

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

335B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 6, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 826 – **(AGRICULTURE AMENDMENT & ENTITLEMENT/POLICY AMENDMENT)** – Applicant: Van Cal Projects LLC – Engineer / Representative: Terra Nova Planning & Research - Fourth Supervisorial District – Lower Coachella Valley Zoning Area – Eastern Coachella Valley Area Plan: Agriculture: Agriculture (AG) Community Development: Commercial Retail (CD-CR) (0.20 - 0.35 Floor Area Plan Ratio) – Location: Northerly of Avenue 62, on the southerly of Avenue 60, easterly of State Highway 86 and westerly of Lincoln Street. – 507 Gross Acres - Zoning: Heavy Agriculture: 10 Acre Minimum (A-2-10) - **REQUEST:** To amend the Riverside County General Plan Land Use Element as it applies to the project site to eliminate the land use designation of Agriculture: Agriculture (AG) and Community Development: Commercial Retail (CD-CR) (0.20 - 0.35 Floor to Area Ratio) and would establish a Community Development Specific Plan on the site.

RECOMMENDED MOTION:

Staff recommends that the appropriate findings per the General Plan Administration Element can be made and that the Planning Commission recommended to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 826. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.



Ron Goldman
Planning Director

RG:nt

REVIEWED BY EXECUTIVE OFFICE

DATE 8/20/08
Tina Grande
Departmental Concurrence

Dep't Recomm.:	<input checked="" type="checkbox"/>	Policy
Per Exec. Ofc.:	<input checked="" type="checkbox"/>	Policy
	<input type="checkbox"/>	Consent
	<input type="checkbox"/>	Consent

Prev. Agn. Ref. | **District:** Fourth | **Agenda Number:**

15.2

Agenda Item No.:
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisory District: Fourth
Project Planner: Matt Straite
Planning Commission: July 23, 2008

General Plan Amendment No. 826
Applicant: Van Cal Projects LLC
Engineer/Rep.: Terra Nova Planning &
Research

COUNTY OF RIVERSIDE PLANNING DEPARTMENT ADDENDUM STAFF REPORT

PLANNING COMMISSION RECOMMENDS:

The Planning Commission had the following recommendations and considerations concerning this General Plan Amendment proposal:

This will be the first project in the South Valley Implementation Plan that will likely get built, partially because the Coachella Valley Water District (CVWD) is using this project to create a template for Water Supply Assessments in Desert areas.

Tile drains are subsurface drains which prevent dangerously high salt content from leaching up through the soil, primarily used for farming but equally important for residential development. The issue regarding maintenance has been resolved, although some details remain. CVWD will have implementing projects join an agreement that will indicate how the funds required to maintain the drains will be facilitated. CVWD will then perform any required maintenance.

Commissioner Roth had the following comments:

- a) The Commissioner is strictly opposed to a total loss of agricultural land. Additionally, the Commissioner is concerned that the college, (College of the Desert) within the project, will be training for agricultural uses, but there will not be any land protected for agriculture within the proposed project. The agricultural heritage of the area is not being preserved. While the Citrus Vineyard policy area preserves agriculture, the Commissioner suggested that the County needs to look at this area too and insure that the agriculture remains in some form.
- b) The Commissioner added that as the nation becomes more reliant on foreign food sources the issue may elevate to a matter of national security.
- c) The water supply assessments need to be totaled together for the entire aquifer, across all jurisdictions that share the aquifer.

Commissioner Snell had the following comments:

- a) The Commissioner felt that while it is early in the development of this area, significant portions of the Valley need to be preserved in agricultural open space.
- b) The Commissioner also felt that not all applications to switch from the agricultural foundation should be switching exclusively to Community Development. Some form of Agriculture should be preserved. The nature of the area needs to remain after the project develops.

Commissioner Porras had the following comments:

- a) The Commissioner explained that the College will provide many of the amenities, including open space and sports fields that open space traditionally provides.



- b) Entitlements are sometimes not built out. Kohl Ranch was approved, but they have stayed largely open space. If the economics do not permit development, the approved projects will not develop.
- c) The farmers will indicate the viability of their land. If they opt to sell to developers, then they are signaling that these lands are no longer profitable for Agricultural uses.
- d) In 2015 San Diego will be taking 400,000 acre feet from Coachella to San Diego. Water may be an issue in the future in this section of the valley.

Commissioner Zuppardo had the following comments:

- a) The Commissioner indicated that the 4th district has a vision of the area that is not being translated to the Commission. She suggested that Commissioner Porras try to update the Commission regarding their vision.

MS/bc

Y:\Planning Case Files-Riverside office\SP00362\GPAIP PC july 23 2008\Addendum Staff Report for GPA826- SP362.doc

Date Prepared: 6/3/08

Date Revised:

Agenda Item No.: 6.10
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisorial District: Fourth
Project Planner: Matt Straite
Planning Commission: July 23, 2008

General Plan Amendment No. 826
Applicant: Van Cal Projects LLC
Engineer/Rep.: Terra Nova Planning &
Research

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 826 proposes to amend the Riverside County General Plan Land Use Element as it applies to the project site to eliminate the land use designation of Agriculture: Agriculture (AG) and Community Development: Commercial Retail (CD:CR) (0.20 – 0.35 Floor to Area Ratio) and would establish a Community Development Specific Plan on the site.

