

Sarabia, Elizabeth

From: Dr. John L. MINNELLA-Romano <drjminnella@yahoo.com>
Sent: Tuesday, July 17, 2018 3:40 PM
To: Sarabia, Elizabeth
Subject: Fw: Opposition to GPA 1227
Attachments: Opposition Letter to GPA1227.docx

Please accept the attached Opposition to GPA 1227 before the Commission July 18, 2018.

Sincerely,

RESIDENT ASSOCIATION OF
GREATER LAKE MATHEWS

[signed] Dr. John L. Minnella

This e-mail is confidential and may contain attorney client or otherwise privileged or private information. Unless you are an intended or authorized recipient, you may not use, copy or disclose this message or any information contained herein. If you have received this message in error, please advise us by reply email to: drjminnella@yahoo.com and/or minnellalaw@sbcglobal.net; and delete the message and any attachments. Thank you.

----- Forwarded Message -----

From: Dr. John L. MINNELLA-Romano <drjminnella@yahoo.com>
To: Robert FLORES <RFlores@rivco.org>
Cc: Sandy Rytch <rknrrnch@aol.com>; Elaine Wilson <elaineew@aol.com>; Adel Salem <deputydude552@gmail.com>; Debbie Salem <debbiesalem71@gmail.com>; Kevin Jeffries <district1@rcbos.org>; Supervisor Kevin Jeffries <rivcodistrict1@public.govdelivery.com>; Kevin Jeffries <kjeffries@rivco.org>; Kevin <kevin@kevinjeffries.com>
Sent: Tuesday, July 17, 2018, 3:34:25 PM PDT
Subject: Opposition to GPA 1227

Dear Mr. Flores:

On behalf of RAGLM, please accept the attached Opposition to GPA 1227 for presentation to the Planning Commission for its July 18, 2018 agenda and deliberations.

Respectfully,

RESIDENTS ASSOCIATION OF
GREATER LAKE MATHEWS

John L. Minnella

President

This e-mail is confidential and may contain attorney client or otherwise privileged or private information. Unless you are an intended or authorized recipient, you may not use, copy or disclose this message or any information contained herein. If you have received this message in error, please advise us by reply email to: drjminnella@yahoo.com and/or minnellalaw@sbcglobal.net; and delete the message and any attachments. Thank you.

RESIDENTS ASSOCIATION OF GREATER LAKE MATHEWS

3410 La Sierra, Avenue, #F41, Riverside, California 92503
714/543-9005

July 17, 2018

Planning Department
COUNTY OF RIVERSIDE
Attention: **Robert FLORES, Project Planner**
Post Office Box 1409
Riverside, California 92502-1409

Re: **Opposition to GPA 1227; July 18, 2018 Agenda Item 4.3.**

Members of the Planning Commission:

The Residents Association of Greater Lake Mathews ("RAGLM"), an IRS 503(c)(3) non-profit, private California corporation, hereby respectfully presents its preliminary objections and opposition to the proposed changes to Policies LU 21.7 and 22.7, "GPA No. 1227", before the Planning Commission hearing on July 18, 2018, for the following reasons among others:

1. It removes the small scale commercial uses that serve rural neighborhoods (Neighborhood commercial land use).

This is a critical component of the Rural Foundation General Plan that limits commercial land uses in rural areas to serve the neighborhoods within them, not the urban needs of distant residents.

The design and scale of future proposed commercial uses will not be compatible with surrounding rural land uses, protective scenic views (Cajalco Road, Gavilan Hills, Lake Mathews, Mockingbird Canyon, Harford Springs, etc.), nor blend into the rural nature of the area.

Future commercial projects will be able to locate anywhere in a rural community without the requirement of being located adjacent to a arterial, mountainous arterial or a major highway. The proposed change states, commercial uses can be approved if adjacent to and can be safely accessible from a General Plan "roadway".

This proposed Foundation change to the General Plan will conflict with the vision set forth in a number of applicable General Plan Policy Area and Land Use Overlays.

The current existing policies foster small-scale commercial uses based on a set of criteria that are intended to prevent an over concentration (clustering) of commercial uses in remote areas of the County. They benefit from some conveniences such as small-scale local commercial services and all-weather access roads, yet maintain an unhurried, uncrowded life style. Rural residents accept the fact that they must travel some distance for more complete services and facilities.

