

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

636B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 18, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 706 – (Entitlement / Policy) – Applicant: Century American Development Corp. – Engineer / Representative: HJK Consultants - Third Supervisorial District – Winchester Zoning District – Harvest Valley/Winchester Area Plan: Community Development: Light Industrial (CD:LI) (0.25-0.60 Floor Area Ratio) – Location: Northeasterly of Matthews Road, easterly of Briggs Road, and southerly of McLaughlin Road – 29.1 Gross Acres - Zoning: Light Agricultural with Poultry (A-P) - **REQUEST:** Proposes to change the site's general plan land use designation from Community Development: Light Industrial (CD:LI) (0.25-0.60 floor area ratio) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre).

RECOMMENDED MOTION:

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. 706. 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

RG:db

REVIEWED BY EXECUTIVE OFFICE

DATE 9/24/08

Tina Grande
Departmental Concurrence

Policy

Policy

Consent

Consent

Dept't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

15.2

The Honorable Board of Supervisors
RE: General Plan Amendment No. 706
September 18, 2008
Page 2 of 2

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 Entitlement/Policy GPA, under Section 2.4.

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

Agenda Item No.: 6.3
Area Plan: Harvest Valley / Winchester
Zoning Area: Winchester
Supervisory District: Third
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 706
Applicant: Century American Dev Corp
Engineer/Rep.: HJK Consultants

COUNTY OF RIVERSIDE PLANNING DEPARTMENT ADENDUM STAFF REPORT

PLANNING COMMISSION DIRECTION TO THE BOARD OF SUPERVISORS:

The following comment(s) have been provided by the Planning Commission for the Board of Supervisors:

Commissioner John Petty: Concern on the designation and would prefer a higher density which would be more compatible with the adjacent rail line.

Commissioner John Snell: Concurred

Commissioner John Roth: Concurred

Commissioner Jim Porras: No comment

Commissioner Jan Zuppardo: No comment

ABR 9/16

Agenda Item No.: 6.3
Area Plan: Harvest Valley / Winchester
Zoning Area: Winchester
Supervisory District: Third
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 706
Applicant: Century American Dev Corp
Engineer/Rep.: HJK Consultants

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 706 proposes to change the site's general plan land use designation from Community Development: Light Industrial (CD:LI) (0.25-0.60 floor area ratio) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre).

The proposed project is located in the Winchester community of the Harvest Valley / Winchester Area Plan. More specifically, the project is located northeasterly of Matthews Road, easterly of Briggs Road, and southerly of McLaughlin Road.

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.

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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. 706 falls into the Entitlement/Policy category, because it is not altering the Foundation-Component of the General Plan.

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 Amendment does not conflict with:

(1) The Riverside County Vision: It is reasonable to assume that a Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) Land Use Designation for

the parcel in question will achieve the future vision of General Plan. It is possible to make this finding.

(2) Any General Plan Principle: Given staff's review, 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: The project designation would not change the Foundation Component of the General Plan. Therefore, 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 Land Use Element of the General Plan emphasizes compatibility of adjacent uses. Although it is possible for a use allowed in the Community Development: Light Industrial (CD:LI) designation to be compatible, it is not seen as a highly compatible designation in relation to the existing and planned land uses of residential and open space. The findings can be made that the proposed Amendment contributes 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 "Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan." The Land Use Element of the General Plan emphasizes the use of land in an efficient manner. Although the current Light Industrial (LI) designation for the site allows for needed job growth for the region, given the location of the site far from freeway service or even major roads, the current designation does not allow for the most efficient use of the land. The proposed Amendment is highly consistent with the General Plan Land Use Element and with the pattern of existing development in the surrounding 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. Existing General Plan Land Use (Ex. #6): | Community Development: Light Industrial (CD:LI)
(0.25-0.60 floor area ratio) |
| 2. Existing Zoning (Ex. #2): | Light Agriculture with Poultry (A-P) |
| 3. Surrounding Zoning (Ex. #2): | Specific Plan (SP 260) to the north, Rural Residential (R-R) to the east, Specific Plan (SP 293) to the south and west, and Specific Plan (SP 301) to the west |
| 4. Existing Land Use (Ex. #1): | Agriculture, Vacant Land |
| 5. Surrounding Land Use (Ex. #1): | Vacant land to the north and east, Agriculture and Vacant land to the south and west, and developing Single family residential to the west |
| 6. Project Data: | Total Acreage: 29.1 |

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. 706. 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.

