

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

639B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 18, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO 753 – (Entitlement / Policy) – Applicant: Generation Development, LLC – Third Supervisorial District – Valle Vista & Little Lake Zoning District – San Jacinto Valley Area Plan: Community Development: Very Low Density Residential (VLDR) (1-2 Dwelling Units Per Acre) – Location: Northerly of Mayberry Avenue, southerly of Acacia Avenue, easterly of Lake Street, and westerly of New Chicago Avenue – 9.2 Gross Acres – Zoning: One Family Dwelling (R-1-20,000) (20,000 Square Foot Minimum) – **REQUEST:** General Plan Amendment No. 753 proposes to amend the current General Plan Land Use Designation from Community Development: Very Low Density Residential (VLDR) (1 acre minimum) to Community Development: Low Density Residential (LDR) (1/2 acre minimum) on 9.2 gross acres.

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. 753. 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

Ron Goldman
Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE

DATE 9/24/08

Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.3

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 **Entitlement/Policy GPA**, under Section 2.4.

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

Agenda Item No.: 6.10
Area Plan: San Jacinto Valley
Zoning District: Valle Vista and Little Lake
Supervisorial District: Third
Project Planner: Jeff Horn
Planning Commission: September 3, 2008

General Plan Amendment No. 753
Type of GPA: Entitlement/Policy
Applicant: Generation Development, LLC

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 Roth: Slopes and potential watercourse issues should be analyzed.

Commissioner John Snell: No comments

Commissioner John Petty: Recommend with some hesitation

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

Agenda Item No.: 6.10
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Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: September 3, 2008

General Plan Amendment No. 753
Type of GPA: Entitlement/Policy
Applicant: Generation Development, LLC

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 753 proposes to amend the current General Plan Land Use Designation from Community Development: Very Low Density Residential (VLDR) (1 acre minimum) to Community Development: Low Density Residential (LDR) (1/2 acre minimum) on 9.2 gross acres.

The project is located northerly of Mayberry Avenue, southerly of Acacia Avenue, easterly of Lake Street, and westerly of New Chicago Avenue.

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. 753 falls into the Entitlement/Policy category, because it is changing within the same Foundation-Component, Community Development.

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 Low Density Residential (LDR) (1/2 acre minimum) Designation for the parcel in question will achieve the future vision of General Plan as the proposed land use helps transition to lesser densities by serving as a buffer between the existing MDR landuse designation to the west and the existing VLDR land uses to

the east. The gradual transition helps to achieve the Riverside County Vision by reducing densities. It is possible to make this finding.

(2) Any General Plan Principle: Given staffs review it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies by adhering to the pattern of development and open space as outlined in the San Jacinto Valley Area Plan by identifying appropriate land use designations, avoiding high intensity developments in natural hazard areas, and by allowing less intense land use designations to buffer area constrained by natural features, resources, and habitat.

(3) Any Foundation Component designation in the General Plan: The project designation would be within the same Foundation. 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 Land Use Element of the General Plan argues that a wide range of housing shall be provided throughout the county from large lot rural settings to high density urban developments. The proposed Amendment is adjacent to parcels with existing MDR land use designations to the west and the existing VLDR land uses to the east. The proposed Amendment is highly consistent with the existing General Plan Land Use Designation and with the pattern of approved and proposed development adjacent to the site. 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 project site was designated with a General Plan land use designation that permits small to medium sized single family residential lots; however, the shape of the project site and existing Bautista wash constrains the site from developing as dictated by the General Plan. As such, the logical development of the site would be that of ½ acre minimum lots, similar to the existing residential lots to the south. 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 #6) | Community Development: Very Low Density Residential) |
| 2. Surrounding General Plan Land Use (Ex#6) | Medium Density Residential (MDR) to the north and west, Low Density Residential (LDR) to the south, and Very Low Density to the east |
| 2. Existing Zoning (Ex. #2): | One-Famjly Dwelling (R-1-20,000) (20,000 sq. ft. minimum) and Regulated Development Areas (R-D) |