The proposed Amendment is located northerly of Avenue 62, on the southerly of Avenue 60, easterly of State Highway 86 and westerly of Lincoln Street.

BACKGROUND:

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on all GPA applications and submit them to the Board of Supervisors. Prior to the submittal to the Board, comments on the applications will be requested from the Planning Commission, and the Planning Commission comments will be included in the report to the Board. The Board will either approve or disapprove the initiation of the proceedings for the GPA requested in the applications.

The consideration of the initiation of proceedings pursuant to this application by the Planning Commission and the Board of Supervisors will not involve noticed public hearing. The Planning Department, however, did notify the applicant by mail of the time, date and place when the Planning Commission will consider this GPA initiation request.

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

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance. This particular GPA application is an Agriculture and Entitlement/Policy GPA, under Section 2.4.

Additionally, refer to the attached Worksheets for General Plan Amendment Initiation Consideration Analysis.

REQUIRED FINDINGS:

In order to support the initiation of a proposed General Plan Amendment it must be established that the proposal could possibly satisfy certain required findings. The Administration Element of the General

M. Hall

Plan explains that there are four categories of amendments, Technical, Entitlement/Policy, Foundation, and Agriculture. Each category has distinct required findings.

Consistency Analysis: General Plan Amendment No. 826 falls into two categories, Agriculture and Entitlement/Policy. Each will be addressed separately below.

Agriculture-

The required Agriculture Amendment findings must be made for those sections of the proposal that will be changing from an Agriculture Foundation to a Community Development designation. The required findings for this section of the analysis are-

- 1) The amendment would contribute to the achievement of the purposes of the General Plan.
- 2) The amendment would not be detrimental to the purposes of the General Plan.

Additionally, the Agriculture foundation allows up to seven percent of all the land within one of three designated areas to be converted to other Foundation and Land Use designations during a two and a half year cycle. In the event that the seven percent threshold has been exceeded, an Agricultural Task Force would review the project.

The proposed Amendment is in the Palo Verde, Desert Center, and the Eastern Coachella Land Use Plan. The seven percent threshold is triggered when the project is placed on a Board agenda. There are several proposed General Plan Amendments in the Eastern Coachella Valley, some are over 5,000 acres. Cumulatively these will trigger the threshold. However, this proposed Amendment will most likely precede the others, and alone it will not trigger the seven percent threshold.

Each of the required findings are analyzed below-

Required Agricultural Finding Number One: Part of this proposal would change the Land Use designation from Agriculture to Community Development: Specific Plan; therefore, it must be established that this designation would contribute to the achievement of the purposes of the General Plan.

The region generally south of the Jackie Cochran Airport is experiencing growth that was not foreseen or accounted for in the 2003 General Plan. On February 07, 2006 the Board of Supervisors directed staff to develop a South Valley Implementation Program and Community Facilities Phasing and Funding Strategy. This program is intended to comprehensively study and ensure desirable land use, transportation and community facilities needs to foster a sustainable, well-planned and livable community in this newly developing area of the county. The Board has since approved the initiation of a County General Plan Amendment that will be part of the 2008 General Plan Update, changing the land use designations of the entire SVIP, including the 507 acres of proposed Amendment No. 826. The proposed Amendment is consistent with the proposed SVIP Land Use change.

The South Valley Implementation Program (SVIP) planning area covers an area southeast of the City of La Quinta and is bounded on the west by Monroe Street, on the north by the cities of Indio and Coachella, on the south by Avenue 66, and on the east generally by SR 86 and lands associated with the proposed Specific Plans 350 and 362. The area is characterized by agriculture, including date and citrus groves and row crops in a rural setting. The SVIP is intended to guide development within the planning area so as to maintain and enhance the rural character while providing a framework that allows

independent design that accommodates urban development.

Lands southerly of the subject property and Avenue 62 are Tribal and allottee lands of the Cabazon Band of Mission Indians. This area is designated as "Areas Subject to Indian Jurisdiction" by the Riverside County General Plan. These lands are intended to primarily be developed with light industrial uses, providing a job base for the proposed Amendment.

Therefore, the findings can be made that the proposed Amendment is highly consistent with the aims of the SVIP, as reflected by the Board of Supervisors and the purposes of the General Plan 2008 update.

Required Agricultural Finding Number Two: The proposed Amendment would not be detrimental to the purposes of the General Plan. Part of the intent of the Agricultural Foundation is to protect the Agricultural industry in the County. As previously mentioned, the General Plan uses a seven percent threshold before the Agricultural Commission review is required. The Agriculture Commission is composed of members of the Agriculture industry. The intent is to insure that the industry members themselves help guide the future of their industry.

This proposed Amendment will likely be below the established seven percent threshold; therefore, the findings can be made that the proposed Amendment is not detrimental to the Agricultural Foundation purposes of the General Plan.