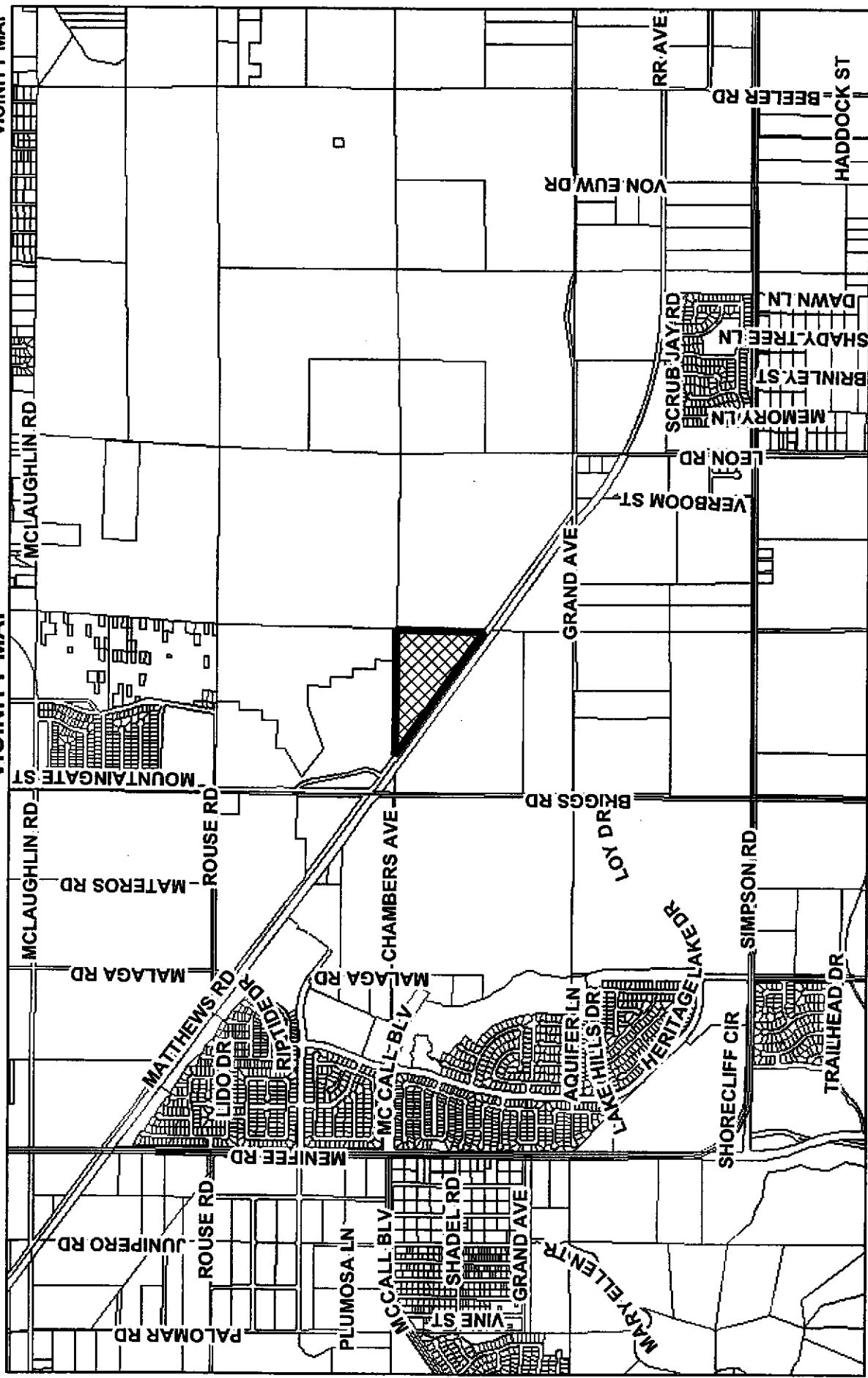
INFORMATIONAL ITEMS:

