

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

520B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
August 27, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 1050 – (Entitlement / Policy) – Applicant: Gar Missirian – Engineer / Representative: Gary Missirian - Third Supervisorial District – Southwest Zoning District – Southwest Area Plan: Community Development: Low Density Residential (CD: LDR) (½ Acre Minimum) – Location: Southerly of Koon Street, and westerly of Highway 79 (SR-79) – 25.63 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** Proposes to alter the project site's existing General Plan Land Use Designation from Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio).

RECOMMENDED MOTION:

Staff recommends that the above-referenced 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. 1050. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

BACKGROUND:

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on 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.

Ron Goldman
Planning Director

Damian Meins for
Assistant Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE

DATE 8/27/08
Lilia Grande
Departmental Concurrence

Policy

Consent

Dept't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

15.15

The consideration of the initiation of proceedings pursuant to this application by the Planning Commission and the Board of Supervisors will not involve a 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 Entitlement/Policy GPA, under Section 2.4.

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

Agenda Item No.:
Area Plan: Southwest
Zoning Area: Southwest
Supervisorial District: Third
Project Planner: Alisa Krizek
Planning Commission: August 6, 2008

GENERAL PLAN AMENDMENT NO. 1050
Applicant: Gary Missirian
Engineer/Rep.: Gary Missirian

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
ADDENDUM STAFF REPORT**

PLANNING COMMISSION DIRECTION TO THE BOARD OF SUPERVISORS:

Roth: Commissioner Roth indicated that community outreach should be conducted.

Snell: Commissioner Snell did not comment.

Petty: Commissioner Petty indicated some hesitation with the initiation of the General Plan Amendment.

Porras: Commissioner Porras was absent.

Zuppardo: Commissioner Zuppardo did not comment.

Agenda Item No.: 6.4
Area Plan: Southwest
Zoning Area: Southwest
Supervisorial District: Third
Project Planner: Alisa Krizek
Planning Commission: August 6, 2008

GENERAL PLAN AMENDMENT NO. 1050
Applicant: Gary Missirian
Engineer/Rep.: Gary Missirian

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1050 proposes to alter the project site's existing General Plan Land Use Designation from Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio).

The proposed amendment is located in the Southwest Area Plan of Western Riverside County; more specifically, southerly of Koon Street, and westerly of Highway 79 (SR-79).

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 a 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.

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



General Plan Amendment No. 1050 falls into the Entitlement/Policy Amendment category, which involves changes in land use designations or policies that involve land located entirely within a General Plan Foundation Component but that do not change the boundaries of that component.

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.

Consideration Analysis:

First Required Finding: 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.

A. *The proposed change does not conflict with:*

(1) The Riverside County Vision. The proposed amendment would contribute to the fulfillment of the "Balance" and "Employment" Fundamental Values stated in Chapter No. 2 entitled "Vision" of the General Plan.

(2) Any General Plan Principle. Given staffs review, it is possible that the proposed land use designation could satisfy each of the General Plan Principals and Policies.

(3) Any Foundation Component designation in the General Plan. The project designation would be within the same Foundation Component of the General Plan. Thus, the proposed Amendment is consistent with the Community Development Foundation.

Second Required Finding: The second required finding explains that 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 proposed Commercial Retail Land Use designation of 25.63 acres of land would contribute to the fulfillment of the "Economic Development" goals outlined in Chapter 3 (Land Use) of the General Plan. Furthermore, according to the Southwest Area Plan Table 2, the change in the availability of land use for Commercial Retail development would be from 781 acres to 806.63 acres or an increase of about 3% if the amendment was to be approved. Conversely, the reduction from 562 acres designated for Low Density Residential to 536.37 is not considered a detriment to the purposes of the General Plan.

Third Required 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 additional finding for the proposed Amendment is: "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." The proposed General Plan Amendment, if approved, would provide local commercial retail opportunities to the existing and future residents.

