



SR-79 REALIGNMENT PROJECT

A project of the Riverside County Transportation Commission

WHAT ARE THE CURRENT PROJECT ALTERNATIVES?

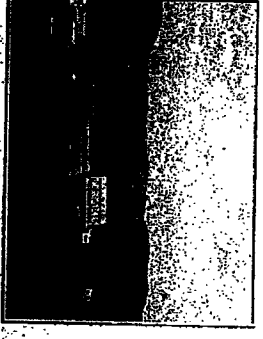
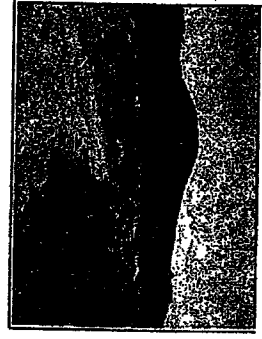
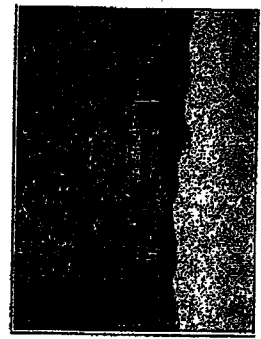
The current Project alternatives consist of three Alternative corridors. All of the Project alternatives begin south of the San Jacinto River on Domenechal Parkway and end immediately south of the San Jacinto River on Sanderson Avenue, San Jacinto. The Alternative corridors overlap in some areas, but the main difference among them is located in the area south of Florida Avenue in the City of Hemet and the County of Riverside. In addition, there are two different alignment options in the City of San Jacinto. The locations of potential interchanges/interchanges on the three Alternative corridors are shown on the adjacent map. The potential interchanges/interchanges identify the only areas where drivers would be able to enter or exit the realigned SR-79 once constructed. This map is also posted on the Project web site: go to www.r79project.info and click on "Location Maps."




WHAT IS THE STATUS OF THE PROJECT SURVEYS?

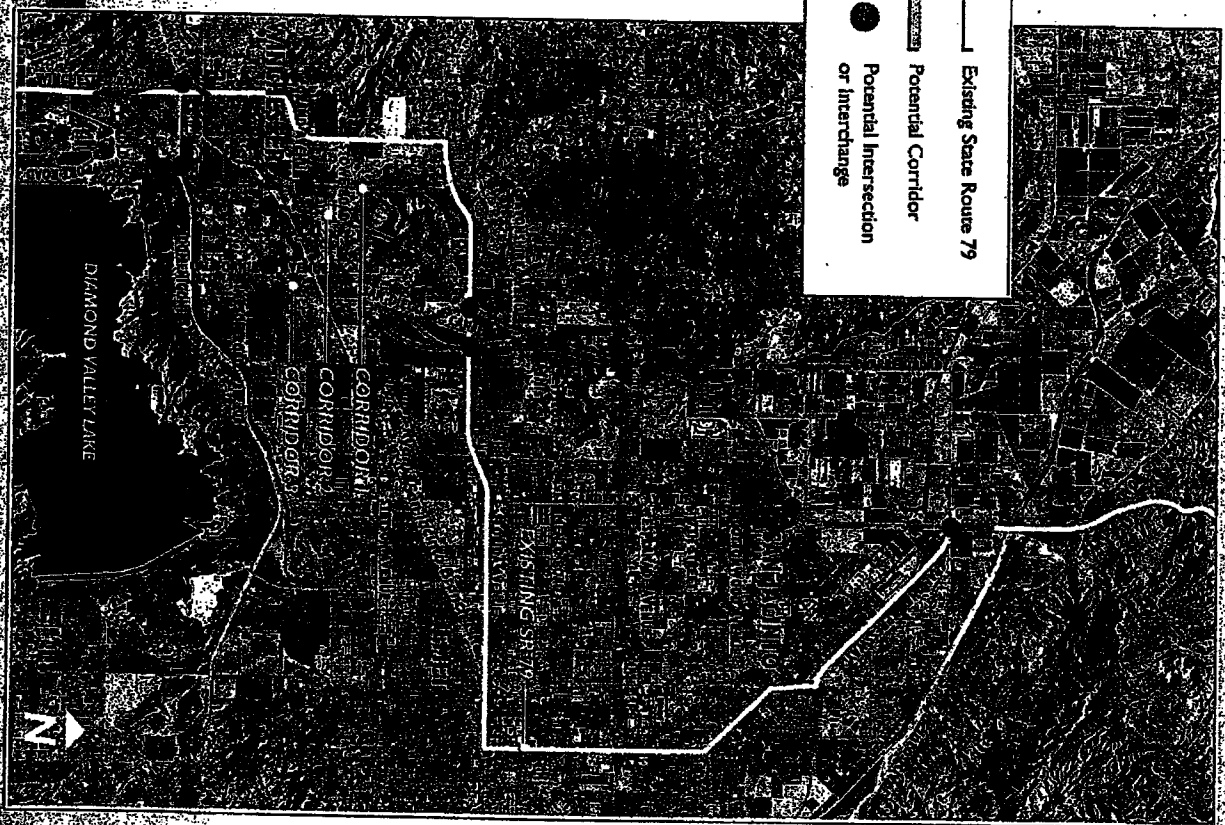
Many of the landowners we contacted for surveys had questions about the duration of the survey period. Almost all of the Project field studies have been completed. The biological surveys that have been completed include:

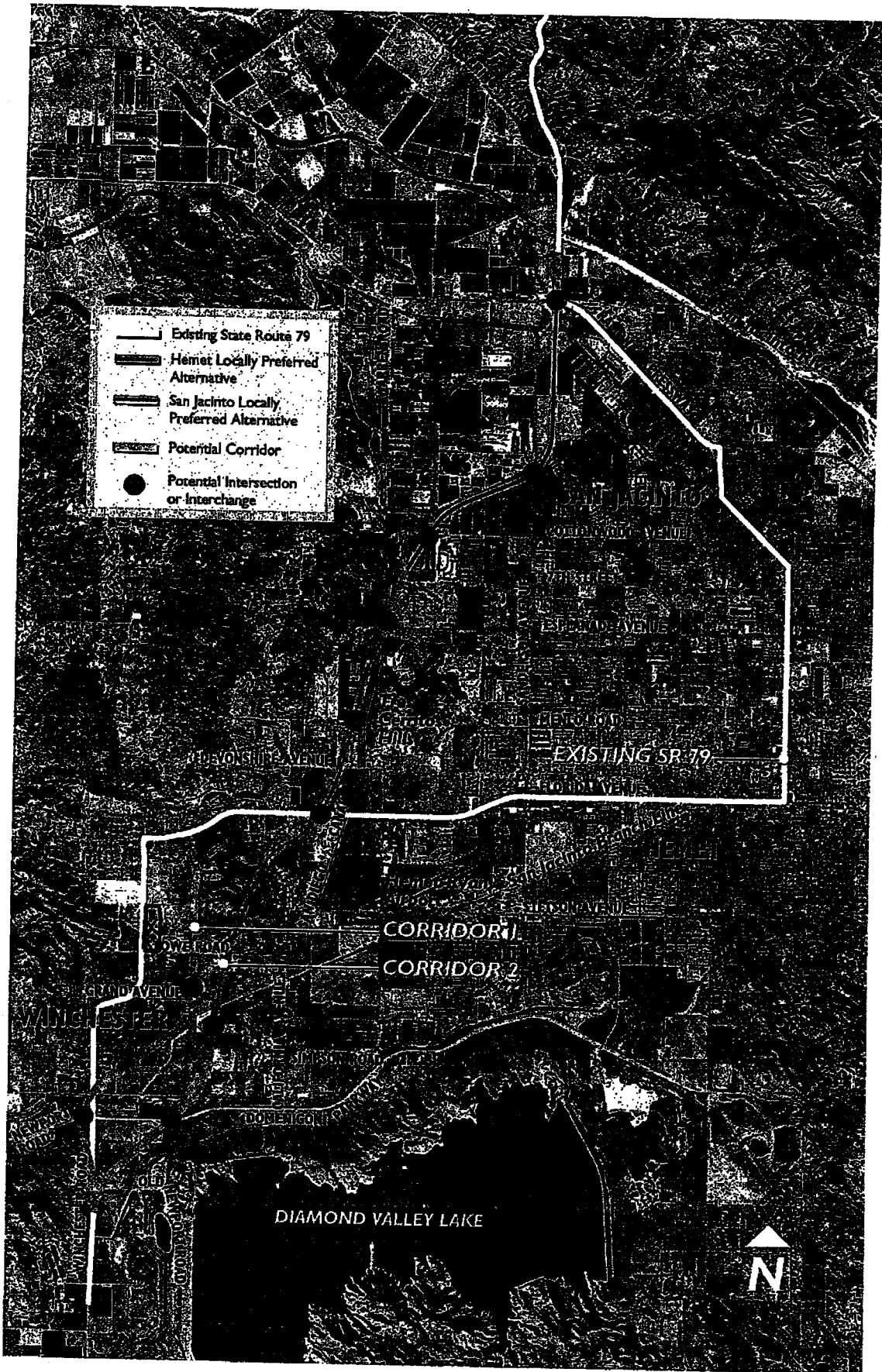
- Amphibians
- Burrowing Owls
- Mammals
- Rare Plants
- Wetlands

Cultural resources, fish shimp and noise surveys are ongoing. These are expected to be completed by the end of 2006. The results of the surveys will be included in the Project technical reports and the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The SR-79 Realignment Project team greatly appreciates your cooperation and patience to help us with this survey effort.



 Existing State Route 79
 Potential Corridor
 Potential Intersection or Interchange





- Existing State Route 79
- - - Hemet Locally Preferred Alternative
- · · San Jacinto Locally Preferred Alternative
- Potential Corridor
- Potential Intersection or Interchange

EXISTING SR 79

CORRIDOR 1

CORRIDOR 2

DIAMOND VALLEY LAKE



ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



January 4, 2009

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
4080 Lemon St.
Riverside, CA 92501

RE: Item 6.0, General Plan Amendment Initiation Proceedings (January 7, 2009)

Dear Chairperson and Commission Members:

The Endangered Habitats League (EHL) wishes to express some general concerns about the landowner-initiated GPA process and then comment about specific items on the January 7 agenda.

General concerns are as follows:

- Given the importance of the Five-Year Update Cycle, there should have been more outreach to interested stakeholders for both the landowner specific and for the County-initiated GPA 960 process.
- There is insufficient coordination between GPA 960 and landowner-initiated GPAs. For example, in the Coachella Valley, 13,000 acres of urban conversion is being initiated through the landowner process, with thousands more acres of such conversion being considered in GPA 960. Landowner initiation is proceeding absent an understanding of the "big picture" of what amount of additional Community Development land is actually needed or a meaningful discussion of where, from an infrastructure and services standpoint, it might best be sited. This non-comprehensive approach defeats the purpose of the Five-Year Cycle.
- The 140 landowner-initiated GPAs are not being presented to the public in a holistic manner, for example in workshops, even though they have the potential to erode the Foundation system.
- Some decisions to date reflect a lack of planning discipline, such as GPA 996 (600 acres of remote Rural land in the Pass/National Forest area, of high fire hazard, initiated as a conversion to Rural Community estates).

Comments on specific items are as follows, with our strongest concern over Item 6.7, GPA 914 (Lake Mathews/Gavilan), which has precedent-setting MSHCP implications.

Item 6.3, GPA 943 (Winchester)

Concur with the staff recommendation for non-initiation, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 6.4, GPA 973 (Winchester)

Disagree with the staff recommendation to change Rural Community to Community Development (Estates) prior to a coherent plan for urbanization. It appears premature.

Item 6.5, GPA 1001 (Winchester)

Concur with the staff recommendation for non-initiation, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 6.7, GPA 914 (Lake Mathews/Gavilan)

Strongly disagree with the staff recommendation to change 46 acres of unparcelized Rural land to 2-acre Rural Community. The property is surrounded on 2 sides by similarly unparcelized Rural land, and at the southeast corner touches a large area of Open Space: Conservation. As Rural, the parcel now forms a good edge for the existing Rural Community. There is no planning justification – such as correcting a “spot zone” – for any change. Borders are always needed between Rural Community and Rural, and this one isn’t “broken.” Fire hazard also argues strongly against change.

Furthermore, along with adjacent, unsubdivided properties to the south and east, this parcel is part of a *large block of high quality wildlife habitat*. From the aerial, it appears to be highly important Riversidean sage scrub. Indeed, this entire block of land, including the area of the proposed GPA, is overlain with MSHCP criteria cells. The analysis contained in the staff report is wholly inadequate from the perspective of the MSHCP, with little sense of preserve needs. For example, there is no discussion of the potential for clustering at different density levels to achieve MSHCP as well as community compatibility goals.

However, any increase in General Plan intensity from the current Rural will make it more difficult to achieve the vital public purposes and infrastructure mitigation obligations of the MSHCP. The County should not “shoot itself in the foot” with *unjustified* conversion of Rural land, and thus set a precedent for uncalled for undermining of the MSHCP.

Item 6.7, GPA 991 (San Jacinto Valley/Sage Rd)

Disagree with the staff recommendation for replanning to partial Community Development but *agree* with placing the southern portion in Open Space: Conservation. Clearly, the designations on this 300-acre property need to be cleaned up, but it is unclear why the same benefits could not be achieved without introducing urbanization into an

area of intact Rural, Rural Community and Agriculture, and which now contains large expanses of unparcelized natural open space.

The property's southern half is overlain with an MSCP criteria cell and staff needs to be more definitive as to whether its modification of the proposed GPA will result in successful MSHCP assembly. If the Commission does accept the staff recommendation, it is crucial that development not create a "hole in the donut" in the southwest border, and that, as staff appropriately recommends, this portion is replaced with Open Space: Conservation. Consistency with on and off-site open space would thus be achieved.

Thank you for considering our views, and we look forward to working with you as the Fire-Year Update Cycle proceeds.

With best wishes for the New Year,



Dan Silver, MD
Executive Director

Electronic cc: Ron Goldman
Carolyn Luna
Charles Landry

November 30, 2009

VIA ELECTRONIC MAIL AND FACSIMILE

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

**RE: Item 5.0, General Plan Amendment Initiation Proceedings
(December 2, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals, which once again call for planning rigor and retaining the integrity of the Foundation system.

Item 5.1, GPA 1033 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. Important new information is contained in the staff report that adds to the many compelling reasons to deny initiation. Specifically, according to the Rancho California Water District, the new agricultural uses would face a water shortage (and presumably further stress existing farms and vineyards), polluted runoff would pose a threat to drinking water quality in the Vail Lake reservoir, and there is a shortage of sewer treatment capacity.

As noted previously, this proposal to extend the Citrus Vineyard Policy Area to Vail Lake is wholly unsuited for this locale. As shown in the thorough staff report, it would introduce a type and intensity of development far in excess of that anticipated by the General Plan's Vail Lake Policy Area and the policies of SWAP. The small farm and commercial development model of Citrus Vineyard has no relevance to the biological, viewshed, and recreational imperatives of Vail Lake. No changed circumstances justify this wholesale change. A massive upzoning to 2-acre lots would introduce large scale residential uses into a high fire hazard area, decimate the biological resources needed for MSCHP assembly, and constitute a leapfrog pattern of development apart from services and infrastructure. Finally, according to the Planning Department, "The proposed amendment also creates an internal inconsistency among the Elements of the General Plan, particularly the Multipurpose Open Space Element and the Safety Element."

Item 5.2, GPA 985 (Elsinore)

Concur with staff recommendation to decline to initiate. This constrained site has serious and unresolved flood hazard issues, and the claim to provide needed

affordable housing does not stand up to scrutiny, as documented in the staff report. Furthermore, the change would likely interfere with MSCHP assembly and should not proceed unless and until facilitation of a reserve segment can be documented.

Item 5.3, GPA 1000 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. Conversion of this 379-acre rural location to Community Development/Specific Plan would defy all relevant planning principles. It would urbanize an intact rural area discontinuous from urban infrastructure and services, maximize greenhouse gas emissions, and, contrary to the recommendation of the Fire Hazard Reduction Task Force, place development in a rugged, high fire hazard location. No new circumstance justifies this Foundation change, which would thus conflict with the Administrative Element of the General Plan. According to the staff report, this increase in intensity "would be contrary to the existing character and land use pattern in the area."

Item 5.4, GPA 998 (French Valley)

Concur with staff recommendation to decline to initiate. The French Valley presents difficult challenges for MSHCP assembly, and this proposal to convert Rural land to Community Development within a Criteria Cell would prejudice preserve assembly. The steep slopes also present landslide hazards. For these reasons, the project could, according to staff, create General Plan inconsistencies involving the Land Use Multi-Purpose Open Space, and Safety Elements. Surrounding parcels are intact Rural, and no changed circumstances justify piecemeal urbanization of an area generally recognized as an important community separator.