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 sphere of influence;
 - b. A Flood Zone;
 - c. WRCMSHCP Criteria Cell;
 - d. The boundaries of a Redevelopment Area;
 - e. An area drainage plan area; or,
 - f. A dam inundation area.
3. The project site is located within:
 - a. The boundaries of the Romoland Union and Perris Union High School Districts;
 - b. The Stephens Kangaroo Rat Fee Area;
 - c. Valley Wide Recreation and Parks District sphere of influence;
 - d. A high fire area;
 - e. An area susceptible to subsidence; and,
 - f. An area of low liquefaction potential.
4. The subject site is currently designated as Assessor Parcel Number's: 461-030-008.

Supervisor Stone
District 3
Date Drawn: 8/11/08

GPA00706
VICINITY MAP

Planner: Russell Brady
Date: 8/13/08
VICINITY MAP



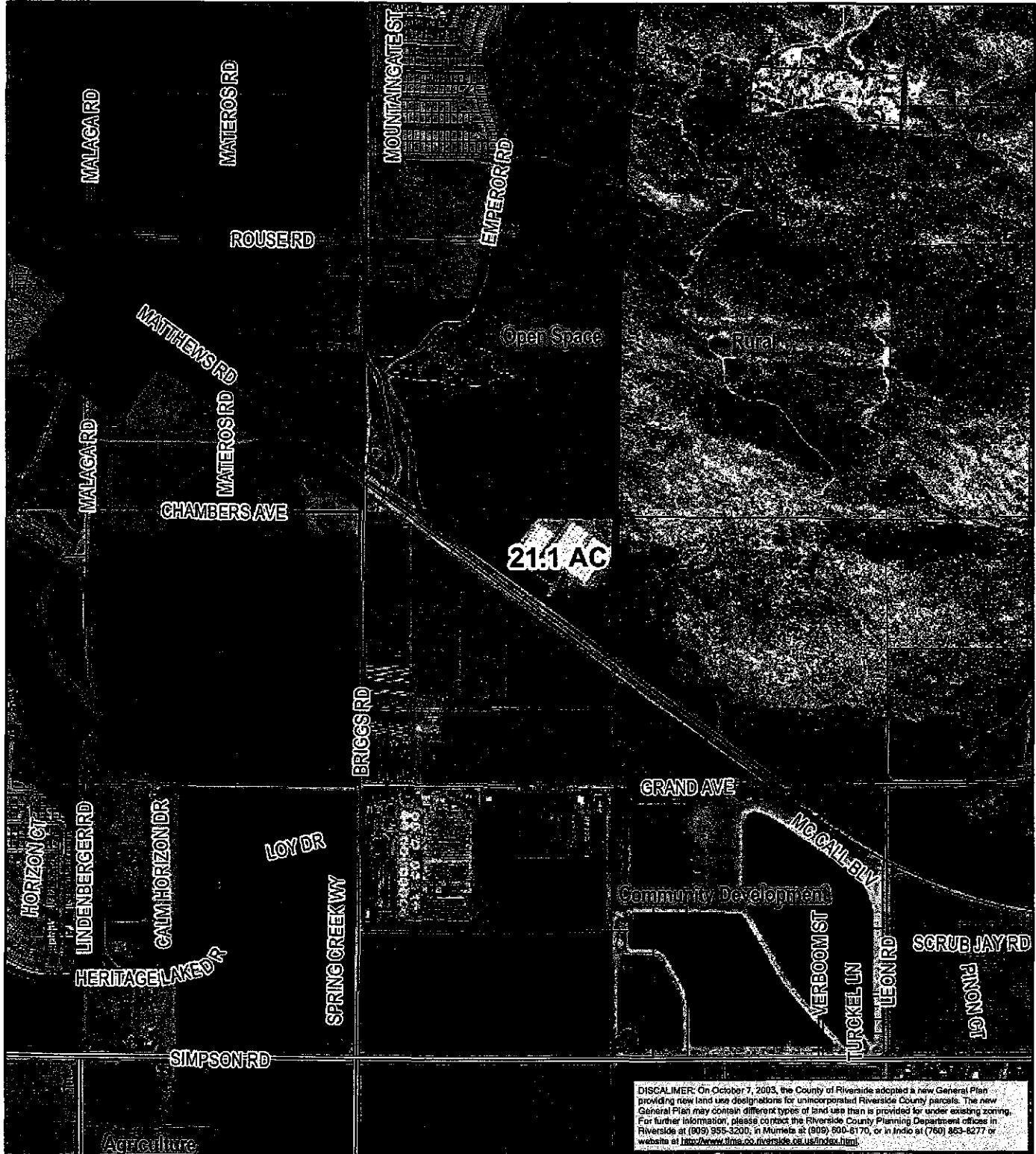
Zone
Area: Winchester
Township/Range: T5SR2W
Section: 19