Entitlement/Policy-

The Administration Element of the General Plan explains that two required findings must be made, and at least one of five additional findings must be made to justify an Entitlement/Policy Amendment. The two required findings are:

- a. The proposed change does not involve a change in or conflict with:
 - (1) The Riverside County Vision;
 - (2) Any General Plan Principle; or
 - (3) Any Foundation Component designation in the General Plan.
- b. 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.

The additional findings, only one of which need be made include:

- c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
- e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

f. An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.

g. An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.

An analysis of three findings, the two required and one additional, findings are made below for the sections of the plan that are converting from Community Development: Commercial Retail (CD:CR) to Community Development Specific Plan.

Required Entitlement/Policy Finding Number One: The first required finding explains that the proposed Amendment must not involve a change in or conflict with the Riverside County Vision; any General Plan Principle; or any Foundation Component designation in the General Plan.

(1) The Riverside County Vision: as previously indicated the proposed Amendment area was originally envisioned to maintain its agricultural uses. However, the efforts of the South Valley Implementation Program (SVIP), and the Board actions taken to implement that vision, changed the character and vision of area. This proposal is consistent with the vision of the area as reflected in the SVIP and the General Plan 2008 update.

(2) Any General Plan Principle: this section of the report is intending to analyze the portions of the proposed Amendment that will be changing from Community Development Foundation uses to a Community Development Specific Plan. Given staffs review and the extreme flexibility a Specific Plan affords, it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies.

(3) Any Foundation Component designation in the General Plan: in this case the project designation would be within the same Foundation. The proposal includes changes from two Foundations into one, however, this section of the analysis for the Community development sections of the proposal. Thus, the Community Development changes proposed are consistent with the Community Development Foundation.

Required Entitlement/Policy Finding Number Two: The second required finding explains that the Community Development changes in the proposed Amendment must either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them. The Land Use Element of the General Plan argues that development should be clustered around community centers and that leapfrog development should be discouraged. The SVIP was designed to shift land uses from very low density on the west side, as embodied in the Vista Santa Rosa Community, to a higher density culminating in a very dense college community located in the Panorama Specific Plan, SP362. The proposed Amendment would create a Specific Plan to the east of the SVIP area, near Tribal lands intended for future industrial, job generating uses. Given the proximity to these uses, the findings can be made that the proposed Amendment will contribute to the achievement of the purposes of the General plan, by creating housing near transportation corridors, existing communities and schools.

Required Additional Entitlement/Policy Finding: In addition to the two required findings, the General Plan indicates that an additional finding, from a list of five, must also be made. The appropriate finding for the proposed Amendment "is Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan." As previously discussed, the South Valley Implementation

Program was initiated to respond to forces that were not expected or anticipated in the 2003 General Plan. The County has assisted in master planning efforts in order to insure the appropriate services, infrastructure, and design are available to facilitate growth in this area. This finding can be made for the proposed Amendment.

PLANNING COMMISSION DIRECTION TO THE BOARD OF SUPERVISORS:

(To be filled out in the Addendum Staff Report after the Planning Commission provides input and recommendations)

SUMMARY OF FINDINGS:

- | | |
|------------------------------------|---|
| 1. General Plan Land Use (Ex. #5): | Agriculture: Agriculture (AG), Community Development: Commercial Retail (CD-CR) (0.20 – 0.35 Floor to Area Ratio) |
| 2. Proposed General Plan Land Use: | Specific Plan |
| 3. Existing Zoning (Ex. #2): | Heavy Agriculture, 10 Acre Minimum (A-2-10) |
| 4. Surrounding Zoning (Ex. #2): | Heavy Agriculture, 10 Acre Minimum (A-2-10) to the north, south, east and west. |
| 5. Existing Land Use (Ex. #1): | Agriculture |
| 6. Surrounding Land Use (Ex. #1): | Agriculture to the north, south, east and west. |
| 7. Project Data: | Total Acreage: 507 Gross |

RECOMMENDATIONS:

Staff recommends that the appropriate findings per the General Plan Administration Element can be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 826. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. A City of sphere of influence,
 - b. The Stephens Kangaroo Rat Fee Area or Core Reserve Area,
 - c. Fringe Toed Lizard sand source area,
 - d. A high fire area,
 - e. An Area drainage plan area; or,
 - f. A dam inundation area.
3. The project site is located within:
 - a. CSA #125 – Thermal-Street Lighting,
 - b. The Coachella Valley Recreation and Parks District,
 - c. The boundaries of the Coachella Valley Unified School District, and,
 - d. A high liquefaction area.

4. The subject site is currently designated as Assessor's Parcel Numbers 717-270-002, 717-270-003, 717-270-004, 717-270-007, 717-270-008, 717-270-011, 717-270-012-5, 717-270-013, 717-270-014, and 757-342-004

MS/bc

C:\Documents and Settings\mstraita\Desktop\project X\Staff Report GPA862 (SP362).doc

Date Prepared: 6/3/08

Date Revised: