ANGELA CARLSEN, ETAL
32353 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964243006, APN: 964243006
GINA PIERCE, ETAL
32327 PERIGORD RD
WINCHESTER, CA. 92596

ASMT: 964244004, APN: 964244004
LOIS STRINGER, ETAL
32367 SAINT MARTIN RD
WINCHESTER, CA. 92596



ASMT: 964245001, APN: 964245001
STEPHANIE MCDONALD, ETAL
32360 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245008, APN: 964245008
DEBRA RUIZ, ETAL
36934 MONTREAUX RD
WINCHESTER, CA. 92596

ASMT: 964245002, APN: 964245002
RANDI ETHRIDGE, ETAL
32346 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245009, APN: 964245009
TERRI COTHARN
24466 HANSON SPRING DR
PORTER TX 77365

ASMT: 964245003, APN: 964245003
COLETTE STEWART, ETAL
32338 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245010, APN: 964245010
LAURENT URICH
36886 MONTREAUX RD
WINCHESTER, CA. 92596

ASMT: 964245004, APN: 964245004
DAVID JENKINS
32332 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245005, APN: 964245005
CAROL ALISON, ETAL
32318 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245006, APN: 964245006
MARTY LAUGHLIN
32304 SAINT MARTIN ST
WINCHESTER, CA. 92596

ASMT: 964245007, APN: 964245007
NANCY REISINGER, ETAL
32290 SAINT MARTIN ST
WINCHESTER, CA. 92596



GPA00945 – Applicant
Londen Land Companies, LLC
c/o Ashlee Lewis
4343 East Camelback Road
Phoenix, AZ 85018

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c/o Ashlee Lewis
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Phoenix, AZ 85018

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Phoenix, AZ 85018

GPA00945 – Owner
Londen Land Companies, LLC
c/o Ashlee Lewis
4343 East Camelback Road
Phoenix, AZ 85018

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

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NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

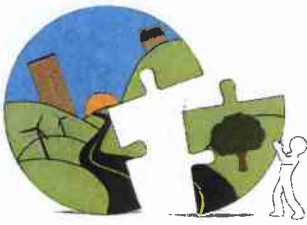
GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211

GPA00945 – Representative
NV5
c/o Bill Warner
42-829 Cook Street, Suite 104
Palm Desert, CA 92211



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steven Weiss, AICP
Planning Director

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 12th Floor
P. O. Box 1409
Riverside, CA 92502-1409

38686 El Cerrito Road
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

General Plan Amendment No. 945 & Change of Zone No. 7743

Project Title/Case Numbers

John Hildebrand – Project Planner

County Contact Person

(951) 955-1888

Phone Number

N/A

State Clearinghouse Number (if submitted to the State Clearinghouse)

Londen Land Companies, LLC c/o Ashlee Lewis

Project Applicant

4343 E. Camelback Rd Phoenix, AZ 85018

Address

Located in the Southwest Area Plan, south of Auld Avenue, east of Dickson, and west of Maddalena Road

Project Location

Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD), amend its Land Use Designation from Rural Residential (RR) (5-acre minimum) to Commercial Retail (CR) (0.20-0.35 floor area ratio), and change the Zoning Classification from A-1-5 (Light Agriculture, 5-acre minimum) to C-1/C-P (General Commercial) on two parcels, totaling 9.49 acres.

Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on _____, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A NEGATIVE DECLARATION was prepared for the project pursuant to the provisions of the California Environmental Quality Act and reflects the independent judgment of the Lead Agency.
3. Mitigation measures WERE NOT made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS NOT adopted.
5. A statement of Overriding Considerations WAS NOT adopted.
6. Findings WERE NOT made pursuant to the provisions of CEQA.