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 461-03
Thomas
Bros. Pg. 776 E1



GPA00706
DEVELOPMENT OPPORTUNITY



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 (951) 955-3200, in Murietta at (951) 900-8170, or in Indio at (760) 953-8277 or website at <http://www.tlms.co.riverside.ca.us/index.html>.

Area
 Plan: Winchester
 Township/Range: T5SR2W
 Section: 19

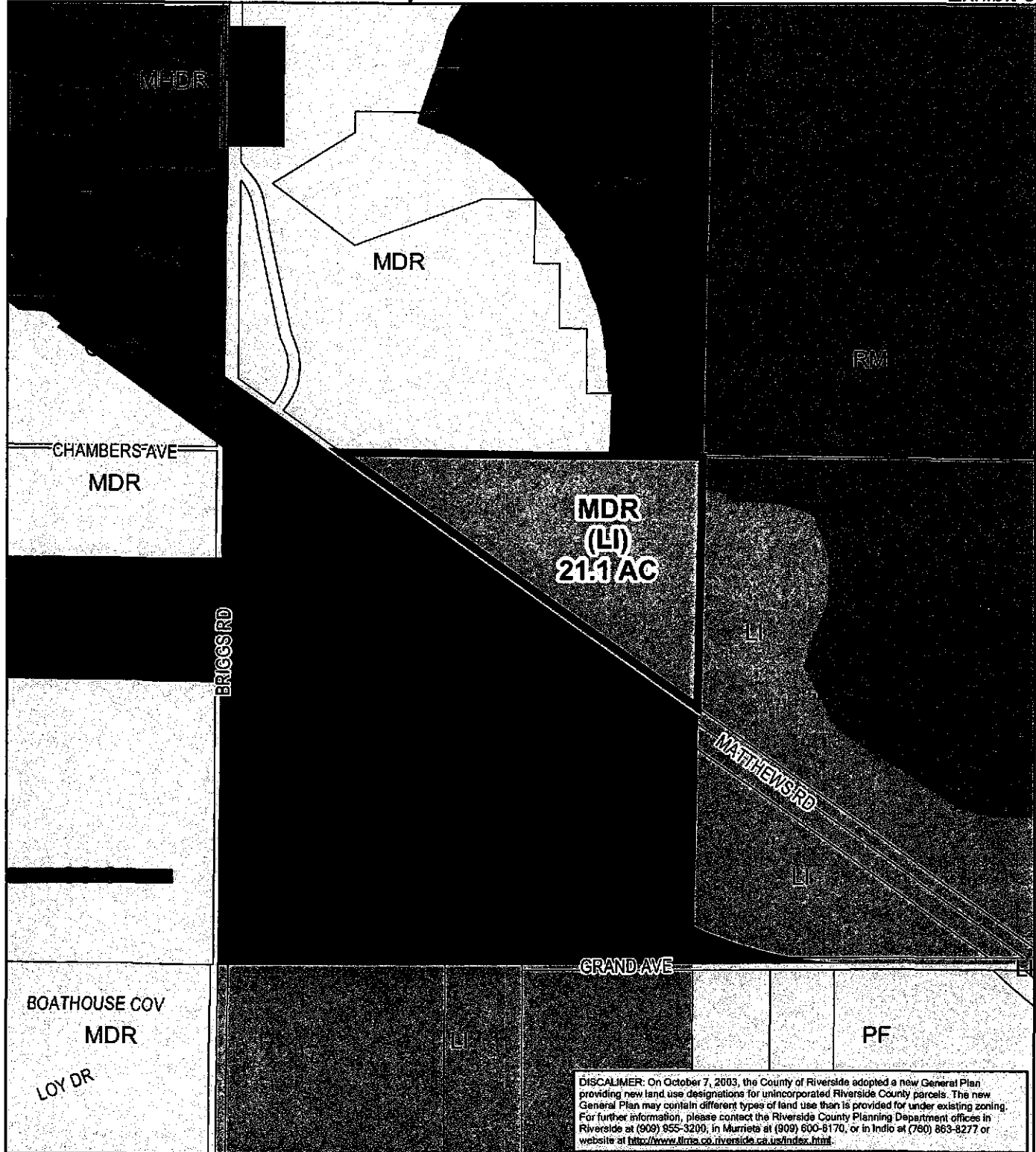
RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors
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GPA00706