SUMMARY OF FINDINGS:

- | | |
|---|--|
| 1. Existing General Plan Land Use (Ex. #5): | Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) |
| 2. Proposed General Plan Land Use (Ex.#5) | Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio) |
| 3. Existing Zoning | Rural Residential (R-R) |
| 4. Proposed Zoning (Ex. #3): | General Commercial (C1/CP) |
| 5. Surrounding Zoning (Ex. #3): | Rural Residential (R-R) to the north, west, and south and Specific Plan No. 286 to the east |
| 6. Existing Land Use (Ex. #1): | Vacant |
| 7. Surrounding Land Use (Ex. #1): | Vacant land to the north, south, and west, and single family residential uses to the southwest and east. |
| 8. Project Data: | Total Acreage: 25.63 |

RECOMMENDATIONS:

Staff recommends that the above-referenced 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. 1050. 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.

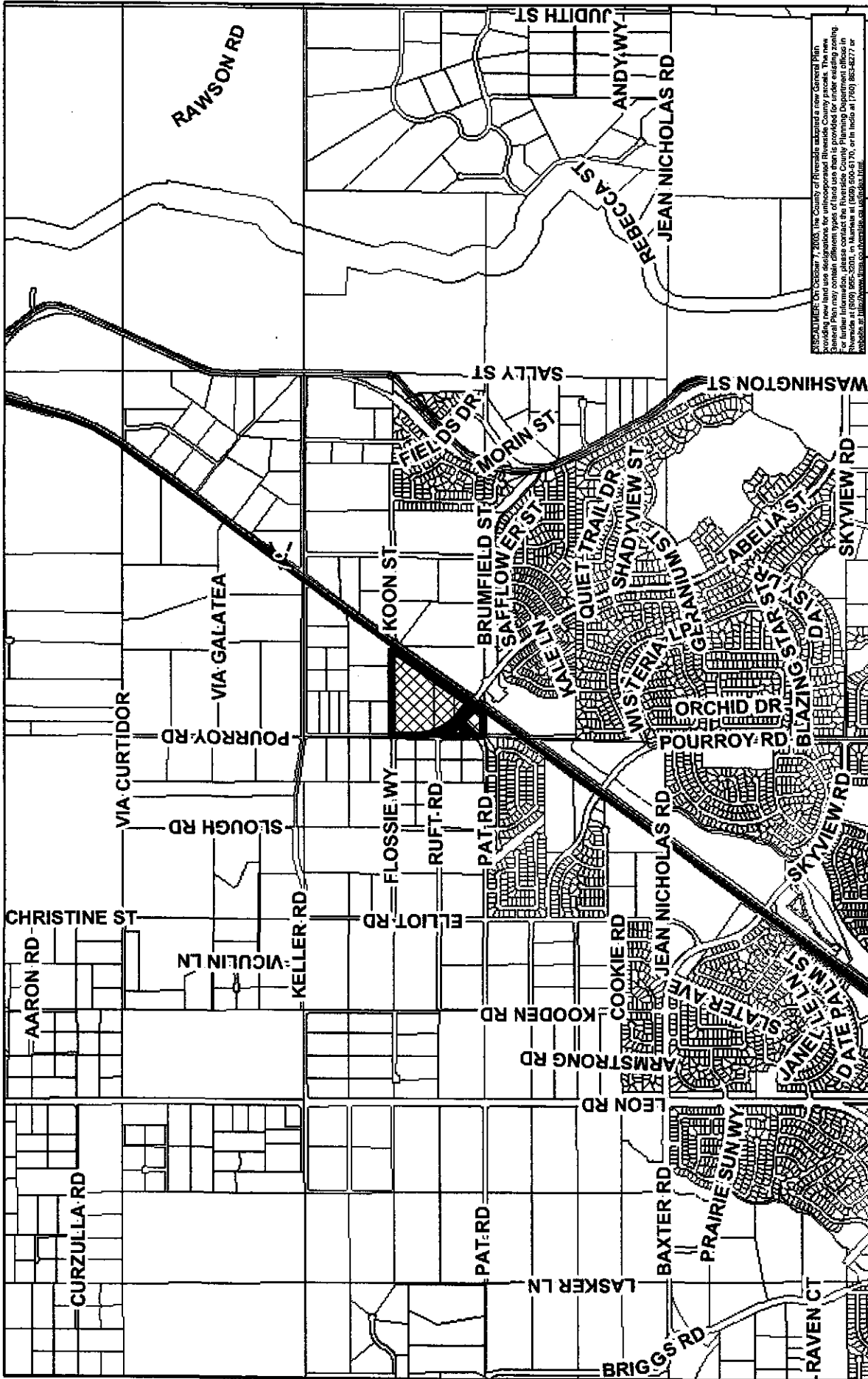
INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. A Specific Plan;
 - b. An Agricultural Preserve;
 - c. An Airport Influence Area;
 - d. A Redevelopment Area;
 - e. A Fault zone;
 - f. A Flood zone;
 - g. A High Fire Area;
3. The project site is located within:
 - a. The Community of French Valley;
 - b. The Highway 79 Policy Area;
 - c. The Hemet Unified School District;
 - d. The Stephen's Kangaroo Rat Fee Area; and,
 - e. The Ordinance 655 Mount Palomar Lighting Influence Area, Zone B (22.58 miles).
 - f. A MSHCP criteria cell or cell group; and,
 - g. The City of Murrieta Sphere of Influence.
4. The subject site is currently designated as Assessor's Parcel Number 476-010-015, 476-010-016, and 476-010-017.