2. Findings for Foundation Component General Plan Amendment cannot be made

General Plan Amendment Cycles

GPA No. 1227 cannot be initiated and legally made because the required findings for approving such an amendment are unsupported by substantial evidence. GPA 1227 is a Foundation Component General Plan Amendment subject to an eight-year approval cycle. (Ord. 348 § 2.5.(B).) Pursuant to Ordinance 348 Section 2.5 (F), a Planning Commission resolution recommending approval of a regular Foundation Component Amendment must include **findings**, based on substantial evidence that:

New conditions or circumstances disclosed during the review process justify modifying the General Plan;

Modifications do not conflict with the overall Riverside County Vision; and

They would not create an internal inconsistency among the elements of the General Plan.

These findings cannot be made.

A. No New Conditions or Circumstances Justify Modifying the General Plan.

Rural area plans, General Plan Vision and rural community area plans have not changed substantially over the years since the General Plan was adopted in 2003.

B. The Modifications Conflict with the Overall Riverside County Vision, Rural Community Area Plans, and General Plan.

The Rural Community Foundation Component is intended to identify communities and neighborhoods having a rural lifestyle, where animal-keeping uses and limited infrastructure (compared with Community Development areas) are prevalent. Rural Community areas serve as transition areas between Community Development and Rural Foundation Components.

Along these lines, the Very Low Density Residential land use designation provides for the development of detached single- family residential dwelling units and ancillary structures on large parcels, and the Rural Community Foundation Component encourages equestrian and other animal- keeping uses.

Hence, GPA 1227 would substantially alter the Rural Community Foundation Component of the General Plan and degrade its application Countywide. GPA 1227 would also permit clustering of Commercial land uses in rural communities creating conflicts with the overall purpose of these Foundation Components, the General Plan, vision of the General Plan and Rural Community Area Plans.

GPA 1227 is a Foundation General Plan Amendment to Land Use within the rural communities and **will** create a substantial conflict within the General Plan Vision, Rural Foundation Component. and Rural Area Plans within the Riverside County General Plan.

1. General Plan Review Cycle

This cycle first occurs in 2008, five years after the initial adoption of this General Plan and then occurs periodically every eight years thereafter. This cycle:

a) Includes amendments proposed by the County of Riverside or by private property owners. Prior to Board initiation, proposed amendments shall be submitted in a comprehensive manner for review and comment to a general plan community advisory committee appointed by the Board. Comments received from the committee shall be included in subsequent initiation proceedings before the Planning Commission and the Board.

b. Is intended to assess General Plan progress and issues related to its implementation.

c. Is the only time, other than a declared extraordinary amendment or an Agriculture Foundation Component amendment, that a Foundation Component of the General Plan may be considered for change.

The last 8 year review cycle took place in 2016.

3. Fundamental Due Process of Law is Denied by Approval of this Proposal.

Fundamental concepts of Due Process of Law require more than cursory respect for notice, transparency, and opportunity to be heard, especially when government attempts to make, implement, or change laws, regulations and rules. The subject GPA 1227 would fundamentally change County Supervisorial District 1 if approved and ultimately adopted by allowing the further gradual transformation of the existing rural community into a different one with new commercial structures and enterprises that the public has vocally expressed are unwanted and unneeded.

The staff report states that this General Plan Amendment (proposing to alter the entire existing rural land use for the entire County of Riverside) was published and noticed in the Press Enterprise newspaper just 10 days before the public hearing. The notice was a surprise to the public and community, totally unexpected, difficult to read and comprehend, complex, written in legalese, and this lacks transparency required by due process of law.

The Planning Commission Agenda came out July 12th, 2018. Certainly this is not sufficient notice for the public to review such a massive, important, complex and impactful change in the General Plan. Typically this type of change requires going out to the public through community meetings to receive input and comments from the residents throughout the County. That has not taken place in this instance.

This proposed GPA 1227 seeks to alter the fundamental nature of the present rural community not by convincing the community to accept it but rather by bureaucratic feat and subterfuge in

the way of complex, hidden regulation that almost went unnoticed by the public of this community.