Item 5.5, GPA 977 (Mead Valley/Elsinore)

Concur with staff recommendation to decline to initiate. This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. Discontinuous from infrastructure and services, and not responding to changed circumstances, the proposal utterly lacks planning merit. Indeed, due to public safety and MSHCP conflicts, staff concluded that:

This amendment would potentially create inconsistency between the Land Use Element and the Safety Element by increasing density in an area with steep slopes, high fire hazard and no nearby fire stations, limited access, and subject to flooding. Increasing the density/intensity of allowable land use on the site, as proposed by this amendment, would also exacerbate potentially conflicts between such uses and the conservation requirements as set forth in the MSHCP, causing inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

Item 5.6, GPA 1043 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. This 629-acre property in rugged terrain is remote from infrastructure and services and is at high fire risk. Uses

should not be intensified here. Furthermore, the Riverside County Fire Hazard Reduction Task Force made the following recommendation:

Update the Riverside County General Plan and complete consistency zoning actions to limit residential growth within or adjacent to high fire hazard areas.

As staff notes, the proposal would be inconsistent with the General Plan vision for the area, create internal inconsistencies in the General Plan, and reflects no changed circumstances.

Item 5.7. GPA 988 (Elsinore)

Concur with staff recommendation to decline to initiate. This proposal responds to no changed circumstances. It would intensify residential uses within a very high fire hazard area, contrary to the recommendation of the Fire Hazard Reduction Task Force. The current designation correctly reflects the viewshed and buffer characteristics of the area, and should not be altered. According to staff, "Increasing the intensity of uses on the site could also potentially create inconsistencies amongst the Land Use element and the Safety element of the General Plan."

Item 5.8. GPA 943 (Winchester)

Concur with staff recommendation to decline to initiate, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.9. GPA 1001 (Winchester)

Concur with staff recommendation to decline to initiate, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.10. GPA 921 (Menifee Valley/Sun City)

Disagree with staff recommendation for initiation. This 78-acre Rural property is in an area previously identified in the General Plan for its rural character and it may function 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 approvals 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 5.11 GPA 931 (French Valley)

Concur with staff recommendation to decline to initiate. The proposed density is inconsistent with the Riverside County Airport Land Use Commission's Basic Compatibility Criteria. The site forms a clear demarcation between Rural and

Community Development, and no changed circumstance is present to justify altering that boundary. 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. Piecemeal urbanization should be rejected.

Thank you for considering our views, and we look forward to working with you as the Five-Year Update proceeds.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.
Katherine Lind, County Counsel

Carolyn Luna, EPD
Greg Neal, EPD
Interested parties

Carl Rheingaus
P.O. Box 99
Winchester, CA 92596
GPA943-Applicant/Owner

Cozad & Fox Inc
151 S. Girard St.
Hemet, CA 92544
GPA943-Engineer

Kelly Alhadeff-Black
41607 Margarita Road, Suite 10
Temecula, CA 92591

INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Carl Joseph Rheingans and Betty June Rheingans, Trustees of the Rheingans Family Trust dated February 12, 2002 and Darren Fricker, Successor Trustee of the Carl J. Rheingans and Betty J. Rheingans Family Bequest Trust dated June 26, 1991 ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

WITNESSETH:

WHEREAS, the PROPERTY OWNER has a legal interest in the certain real property described as APN 465-060-004 ("PROPERTY"); and,

WHEREAS, on February 13, 2008, PROPERTY OWNER filed an application for General Plan Amendment No. 943 and on July 21, 2010, PROPERTY OWNER filed an application for Change of Zone No. 7741 ("PROJECT"); and,

WHEREAS, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys' fees in such challenges; and,

WHEREAS, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys' fees and damages which may be awarded to a successful challenger; and,

WHEREAS, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation ("LITIGATION"); and,

WHEREAS, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER'S indemnification obligation for the PROJECT.

NOW, THEREFORE, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. **Indemnification.** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. **Defense Cooperation.** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. **Representation and Payment for Legal Services Rendered.** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by PROPERTY OWNER to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of PROPERTY OWNER's obligations under this Agreement.

4. **Payment for COUNTY's LITIGATION Costs.** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. **Return of Deposit.** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. **Notices.** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:
Office of County Counsel
Attn: Melissa Cushman
3960 Orange Street, Suite 500
Riverside, CA 92501

PROPERTY OWNER:
Carl & Betty Rheingans
P.O. Box 99
Winchester, CA 92596

With a copy to:
Cozad & Fox, Inc.
151 S. Girard St.
Hemet, CA 92544

7. **Default and Termination.** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY OWNER fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. **COUNTY Review of the PROJECT.** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. **Complete Agreement/Governing Law.** This Agreement represents the complete understanding between the parties with respect to matters set forth

herein. This Agreement shall be construed in accordance with the laws of the State of California.

10. **Successors and Assigns.** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. **Amendment and Waiver.** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. **Severability.** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Survival of Indemnification.** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. **Interpretation.** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.

17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange

facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

18. ***Joint and Several Liability.*** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. ***Effective Date.*** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

Signatures follow on next page

IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

COUNTY:
COUNTY OF RIVERSIDE,
a political subdivision of the State of California

By: Steven Weiss
Steven Weiss
Riverside County Planning Director

Dated: 11/23/15

PROPERTY OWNER:
Carl Joseph Rheingans and Betty June Rheingans, Trustees of the Rheingans Family Trust dated February 12, 2002 and Darren Fricker, Successor Trustee of the Carl J. Rheingans and Betty J. Rheingans Family Bequest Trust dated June 26, 1991

By: Carl Joseph Rheingans
Carl Joseph Rheingans, Co-Trustee of the Rheingans Family Trust dated February 12, 2002

Dated: 10/20/2015 *6: see attached name*

By: Betty June Rheingans
Betty June Rheingans, Co-Trustee of the Rheingans Family Trust dated February 12, 2002

Dated: 10.21.2015

R. Lycan, Notary Public

REFER TO ATTACHED
CA ALL-PURPOSE
ACKNOWLEDGMENT

By: Darren Fricker
Darren Fricker, Successor Trustee of the Carl J. Rheingans and Betty J. Rheingans Family Bequest Trust dated June 26, 1991

Dated: 10/26/2015

SEE ATTACHED CERTIFICATE
DATE 10/24/15 BY INITIALS SR

FORM APPROVED COUNTY COUNSEL
BY: Michelle Clack DATE 11/15/15

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of RIVERSIDE

On 10/20/2015 before me, SANTOSH ASHOK KALANKE (Notary Public)

personally appeared CARL J. RHEINSAW
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document INDEMNIFICATION AGREEMENT
Title or Type of Document: _____
Document Date: _____ Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)
Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

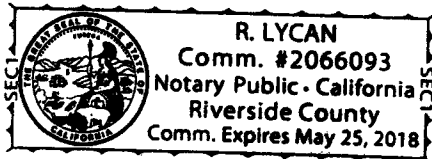
On Oct 21, 2015 before me, R. Lycan, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Betty June Rheingans
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Indemnification Agreement Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer's Name: _____
 Corporate Officer -- Title(s): _____
 Partner -- Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____

Signer Is Representing: _____

Signer Is Representing: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange)

On October 26, 2015 before me, Susan Catherine Hicks, Notary Public
(insert name and title of the officer)

personally appeared Darren Alec Fricker
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature] (Seal)



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. 943 (Foundation and Entitlement/Policy) and CHANGE of ZONE NO. 7741 – Intent to Adopt a Mitigated Negative Declaration – Applicant: Carl Rheingans – Engineer/Representative: Cozad & Fox, Inc. – Third Supervisorial District – Area Plan: Harvest Valley/Winchester – Zone Area: Winchester – Zone: A-1-10 (Light Agriculture, 10 Acre Minimum) – Policy Area: Highway 79 – Location: East of Highway 79/Winchester Road, north of Stowe Road, west of Richmond Road, and south of Stetson Avenue – Project Size: 56.8 acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Rural Community (RC) to Community Development (CD), amend its Land Use Designation from Estate Density Residential (EDR) (2-Acre Minimum) to Medium Density Residential (MDR) (2-5 du/ac) and Commercial Retail (CR) (0.20 – 0.35 FAR), and change the site's zoning classification from A-1-10 (Light Agriculture, 10-acre minimum) to R-1 (One-Family Dwellings) and C-1 & C-P (General Commercial) on one parcel, totaling 56.8 acres – Project Planner: John Hildebrand at (951) 955-1888 or email jhildebr@rctlma.org.

GPIP: The County of Riverside Board of Supervisors adopted an order initiating proceedings for General Plan Amendment No. 943 on April 20, 2010.

TIME OF HEARING: **9:00 am** or as soon as possible thereafter
DECEMBER 2, 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

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 10/7/2015

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CZ07741/GPA00943 For

Company or Individual's Name Planning Department

Distance buffered 800'

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

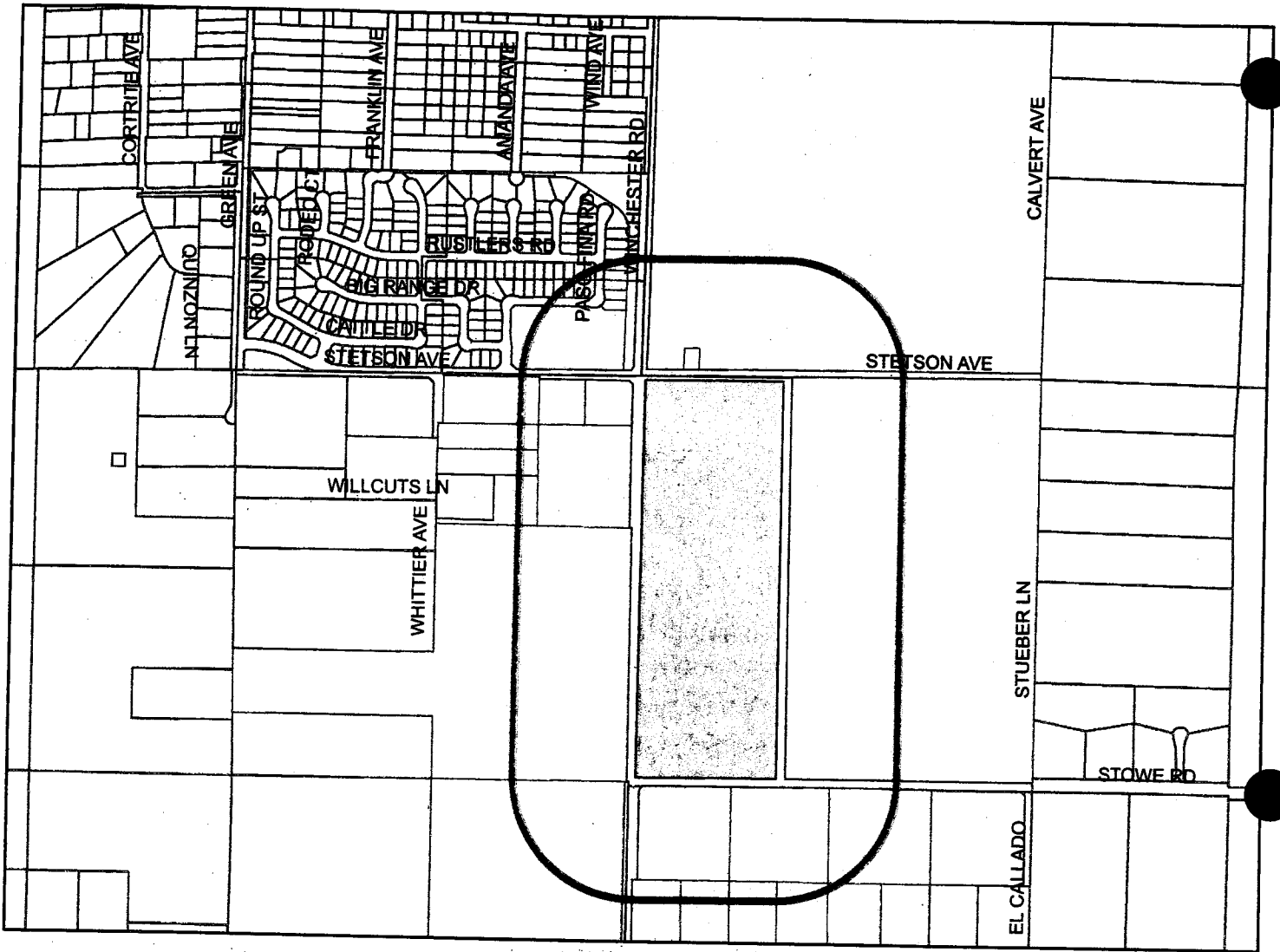
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

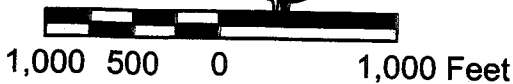
TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

CZ07741 GPA00943 (800 feet buffer)



Selected Parcels

- | | | | | | | | | | |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 465-290-012 | 458-340-003 | 458-340-002 | 458-341-001 | 458-370-002 | 465-060-033 | 465-290-004 | 465-290-013 | 465-060-004 | 458-370-001 |
| 458-340-001 | 465-060-015 | 465-060-028 | 465-060-016 | 465-290-018 | 458-341-002 | 465-290-002 | 465-060-035 | 465-290-003 | 465-290-001 |
| 465-300-002 | 465-060-018 | 458-370-003 | 458-340-050 | 458-370-004 | 458-370-005 | 458-372-011 | 458-372-012 | 458-372-013 | 458-372-014 |
| 458-250-012 | 458-250-013 | 465-060-005 | 465-290-017 | 465-060-014 | 465-060-027 | | | | |



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: 458340001, APN: 458340001
KARLA CRUZ, ETAL
26906 WILDERNESS DR
WINCHESTER, CA. 92596

ASMT: 458370003, APN: 458370003
MARIA BRAZIL, ETAL
26920 WILDERNESS DR
WINCHESTER CA 92596

ASMT: 458340002, APN: 458340002
MICHELLE VEGA, ETAL
26892 WILDERNESS DR
WINCHESTER, CA. 92596

ASMT: 458372014, APN: 458372014
SA CALIF GROUP INC
C/O MATT RUDY
9467 MILLIKEN AVE
RANCHO CUCAMONGA CA 91730

ASMT: 458340003, APN: 458340003
INGA GARNER, ETAL
26878 WILDERNESS DR
WINCHESTER, CA. 92596

ASMT: 465060005, APN: 465060005
STONE STAR RIVERSIDE
12671 HIGH BLUFF DR NO 150
SAN DIEGO CA 92130

ASMT: 458341001, APN: 458341001
AMY BAZINET, ETAL
33467 RUSTLERS RD
WINCHESTER, CA. 92596

ASMT: 465060015, APN: 465060015
TERRIE CHANDLER, ETAL
P O BOX 323
WINCHESTER CA 92596

ASMT: 458341002, APN: 458341002
JESSICA TUTTLE
33449 RUSTLERS RD
WINCHESTER, CA. 92596

ASMT: 465060016, APN: 465060016
ELAINE GUERRA, ETAL
9447 RAMONA ST
BELLFLOWER CA 90706

ASMT: 458370001, APN: 458370001
YOLANDA MACEDO, ETAL
26948 WILDERNESS DR
WINCHESTER, CA. 92596

ASMT: 465060018, APN: 465060018
DEBRA MORRISON, ETAL
27140 BICHENO LN
HEMET, CA. 92545

ASMT: 458370002, APN: 458370002
CAH 2015 1 BORROWER
9305 E VIA DE VENTURA 201
SCOTTSDALE AZ 85258

ASMT: 465060027, APN: 465060027
WIND PROP
31062 CASA GRAND DR
SAN JUAN CAPO CA 92675

ASMT: 465060028, APN: 465060028
HELEN OTTEN, ETAL
4270 DENVER ST
MONTCLAIR CA 91763

ASMT: 465290012, APN: 465290012
FLORES WICO, ETAL
51 15168 66A AVE
SURREY BC CANADA V3S1X2

ASMT: 465060033, APN: 465060033
BETTY RHEINGANS, ETAL
P O BOX 99
WINCHESTER CA 92596

ASMT: 465290013, APN: 465290013
CHARLES VANNORMAN
107 WELLINGTON CUTOFF
WELLINGTON NV 89444

ASMT: 465060035, APN: 465060035
ROSE CLARK, ETAL
P O BOX 807
WINCHESTER CA 92596

ASMT: 465290017, APN: 465290017
MARIE TIRHEIMER, ETAL
1320 COYOTE RD
PRESCOTT AZ 86303

ASMT: 465290001, APN: 465290001
MELINDA SIWEK
33562 MILAN RD
WINCHESTER CA 92596

ASMT: 465290018, APN: 465290018
ILENE ITZKOVICS
33775 STOWE RD
HEMET, CA. 92545

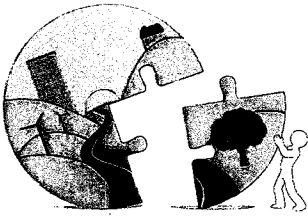
ASMT: 465290002, APN: 465290002
LUPE MORENO, ETAL
33624 MILAN RD
HEMET, CA. 92545

ASMT: 465300002, APN: 465300002
SURVIVORS TRUST OF MUELLER 1993 TRUST
C/O VIOLET MUELLER
5411 SHERBOURNE DR
LOS ANGELES CA 90056

ASMT: 465290003, APN: 465290003
KELLY DONNELLY
33686 MILAN RD
HEMET, CA. 92545

ASMT: 465290004, APN: 465290004
CAROL MANSON
P O BOX 501
WINCHESTER CA 92596





RIVERSIDE COUNTY PLANNING DEPARTMENT

*Steve Weiss, AICP
Planning Director*

MITIGATED NEGATIVE DECLARATION

Project/Case Number: General Plan Amendment No. 943 and Change of Zone No. 7411

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

PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: John Hildebrand Title: Project Planner Date: October 15, 2015

Applicant/Project Sponsor: Carl Rheingans Date Submitted: February 13, 2008

ADOPTED BY: Board of Supervisors

Person Verifying Adoption: _____ Date: _____

The Mitigated 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

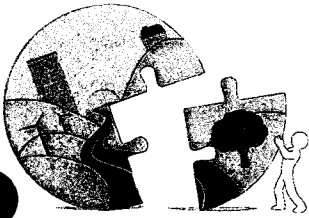
For additional information, please contact John Hildebrand at (951) 955-1888.