Proposed General Plan



Zone
Area: Winchester
Township/Range: T5SR2W
Section: 19

RIVERSIDE COUNTY PLANNING DEPARTMENT

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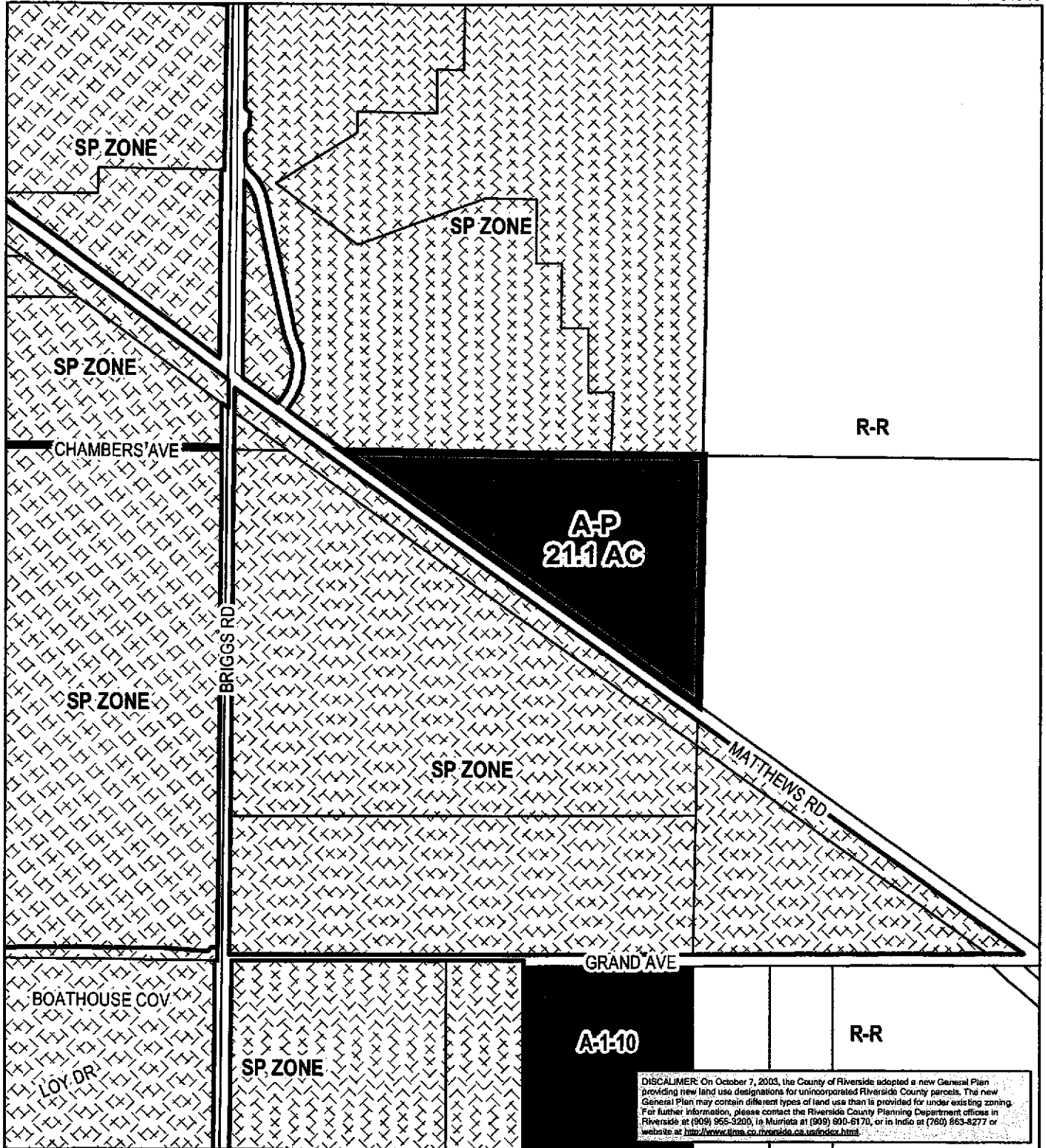


Supervisor Stone
District 3
Date Drawn: 8/11/08

GPA00706

EXISTING ZONING

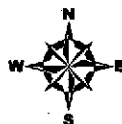
Planner: Russell Brady
Date: 8/13/08
Exhibit 2

