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Placed by: Cecilia Gil

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Publication(s): The Press-Enterprise

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Ad Desc.: GPA 945 ZC 7743

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01/30/2016

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Date: Jan 30, 2016

At: Riverside, California


Legal Advertising Representative, The Press-Enterprise

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COUNTY OF RIVERSIDE
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NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A GENERAL PLAN AMENDMENT AND A CHANGE OF ZONE IN THE THIRD SUPERVISORIAL DISTRICT, AND INTENT TO FILE NOTICE OF EXEMPTION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, February 9, 2016, at 9:00 a.m.**, or as soon as possible thereafter, to consider an application submitted by London Land Companies, LLC - Bill Warner, on **General Plan Amendment No. 945**, which proposes to amend the foundation component from Rural (R) to Community Development (CD), and to amend the land use from Rural Residential (RR) (5-Acre Minimum) to Commercial Retail (CR) (0.20 - 0.35 FAR); and, **Change of Zone No. 7743**, which proposes to change the zoning from A-1-5 (Light Agriculture, 5-Acre Minimum) to C-1/C-P (General Commercial) on two parcels, totaling 9.49-acres, or such other zones as the Board may find appropriate ("the project"). The project is located east of Dickson Path, South of Auld Road, west of Maddalena Road, and north of Mazoe Street in the Southwest - Rancho California, Third Supervisorial District.

The Planning Commission recommended that the Board of Supervisors deny the project and also determined that the project is exempt from the provisions of the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951) 955-1888 OR EMAIL jhildebr@rctlma.org.

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

If you challenge the above item 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 to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: January 27, 2016.

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

1/30

Aparicio, Ashley

From: Dan Silver <dsilverla@me.com>
Sent: Saturday, February 06, 2016 12:55 PM
To: Benoit, John; Jeffries, Kevin; Ashley, Marion; District3; cwashington@rcbos.org; Tavaglione, John; COB
Cc: Johnson, George; Perez, Juan; Weiss, Steven; Clack, Shellie; Balderrama, Olivia; Field, John; Magee, Robert; Mike Gialdini; Hernandez, Steven
Subject: RE: Items 16-1, 16-3 to 16-6; Hearing Date: February 9, 2016
Attachments: EHL-BoS-Items16.1, 16.3 to 16.6-2.9.16.pdf

February 6, 2016

The Hon John Benoit, Chair
Riverside County Board of Supervisors
4080 Lemon St
Riverside CA 92501

RE: Items 16-1, 16-3 to 16-6; Hearing Date: February 9, 2016

Dear Chairman Benoit and Members of the Board:

Please find written testimony for your consideration.

With best wishes,
Dan Silver

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



February 6, 2016

VIA ELECTRONIC MAIL

The Hon. John Benoit, Chair
Riverside County Board of Supervisors
4080 Lemon St
Riverside CA 92501

RE: Items 16.1, 16-3 to 16-6, Hearing Date: February 9, 2016

Dear Chairperson Benoit and Members of the Board:

Endangered Habitats League (EHL) appreciates the opportunity to provide written testimony on three items before you. For your reference, EHL served on the advisory committees for all three components of the Riverside County Integrated Project. As you consider these items we urge discipline against *ad hoc* amendments to the General Plan that lack a compelling planning rationale.

Item 16-1 (Lake Mathews) – *Oppose*

This proposal would create a large residential lot subdivision from currently agricultural zoning. Such large lots are a highly inefficient use of land and create a maximally GHG-intensive pattern of development. There is no demonstrable need for additional such housing capacity.

Item 16-3, GPA 943 (Winchester) - *Oppose*

This proposal would violate an established boundary of Community Development and Rural Community. The *original* staff recommendation for denial of initiation was correct.

Item 16-4, GPA 945 – *Oppose*

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.

Item 16-5, GPA 921 (Menifee Valley/Sun City) – *Oppose*

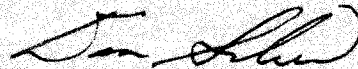
This 78-acre Rural property is in an area previously identified in the General Plan for its rural character. It functions as a "community separator." No significant new circumstances justify a foundation change to Community Development. *Indeed, with the incorporation of Menifee, any urbanization should proceed over time through an orderly process of annexation rather than through piecemeal tract maps in the unincorporated area.* No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective.

Item 16-6, GPA 997 – Oppose

The initial staff recommendation for *not* proceeded with this change from OS-Rural to CD-Light Industrial on 160 acres was based on no new conditions or circumstances, lack of infrastructure, and a surplus of unused Light Industrial land in the area. The proposed conversion of only part of the site does not change these facts.