Revised: 10/16/07

Y:\Planning Master Forms\Templates\CEQA Forms\Mitigated Negative Declaration.docx

Please charge deposit fee case#: ZEA41771 ZCFG05119

FOR COUNTY CLERK'S USE ONLY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve 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. 943 & Change of Zone No. 7741

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)

Carl Rheingans

Project Applicant

P.O. Box 99, Winchester, CA 92596

Address

East of Highway 79/Winchester Road, North of Stowe Road, West of Richmond Road, and South of Stetson Avenue. APN: 465-060-004

Project Location

Proposal to amend the project site's General Plan Foundation Component from Rural Community (RC) to Community Development (CD), amend its Land Use Designation from Estate Density Residential (EDR) (2-acre minimum) to Medium Density Residential (MDR) (2-5 du/ac) and Commercial Retail (CR) (0.20 – 0.35 FAR), and change the site's zoning classification from A-1-10 (Light Agriculture, 10-acre minimum) to R-1 (One-Family Dwellings) and C-1 & C-P (General Commercial) on one parcel, totaling 56.8 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. An MITIGATED 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 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

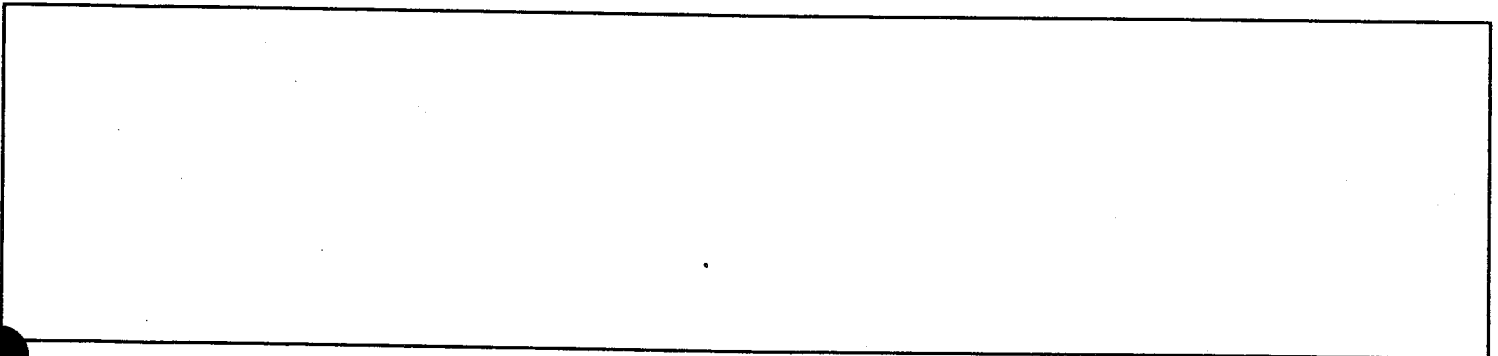
Project Planner

Title

10/15/2015

Date

Date Received for Filing and Posting at OPR: _____



COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

O* REPRINTED * R0801488

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: RHEINGAUS CARL \$64.00
paid by: CK 383
CLAIFORNIA FISH & GAME FOR GPA00943
paid towards: CFG05119 CALIF FISH & GAME: DOC FEE
at parcel: 27471 RICHMOND RD HEM
appl type: CFG3

By _____ Feb 13, 2008 12:51
MGARDNER 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

O* REPRINTED * R1510642

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: RHEINGAUS CARL \$2,210.00
paid by: CK 5101
CLAIFORNIA FISH & GAME FOR GPA00943
paid towards: CFG05119 CALIF FISH & GAME: DOC FEE
at parcel: 27471 RICHMOND RD HEM
appl type: CFG3

By _____ Sep 22, 2015 13:10
MGARDNER posting date Sep 22, 2015

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

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

Board of Supervisors Hearing – February 9, 2016

Agenda Item – 16-3

General Plan Amendment No. 943

Change of Zone No. 7741

Submitted Documents

Cob copy

Winchester Town Association

**P. O. Box 122
Winchester, CA 92596**

February 8, 2016

**John Earle Hildebrand III, Senior Project Associate
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501**

**RE: Tuesday, February 9, 2016 Board of Supervisors Agenda
GPA #943 Agenda Item 16-3**

Mr. Hildebrand,

The Winchester-Homeland Land Use Committee, on behalf of the Winchester Town Association, is submitting this comment letter in regards to GPA 943, which proposes changing land use from the 2003 GPA Foundation Estate Density Residential to Medium Density Residential and Commercial Retail; a much more intense usage.

As a little background information, the Winchester and Homeland communities are located within the boundaries of the Winchester Municipal Advisory Council in the Third Supervisorial District (Exhibit "A"). The Winchester-Homeland MAC boundaries are Maples Road to the north, Briggs Road to the west, Scott Road to the south, and California Avenue to the east. The location of GPA 943 is highlighted in orange on Exhibit "A" and is within the MAC boundaries.

We are in support of the 2003 General Plan - Harvest Valley/Winchester Area Plan (Exhibit "B") - with the addition of the September 2012 updated study contracted by the County of Riverside Economic Development Agency (Exhibit "C", cover page and map only - a complete copy of the study is available upon request). We have been working with the County to help facilitate incorporating the 2012 updated study into the County's General Plan.

We are unable to support this GPA as it is inconsistent with the 2003 General Plan and the 2012 update. Furthermore, we believe that more comprehensive planning of the cumulative impacts is imperative. Unfortunately, the project proponent did not meet with the Town Association or Land Use Committee for any dialogue.

We appreciate the opportunity to provide these comments. With the assistance of the County, we will continue to work steadfastly on the future of our community.

Respectfully,



Michael Rowe

Winchester-Homeland Land Use Committee, Co-Chairperson

EXHIBIT "A"

Winchester - Homeland MAC

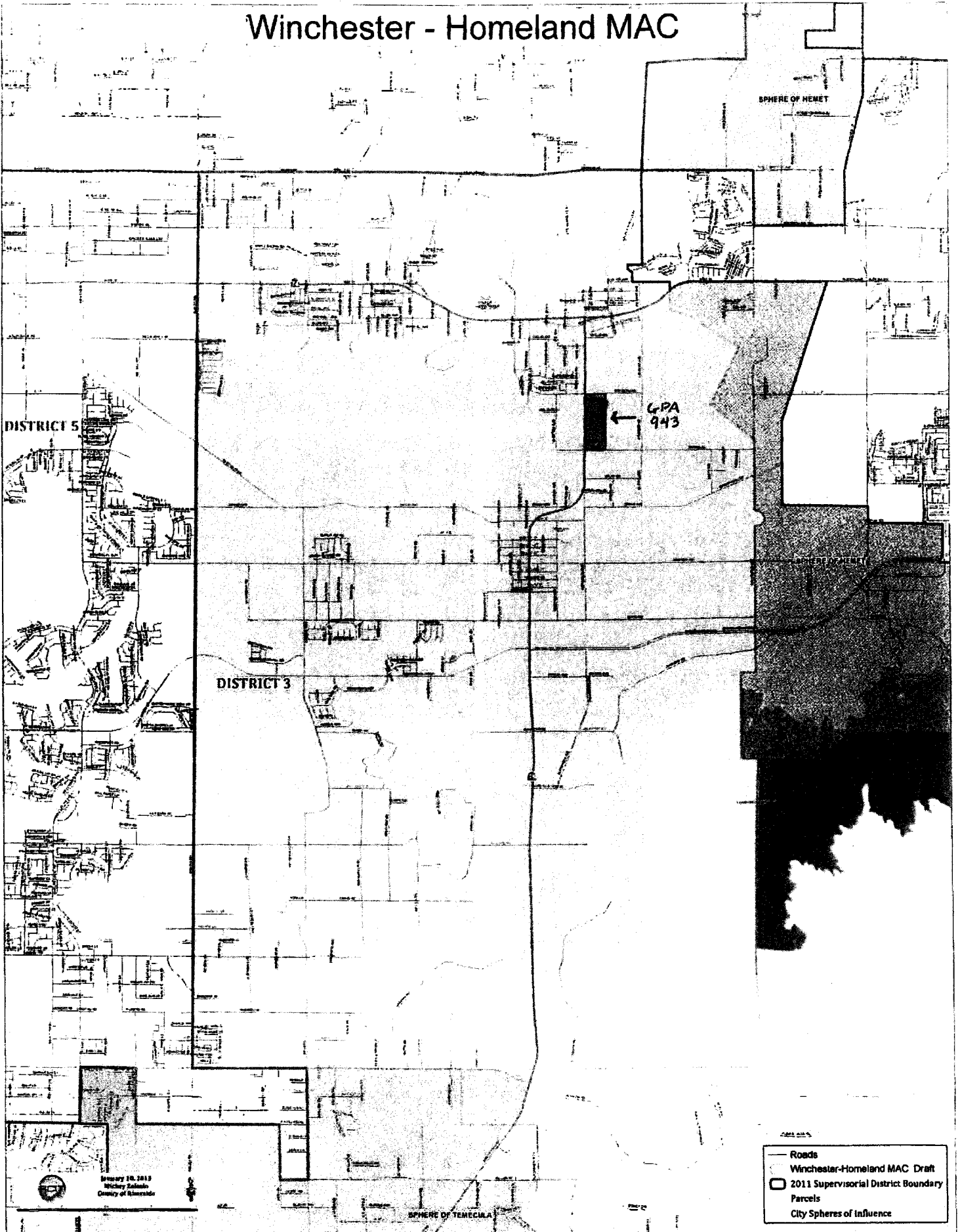
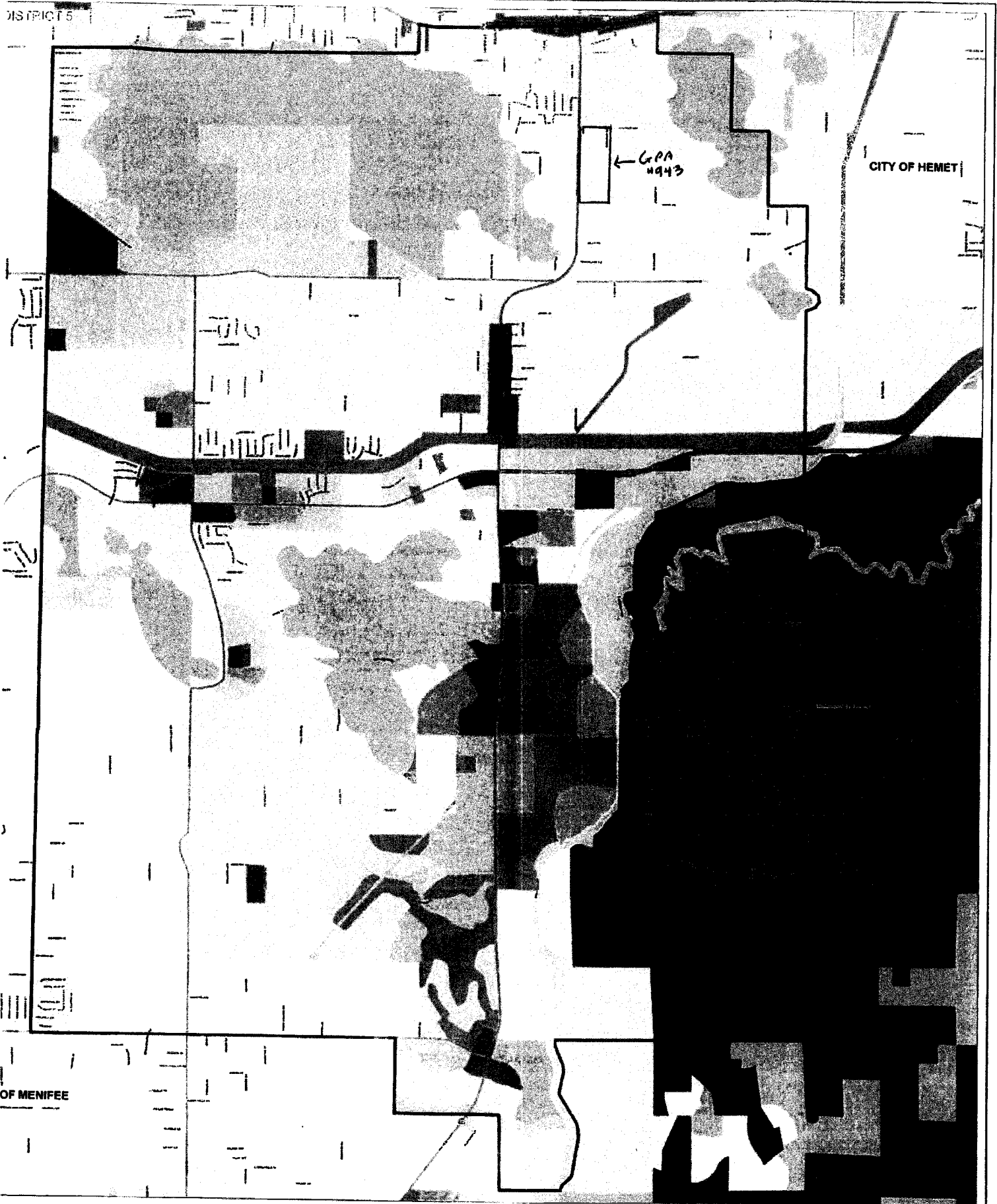












EXHIBIT "B"



WINCHESTER MAC RURAL PLAN LAND USE


 MAY 10, 2010
 J. CLARK
 COUNTY OF RIVERSIDE

-  Proposed Winchester MAC Boundary
-  Parcel
-  Supervisorial District
-  Highway

-  Rural Community - Estate Density Residential
-  Rural Community - Very Low Density Residential
-  Rural Community - Low Density Residential
-  Estate Density Residential
-  Very Low Density Residential
-  Low Density Residential

-  High Density Residential
-  Very High Density Residential
-  Commercial Retail
-  Commercial Tourist
-  Light Industrial
-  Public Facilities

-  Rural Mountaintop
-  Agriculture
-  Conservation
-  Conservation Habitat
-  Open Space Recreation
-  Water

EXHIBIT "C"