This is to certify that the earlier EA, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

John Hildebrand
Signature

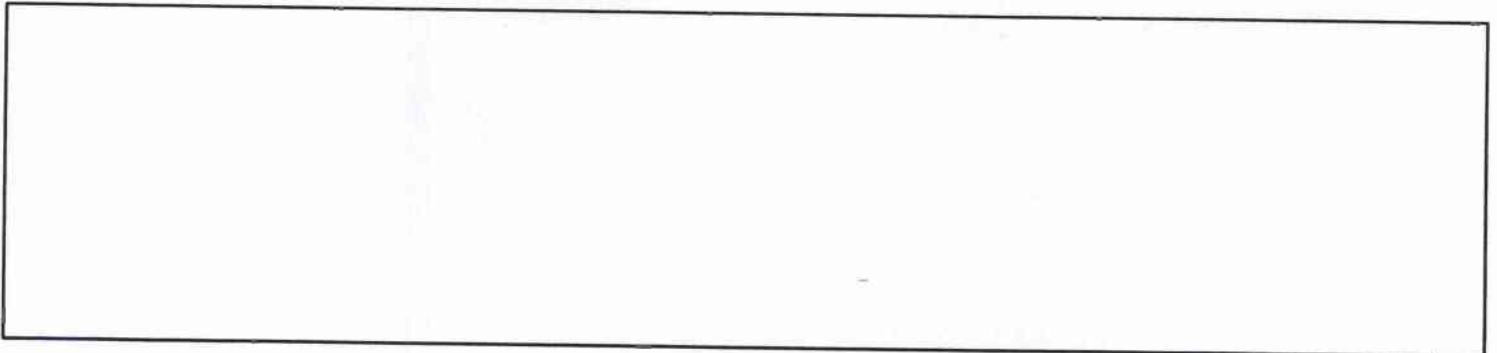
Project Planner

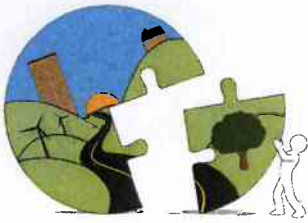
Title

09/01/2015

Date

Date Received for Filing and Posting at OPR: _____





RIVERSIDE COUNTY PLANNING DEPARTMENT

*Steven Weiss, AICP
Planning Director*

NEGATIVE DECLARATION

Project/Case Number: General Plan Amendment No. 945 & Change of Zone No. 7743

Based on the Initial Study, it has been determined that the proposed project will not have a significant effect upon the environment.

PROJECT DESCRIPTION, LOCATION (see Environmental Assessment).

COMPLETED/REVIEWED BY:

By: John Hildebrand Title: Project Planner Date: October 1, 2015

Applicant/Project Sponsor: Londen Land Companies, LLC c/o Ashlee Lewis

Date Submitted: February 13, 2008

ADOPTED BY: Board of Supervisors

Person Verifying Adoption: _____ Date: _____

The Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501

For additional information, please contact John Hildebrand at (951) 955-1888.

Revised: 10/16/07
Y:\Planning Master Forms\CEQA Forms\Negative Declaration.doc

Please charge deposit fee case#: ZEA41773 ZCFG05122

FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

N* REPRINTED * T0800841

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: LONDEN LAND COMPANIES LLC \$64.00
paid by: CK 14808
CA FISH AND GAME FEE FOR EA41773
paid towards: CFG05122 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Feb 13, 2008 13:13
SBROSTRO posting date Feb 13, 2008

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

N* REPRINTED * R1512227

4080 Lemon Street
Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 694-5242

38686 El Cerrito Rd
Indio, CA 92211
(760) 863-8271

Received from: LONDEN LAND COMPANIES LLC \$2,210.00
paid by: CK 3471
CA FISH AND GAME FEE FOR EA41773
paid towards: CFG05122 CALIF FISH & GAME: DOC FEE
at parcel:
appl type: CFG3

By _____ Nov 03, 2015 15:36
MGARDNER posting date Nov 03, 2015

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,210.00

Overpayments of less than \$5.00 will not be refunded!