**GPA01050
VICINITY MAP**

Planner: Alisa Krizek
Date: 8/06/08
VICINITY MAP

Supervisor Stone
District 3
Date Drawn: 7/21/08



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan. The General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 952-3001, in Maricopa at (951) 200-6170, or in Indio at (760) 952-8277 or Website at: <http://www.riversidecountyplanning.com>

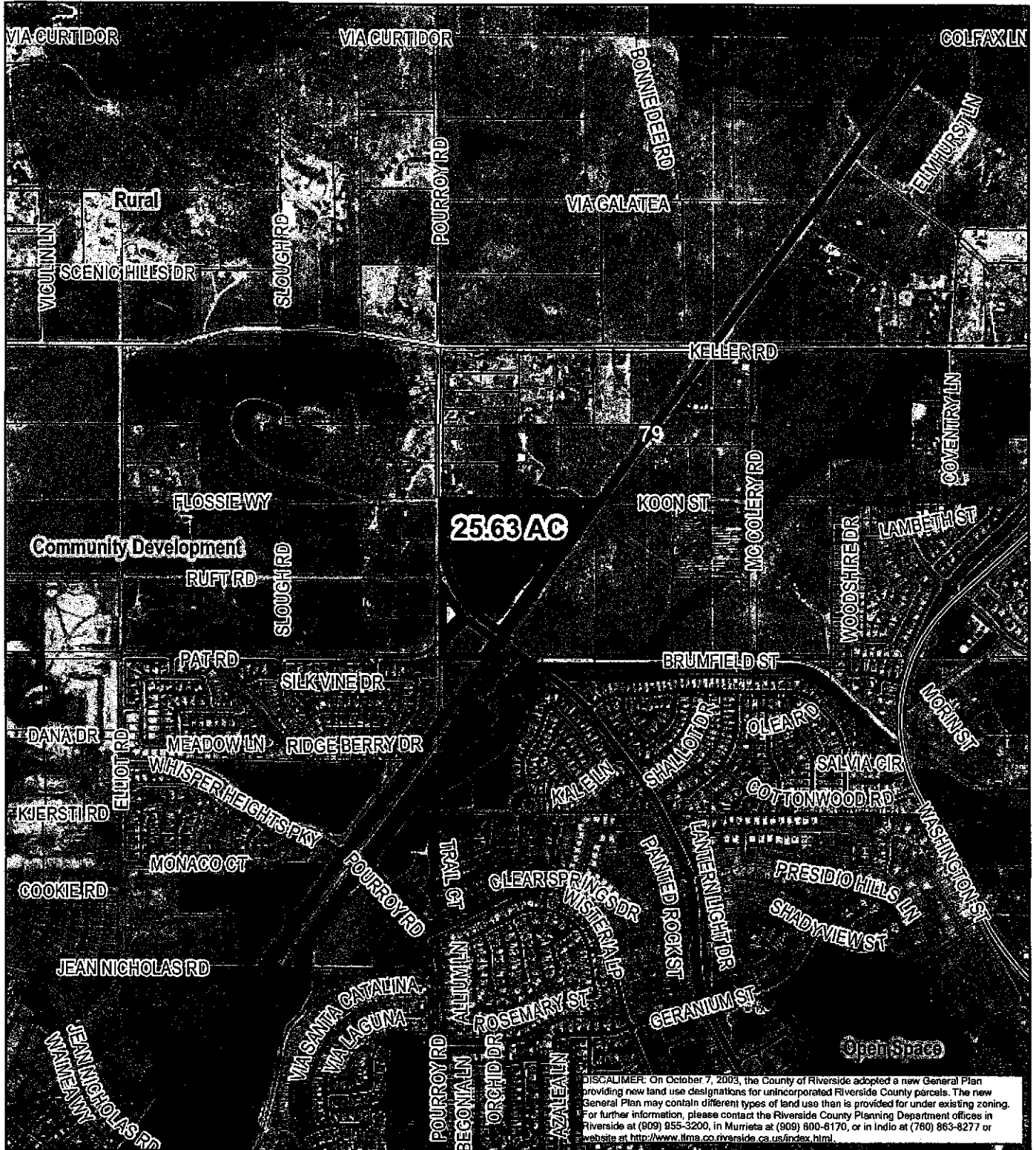
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 28