City of
Winchona
LAND USE STUDY

Prepared for

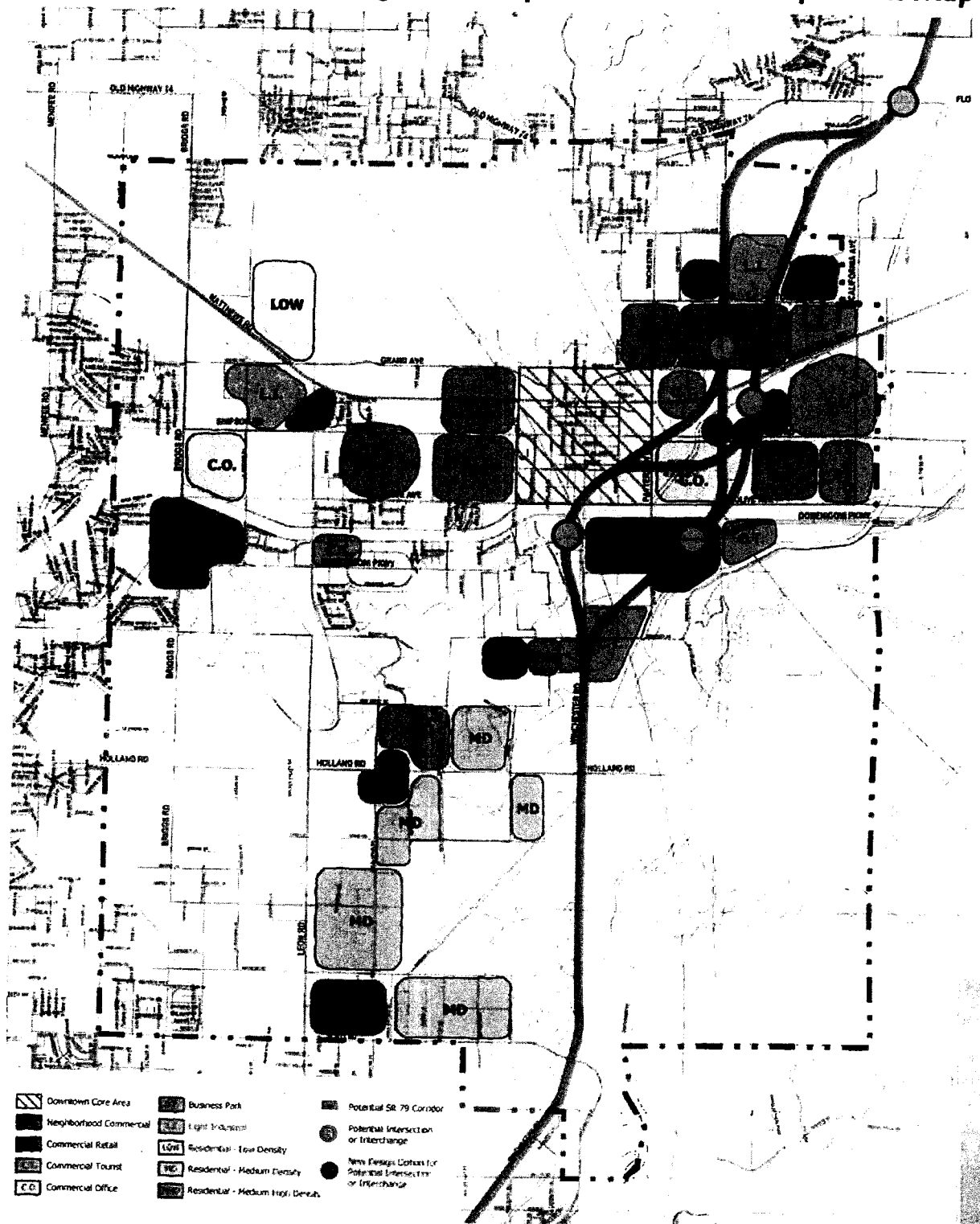
*The County of Riverside
Economic Development Agency*

Prepared by

Tierra Verde Planning

September 2012

Figure 7 - Proposed Land Use Modifications Map



Winchester Municipal Advisory Council (WMAC)
Proposed Land Use Modifications Map



Board of Supervisors Hearing – February 9, 2016

Agenda Item – 16-4

General Plan Amendment No. 945

Change of Zone No. 7743

Submitted Documents

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:

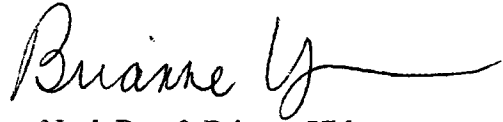
This proposed project has the real potential to cause impacts to our family and animals caused from re-zoning and subsequent development. Some of these potentially detrimental impacts would include noise, dust, fire danger, heavy equipment air pollution, topography change with drainage concerns, groundwater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

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

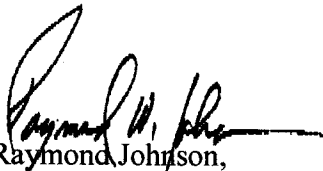
the event the Board considers approval, the Project fails to comply with the California Environmental Quality Act ("CEQA")(Pub. Res. Code §§ 21000 *et seq.*). The eight findings needed to amend the General Plan land use designation onsite are unsupported where the Project would expand urban uses into 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

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

Board of Supervisors Hearing – February 9, 2016

Agenda Item – 16-5

General Plan Amendment No. 921

Change of Zone No. 7763

Submitted Documents



Scott A. Mann
Mayor

Greg August
Mayor Pro Tem

John V. Denver
Councilmember

Matthew Liesemeyer
Councilmember

Lesa Sobek
Councilmember

January 25, 2016

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

RE: General Plan Amendment No. 921 – Board of Supervisor's Hearing February 2, 2016

Dear Mr. Hildebrand III

Thank you for notifying the City of Menifee ("City") of the date for the County of Riverside ("County") Board of Supervisor's hearing on General Plan Amendment No. 921 (the "Project" or "GPA 921"). The City reiterates our original comments on the general plan amendment provided in a letter dated October 8, 2015 sent, in response to review of the Mitigated Negative Declaration ("MND"). A true and correct copy of the October 8, 2015 MND comment letter is attached to this letter and incorporated herein by reference. Although City staff and County staff had a conference call to discuss the comments, our concerns were not addressed.

Since the preparation of our previous comments, the City has reviewed the Draft Environmental Impact Report ("DEIR") for General Plan Amendment No. 1129 (GPA 1129). GPA 1129 is located to the northwest of the Project site and proposes to change the general plan land use of the relevant property from Estate Density Residential (2-acre minimum) to Medium Density Residential (2-5 du/ac) on 170-acres. GPA 1129 is similar to the proposed GPA 921 here as GPA 1129 would modify the permitted land uses under the general plan from rural residential uses on large lots, to allow smaller, typical suburban lots. In the DEIR for GPA 1129, the impacts related to land use are considered significant and unavoidable due in part to incompatibility with the surrounding community and land uses. The City believes the impacts of GPA 921 would be similar to those of GPA 1129. The change in land use is very similar, and the projects are within the same area – accordingly, the impacts should be similar, yet the potential impacts of GPA 921 were analyzed by an MND instead of an EIR. As stated in the City's October 8, 2015 comment letter, the potential impacts of GPA 921 should have also been analyzed by an EIR for the same reasons that the County determined that an EIR was necessary to analyze the potential impacts of GPA 1129. At a minimum, the County should explain the inconsistency between the GPA 921 MND and the GPA 1129 DEIR.

In fact, because the MND at issue here only "analyzed" the potential impacts of GPA 921 without regard to the potential impacts of GPA 1129 (and General Plan Amendment No. 921 (GPA 998)), which were subject to separate environmental

review, the MND fails to properly analyze the Project's cumulative impacts. Instead, the County is engaging in the unlawful practice of "piecemealing," where related projects are divided up and analyzed separately to artificially reduce the actual combined impacts of the related projects. The County must revise the relevant environmental documents to consider the impacts of all three of these projects together in order to be complaint with CEQA.

The DEIR for GPA 1129 also identified significant and unavoidable impacts resulting from the exceedance of official regional and local population projections and population growth. Specifically, GPA 1129 would result in a population increase ranging between 1,413 to 1,575 people, which the DEIR concluded is a "significant and unavoidable" impact. According to the MND for GPA 921, the proposed Project will result in an increase in population of approximately 770 persons, yet the MND concludes that this impact is "less than significant." It is unclear how GPA 921, which would result in a similar population increase as GPA 1129, only results in a less than significant impact when the cumulative population increase for GPA 1129 that is considered a significant and unavoidable impact. This inconsistency – and the utter lack of analysis explaining the same – is yet another reason that the County must prepare an EIR for GPA 921, just like it did for GPA 1129.

Thank you again for the opportunity to provide comments. We formally request to receive any additional hearing notice regarding this project. Notices can be sent to my attention at 29714 Haun Road, Menifee, CA 92586.

Sincerely,



Lisa Gordon, Planning Manager
City of Menifee Community Development Department

From: "Grant Becklund" <grantbecklund@gmail.com>
Date: Feb 8, 2016 10:06 PM
Subject: text
To: "Rick Croy" <rickcroy22@gmail.com>
Cc:

Riverside County Board of Supervisors
4080 Lemon Street, 14thFloor
Riverside, CA 92501

RE: General Plan Amendment No. 921

Dear Supervisors,

The residents in the "Estate Density Residential and Rural Residential Area East of Interstate 215" respectfully request that this General Plan Amendment be denied as it does not comply with the goals and policies of the General Plan.

"Riverside County, like a quilt, is a composite of differing lifestyles connected together through common strands. The County's General Plan is designed to ensure that the quilt retains its core identity by guiding future growth that respects the diversity of the region, shapes and configures development in relation to the land it occupies and ensures that its various parts relate to its whole." - Riverside County Planning Department website

This project is located within the "Estate Density Residential and Rural Residential Area East of the 215" Policy Area. The Policy Area includes Policy SCMVAP 6.1, which states that "residential development in this area [i.e., the Policy Area] shall retain its existing estate density and rural character." It further requires that until the strong support for the preservation of the rural character of this area changes significantly, growth and development should be focused elsewhere. This Policy Area was recently reaffirmed by the approval of GPA 960 by the Board of Supervisors which has continued this support for rural areas.

Please be informed that in this area there is virtually **No Support** for any land use change in this area and the overwhelming consensus of the Area-Wide Property Owners is to remain rural. I have attached 426 signatures on various documents that have been prepared over the last two years in opposition to any application for a change to the land use by removing the rural designations and replacing them with urbanized high density land use:

39 in opposition to any change on 2/17/2014
11 in opposition to any change on 4/18/2014
62 in opposition to any change on 4/23/2014
109 in opposition to any change on 6/18/2014
61 in opposition to any change on 11/24/2015
57 in opposition to any change on 1/21/2016
18 in opposition to any change on 1/31/2016
69 in opposition to any change on 2/8/2016

Total 426 in opposition to any change

In addition there are 12 letters that have been written from the Endangered Habitats League, the City of Menifee and the Winchester Town Association that do not support the change of land uses in this area:

Endangered Habitats League:

2/13/2014

4/24/2014

9/5/2014

10/8/2015

2/6/2016

City of Menifee:

8/20/2014

10/8/2015

10/13/2015

12/14/2015

1/25/2016

Winchester Town Association:

8/20/2015

2/8/2016

We strongly support the preservation and development of this area as a rural community.

Grant Becklund
30811 Garbani Road
Winchester, CA 92596
(951) 288-0601

Subject: Change of Zoning 7763

Hello,

We received your notice for a Public Hearing with regards to the matter above. As much as my husband and I would love to attend this public hearing on February 9 at 9am we both are at work.

My husband and I are all for develop and growth but there is just not enough room for a minimum of 2000 new residents. That would be just two people per household of a 1000 homes. I think this day and age there are at least 4 per home. As it is on any given day between the hours of 7:30am and 8:30am it can take anywhere from 15 to 35 mins just to get on the freeway. And between the hours of 4:30 and 6pm it can take the same amount of time to get off the freeway on the 215 northbound. This is just with the community as it is now. Adding more traffic to this will increase commute times probably by double. The county has been working on increasing the bridge and off ramp on Newport rd which needed no more improvements and has completely disregarded the need for Scott bridge to be widened. It is my understanding that possibly in the future we will have an expanded bridge but your projected homes will probably be built before that is completed.

Lets talk about Police and fire for all the new residents. As it is now you call 911 dispatchers tell us we are in the boundries of Menifee to call them or sometimes they say we are in winchester, you call the Menifee/Perris and they say we are in the RSO jurisdiction. How is this going to be rectified with boundaries for the safety of the new residents?? As it is response times are horrible. What about fire, right now there is a fire station on Baxter by Loma Linda or on Newport(Menifee Lakes). How will this be handled in case of a fire emergency with 2000+ new residents, will there be a new fire station built?? Which will only cause property taxes to go higher than they already are??

Last but not least, 1 of the main reasons we bought our home was the view from our back yard. We enjoy not having homes behind us. We enjoy looking at the crosses on the hill and our yearly visit from the sheep herd. Knowing that will be blocked or removed by the addition of a 1000 homes is just sad.

Until the two major issues are addressed i think it would be a detriment to our community to put in such a large housing tract.

Thank you,

Michael and Stephanie Alberts
32950 Edinborough Way
Menifee, Ca 92584

✓ **verizon**
Verizon Message Center

*This is a copy of an e-mail to
John Hilderbrand, Project Planner.*

Sunday, Jan 31 at 10:24 AM

From: Chris/Doug Farland <califchris@verizon.net>

To: jhilderbr@rctima.org

Subject: General Plan Amendment No. 921

I am writing this in opposition to the above mentioned amendment for 1,000 new homes on north of Scott Rd. in Menifee. I wish I could attend the meeting on Feb. 9th but I have to work so I am writing this to voice my opposition.

I live in the unincorporative housing track just west of where the development is to take place. To go to work in the morning I have to now leave home about 1/2 hr. earlier just to get through the Scott//Antelope intersection. It is a nightmare. Then coming home from Bundy Canyon is even worse. It backs up all the way from Murrieta Rd. and that could take another 1/2 hr just to get home. There is no alternative way once you are on Bundy Canyon. Most of the traffic is contributed to the new homes built on Briggs. The only way they have to get to the freeway is down Scott Rd. Now you want to add another 1,000 homes plus a High School on Scott without taking care of the Scott/Antelope intersection first is insane. I've talked to allot of people in the area and they are also concerned and hate how congested the area has become. I am not opposed to growth but not the way Menifee is doing it. I moved here 9 years ago from Orange County because of all the traffic and now we are just as bad or even worse. There was alternative roads to take if traffic was bad but here there are not any.

Also off of Scott they are planning more shopping centers, industrial complexes, and a Kaiser hospital. The Scott/215 interchange is still in the planning stage and won't even be considered until 2017. What are we going to do in the mean time???? I have also seen emergency vehicles having a hard time getting through the intersection and I hope no one has to die waiting for them to arrive. It is also a matter of time before there is a major accident on Scott and the 215 interchange. Cars coming down on the right hand lane on Scott wait till the last minute then cut cars off the go straight on Scott. It is like a while knuckle ride to just get through the intersection.

I bet no one in the Planning Commission lives off of Scott Rd. or they would not be in favor of this. I do not think most people in the surrounding area knows about this new

*10-5
219/110
2010-2-130443*

development because it is not widely advertised anywhere.

I only saw the signs on the area only because I live by the field but if you don't go over there you would not know about it. It will impact everyone who lives off of Scott in a big way.

If this plan goes through without taking care of the traffic I am considering getting out of the area before the value of my home goes down. Who would want to live here with all the traffic???? I hope you would take my concerns seriously because I know you are heading for a disaster. It doesn't take a brain scientist to figure this out.

Thank you for your consideration in this matter.

Chris Tausend

Supr Chuck Washington

To: All Supr's - Planning

Recent comments

2/5/16

Against 921 & 1129 for the Record
Hearing is Feb 9, 2016

I am against GPA's 921 and GPA 1129

The County held community workshops for the new GPA 960 and this area was to stay RR2 in the General Plan
Just because Supr. Stone approved an Extraordinary Foundation for GPA 921 based on the the Santa Rosa Charter School that
was going to be built across from this land the school did not move forward.

You are only using GPA 921 as a smoke screen to allow GPA 1129 to be approved for the owner of his proptery (which we all
know who owns this property) and it's not Global Investments.

GPA 921 has not had the legal Public Hearings nor was the community ever told or notified of this zone approval by Supr. Jeff
Stone until the signs were put up in Dec. 2015 how many years later.

Interesting how Jeff Stone ran for this office against Jim Vennable because he said he didn't like his blanket approvals on what was
taking place in the County, and he turned out to be the same way making all these deals with land owners using the Extraordinary
Foundation or Fast Track process you get around the home owners. This seems to be the norm with many of our Supr.'s. I guess
they forget who voted them into their titles and who they are to represent. It sure doesn't seem to be the Community they are
working for anymore.

And please do not use the New High School as the "GAME CHANGER"

I'm not so sure this school will be built based on the Calif. Code of Regulations for Schools 17212 & 17212.5 the Supr's. need to
look up these codes themselves because we have told the Planning Dept. and others of this issue and it just seems to be DEAF
EARS!!! The County Map of GPA 960 clearly shows this area to be in what's called a Dam-Failure Inundation Zone and the
amount of water in this area will not be able to be mitigated at a reasonable cost. It would be interesting to know who signed the
documents for the school saying this area is not in a Dam-Failure Inundation Zone to let it move forward.