The County bureaucracy and executives know the community is unsophisticated in the regulatory workings of general plans and zoning. They know the community is not able to finance lawsuits. They know the community do not read legal notices hidden within newspapers. They know no one in the community has requested this change. And they know they can often get their desired proposals passed without anyone realizing what happened until it is too late to object.

GPA 1227 is one of those efforts by County government to fundamentally change the rural areas without seeking and obtaining community approval by subterfuge in the form of obviously inadequate notice. Thus, the community is denied required, basic due process of law.

The California Supreme Court has called the general plan “the constitution for all future development” because it presents a vision and a set of principles for future growth in the community. Development decisions must carry out and not obstruct a general plan’s policies. Major updates to a general plan often trigger review under the California Environmental Quality Act (CEQA), which requires studies of the impacts of government decisions on people and the environment.

4. Conclusion.

For the foregoing reasons, the Residents Association of Greater Lake Mathews respectfully urges and demands that the Planning Commission of Riverside County deny Resolution No. 2018-005 and deny GPA 1227.

Respectfully submitted,

**FOR THE BOARD OF DIRECTORS OF
THE RESIDENTS ASSOCIATION OF
GREATER LAKE MATHEWS (“RAGLM”)**

John L. Minnella
President

JLM:bs
Cc: RAGLM Board of Directors
Kevin Jeffries, Supervisor, District 1

From: Jerry Grell [<mailto:jgrell@dslextreme.com>]

Sent: Tuesday, July 17, 2018 2:46 PM

To: Flores, Robert <rflores@RIVCO.ORG>

Cc: Jerry Grell <jgrell@dslextreme.com>

Subject: GPA 1227 Agenda item4.3

The attached letter is in reference to GPA 1227, agenda item 4.3 on the Riverside County Planning Commission's 7-18-2018.

Thank You

Jerry Grell - Lake Mathews area resident.

Dated: July 17, 2018

To: Riverside County Planner Flores
Riverside County Planning Commission

Subject - **GPA 1227; Agenda Item 4.3**

We would like to make the following points expressing our concerns for the proposed revision:

1. Riverside County needs to retain protected open and rural spaces.
2. **DEVELOPMENT** is just a way to:
 - a. Collect more taxes
 - b. Add to pollution – above and underground
 - c. Add to road congestion
 - d. Increase health risks
 - e. Help your developer friends
3. **SUGGESTIONS.**
 - a. Check all existing business to be SURE they are paying appropriate taxes to County - ?licensed?.
 - b. ASSESS HOME businesses that legally qualify to pay taxes – some do not.
 - c. Check (CODE ENFORCEMENT!) businesses on acreage especially in rural areas – RA-1 zoning for example.
 - d. MPDEC license legal uses.

SEE FEMA MAPS – Flood Zones & tributaries HUGH AREA.

We do not want to end up like Orange County.

Code enforcement needs to help – let's get it back to what it used to be!

MAIN PROBLEMS

Cajalco Valley – Lake Mathews Watershed.

Blue Line (Federal) stream – Cajalco Creek & many tributaries.

High Water Table

Doesn't perk well in some areas

Already ground water is contaminated

Why add to an existing problem?

Artesian's – multiple.

One lane each way! Turn radius – potential problem.

Wood road starting to crumble – like our road. (Taxpayer has to pay to maintain.)

FACTS – Wood Road too narrow.

Traffic lights – too close.

Noise – Pollution

Houses

Accidents+++

Traffic congestion

ETC!

I have the full printed books (6" +) on the Lake Mathews Watershed Laws – 1991-1992. Please read carefully.

No CUP 2775

NO GAS STATIONS IN THIS VALLEY – JUST TOO DANGEROUS!

ALL ABOVE GROUND AND UNDERGROUND DRANAGE GOES TO

LAKE MATHEWS OWNED BY METROPOLITAN WATER DISTRICT.

~ They have been contacted ~

P.S. – CAJALCO ROAD NEVER CONSTRUCTED FOR LOTS OF SEMI'S

– Tax payers \$ constant repairs needed.

WHY ARE YOU CHANGING LU21.7 & LU22.7 – FACILITIES WILL NOT BE SUPPORTED BY RURAL COMMITTEES AND RESIDENTS - WE CAN DRIVE TO OUR CLOSE EXISTING STORES

WHY NO CeQA?