Thank you for considering our views.

Yours truly,

A handwritten signature in black ink, appearing to read "Dan Silver", is written over a light gray rectangular background.

Dan Silver
Executive Director

Aparicio, Ashley

From: Lauren Mikowski <laurenmikowski@gmail.com>
Sent: Thursday, February 04, 2016 11:29 AM
To: COB; Hildebrand, John
Subject: GPA 945 Public Hearing Opposition
Attachments: GPA 945 Letter.docx

Dear Planning Commission,

Please see my attached opposition to this GPA. Thank you ~Lauren Mikowski

--

**Respectfully,
Lauren Mikowski**

**Realtor
Century 21 Award
BRE #: 01903138
Office: 951.491.7000
Cell: 858.775.1487
Email: laurenmikowski@gmail.com
Web: www.laurenmikowski.com**

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

Aparicio, Ashley

From: Noah Rau <nmrau@msn.com>
Sent: Friday, February 05, 2016 1:24 PM
To: COB
Subject: February 9, 2016 Agenda Item 16.4; GPA 945 Public Hearing
Attachments: Agenda Item 16.4 GPA 945 BOS public hearing comment letter-Rau.pdf

Good afternoon,

Please find attached a comment letter for the above referenced public hearing next Tuesday.

Thank you,
Noah Rau

2016-2-13 11:31 AM

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

February 5, 2016

Kecia Harper-Ihem
Clerk of the Board
P.O. Box 1147
Riverside, CA 92502-1147

RE: Opposed to General Plan Amendment No. 945

Dear Members of the Riverside County Board of Supervisors:

As the home owners and residents of the property adjoining the subject property to the west, we appreciate this opportunity to provide comments for the February 9, 2016 public hearing. Most of these comments were also provided to the planning commission on November 4, 2015.

The original staff report 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 only on page 2 of the planning staff report. The Form-11 for this public hearing agenda item No. 16.4 further recognizes and clears up that our property is in the middle of this region and not part of this proposal. At the previous public hearing, this note on page 2 of the staff report was the only reference to our property because all other descriptions and references in the staff report and environmental assessment incorrectly assumed that our property was 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 this proposed GPA 945 and another (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 four 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 of GPA 945. Further, TPM No. 32379 should not have been a basis in the GPA 945D1 approval in November 2014.

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 our rural residential property located on Auld Road adjoining this property to the west.

- 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."*

We strongly disagree that once again jumping over our 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 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 in a convenient location. 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 this would be unsafe in a commercial setting. Not only is it dangerous for us as equestrians but our horses can develop health issues such as 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:

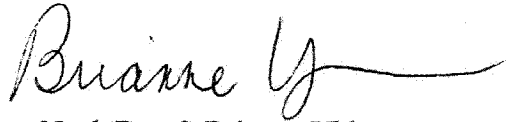
This proposed project has the real potential to cause impacts to our family and animals caused from re-zoning and subsequent development. Some of these potentially detrimental impacts would include noise, dust, fire danger, heavy equipment air pollution, topography change with drainage concerns, groundwater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

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

We strongly urge you to follow the Planning Commissions' recommendation and REJECT the proposed GPA 945.

Sincerely,



Noah Rau & Brianne Yhlen

Aparicio, Ashley

From: Laurel McKee <laurel@socalceqa.com>
Sent: Monday, February 08, 2016 11:53 AM
To: COB; Hildebrand, John
Cc: Raymond W. Johnson Esq. AICP LEED GA; Kimberly Foy
Subject: GPA 945 - BOS Agenda Item 16.4 - Comment Letter attached
Attachments: 2016.02.08 GPA 945 Comment letter to BOS.pdf

Ms. Harper-Ihem and Mr. Hildebrand:

Attached is a comment letter regarding GPA 945, on tomorrow's (2/9/2016) Board of Supervisor's Agenda as Item 16-4. We would appreciate your assistance in distributing this to the Supervisors and appropriate staff prior to the meeting. A hard copy follows in the US Mail.

Thank you for your assistance.

Laurel McKee

The above email is for intended recipient only and is confidential and protected by attorney/client privilege. If you are not the intended recipient, please advise the sender immediately. Unauthorized use or distribution is prohibited and may be unlawful.