State of Calif. passed a Law on 6-1-1998 which states agents and sellers of real property in Calif. are required to disclose to all
potential buyers (involving residential & non residential) whether the subject property is in an officially mapped Dam-Failure
Inundation Zone.

Failure to make the required disclosure may render the seller or the seller's agent liable for actual damages suffered by the buyer.
I would think that the County and all the Supr's could also be held responsible down the road should something happen by letting all
these projects move forward anywhere in the County that fall under the Dam-Failure Inundation Zone area.

It's interesting how the design capacity of the dam was quietly lowered by 50 Billion Gallons to lessen the potential for a

catastrophic failure by officials, but this doesn't mean it can't still happen. The East Side Dam has a fault that runs very close to it and
if I'm not mistaken part runs under it according to my research.

Hope all the Supr's that are going to Vote on this GPA on Feb. 9th, change their minds no matter what has been said to them to
move it forward. If they care anything about the Communities they represent as this water flows a long way and doesn't just stop in
this area that we are talking about.

Vicki Romberger, Menifee, CA

4 minutes ago

0

see attached map
Vicki Romberger 2/5/16

Diamond Valley Lake

Flooding Limits per Dam Failure Inundation Mapping 2003

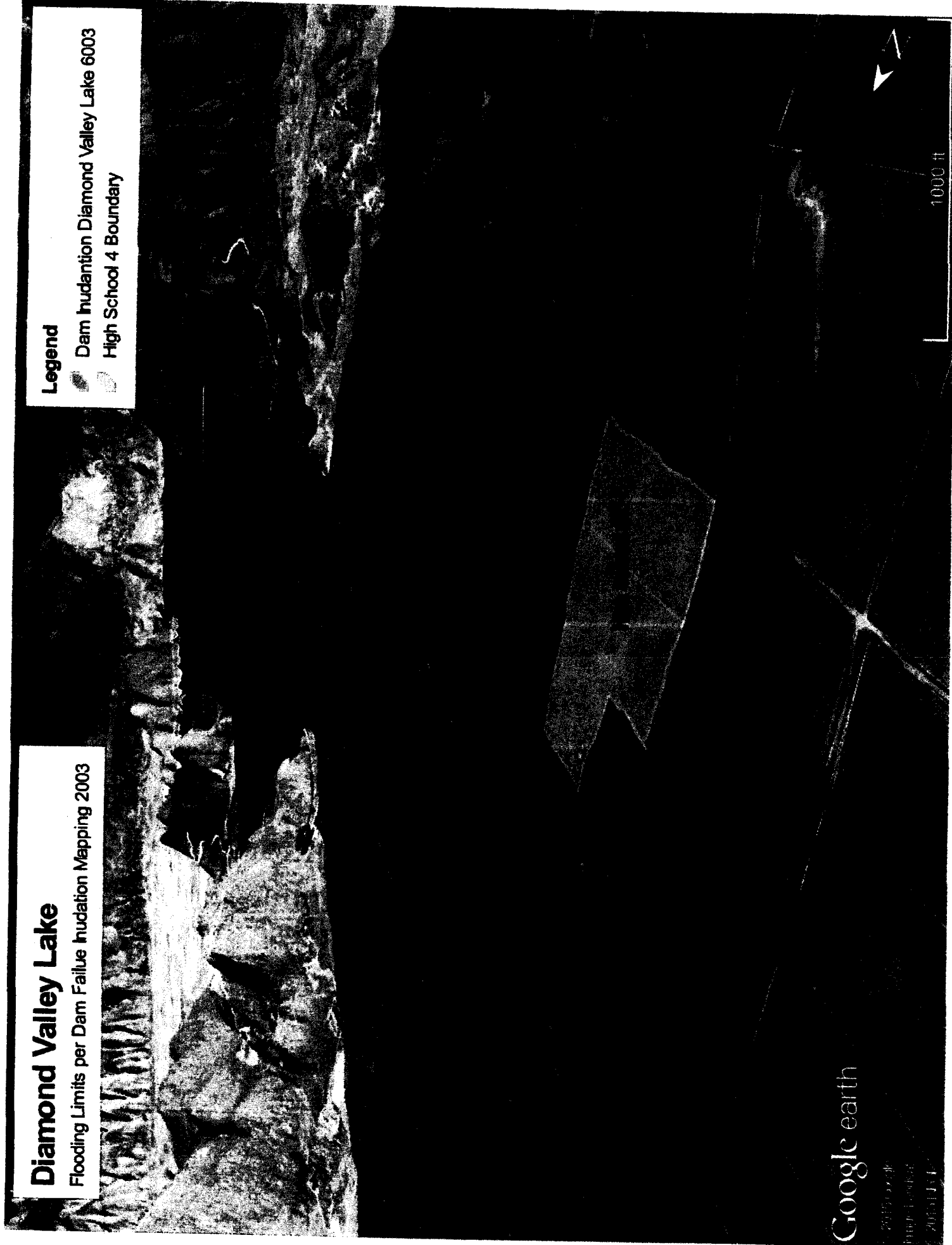
Legend

-  Dam Inundation Diamond Valley Lake 6003
-  High School 4 Boundary

Google earth

© 2003 Google
Earth Engine
2003/11/11

1000 ft





LAW

Dam-failure Inundation Zone

6-1-98 signed by Wilson
Effective March 1, 1998, Agents and Sellers of real property in California are required to disclose to all potential buyers whether the subject property is in an officially mapped dam-failure inundation zone.



A dam-failure inundation zone is DIFFERENT than the "NFIP" flood zone for which a determination is required when borrowing a federally-backed mortgage loan. The National Flood Insurance Program (NFIP) flood zones are areas along streams or coasts where storm flooding is possible from a "100-year flood."

Dam-failure inundation, in contrast, is flooding which could result from the failure of a dam upstream as the result of an earthquake or other catastrophe.

This disclosure requirement was signed into law on October 6th, 1997, by Governor Pete Wilson. Based on California Assembly Bill 6X (called the "Torlakson Bill"), this new law outlines the specific procedures for existing natural hazard disclosures, and incorporates dam-failure inundation as an additional mandatory disclosure zone for clarifying flood zone disclosures.

A Standardized Natural Hazards Disclosure Statement form must now be completed with the appropriate information and signed by the Buyer and the Seller.

(See also new requirements for Very High Fire Hazard Severity Zone disclosure and Seismic Hazard Mapping Act Zone disclosure.)

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Questions, comments, or problems? kdavid@corelogic.com
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BAR JOURNAL

OFFICIAL PUBLICATION OF THE STATE BAR OF CALIFORNIA - AUGUST 1999

State Bar of California

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Natural Hazard Disclosure *LAW*

Failure to comply with 1998 law may render seller of property or agent liable for actual damages

By **JEFFREY G. WAGNER**

see pg 3

* Urgency legislation signed by Gov. Wilson last year, which became effective June 1, 1998, may have a widespread impact on real estate transactions in California involving both residential and nonresidential properties. Sellers now must disclose to buyers if the property is located in a special flood hazard area, dam failure inundation area, earthquake fault zone, seismic hazard zone, high fire severity area or a wildland fire area. The disclosure requirements apply to all real estate transactions, including residential resales, new subdivision sales and commercial property transactions. Failure to make the required disclosure may render the seller or the seller's agent liable for actual damages suffered by the buyer.

The legislation mandates the specific form of disclosure that must be made for certain types of residential sales. The new consolidated natural hazard disclosure statement (NHDS) must be provided if: (1) the sale is subject to the real estate transfer disclosure statement (TDS) requirement of California Civil Code §§1102 through 1102.17 and the (2) the property is located within one of six designated natural hazard areas.

The TDS and NHDS requirements apply only to residential transactions and generally only to resale transactions, as most new subdivision sales are exempt. The NHDS represents a consolidation of six independent statutory disclosure requirements, three of which became law under the new legislation (special flood hazard area, dam inundation failure area, and high fire severity), and three of which were existing disclosure statutes amended by the new legislation (earthquake fault zone, seismic hazard area, and wildland fire area).



Each separate disclosure statute applies to the sale of "real property" and is

Winchester Town Association

**P. O. Box 122
Winchester, CA 92596**

February 8, 2016

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

RE: Tuesday, February 9, 2016 Board of Supervisors Agenda
GPA #921 Agenda Item 16-5

Mr. Hildebrand,

The Winchester-Homeland Land Use Committee, on behalf of the Winchester Town Association, is submitting this comment letter in regards to GPA 921, which proposes changing land use from the 2003 GPA Foundation Rural zoning to Community Development and Medium Density Residential; a much more intense usage.

As a little background information, the Winchester and Homeland communities are located within the boundaries of the Winchester Municipal Advisory Council in the Third Supervisorial District (Exhibit "A"). The Winchester-Homeland MAC boundaries are Maples Road to the north, Briggs Road to the west, Scott Road to the south, and California Avenue to the east. The locations of GPA 921 are highlighted on Exhibit "B" and are within the MAC boundaries. Our communities have been actively working to protect our boundaries from encroachment, while developing goals and objectives for the long term viability and sustainability of an economically balanced community, giving way to potential cityhood in our future.

We have supported the 2003 General Plan - Harvest Valley/Winchester Area Plan - with the September 2012 updated study contracted by the County of Riverside Economic Development Agency (Exhibit "C", cover page and map only - a complete copy of the study is available upon request). Unfortunately, when the September 2012 study was conducted, there were 2 areas that were not included, which are depicted with black outlining in Exhibit "B". One of the areas is where GPA 921 is located. The other area is at the northerly portion of the map and is located in the Homeland and Green Acres area.

We have been working with the County to help facilitate taking a more comprehensive look at those areas as well as incorporating the 2012 updated study into the County's General Plan. We feel that a more thorough analysis of these areas and inclusion of the 2012 update in the next General Plan process needs to be conducted to insure the goals and objectives of a balanced and sustainable community for the Winchester-Homeland areas.

We are unable to support this GPA for the above referenced reasons. Additionally, the project proponent did not meet with the Town Association or Land Use Committee for any dialogue. We appreciate the opportunity to provide these comments. We will continue to work steadfastly on the future of our community.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael Rowe", with a long horizontal flourish extending to the right.

Michael Rowe

Winchester-Homeland Land Use Committee, Co-Chairperson

EXHIBIT "A"

Winchester - Homeland MAC

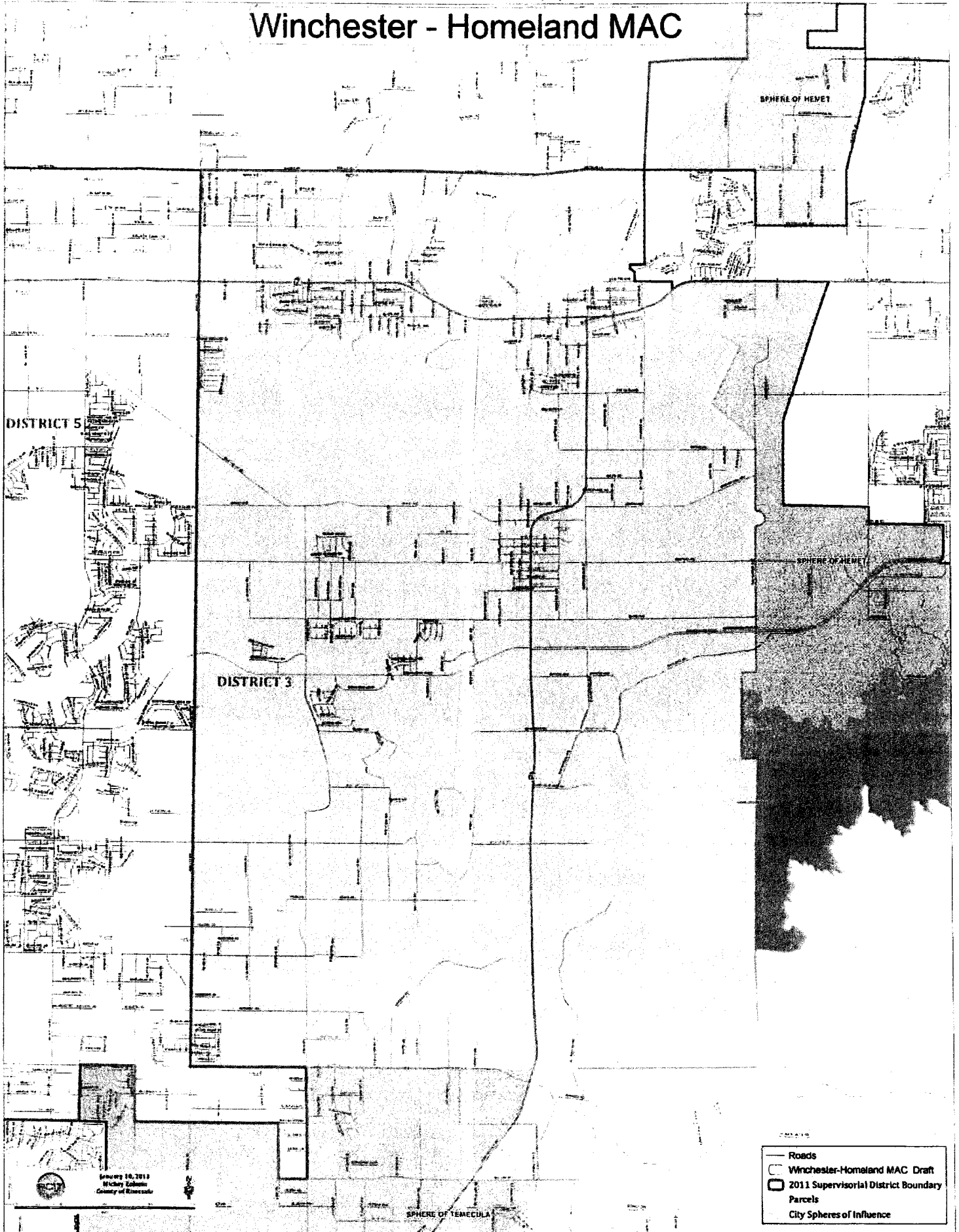


EXHIBIT "B"

Winchester - Homeland MAC

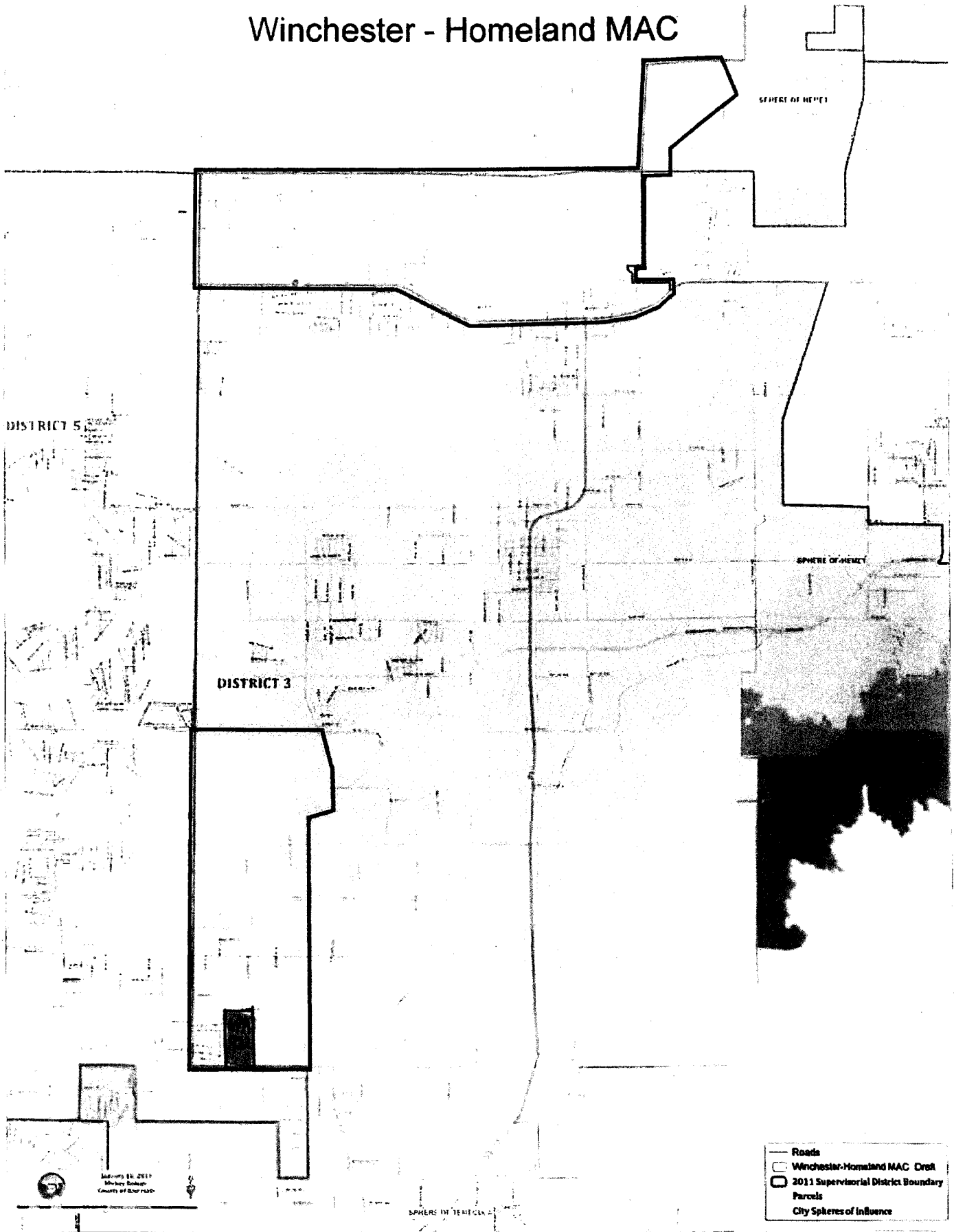


EXHIBIT "C"