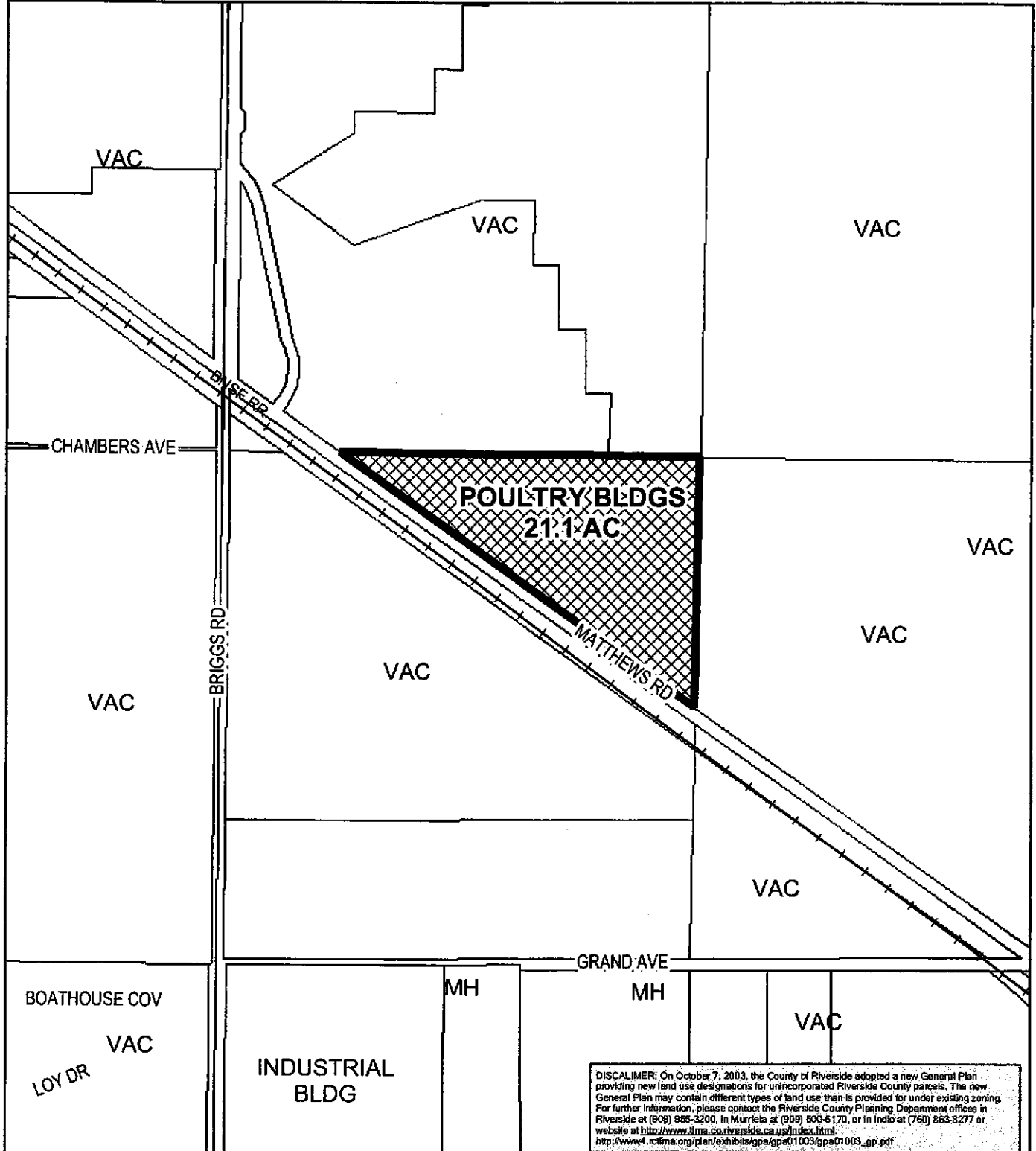


Zone
Area: Winchester
Township/Range: T5SR2W
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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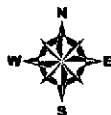




Zone
Area: Winchester
Township/Range: T5SR2W
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RIVERSIDE COUNTY PLANNING DEPARTMENT