Thank you for your careful consideration of these matters – Riverside must retain some resemblance of a rural community – there is little left in this county.

Yours Sincerely

Jerry and Ann Grell

Residents form 1972 t 2018

18929 Smith Rd

Lake Mathews CA 92570

From: Debbie Walsh [<mailto:abilene149@gmail.com>]

Sent: Tuesday, July 17, 2018 2:41 PM

To: Flores, Robert <rflores@RIVCO.ORG>; Supervisor Jeffries - 1st District <district1@RIVCO.ORG>

Subject: GPA 1227 - Opposition letter - RAMV.org

Robert,

Please find the attached letter in opposition to GPA 1227 going before the Riverside County Planning Commission - Item 4.3 on the agenda for Wednesday, July 18, 2018.

Please add this letter to the public record for Item 4.3.

Thanks.

Debbie Walsh

RAMV.org

PO Box 2433

Perris, CA 92572

RAMV.org
PO Box 2433
Perris, CA 92572

Riverside County Planner Flores
RE: GPA 1227; Agenda Item 4.3.

Riverside County Planning Commission:

Greetings:

On behalf of concerned area residents and Rural Association of Mead Valley, please accept these comments in opposition to proposed changes to Policies LU 21.7 and 22.7 "GPA No. 1227" for the following reasons:

1. Removes the small scale commercial uses that serve rural neighborhoods (Neighborhood commercial land use). This is a critical component of the Rural Foundation General Plan that limits commercial land uses in rural areas to serve the neighborhoods within them, not the urban needs of distant residents.
 - a) The design and scale of future proposed commercial uses will not be compatible with surrounding rural land uses, protective scenic views (Cajalco Road, Gavilan Hills, etc.), nor blend into the rural nature of the area.
 - b) Future commercial projects can be located anywhere in a rural community without the requirement of being located adjacent to a arterial, mountainous arterial or a major highway. The proposed change states, commercial uses can be approved if adjacent to and can be safely accessible from a General Plan "roadway".
 - c) This proposed Foundation change to the General Plan will conflict with the vision set forth in a number of applicable General Plan Policy Area and Land Use Overlays.
 - d) "The current existing policies foster small-scale commercial uses based on a set of criteria that are intended to prevent an overconcentration (clustering) of commercial uses in remote areas of the County. They benefit from some conveniences such as small-scale local commercial services and all weather access roads, yet maintain an unhurried, uncrowded life style. Rural residents accept the fact that they must travel some distance for more complete services and facilities."

As stated in the staff report this General Plan Amendment that proposes to alter the entire rural land use for the entire County of Riverside was noticed in the Press Enterprise just 10 days before the public hearing. The notice is difficult to read. The

Planning Commission Agenda came out July 12th, 2018. Certainly this is not sufficient notice for the public to review such a massive change in the General Plan. Typically this type of change requires going out to the public through community meetings to receive input and comments from the residents throughout the County.

I. FINDINGS FOR FOUNDATION COMPONENT GENERAL PLAN AMENDMENT CANNOT BE MADE

General Plan Amendment Cycles

GPA No. 1227 should not be initiated as the required findings for approving such an amendment are unsupported by substantial evidence and cannot be made. GPA 1227 is a Foundation Component General Plan Amendment subject to an eight-year approval cycle. (Ord. 348 § 2.5.(B).) Pursuant to Ordinance 348 Section 2.5 (F), a Planning Commission resolution recommending approval of a regular Foundation Component Amendment must include findings, based on substantial evidence:

- (1) That new conditions or circumstances disclosed during the review process justify modifying the General Plan;
- (2) That the modifications do not conflict with the overall Riverside County Vision, and
- (3) That they would not create an internal inconsistency among the elements of the General Plan.

These findings cannot be made.

A. No New Conditions or Circumstances Justify Modifying the General Plan.

Rural area plans, General Plan Vision and rural community area plans have not changed substantially over the years since the General Plan was adopted in 2003.

B. The Modifications Conflict with the Overall Riverside County Vision, Rural Community Area Plans, and General Plan.

The Rural Community Foundation Component is intended to identify communities and neighborhoods having a rural lifestyle, where animal-keeping uses and limited infrastructure (compared with Community Development areas) are prevalent. Rural Community areas will serve as transition areas between Community Development and Rural Foundation Components.