FINAL

Community of

Winchester

LAND USE STUDY

Prepared for

**The County of Riverside
Economic Development Agency**

Prepared by

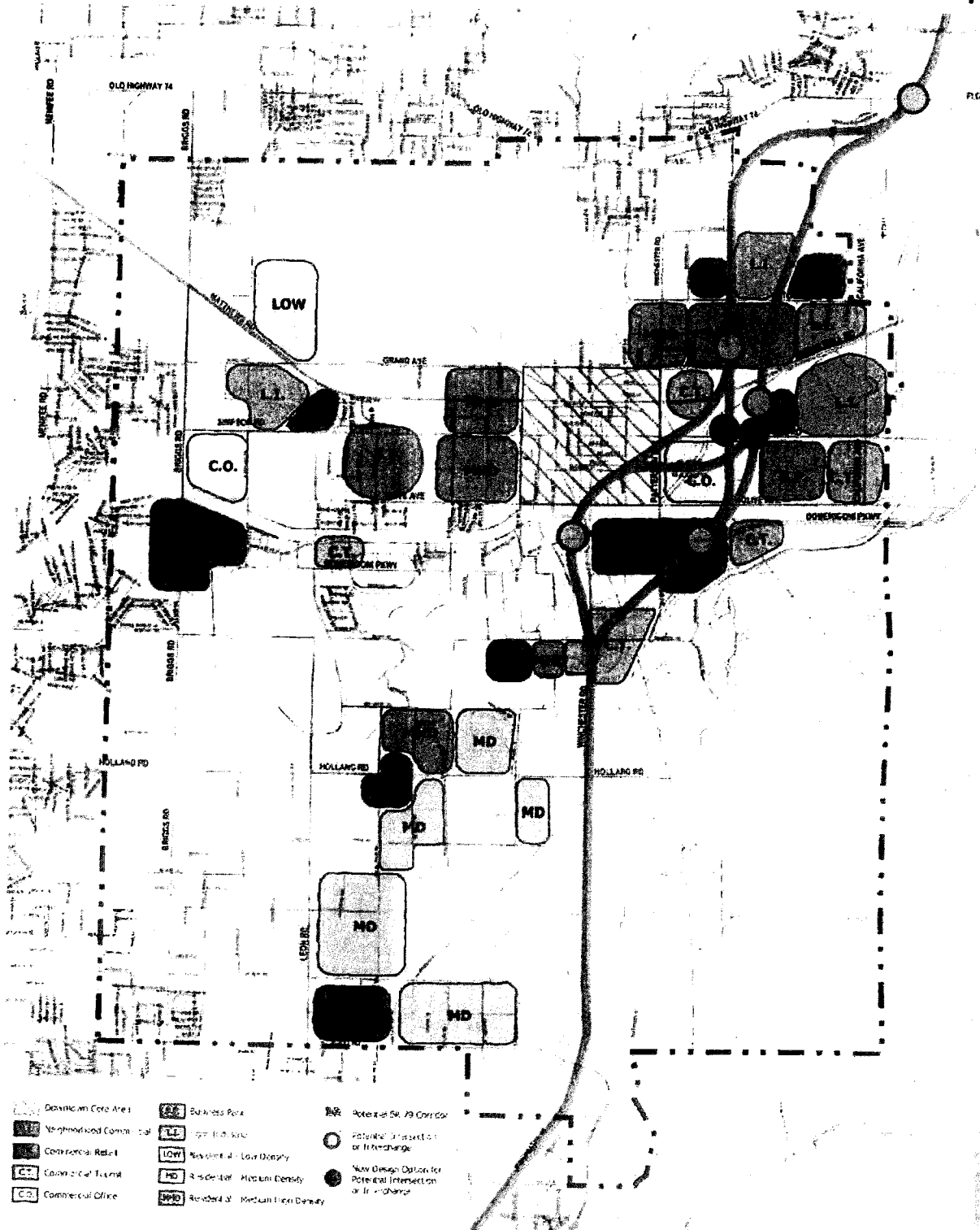
Tierra Verde Planning

September 2012

EXHIBIT "C"

LAND USE STUDY

Figure 7 - Proposed Land Use Modifications Map



Winchester Municipal Advisory Council (WMAC)
Proposed Land Use Modifications Map



Board of Supervisors Hearing – February 9, 2016

Agenda Item – 16-1 to 16-6

Submitted Document - EHL

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", written in a cursive style.

Dan Silver
Executive Director

Johnson Sedlack

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February 8, 2016

Riverside County Board of Supervisors
Attn: Kecia Harper-Ihem, Clerk of the Board
4080 Lemon Street 12th Floor
Riverside, CA 92501
Email: cob@rcbos.org

VIA U.S. MAIL AND EMAIL

RE: Agenda Number 16-5 – General Plan Amendment No. 921, Change of Zone No. 7723, Environmental Assessment No. 41744

Dear Riverside County Board of Supervisors:

On behalf of concerned area residents, I hereby submit these comments in opposition to the adoption of a Mitigated Negative Declaration for, and approval of, General Plan Amendment No. 921 and Change of Zone No. 7723 (the "Project").

The Project site consists of 77.7 acres located north of Scott Road, south of Wickerd Road, east of El Centro Lane, and west of Leon Road in the Sun City/Menifee Valley Area Plan (APN 466-220-029). General Plan Amendment No. 921 proposes to amend the Riverside County General Plan Foundation Component from Rural (R) to Community Development (CD), amend the General Plan Land Use from Rural Residential (R:RR) (5-acre minimum) to Medium Density Residential (RC:MDR) (2-5 dwelling units/acre), and amend the General Plan Sun City/Menifee Area Plan Figure 4: Policy Areas Map. Change of Zone No. 7723 proposed to change the zoning designation from A-1-5 (Light Agriculture, 5-acre minimum) to R-1 (One-Family Dwelling).

GENERAL COMMENTS

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The purpose of CEQA is to provide a document that adequately describes the environmental consequences of a project to decision makers and the public. (Pub. Res. Code § 21061; Cal. Code Regs., tit. 14 ("CEQA Guidelines"), § 15151.) The disclosure of a project's likely effects on the environment ensures CEQA's dual goals of environmental protection and informed self-government. (See *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal. 3d 376, 392.) The core of this statutory structure is the sufficiency of the informational document.

Environmental Assessment No. 41744 for the Project fails as an informational document. CEQA requires that a lead agency consider not only the changes in language from a general plan amendment, but also “the ultimate consequences of such changes to the physical environment.” (*City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 409.)

Environmental review should focus on the project’s *secondary effects* as well as its immediate, primary impacts. (*City of Carmel-By-The-Sea v. Board of Supervisors of Monterey County* (1986) 183 Cal. App. 3d 229, 250, *City of Redlands*, 96 Cal. App. 4th at 412; CEQA Guidelines, § 15146(b).) Indirect or secondary effects include those “which are caused by the project and are later in time or farther removed in distance, but are still reasonably foreseeable”; “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.” (CEQA Guidelines, § 15358(a)(2).)

The Project has potentially significant impacts to/from aesthetics, air quality, biological resources, greenhouse gases, land use and planning, noise, traffic, and utility and service systems, among others. An EIR is required to evaluate, disclose, and mitigate for these significant impacts.

An EIR is required for any proposed project that may have a significant effect on the environment. (Pub. Res. Code, § 21100(a).) The EIR requirement is the “heart of CEQA.” (CEQA Guidelines, § 15003(a).) A lead agency may prepare a negative declaration for a proposed project only when there is not a fair argument based on substantial evidence in light of the whole record that the project *may* have a significant effect on the environment. (Pub. Res. Code, §§ 21064, 21100(a).) As the Project may result in significant indirect, secondary, and ultimate environmental impacts, reliance on a negative declaration is inappropriate. An EIR must be prepared.

FAILURE TO CONSIDER SECONDARY OR ULTIMATE ENVIRONMENTAL IMPACTS

CEQA requires that a lead agency conduct environmental review “‘at the earliest possible stage,’ even though additional EIRs might be required for later phases of the project.” (*City of Carmel-By-The-Sea*, 183 Cal. App. 3d at 242 quoting *Bozung v. Local Agency Formation Comm’n of Ventura County* (1975) 13 Cal. 3d 263, 282.) Such review is mandated where impacts are *reasonably foreseeable*, even if some forecasting or speculation is required. (CEQA Guidelines, § 15358(a)(2).)

The degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR...(b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that might follow. [emphasis added]

Here, while the degree of specificity may be less, the County must nevertheless evaluate the secondary and ultimate effects of the proposed amendments *now*; not only with a later project level proposal.

In *Christward Ministry v. Superior Court* (1986) 184 Cal. App. 3d 180, 190-92, the court ordered that an EIR be prepared for a general plan amendment which would merely allow a new land use, finding that potentially significant effects would result from changed land use. Likewise, in *City of Redlands v. County of San Bernardino* (2002) 96 Cal. App. 4th 398, 409-410, the court of appeal held that the county wrongly failed to consider the environmental impacts of possible future development and growth from general plan amendments. The court stated, "CEQA reaches beyond the mere changes in the language of an agency's policy to the ultimate consequences of such changes to the physical environment." (*Id.* at 409.) In relying on later environmental review for specific future development, the county had improperly deferred full environmental assessment of the general plan amendments. (*Id.* at 410.)

The Environmental Assessment repeatedly relies on the following finding of fact to conclude the Project will have no impacts:

This is a programmatic level CEQA analysis. At this stage, the project does not provide the opportunity for physical disturbance of the site, as there is no associated development project. This project will result in amending the site's General Plan Land Use, the Estate Density Residential and Rural Residential Policy Area map, and the Zoning designation only, 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 Assessment shall be prepared to determine potential impacts. (EA No. 41744 pp. 6, 8-19, 24-27, 31-38.)

Such finding improperly defers analysis of the Project's environmental effects until the after the land use designation and zoning on the Project site has been changed and the County is committed to definite course of action of developing the Project site with greater residential density. (*See City of Redlands*, 96 Cal. App. 4th at 409-410, CEQA Guidelines § 15352 subd. (a).)

The staff report for the February 9, 2016 Board of Supervisors raises for the first time that the Environmental Impact Report for General Plan Amendment No. 960 justifies the use of a Mitigated Negative Declaration for the Project. (Board of Supervisors Agenda Item 16-5 Staff Report p. 3.) CEQA allows through tiering narrow EIRs or site-specific EIRs incorporating previously prepared environmental documents where a broader EIR covers general matters. (CEQA Guidelines, § 15385.) However, the EIR prepared for GPA No. 960 states "this EIR does not evaluate the site-specific impacts of the individuals GPAs listed. The 104-GPA applications (i.e., those not yet approved or denied by the Riverside County Board of Supervisors; the other 11 GPAs in the set are already adopted) must each undergo appropriate CEQA analysis and review in their own right, including any and all separate environmental studies deemed necessary on a case-by-case basis." (County of Riverside Environmental Impact Report No. 521 p. 5-44.) GPA No. 921 is included in the EIR for GPA No. 960 for purposes of evaluating impacts under a Cumulative Build Out Scenario only and is not appropriate for tiering as site specific impacts for GPA No. 921 were not evaluated in the EIR for GPA No. 960. Thus, reliance on this previously

prepared EIR for a different project does not justify a Mitigated Negative Declaration for GPA No. 921 where it may cause potentially significant environmental effects.

Secondary and ultimate impacts of and from greater development at the Project site must be considered by the County prior to considering approval of this Project, not delayed until subsequent review of a specific development project.

POTENTIAL SIGNIFICANT IMPACTS

The adoption of a Mitigated Negative Declaration for the Project is improper here where there is a fair argument of significant environmental impacts based on substantial evidence in the record. The Project may have significant environmental effects from changing the site from rural residential to medium density residential, including, but not limited to, aesthetics, air quality, biological resources, greenhouse gas emissions, land use/planning, noise, population and housing, traffic, utility and service systems, and other effects. An Environmental Impact Report must be prepared for the Project to adequately evaluate the Project's potentially significant effects.

Additionally, 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. The only mitigation adopted for this Project is a requirement that the Project comply with the Highway 79 Policy Area through residential density reductions. Moreover, the Board of Supervisors staff report states that changes have been made to these mitigation measures, but they are not substantive in nature. (Board of Supervisors Submittal Agenda Number 16-5, p. 3.) There is no way for the public to evaluate this claim as the staff report does not include the revised mitigation measures, thus, thereby precluding public comment and the ability to exhaust administrative remedies on this issue. There is no mitigation for other impacts as the Environmental Assessment mistakenly concludes that the Project will not have any other potentially significant impacts. The adoption of feasible mitigation measures is essential to any approval of this Project.

Aesthetics

The Project site is currently vacant land and is surrounded by single-family detached homes to the west and vacant land to the north, east, and south. Although the Project does not propose any development at this time, the County must analyze the likely effects from the proposed general plan amendment and zone change. The current zoning on the Project site would permit 1 dwelling unit per 5-acre minimum on the 77.7-acre site or 15 dwelling units ($77.7 \text{ acres} \div 5 \text{ acres} = 15.54$). However, the Project is within the Highway 79 Policy Area and must reduce density by 9%. Therefore, 14 single-family residences would be allowed on the Project site under the current General Plan land use and zoning designations.

The proposed change in residential density to 2-5 dwelling units per 1-acre minimum could result in 155 dwelling units (2 dwelling units per 1-acre x 77.7 acres = 155.4 dwelling units) on the Project site on the low end and up to 388 units on the high end (5 dwelling units per 1-acre x

77.7 acres = 388.5 dwelling units). Applying the requirements of the Highway 79 Policy Area, 353 single-family residences would be permitted under the proposed Project.

The Environmental Assessment completely omits any discussion of whether the Project would “substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view.” (EA No. 41744 p. 5.) From Scott Road at the south of the Project Site there are views of local hills to the northwest and the San Geronio Mountains to the north.¹ The Environmental Assessment lacks any evaluation of whether the intensity of use permitted by the proposed Project would impact such views.

There is a fair argument that the Project may have a significant effect on aesthetics from the intensification of use permitted by the Project. Secondary/indirect aesthetic impacts from obstructing views open to the public and damaging scenic resources on the Project site should be considered significant.

Air Quality

The Environmental Assessment completely fails to evaluate any secondary/indirect air quality impacts from the Project despite the fact that the Project will intensify use on the Project site increasing population and vehicle trips.

Secondary/indirect effects from increased vehicle travel to and from the Project site due to the General Plan amendment and change of zone could result in potentially significant air quality impacts. Residential developments are indirect sources that attract mobile source emissions from automobiles.² Emissions from mobile sources, including cars and trucks, account for roughly 90 percent of the cancer risk in the South Coast basin, which the Project site is located in. As discussed below, the Project has the potential to add 3,230.67 average daily vehicle trips.³ The Environmental Assessment admits that the Project will “result in an increase in population and/or vehicle trips at the time of build-out, based upon the proposed residential density change.” (EA No. 41744 p. 8.) Yet, the Environmental Assessment claims air quality impacts from the Project are less than significant, because subsequent environmental review will occur. (EA No. 41744 p. 9.) This deferral of the full environmental assessment of the Project’s consequences has been rejected by the courts and fails to comply with CEQA. (*See City of Redlands*, 96 Cal. App. 4th at 409-10.) Land use changes with resulting increases in mobile source emissions “adversely

¹ Street view on Google Maps of the Project site looking north from Scott Road. This link and all links cited herein are incorporated by reference. <https://www.google.com/maps/@33.6415471,-117.127606,3a,75y,1.66h,73t/data=!3m6!1e1!3m4!1sRZNJEbUK55zT6JtVbmeuUA!2e0!7i13312!8i6656?hl=en>.