Laurel L. McKee
Administrative Assistant to Raymond W. Johnson, Esq., AICP, LEED GA
Abigail A. Smith, Esq., Kimberly Foy, Esq., and Kendall Holbrook, Esq.
JOHNSON & SEDLACK
26785 Camino Seco
Temecula, CA 92590
Telephone: (951) 506-9925
Facsimile: (951) 506-9725
E-Mail: Laurel@SoCalCEQA.com

Johnson Sedlack

ATTORNEYS at LAW

Raymond W. Johnson, Esq., AICP, LEED GA
Carl T. Sedlack, Esq., Retired
Abigail A. Smith, Esq.
Kimberly Foy, Esq.
Kendall Holbrook, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: Ray@SoCalCEQA.com

Abby@SoCalCEQA.com
Kim@SoCalCEQA.com
Kendall@SoCalCEQA.com
Telephone: (951) 506-9925
Facsimile: (951) 506-9725

February 8, 2016

Kecia Harper-Ihem
Clerk of the Board
Riverside County Board of Supervisors
4080 Lemon Street, 1st Floor
Riverside, CA 92501
cob@rcbos.org

John Earle Hildebrand III
Senior Project Associate
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
jhildebr@rctlma.org

VIA E-MAIL and U.S. MAIL

Re: Agenda Item 16.4- 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 and Change of Zone (CZ) No. 7743 (the "Project"). 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 within the Southwest Area Plan. This firm previously submitted comments to the Planning Commission in opposition to this Project, and hereby incorporates the whole of those comments herein by reference.

The Planning Commission voted 5-0 to recommend denial of the Project to the Board of Supervisors. The denial recommendation was based on the Planning Commission's finding that no new conditions or circumstances justify modifying the site's General Plan Foundation Component from Rural (R) to Community Development (CD). We concur with the Planning Commission's determination that the realignment of Butterfield Stage Road is too uncertain to justify any new conditions or circumstances finding where no Final Map for the realignment has been processed, no public funding exists for such realignment, and the realignment is not on Transportation's priority list. We ask the Board of Supervisors concur with the Planning Commission's recommendation on this basis and vote to deny this Project.

In addition to the reasoning provided by the Planning Commission, denial is required as the remaining findings needed for a General Plan Amendment cannot properly be made and, in

February 8, 2016

Page 2

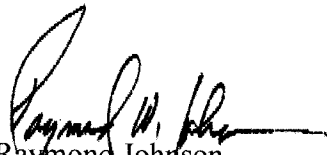
the event the Board considers approval, the Project fails to comply with the California Environmental Quality Act ("CEQA")(Pub. Res. Code §§ 21000 *et seq.*). The eight findings needed to amend the General Plan land use designation onsite are unsupported where the Project would expand urban uses into rural areas inconsistent with the General Plan's land use policies and vision. This firm's prior comments to the Planning Commission detail the lack of necessary evidentiary support for, and conflicts with, needed findings for a General Plan Amendment.

Denial is also required as approval of the Project would not comply with CEQA where no Environmental Impact Report was prepared for the Project despite a fair argument the Project may result in significant adverse environmental impacts. There is evidence the Project may result in significant environmental impacts to/from, at least, aesthetics, agriculture, air quality, geology, hazards, hydrology/water quality, land use/ planning, noise, traffic, and cumulative impacts. Numerous comments were submitted to the County noting the potentially significant impacts of this Project. In addition, the prepared Initial Study/ Negative Declaration failed to comply with CEQA by generally omitting evaluation of reasonably foreseeable effects, including ultimate or secondary effects, of the proposed land use and zoning modifications. Adoption of the prepared Initial Study/ Negative Declaration would improperly defer needed impact review and consideration of mitigation until after Project approval.

For each of these reasons, we respectfully request the Board of Supervisors heed the Planning Commission's recommendation and vote to deny this Project in its entirety. In the event the Board considers approval, an EIR must first be prepared to evaluate and mitigate for the environmental effects of the Project.

Thank you for your consideration of these comments.

Sincerely,



Raymond Johnson,
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 Green Associate

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.

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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

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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
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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.

Johnson Sedlack

ATTORNEYS at LAW

Raymond W. Johnson, Esq., AICP, LEED GA
Carl T. Sedlack, Esq., Retired
Abigail A. Smith, Esq.
Kimberly Foy, Esq.
Kendall Holbrook, Esq.