Assessors
Bk. Pg. 476-01
Thomas
Bros. Pg. 899 E4



DEVELOPMENT OPPORTUNITY



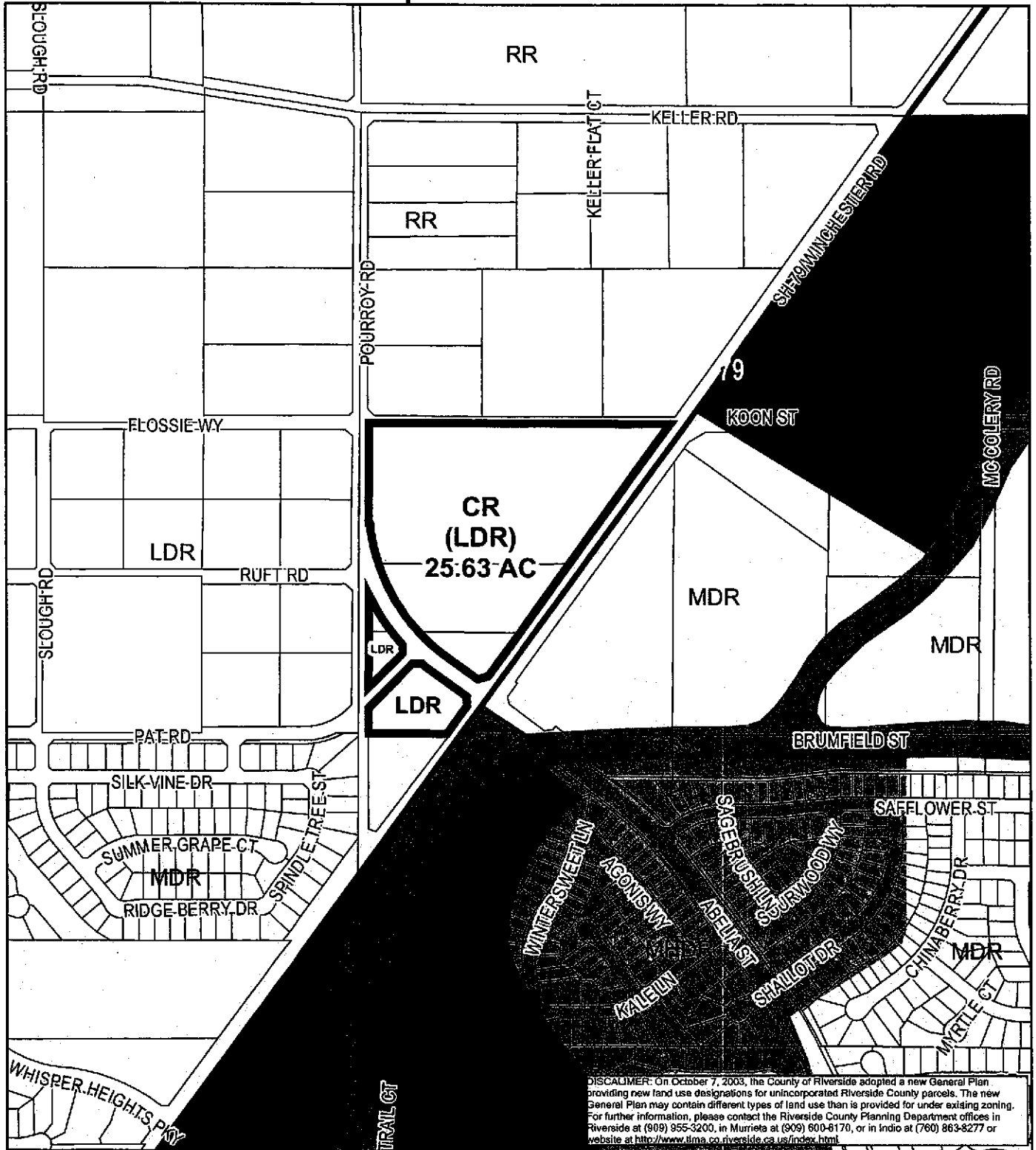
Area
 Plan: Rancho California
 Township/Range: T6SR2W
 Section: 28

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 476-01
 Thomas
 Bros. Pg. 899 E4



GPA01050
Proposed General Plan



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

Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 28

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk.Pg. 476-01
Thomas
Bros. Pg. 899 E4



GPA01050
EXISTING ZONING



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Zone
 Area: Rancho California
 Township/Range: T6SR2W
 Section : 28

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 476-01
 Thomas
 Bros. Pg. 899 E4