² South Coast Air Quality Management District, Guidance Document for Addressing Air Quality issues in General Plans and Local Planning, p. 3-1 <<http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf?sfvrsn=4>>.

³ 3364.09 averaged daily vehicle trips – 133.42 average daily vehicle trips = 3230.67 average daily vehicle trips.

affects regional air quality, especially ozone levels and localized carbon monoxide concentrations.”⁴ These potential secondary/indirect impacts should be evaluated in an EIR.

The Environmental Assessment also lacks any analysis of cumulative impacts to air quality. General Plan Amendment No. 998 is located approximately one mile to the southeast of the Project site, and would change the land use designation from Rural Residential (5 acre minimum) to Medium Density Residential (2-5 dwelling units/acre) on 160 acres. General Plan Amendment No. 976 is located approximately a half mile to the east of the Project site, and proposes to change the land use designation from Rural Residential (5 acre minimum) to Medium Density Residential (2-5/dwelling units/acre) on 271 acres. Neither General Plan amendment nor any other project is considered in the context of cumulative Project impacts to air quality. The cumulative effect of the Project with other approved and pending projects must be evaluated in an EIR.

There is a fair argument of potentially significant air quality impacts based on substantial evidence that the Project will increase population and vehicle trips to/from the Project site. Such potentially significant impacts must be analyzed at this time in and mitigated, if necessary, in an EIR. The failure to evaluate the potential impacts and defer environmental review is contrary to the requirements of CEQA.

Biological Resources

The Environmental Assessment again improperly defers review of potential biological impacts to later stages, where CEQA requires that “an agency evaluate the environmental effects of a project at the earliest possible stage in the planning process.” (*City of Redlands*, 96 Cal. App. 4th at 410.)

Greenhouse Gas Emissions

Greenhouse gas (GHG) emissions arise from construction activities, area sources, and mobile sources, with mobile sources being the primary contributor to direct GHG emissions.⁵ The Project would result in an intensification of use, specifically increasing population and vehicle trips through increased density. As a result, the Project would cause increased GHG emission from at least mobile sources, i.e. vehicles driving to/from the Project site. Such increases in GHG emissions are potentially cumulatively considerable in light of the past, current, and proposed future projects in the area.

The Environmental Assessment does not discuss the new Governor’s Executive Order, B-30-15⁶, issued April 29, 2015. This Order requires a 40% reduction of GHGs below 1990 levels by year 2030. As the ultimate effects of the Project would be a new source of GHGs, the environmental

⁴ South Coast Air Quality Management District, Guidance Document for Addressing Air Quality issues in General Plans and Local Planning, p. 3-2.

⁵ California Environmental Protection Agency Air Resources Board, Greenhouse Gas Emission Inventory 2015 Edition, < <http://www.arb.ca.gov/cc/inventory/data/data.htm> >.

⁶ (<http://gov.ca.gov/news.php?id=18938>)

analysis of the Project must evaluate whether/how the Project is consistent with this new reduction target.

The Natural Resources Agency's CEQA Guideline on Determining the Significance of Impacts from Greenhouse Gas Emissions recommends that a lead agency attempt to "describe, calculate or estimate" a project's GHG emissions.⁷ A lead agency may consider such factors as: "(1) The extent to which a project would increase or decrease greenhouse gas emissions compared to the existing environmental setting; [¶] (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project[;] [¶] (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions" (CEQA Guidelines § 15064.4, subd. (b).)

The Environmental Assessment fails to describe or estimate the Project's GHG emissions in light of the fact that the Project would result in the intensification of use on the Project site. The Environmental Assessment states, "[A]ny future implementing project on this site will be required to comply with California's AB-32 greenhouse gas reduction requirements as well as Riverside County's Climate Action Plan." (EA No. 41744 p. 18.) There is no evidence that the increase in residential housing units on the Project site from 14 dwelling units to 353 dwelling units would comply with either the 30% statewide reduction required by AB 32 or Riverside County's Climate Action Plan. The average annual carbon dioxide (CO₂) emissions, a primary GHG emission from passenger vehicles, of a typical passenger vehicle is 4.7 metric tons of CO₂ per year.⁸ Other greenhouse gases produced by passenger vehicles are methane (CH₄), nitrous oxide (N₂O), and hydrofluorocarbon (HFC). The additional vehicle trips to/from the Project site alone will increase GHG emissions such that GHG emissions from the Project may be cumulatively considerable when other projects such as GPA 998 and GPA 976 are taken into account.

Land Use/Planning

To support the claim that "many property owners in the area who have collectively proposed a fundamental shift in land use for the area" justifies increased growth and development within the Sun City/Menifee Valley Area Plan, the Environmental Assessment discusses other pending general plan amendments. (EA No. 41744 pp. 22-23.) One of the general plan amendments cited in the Environmental Assessment is this Project, GPA No. 921, which says "other similar General Plan Amendment proposals in the immediate area, including Nos. 921 and 926 for conversion of the land use to Medium Density Residential (2-5 du/ac) as well. However these two applications have been withdrawn, but may be resubmitted during the next Foundation cycle change, scheduled for Q1 or Q2 of 2016." (EA No. 41744 p. 23 [emphasis added].) This inaccuracy regarding the statement that this pending Project has been withdrawn and the attempt

⁷ California Natural Resources Agency, Final Statement of Reasons for Regulatory Action, p. 81 <http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf>.

⁸ Environmental Protection Agency, Greenhouse Gas Emissions from a Typical Passenger Vehicle, p. 2 <<http://www3.epa.gov/otaq/climate/documents/420f14040a.pdf>>.

to show that the perspective of local residents and property owners has changed significantly based on the pending Project is misleading and must be corrected.

Moreover, four pending General Plan Amendments do not demonstrate that “many property owners in the area [] have collectively proposed a fundamental shift in land use for the area.” (EA No. 41744 p. 23.) The low intensity qualities of the area are still strongly support by local residents and property owners and the fact that four property owners desire denser development on their properties does not show that the perspective has changed *significantly*.

Not only is the Project inconsistent with the Estate Density Residential and Rural Residential Policy Area, but it also would cumulatively result in a substantial alteration of the present land use of the area such that impacts should be considered potentially significant. The Project is not consistent with the existing zoning to the north (Residential Agriculture, 5-acre minimum) and east (Light Agriculture, 5-acre minimum). Nor is the Project is consistent with the land use designations to the north (Estate Density Residential (2-acre minimum)) and east (Rural Residential (5-acre minimum)) of the Project site. Based on these inconsistencies, impacts should be considered potentially significant. An EIR is required to further analyze and mitigate potentially significant land use/planning impacts.

Noise

The Project is approximately one half mile away from a private airstrip, Pines Airpark.⁹ The Environmental Assessment fails to consider whether the Project would expose future residents to excessive noise levels as the Project is in the vicinity of this private airstrip. (EA No. 41744 p. 25.) Noise from the private airstrip must be adequately considered prior to Project approval.

Population and Housing

The Project would induce substantial population growth in the area directly by changing the land use designation and zoning on the Project site to allow significantly denser residential development. Under the current land use designation and zoning that allows 1 dwelling unit per 5-acres, 14 dwelling units could be developed on the Project site. However, under the Medium Density Residential land use designation the Project site could accommodate from 154 to 353 dwelling units. The Environmental Assessment uses the midpoint of potential residential density to determine the Project could increase the population on the Project site by 770 persons. (EA No. 41744 p. 28.) Yet, based on the highest permitted density under the Project, the population could increase by 1,020 residents. ($[353 \text{ dwelling units} \times 3.01 \text{ residents/dwelling unit}] - [14 \text{ dwelling units} \times 3.01 \text{ residents/dwelling unit}] = 1,020.39 \text{ residents}$.) Due to this potential population increase, the Project’s ability to induce substantial population growth in the area seems significant.

⁹Airport-Data.com, Pines Airpark Airport (bCA5) Information, < <http://www.airport-data.com/airport/8CA5/>>. <https://www.google.com/maps/dir/33.6453879,-117.1111467/32531-32587+Leon+Rd,+Winchester,+CA+92596/@33.6469063,-117.128227,15z/data=!4m8!4m7!1m0!1m5!1m1!1s0x80db632e962854fb:0xe7f583644f13e34d!2m2!1d-117.1191261!2d33.6452826>

Traffic

The estimated average daily vehicle trip generation rate for Land Use 210 Single-Family Detached Housing is 9.53 average daily vehicle trips per dwelling unit.¹⁰ The increase in intensification of use could result in up to 353 dwelling units on the Project site compared to the 14 dwelling units which could be developed under the current land use designation. Applying the Single-Family Detached Housing trip generation rate to the range of development that would be allowed under the Project demonstrates how drastically traffic would increase. The current land use designation would result in 133.42 average daily vehicle trips (9.53 average daily vehicle trips per dwelling unit x 14 dwelling units). Assuming the Project is developed with the lowest density of 2 dwelling units per 1-acre minimum, the Project site could accommodate 154 dwelling units resulting in 1,467.62 average daily vehicle trips (9.53 average daily vehicle trips per dwelling unit x 154 dwelling units = 1,467.62 average daily vehicle trips). Should the Project site be developed with the highest density that would be permitted under the proposed land use designation, the Project site could accommodate up to 353 dwelling units resulting in 3,364.09 average daily vehicle trips (9.53 average daily vehicle trips per dwelling unit x 353 dwelling units = 3,364.09 average daily vehicle trips).

The proposed general plan amendment and zoning change would result in far greater traffic than currently generated by the undeveloped Project site or permitted under the current land use and designations. While the Project adopts mitigation so the Project does not conflict with the Highway 79 Policy, there is no consideration of the potential traffic increase on level of service standards or other congestion management programs. The ultimate impacts from the increased intensity of use, potentially 1,467.62 to 3,364.09 average daily vehicle trips based on potential development of the Project site, are not considered in the Environmental Assessment. Such impacts must be evaluated and mitigated in an EIR before the Project is approved.

Utility and Service Systems

The Environmental Assessment concludes there would be no impacts to water service systems despite the fact that the Project would increase the residential density permitted on the Project site. (EA No. 41744 p. 34.) Yet, there is no consideration of whether there are sufficient water supplies available to serve the Project from existing entitlements and resources.

The Project site is within the Eastern Municipal Water District, which is a member agency of Metropolitan Water District of Southern California.¹¹ The two main sources of water supplies for the Metropolitan Water District of Southern California are the State Water Resources Project and

¹⁰ See Institute of Transportation Engineers, *Trip Generation* (7th ed. 2003), Vol. 2 pp. 269, 274, 276 ((9.57 average trips/dwelling unit weekday x 5 days) + 10.10 average trips/dwelling unit Saturday + 8.78 average trips/dwelling unit Sunday) ÷ 7 days = 9.53 average daily trips per dwelling unit).

¹¹ Board Member Divisions, Eastern Municipal Water District, <<http://www.emwd.org/meet-emwd/board-of-directors/board-member-divisions>>. Member Agencies, The Metropolitan Water District of Southern California, <<http://www.mwdh2o.com/WhoWeAre/Member-Agencies/Pages/default.aspx>>.

the Colorado River.¹² The State Water Resources Project is supplied largely by Sierra Nevada snowpack.¹³

In January 2014, Governor Edmund G. Brown Jr. declared a drought state of emergency as California entered its four consecutive year of drought.¹⁴ Governor Brown then issued twenty-five percent statewide mandatory water reductions in April 2015.¹⁵ Most recently, Governor Brown issued an additional state order to continue current actions and implement new actions in response to drought conditions.¹⁶ Despite the El Nino weather system bringing a slightly above average snowpack, the drought will likely continue.¹⁷ Additionally, California has agreed to gradually reduce the state's use of its 4.4 million acre-feet apportionment of the Colorado River by 2017.¹⁸ There is no evaluation of these restrictions on the Eastern Municipal Water District's supply and ability to service residential developments that would be possible under the Project. Given the severe multi-year drought currently affecting California, water supply impacts from the Project's intensification of residential density are not sufficiently analyzed.

The Environmental Assessment also fails to actually analyze sewer and solid waste impacts from the Project. The Environmental Assessment repeats the findings of fact from the water section stating, "at this stage, the specific size and need of water infrastructure to the area, is too speculative to analyze as there is no implementing project." (EA No. 41744 pp. 35, 36.) This does not address whether the Project would require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects, or whether the Project is served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs or comply with federal, state, and local statutes and regulations related to solid wastes. The County must evaluate whether such impacts would occur as the current findings of fact in the Environmental Assessment do not address this issue.

The Environmental Assessment fails to evaluate the ultimate impacts of the Project. As there is a fair argument of substantial environmental effects, the County must prepare an EIR for the Project to fully analyze such effects.

¹² Sources of Supply, Eastern Municipal Water District,

<<http://www.mwdh2o.com/AboutYourWater/Sources%20Of%20Supply/Pages/default.aspx>>.

¹³ Water Supply Conditions, The Metropolitan Water District of Southern California,

<http://www.mwdh2o.com/PDF_About_Your_Water/2.2.4_water_supply_conditions.pdf>.

¹⁴ Governor Brown Declares Drought State of Emergency, Office of Governor Edmund G. Brown Jr., January 1, 2014 <<https://www.gov.ca.gov/news.php?id=18368>>.

¹⁵ Governor Brown Directs First Ever Statewide Mandatory Water Reductions, Office of Governor Edmund G. Brown Jr., April 1, 2015 <<https://www.gov.ca.gov/news.php?id=18910>>.

¹⁶ Governor Brown Issues Executive Order to Bolster State's Drought Response, Office of Governor Edmund G. Brown Jr., November 13, 2015 <<https://www.gov.ca.gov/news.php?id=19191>>.

¹⁷ California Farmers Brace for Water Shortage Despite El Nino,

¹⁸ Colorado River Aqueduct, the Metropolitan Water District of Southern California,

<http://www.mwdh2o.com/AboutYourWater/Sources%20Of%20Supply/Pages/Imported.aspx#tabs-State_Water_Project_SWP_>.

THE FINDINGS NEEDED FOR A GENERAL PLAN AMENDMENT CANNOT BE MADE

A resolution recommending approval of a regular Foundation Component Amendment must be supported by “findings, based on substantial evidence, that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Visions, and that they would not create an internal inconsistency among the elements of the General Plan.” (Riverside County Ordinance No. 348, art. II § 2.5(g) (emphasis added).) The County cannot make the needed findings in support of GPA No. 921.

The County also fails to provide substantial evidence that the Project “does not involve a change in or conflict with: (1) the Riverside County Vision; and (2) that the change would not create an internal inconsistency among the elements of the General Plan.”

The Riverside County General Plan Vision element states, “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 provided for elsewhere in the RCIP.” (Riverside County General Plan Vision Statement, p. V-15.) This Project conflicts with this aspect of the Riverside County Vision as the Project would favor urban development over the heritage of rural living established in the area of the Project site.

The Project also would create a conflict with Riverside County General Plan principles. For example, policy LU 3.5 states “Prepare a community separators map or overlay that will illustrate the intent of the County of Riverside and its residents that the County’s distinctive community identities be maintained and not be absorbed in a sea of continuous suburban development.” This Project would eliminate the distinctive Estate Density Residential and Rural Residential character of the community and create a sea of continuous suburban sprawl conflicting with this policy.

LU 6.1 “[r]equires land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts. (AI 1, 3).” The Project would conflict with the Estate Density Residential and Rural Residential Policy Area of the Sun City/Menifee Area Plan and thus conflict with this policy. The Project requires the removal of the Project site from the Estate Density Residential and Rural Residential Policy Area of the Sun City/Menifee Area Plan. This policy provides,

The residential area consists of rural estate development, with custom house development as the main pattern. The character is rural in intensity, but more in line with estate development as it has traditionally been developed. The low intensity qualities of this area are well established and strongly supported by local residents and property owners. Until the perspective changes significantly, growth and development should be focused elsewhere.

The Planning Commission Staff Report states “the policy area also states that should the general consensus of the property owners within the area change, denser development patterns could occur.” (Planning Commission Staff Report Agenda Item No. 4.1, October 21, 2015, p. 3.) It

goes on to rely on two other proposed General Plan amendments and two withdrawn General Plan amendments within the vicinity of the Project to reason that there has been a shift in land use for the area. Despite the staff report's misinterpretation of the policy, the policy states in no uncertain terms that "[u]ntil the perspective [of local residents and property owners] changes significantly, growth and development should be focused elsewhere." (Planning Commission Staff Report Agenda Item No. 4.1, October 21, 2015, p. 2.) Three proposed General Plan amendments do not demonstrate that the perspective of the local residents and property owners has changed *significantly* to support higher density development. In fact, local residents and property owners continue to support the low intensity qualities of the area around the Project. Thus there has not been a significant change in the perspective of local residents and property owners, let alone a "general consensus" among the property owners in the area that denser development should occur. Removing the Project site from the Policy Area is not in line with the Policy or the desire of the local residents and property owners.