Along these lines, the Very Low Density Residential land use designation provides for the development of detached single-family residential dwelling units and ancillary structures on large parcels, and the Rural Community Foundation Component encourages equestrian and other animal-keeping uses.

Hence, GPA 1227 would substantially alter the Rural Community Foundation Component of the General Plan and degrade its application Countywide. GPA 1227 would also permit clustering of Commercial land uses in rural communities creating

conflicts with the overall purpose of these Foundation Components, the General Plan, vision of the General Plan and Rural Community Area Plans.

GPA 1227 a Foundation General Plan Amendment to Land use within the rural communities **will** create a substantial conflict within the General Plan Vision, Rural Foundation Component. and Rural Area Plans within the Riverside County General Plan.

**There are Four types of amendment cycles to the General Plan.
Foundation General Plan Amendments requirement.**

1.General Plan Review Cycle

This cycle first occurs in 2008, five years after the initial adoption of this General Plan and then occurs periodically every eight years thereafter. This cycle:

a) Includes amendments proposed by the County of Riverside or by private property owners. Prior to Board initiation, proposed amendments shall be submitted in a comprehensive manner for review and comment to a general plan community advisory committee appointed by the Board. Comments received from the committee shall be included in subsequent initiation proceedings before the Planning Commission and the Board.

b. Is intended to assess General Plan progress and issues related to its implementation.

c. Is the only time, other than a declared extraordinary amendment or an Agriculture Foundation Component amendment, that a Foundation Component of the General Plan may be considered for change.

The last 8 year review cycle took place in 2016.

The Rural Association of Mead Valley urges the Planning Commission to deny Resolution No. 2018-005 and deny GPA 1227.

Sincerely,

A handwritten signature in black ink that reads "Debbie Walsh". The signature is written in a cursive, flowing style.

Debbie Walsh

President, RAMV.org

From: Jerry Grell [<mailto:jgrell@dslextreme.com>]
Sent: Tuesday, July 17, 2018 1:11 PM
To: Flores, Robert <rflores@RIVCO.ORG>
Cc: Jerry Grell <jgrell@dslextreme.com>
Subject: General Plan Amendment (GPA) Number 1227

Riverside County Planner Flores
RE: GPA 1227; Agenda Item 4.3.
Riverside County Planning Commission

We would like to express our opposition of the proposed changes to General Plan Amendment (GPA) Number 1227 that will revise the land use element policies LU22.7 and LU22.7. The proposed changes will soften the intend of the original wording to allow more latitude for future developments in the rural areas covered by the General Plan.

Specifically:

The proposed changes have removed the minimum size requirement of .5 acres allowing for too many small developments that will not serve the best interests of the rural community. The current existing policies foster small-scale commercial uses based on a set of criteria that are intended to prevent an overconcentration (clustering) of commercial uses in remote areas of the County.

The road description now refers you to another document or general description of "General Plan designated roadway" instead of the specific existing rural description. The design and scale of future proposed commercial uses will not be compatible with surrounding rural land uses, protective scenic views (Cajalco Road, Gavilan Hills, etc.), nor blend into the rural nature of the area

You are eliminating the requirement of not locating within 2 miles of a commercial land use designation. This will allow new Rural Commercial developments to encroach on existing facilities encouraging more development then was intended.

The proposed use was specifically related to the development standards of the Rural Commercial (RC) Zone (A 1). It is replacing it with a more vague and general reference to just being consistent with "applicable zoning and development standards".

We do not feel there are any reason exits to warrant replacing the existing specific text with the proposed more general text at this time.

Thank you for your consideration of our opposition to the proposed changes.

Jerry and Ann Grell
19828 Smith Rd
Lake Mathews CA 92570

From: Lanee Taylor [<mailto:tayguez@verizon.net>]

Sent: Tuesday, July 17, 2018 10:47 AM

To: Flores, Robert <rflores@RIVCO.ORG>

Subject: GPA 1227 and CEQA

I am writing because I am very concerned about commercial development in the rural areas of where I live. I am requesting that full vetting be done in reference to GPA 1227. Our community wants thorough vetting of commercial developments including CEQA. as well.

Charlotte Taylor
tayguez@verizon.net