Supervisor Stone
 District 3
 Date Drawn: 7/21/08

GPA01050
Land Use

Planner: Alisa Krizek
 Date: 8/06/08
 Exhibit 1



Zone
 Area: Rancho California
 Township/Range: T6SR2W
 Section: 28

RIVERSIDE COUNTY PLANNING DEPARTMENT

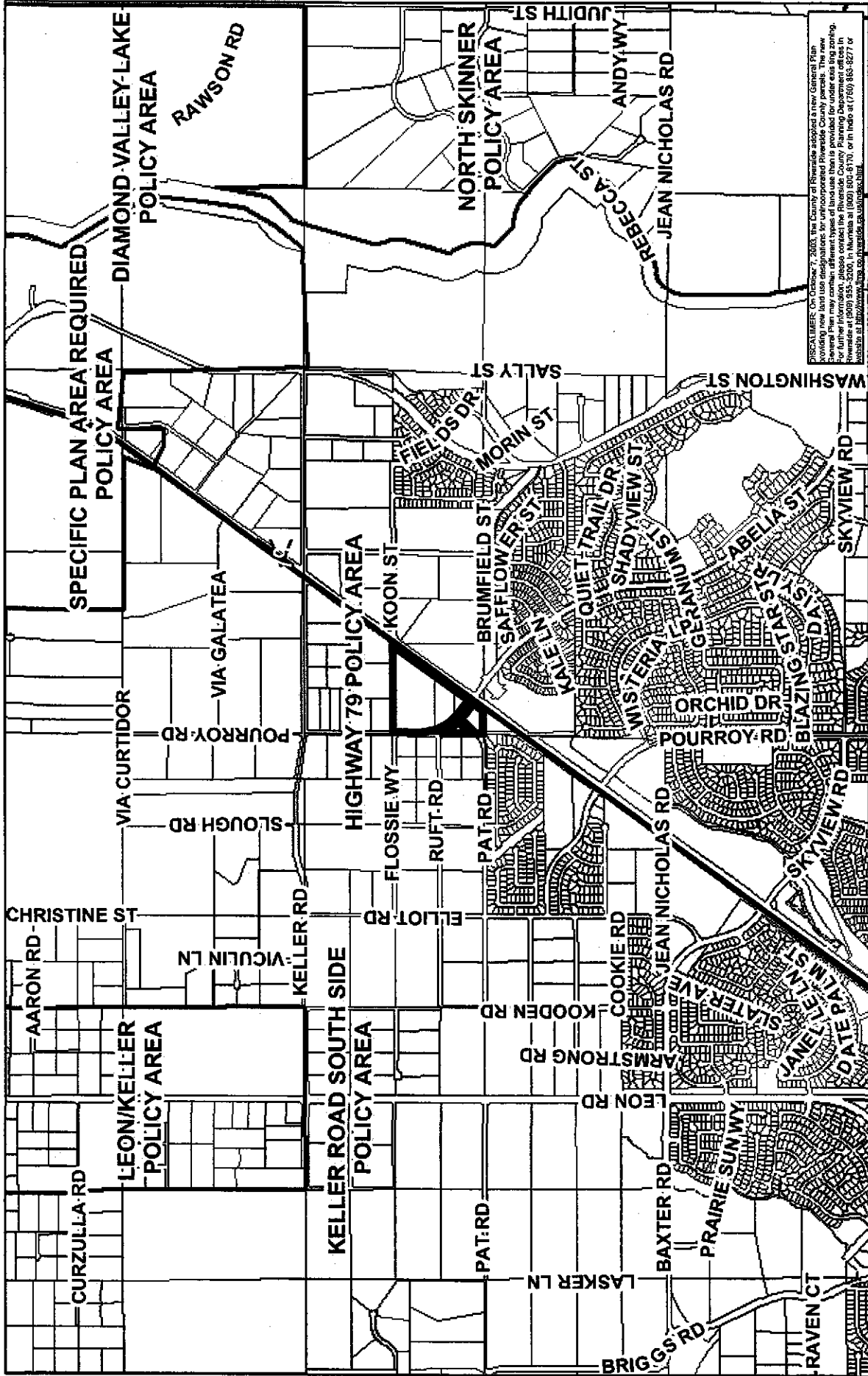
Assessors
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 Thomas
 Bros. Pg. 899-E4



GPA01050 POLICY AREAS

Planner: Alisa Krizek
Date: 8/06/08
Exhibit 8

Supervisor Stone
District 3
Date Drawn: 7/21/08



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan. Any use of the map for purposes of unincorporated Riverside for any purpose other than planning or for future information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murrieta at (951) 802-8770, or in Indio at (760) 865-8277 or Website at <http://www.riverside.ca.gov/planning>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Rancho California
Area: T6SR2W
Section: 28

Assessors:
Bk. Pg. 476-01
Thomas
Bros. Pg. 899 E4



ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA01050 Supervisorial District: Third Existing Zoning: R-R

Area Plan: Southwest Acreage: 25.63

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Low Density Residential (LDR)

Existing Policy Area(s) or Overlay(s): Highway 79 Policy Area

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3, Page 17

Existing Text of Issue (cite GP page #, plus policy #, if applicable): N/A

PROPOSED GENERAL PLAN CHANGES (For categories with no proposed change, write "N/A" on applicable line.)