While three pending General Plan Amendments along Scott Road propose General Plan Foundation Component Amendment applications, this hardly demonstrates "a general area-wide property owner consensus to change the land use pattern" as two of the original five General Plan Amendments have been withdrawn and local residents and property owners support low intensity development.

The County cannot make the finding that "The proposed change does not involve a change in or conflict with: (a) The Riverside County Vision; (b) Any General Plan Principle; or (c) Any Foundation Component designation in the General Plan except as otherwise expressly allowed."

The Project would conflict with policy LU 12.1 "Provide land use arrangements that reduce reliance on the automobile and improve opportunities for pedestrian, bicycle, and transit use in order to minimize congestion and air pollution" as the Project is not located near any community or employment centers or public transit so the Project would increase reliance on automobiles and not provide opportunities for pedestrian, bicycle, or transit use. As the main road to access the Project site is a two lane road, Scott Road, it is uncertain that the road would be able to adequately handle a Medium Density Residential development. Thus, the Project also conflicts with policy LU 12.6 "Require that adequate and accessible circulation facilities exist to meet the demands of a proposed land use. (AI 3)."

As discussed above, the Project may have significant environmental effects to scenic vistas and views and the Project would conflict with policies LU 13.1 "Preserve and protect outstanding scenic vistas and visual features for the enjoyment of the traveling public. (AI 32, 79)." And OS 21.1 "Identify and conserve the skylines, view corridors, and outstanding scenic vistas within Riverside County. (AI 79)."

Moreover, the staff report repeatedly mischaracterizes any development that may occur on the Project site as "infill residential development." (Planning Commission Staff Report Agenda Item No. 4.1, October 21, 2015, pp. 7-8.) The California Governor's Office of Planning & Research defines infill development as "building within unused and underutilized lands within existing

development patterns, typically but not exclusively in urban areas.”¹⁹ The purpose of infill development is to accommodate growth and reduce sprawl. Further, CEQA defines an infill site as:

- [A] site in an urbanized area that meets either of the following criteria:
- (a) The Site has not been previously developed for urban uses and both of the following apply:
 - (1) The site is immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses and the remaining 25 percent of the site adjoins parcels that have previously been developed for qualified urban uses.
 - (2) No parcel within the site has been created within the past 10 years unless the parcel was created as a result of the plan of a redevelopment agency.
 - (b) The site has been previously developed for qualified urban uses. (Pub. Res. Code, § 21061.3.)

This Project is exactly the type of project that would contribute to sprawl and would locate a new residential project within an area designated for reduced development intensity. The Project site is not used land within an urban area that should be used to promote compact development. Rather, the Project site is located within the unincorporated area of Riverside County and is an area that has been designated for reduced development density. Moreover, this site has not been previously developed for any use let alone qualified urban uses, nor is it immediately adjacent to at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses as the Project site is surrounded by vacant land to the north, east, and south. The only development adjacent to the Project site is single family residential to the west. Thus, any development that would occur under the Project is not infill development.

The Project site is not currently located in a Community Development area and requires a general plan amendment in order to not conflict with Policy 3.1(b) which promotes infill development in Community Development areas. As the Project is not in a Community Development area or near employment or community centers, the Project will not “further the General Plan’s goals though [sic] enabling infill residential development in logical location.” (Planning Commission Staff Report Agenda Item No. 4.1, October 21, 2015, p. 8.) Rather, the Project would only promote suburban sprawl and conflict with the General Plan vision that “[t]he 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 provided for elsewhere in the RCIP.” (Riverside County General Plan, p. V-15.)

The County cannot make the finding that “The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.”

¹⁹ The Governor’s Office of Planning & Research, Infill Development, <https://www.opr.ca.gov/s_infilldevelopment.php>.

For reasons discussed above, the Project would be detrimental to policy LU 2.1 "Accommodate land use development in accordance with the patterns and distributions of use and density depicted on the General Plan Land Use Map (Figure LU-1) and the Area Plan Land Use Maps, in accordance with . . . [c]oncentrate[ing] growth near community centers that provide a mixture of commercial, employment, entertainment, recreation, civic, and cultural uses to the greatest extent possible, [c]oncentrat[ing] growth near or within existing urban and suburban areas to maintain the rural and open space character of Riverside County to the greatest extent possible . . . [and] [s]it[ing] development to capitalize upon multi-modal transportation opportunities and promote compatible land use arrangements that reduce reliance on the automobile."

The County cannot make the finding that "Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan."

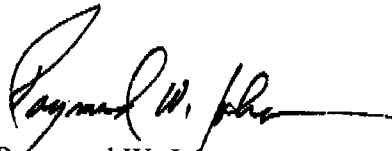
The General Plan anticipated that suburban sprawl may try to impact this area by placing it within the Estate Density Residential and Rural Residential Policy Area which states in part, "The low intensity qualities of this area are well established and strongly supported by local residents and property owners. Until the perspective changes significantly, growth and development should be focused elsewhere." Applications for general plan amendments by three land owners does not demonstrate that the perspective has changed significantly. Moreover, any change in perspective was anticipated in this Policy such that these general plan amendment applications do not constitute special circumstances or conditions that were not anticipated in preparing the General Plan. For these reasons, the County cannot make the necessary Foundation and Entitlement/Policy Amendment findings.

CONCLUSION

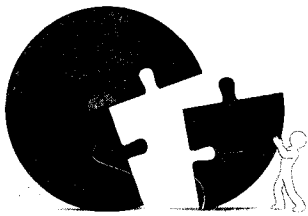
The Project should be denied as the Mitigated Negative Declaration does not comply with CEQA and the County cannot make the required findings for a General Plan amendment. The Mitigated Negative Declaration is improper where the Project may have a substantial environmental impact to, at least, aesthetics, air quality, biological resources, greenhouse gas emissions, land use and planning, noise, population and housing, traffic, and utility and service systems. An EIR must be prepared to fully evaluate the Project's ultimate effects and mitigate substantial impacts. GPA No. 921 should be denied as findings for the General Plan amendment cannot be made where the amendment conflicts with General Plan Vision and policies, the amendment may be detrimental to the General Plan, and no special circumstances require its adoption.

Thank you for your consideration of these comments.

Sincerely,



Raymond W. Johnson
JOHNSON & SEDLACK



RIVERSIDE COUNTY
PLANNING DEPARTMENT

ORIGINAL

Steve Weiss, AICP
Planning Director

DATE: 01/05/2016

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: General Plan Amendment No. 943 and Change of Zone No. CZ07741

(Charge your time to these case numbers)

603B

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: (3rd Dist) Press Enterprise
- Mitigated Negative Declaration
 - 10 Day 20 Day 30 day
- Notify Property Owners (app/agencies/property owner labels provided)

Designate Newspaper used by Planning Department for Notice of Hearing:
(3rd Dist) Press Enterprise

SCHEDULE FOR 02/09/2016 BOS HEARING

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 Duna Court, Suite H
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

January 27, 2016

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

PH : (951) 368-9225
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: GPA 943 and ZC 7741

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, January 30, 2016.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Wednesday, January 27, 2016 8:58 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: GOA 943 ZC 7741

Received for publication on Jan. 30. Proof with cost to follow.

Thank You.

Legal Advertising Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note: Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish. **Additional days required for larger ad sizes**

****Employees of The Press-Enterprise are not able to give legal advice of any kind****

The Press-Enterprise PE.COM / UNIDOS

A Freedom News Group Company

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Wednesday, January 27, 2016 8:04 AM
To: PEC Legals Master
Subject: FOR PUBLICATION: GOA 943 ZC 7741

Good morning! Notice of Public Hearing, for publication on Saturday, January 30, 2016. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant

Clerk of the Board of Supervisors

(951) 955-8464

MS# 1010

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 NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

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 the application submitted by Carl Rheingans – Cozad & Fox, Inc., on **General Plan Amendment No. 943**, which proposes to amend the foundation component from Rural Community (RC) to Community Development (CD), and to amend the land use from Estate Density Residential (EDR) (2-Acre Minimum) to Medium Density Residential (MDR) (2-5 DU/AC) and Commercial Retail (CR) (0.20 – 0.35 FAR); and, **Change of Zone No. 7741**, which proposes to change the zoning from A-1-10 (Light Agriculture, 10-Acre Minimum) to R-1 (One-Family Dwellings) and C-1 & C-P (General Commercial) on one parcel, totaling 56.8-acres, or such other zones as the Board may find appropriate (“the project”). The project is located east of Highway 79/Winchester Road, north of Stowe Road, west of Richmond Road, and south of Stetson Avenue in the Harvest Valley / Winchester Area Plan, Third Supervisorial District.

The Planning Commission recommended that the Board of Supervisors approve the project and adopt the Mitigated Negative Declaration for **Environmental Assessment No. 41771**.

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

CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on January 27, 2016, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

GPA 943 and ZC 7741

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: February 9, 2016 @ 9:00 A.M.

SIGNATURE: *Cecilia Gil* DATE: January 27, 2016
Cecilia Gil

Gil, Cecilia

From: Meyer, Mary Ann <MaMeyer@asrclkrec.com>
Sent: Wednesday, January 27, 2016 8:25 AM
To: Gil, Cecilia; Acevedo, Amy; Buie, Tammie; Kennemer, Bonnie
Subject: RE: FOR POSTING: GPA 943 ZC 7741

Received and will be posted

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, January 27, 2016 8:09 AM
To: Acevedo, Amy; Buie, Tammie; Kennemer, Bonnie; Meyer, Mary Ann
Subject: FOR POSTING: GPA 943 ZC 7741

Notice of Public Hearing for POSTING. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant
Clerk of the Board of Supervisors
(951) 955-8464
MS# 1010

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on January 27, 2016, I mailed a copy of the following document:

NOTICE OF PUBLIC HEARING

GPA 943 and ZC 7741

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: February 9, 2016 @ 9:00 AM

SIGNATURE: Cecilia Gil DATE: January 27, 2016
Cecilia Gil

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 10/7/2015

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07741/GPA00943 For

Company or Individual's Name Planning Department,

Distance buffered 800'

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

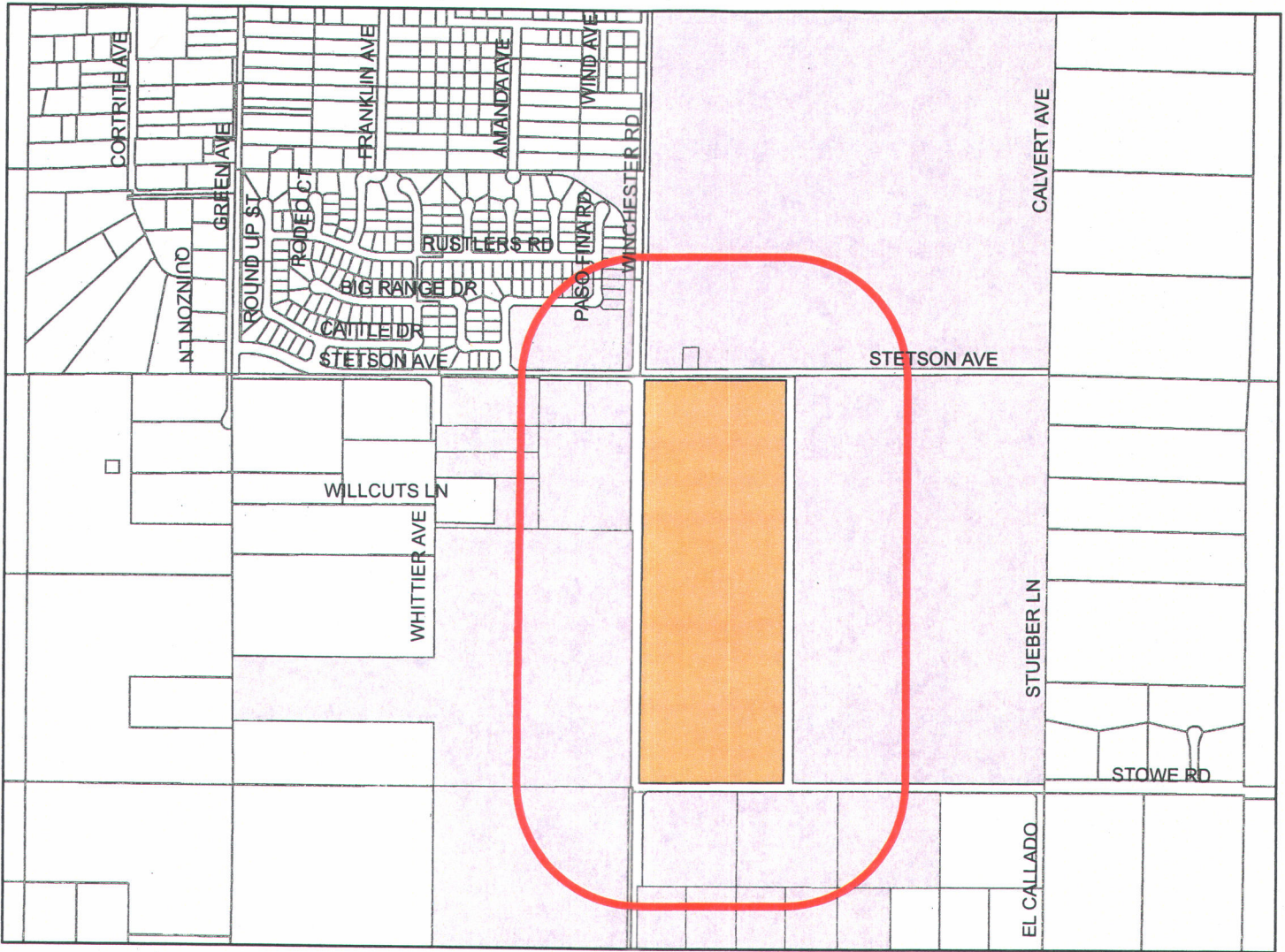
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

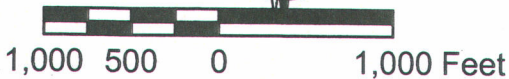
TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

CZ07741 GPA00943 (800 feet buffer)



Selected Parcels

465-290-012	458-340-003	458-340-002	458-341-001	458-370-002	465-060-033	465-290-004	465-290-013	465-060-004	458-370-001
458-340-001	465-060-015	465-060-028	465-060-016	465-290-018	458-341-002	465-290-002	465-060-035	465-290-003	465-290-001
465-300-002	465-060-018	458-370-003	458-340-050	458-370-004	458-370-005	458-372-011	458-372-012	458-372-013	458-372-014
458-250-012	458-250-013	465-060-005	465-290-017	465-060-014	465-060-027				



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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ASMT: 458370003, APN: 458370003
MARIA BRAZIL, ETAL
26920 WILDERNESS DR
WINCHESTER CA 92596

ASMT: 458340002, APN: 458340002
MICHELLE VEGA, ETAL
26892 WILDERNESS DR
WINCHESTER, CA. 92596

ASMT: 458372014, APN: 458372014
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C/O MATT RUDY
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RANCHO CUCAMONGA CA 91730

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INGA GARNER, ETAL
26878 WILDERNESS DR
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ASMT: 465060005, APN: 465060005
STONE STAR RIVERSIDE
12671 HIGH BLUFF DR NO 150
SAN DIEGO CA 92130

ASMT: 458341001, APN: 458341001
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ASMT: 465060015, APN: 465060015
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SCOTTSDALE AZ 85258

ASMT: 465060027, APN: 465060027
WIND PROP
31062 CASA GRAND DR
SAN JUAN CAPO CA 92675



20 7741 GDA 943

(26)

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ASMT: 465060033, APN: 465060033
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WELLINGTON NV 89444

ASMT: 465060035, APN: 465060035
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WINCHESTER CA 92596

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WINCHESTER CA 92596

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ASMT: 465290002, APN: 465290002
LUPE MORENO, ETAL
33624 MILAN RD
HEMET, CA. 92545

ASMT: 465300002, APN: 465300002
SURVIVORS TRUST OF MUELLER 1993 TRUST
C/O VIOLET MUELLER
5411 SHERBOURNE DR
LOS ANGELES CA 90056

ASMT: 465290003, APN: 465290003
KELLY DONNELLY
33686 MILAN RD
HEMET, CA. 92545

ASMT: 465290004, APN: 465290004
CAROL MANSON
P O BOX 501
WINCHESTER CA 92596