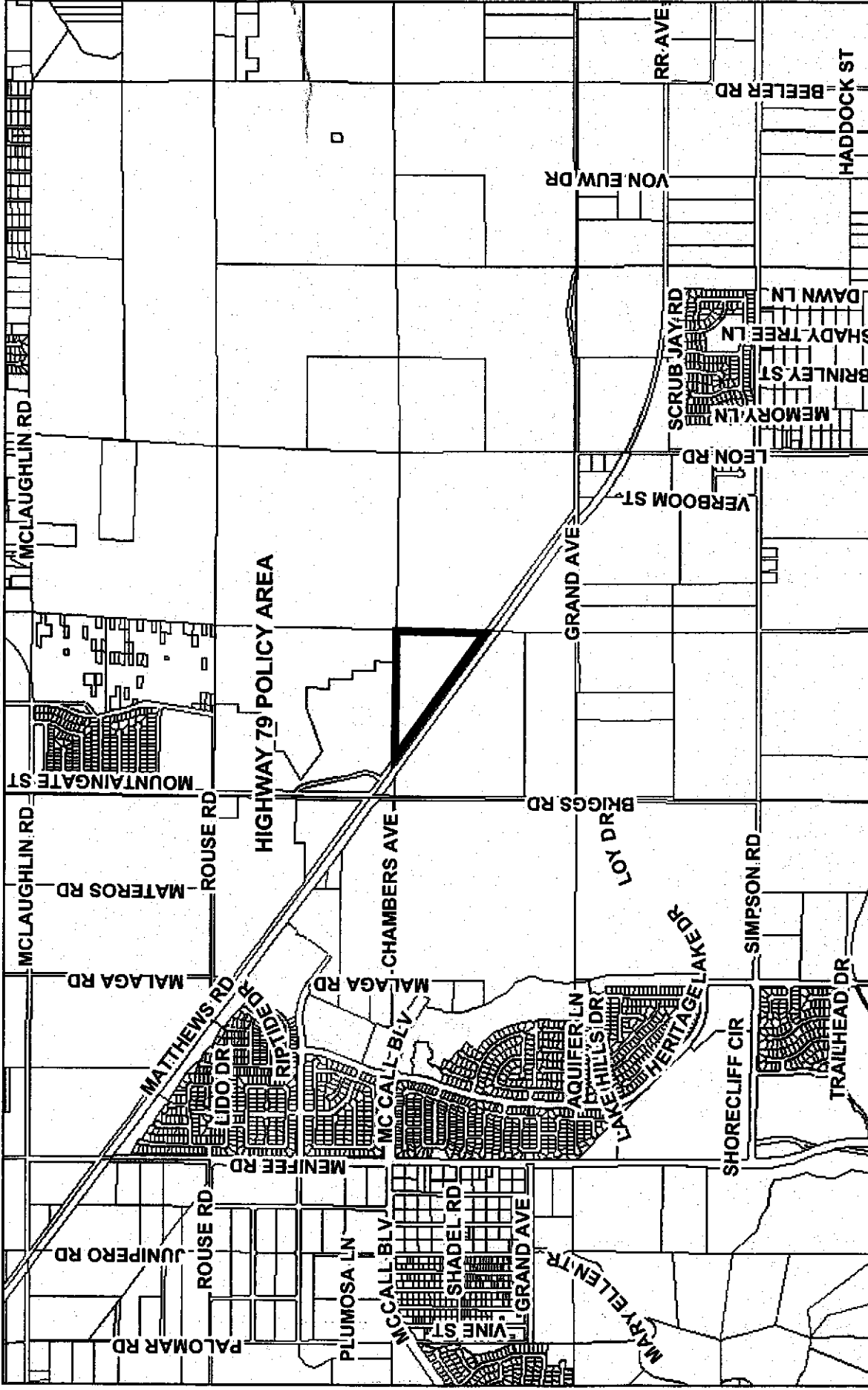
Assessors
Bk. Pg. 461-03
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GPA00706

Planner: Russell Brady
Date: 8/13/08
Exhibit 8

Supervisor Stone
District 3
Date Drawn: 8/11/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Winchester
Area: T5SR2W
Section: 19

Assessors
Blk. Pg. 461-03
Thomas
Bros. Pg. 776 E1



ENTITLEMENT / POLICY AMENDMENT

Case No. GPA00706 Supervisorial District: Third Existing Zoning: Light Agriculture with Poultry (A-P)

Area Plan: Harvest Valley/Winchester Area Plan Acreage: 29.1

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Light Industrial

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

Existing Map(s) of Issue: N/A

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: Medium Density Residential

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): N/A

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	
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
High Fire Area	X		
Code Complaint		X	
MSHCP Conserved Land		X	
Access / Alternate Access Issues		X	
Water / Sewer Issues		X	
City Sphere of Influence		X	
Proposed Annexation/ Incorporation Area		X	
Other Issues* (see below)		X	

* OTHER ISSUES:		
<i>Item</i>	<i>Policy</i>	<i>Discussion</i>

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		See Staff Report
The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.	X		See Staff Report
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.	X		See Staff Report
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	
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