26785 Camino Seco, Temecula, CA 92590

E-mail: Ray@SoCalCEQA.com

Abby@SoCalCEQA.com
Kim@SoCalCEQA.com
Kendall@SoCalCEQA.com
Telephone: (951) 506-9925
Facsimile: (951) 506-9725

February 8, 2016

Kecia Harper-Ihem
Clerk of the Board
Riverside County Board of Supervisors
4080 Lemon Street, 1st Floor
Riverside, CA 92501
cob@rcbos.org

John Earle Hildebrand III
Senior Project Associate
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
jhildebr@rctlma.org

VIA E-MAIL and U.S. MAIL

Re: Agenda Item 16.4- 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 Tocalota Estates in opposition to adoption of a Negative Declaration for, and proposed approval of, General Plan Amendment (GPA) No. 945 and Change of Zone (CZ) No. 7743 (the "Project"). 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 within the Southwest Area Plan. This firm previously submitted comments to the Planning Commission in opposition to this Project, and hereby incorporates the whole of those comments herein by reference.

The Planning Commission voted 5-0 to recommend denial of the Project to the Board of Supervisors. The denial recommendation was based on the Planning Commission's finding that no new conditions or circumstances justify modifying the site's General Plan Foundation Component from Rural (R) to Community Development (CD). We concur with the Planning Commission's determination that the realignment of Butterfield Stage Road is too uncertain to justify any new conditions or circumstances finding where no Final Map for the realignment has been processed, no public funding exists for such realignment, and the realignment is not on Transportation's priority list. We ask the Board of Supervisors concur with the Planning Commission's recommendation on this basis and vote to deny this Project.

In addition to the reasoning provided by the Planning Commission, denial is required as the remaining findings needed for a General Plan Amendment cannot properly be made and, in

11-4
2/9/16
2016-2-130530

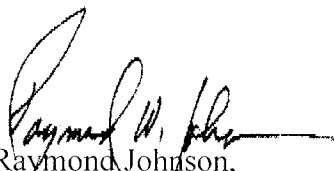
the event the Board considers approval, the Project fails to comply with the California Environmental Quality Act ("CEQA")(Pub. Res. Code §§ 21000 *et seq.*). The eight findings needed to amend the General Plan land use designation onsite are unsupported where the Project would expand urban uses into rural areas inconsistent with the General Plan's land use policies and vision. This firm's prior comments to the Planning Commission detail the lack of necessary evidentiary support for, and conflicts with, needed findings for a General Plan Amendment.

Denial is also required as approval of the Project would not comply with CEQA where no Environmental Impact Report was prepared for the Project despite a fair argument the Project may result in significant adverse environmental impacts. There is evidence the Project may result in significant environmental impacts to/from, at least, aesthetics, agriculture, air quality, geology, hazards, hydrology/water quality, land use/ planning, noise, traffic, and cumulative impacts. Numerous comments were submitted to the County noting the potentially significant impacts of this Project. In addition, the prepared Initial Study/ Negative Declaration failed to comply with CEQA by generally omitting evaluation of reasonably foreseeable effects, including ultimate or secondary effects, of the proposed land use and zoning modifications. Adoption of the prepared Initial Study/ Negative Declaration would improperly defer needed impact review and consideration of mitigation until after Project approval.

For each of these reasons, we respectfully request the Board of Supervisors heed the Planning Commission's recommendation and vote to deny this Project in its entirety. In the event the Board considers approval, an EIR must first be prepared to evaluate and mitigate for the environmental effects of the Project.

Thank you for your consideration of these comments.

Sincerely,


Raymond Johnson,
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 Green Associate

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.

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6/91-6/92

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**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Matthew Duarte

Address: 1001 E. Morton Pl.
(only if follow-up mail response requested)

City: Hemet **Zip:** 92543

Phone #: 951-652-9000

Date: 2/9/16 **Agenda #** 16-4

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

Support **Oppose** **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

Support **Oppose** **Neutral**

I give my 3 minutes to: _____

BOARD RULES

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Requests to Address Board on items that are "NOT" on the Agenda:

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Power Point Presentations/Printed Material:

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Riverside County Board of Supervisors
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SPEAKER'S NAME: Ms Miller

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: _____

Date: 2 9 2016 Agenda # 16-4

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 Support Oppose Neutral

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SPEAKER'S NAME: SCOTT VINTON

Address: 25919 KILEY CT
(only if follow-up mail response requested)

City: MURRIETA Zip: 92563

Phone #: 958-385-2146

Date: 2/9/16 Agenda # 16-4

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Position on "Regular" (non-appealed) Agenda Item:

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SPEAKER'S NAME: Ashlee Lewis (Applicant)

Address: _____
(only if follow-up mail response requested)

City: _____ Zip: _____

Phone #: 609.957.1650

Date: 2.9.14 Agenda # 10-4

PLEASE STATE YOUR POSITION BELOW:

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