Proposed General Plan Foundation: Community Development

Proposed General Plan Land Use Designation: Commercial Retail (CR)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): Southwest Area Plan Land Use Map

Proposed Revision(s) to GP Text: (Attach redline/strike-out of text): N/A

CHECK LIST

Affected by	Yes	No	Comments
Coachella Valley MSHCP Conservation Area		X	
Western Riverside County MSHCP Cell	X		Cell # 5275, HANS01050 – Approved – Not described for conservation
Agricultural Preserve		X	
Airport Compatibility Zone		X	
Flood Plain (Zone A – 100 Year)		X	
FLT Sand Source Area or FLT Preserve		X	
Fault Zone		X	
Faults within ½ Mile		X	
Liquefaction Potential; Subsidence	X		Low; Susceptible
High Fire Area		X	
Code Compliant	X		
MSHCP Conserved Land		X	
Access / Alternate Access Issues		X	Access off of Pourroy Rd, Koon Street, and Pat Rd. – Sufficient r-o-w and road improvements will be required for Koon Street – Pourroy Rd. will need to be improved as well
Water / Sewer Issues		X	EMWD
City Sphere of Influence	X		Murrieta
Proposed Annexation/ Incorporation Area			
Other Issues* (see below)	X		Highway 79 Policy Area

* OTHER ISSUES:		
Item	Policy	Discussion
The project site is within the Highway 79 Policy Area	<p>Accelerate the construction of transportation infrastructure in the Highway 79 Policy Area. The County shall require that all new development projects demonstrate adequate transportation infrastructure capacity to accommodate the added traffic growth.</p> <p>SWAP 9.1</p>	<p>The change from LDR to CR would help to facilitate the accelerated construction of transportation infrastructure in the Highway 79 Policy Area.</p>
The project site is within the Highway 79 Policy Area	<p>Establish a program in the Highway 79 Policy Area to ensure that overall trip generation does not exceed system capacity and that the system operation continues to meet Level of Service standards. In general, the program would establish guidelines to be incorporated into individual Traffic Impact Analysis that would monitor overall trip generation from residential development to ensure that overall within the Highway 79 Policy Area development projects produce traffic generation at a level that is 9% less than the trips projected from the General Plan traffic model residential land use designations. Individually, projects could exceed the General Plan traffic model trip generation level, provided it can be demonstrated that sufficient reductions have occurred on other projects in order to meet Level of Service standards.</p> <p>SWAP 9.2</p>	<p>The traffic study will have to show that the proposed trip generation will continue to meet Level of Service standards. It could be argued that, although commercial trip generation is higher than residential trip generation, the proposed change in land use to commercial will reduce overall traffic and congestion along the Highway 79 corridor by reducing the travel length to a neighborhood commercial center for existing and future residents.</p>

ENTITLEMENT/POLICY FINDINGS (Check all that apply)

Is there a reasonable possibility that the first two findings listed below and any one or more of the subsequent findings listed below can be made?*

Finding	Yes	No	Comment
The proposed change does not involve a change in or conflict with: the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.	X		"Balance" and "Employment" Fundamental Values
The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.	X		"Economic Development" goals outlined in Chapter 3 (Land Use) of the General Plan.
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.		X	
A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.		X	
An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.		X	
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.	X		Improve jobs-to-workers ratio in the County
An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors.		X	

* **THE ADOPTION OF AN ORDER BY THE BOARD OF SUPERVISORS INITIATING AMENDMENT PROCEEDINGS SHALL NOT IMPLY ANY SUCH AMENDMENT WILL BE APPROVED.**

STAFF COMMENTS:

Department	Comments
Planning	See Staff Report
Transportation	N/A
EPD	N/A
Fire	N/A
Flood	N/A
Building and Safety	N/A
Geologist	N/A

Applicant/Engineer:

Gary Missirian
15335 Morrison Street, Suite 305
Sherman Oaks, CA 91411

Owner:

Pinnacle Winchester, LP
8369 Vickers Street, Suite 101
San Diego, CA 92111