- | | |
|-----------------------------------|---|
| 3. Surrounding Zoning (Ex. #2): | Mobile Home Subdivisions & Mobile Home Parks (R-T) to the North, Light agriculture (A-1-1) (1 acre minimum) to the south, Regulated Development Areas (R-D) to the east and One Family Dwelling to the (R-1) (7,200 sq. ft. minimum) to the west. |
| 4. Existing Land Use (Ex. #1): | Vacant Land and Bautista Wash |
| 5. Surrounding Land Use (Ex. #1): | Single family residence to the south, east and west, |
| 6. Project Data: | Total Acreage: 9.2 Gross Acres |

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. 753. 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. The project site is not located within:
 - a. The Stephens Kangaroo Rat Fee Area or Core Reserve Area;
 - b. Fringe Toed Lizard sand source area;
 - c. A high fire area;
 - d. A Flood Zone;
 - e. A Policy Area;
 - f. WRCMSHCP Criteria Cell;
 - g. The boundaries of a Redevelopment Area;
 - h. An Airport Influence Area;
 - i. An Area drainage plan area; or,
 - j. A dam inundation area.

2. The project site is located within:
 - a. The boundaries of the San Jacinto Valley Area Plan;
 - b. The Valley-Wide Recreation and Parks District;
 - c. City of Hemet sphere of influence;
 - d. Zone B of Ord. 655, 25.81 miles;
 - e. An area susceptible to subsidence;
 - f. The boundaries of the Hemet Unified School District; and,
 - g. An area of Moderate liquefaction potential.

3. The subject site is currently designated as Assessor's Parcel Number: 552-100-002 and 552-100-020

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA753 Supervisorial District: 3rd Existing Zoning: R-1-20,000
& R-D

Area Plan: San Jacinto Valley Acreage: 9.2 Gross Acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

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

Existing Policy Area(s) or Overlay(s): N/A

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3, page 25

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: Low Density Residential (LDR)

Proposed Change to Policy Area or Overlay: N/A

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

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 1/2 Mile		X	
Liquefaction Potential; Subsidence	X		Moderate liquefaction, susceptible to subsidence
High Fire Area		X	
Code Compliant		X	
MSHCP Conserved Land		X	
Access / Alternate Access Issues		X	
Water / Sewer Issues		X	
City Sphere of Influence	X		City of Hemet
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
<p>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.</p>	X		<p>It is reasonable to assume that a Low Density Residential (LDR) (1/2 acre minimum) Designation for the parcel in question will achieve the future vision of General Plan as the proposed land use helps transition to lesser densities by serving as a buffer between the existing MDR land use designation to the west and the existing VLDR land uses to the east. The gradual transition helps to achieve the Riverside County Vision by reducing densities.</p> <p>Given staffs review it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies by adhering to the pattern of development and open space as outlined in the San Jacinto Valley Area Plan by identifying appropriate land use designations, avoiding high intensity developments in natural hazard areas, and by allowing less intense land use designations to buffer area constrained by natural features, resources, and habitat.</p>
<p>The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.</p>	X		<p>The Land Use Element of the General Plan argues that a wide range of housing shall be provided throughout the county from large lot rural settings to high density urban developments. The proposed Amendment is adjacent to parcels with existing MDR land use designations to the west and the existing VLDR land uses to the east. The proposed Amendment is highly consistent with the existing General Plan Land Use Designation and with the pattern of approved and proposed development adjacent to the site. The findings can be made that the proposed Amendment contributes to the purposes of the General Plan.</p>
<p>Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.</p>	X		<p>The project site was designated with a General Plan land use designation that permits small to medium sized single family residential lots; however, the shape of the project site and existing Bautista wash constrains the site from developing as dictated by the General Plan. As such, the logical development of the site would be that of 1/2 acre minimum lots, similar to the existing residential lots to the south. This finding can be made for the proposed Amendment.</p>

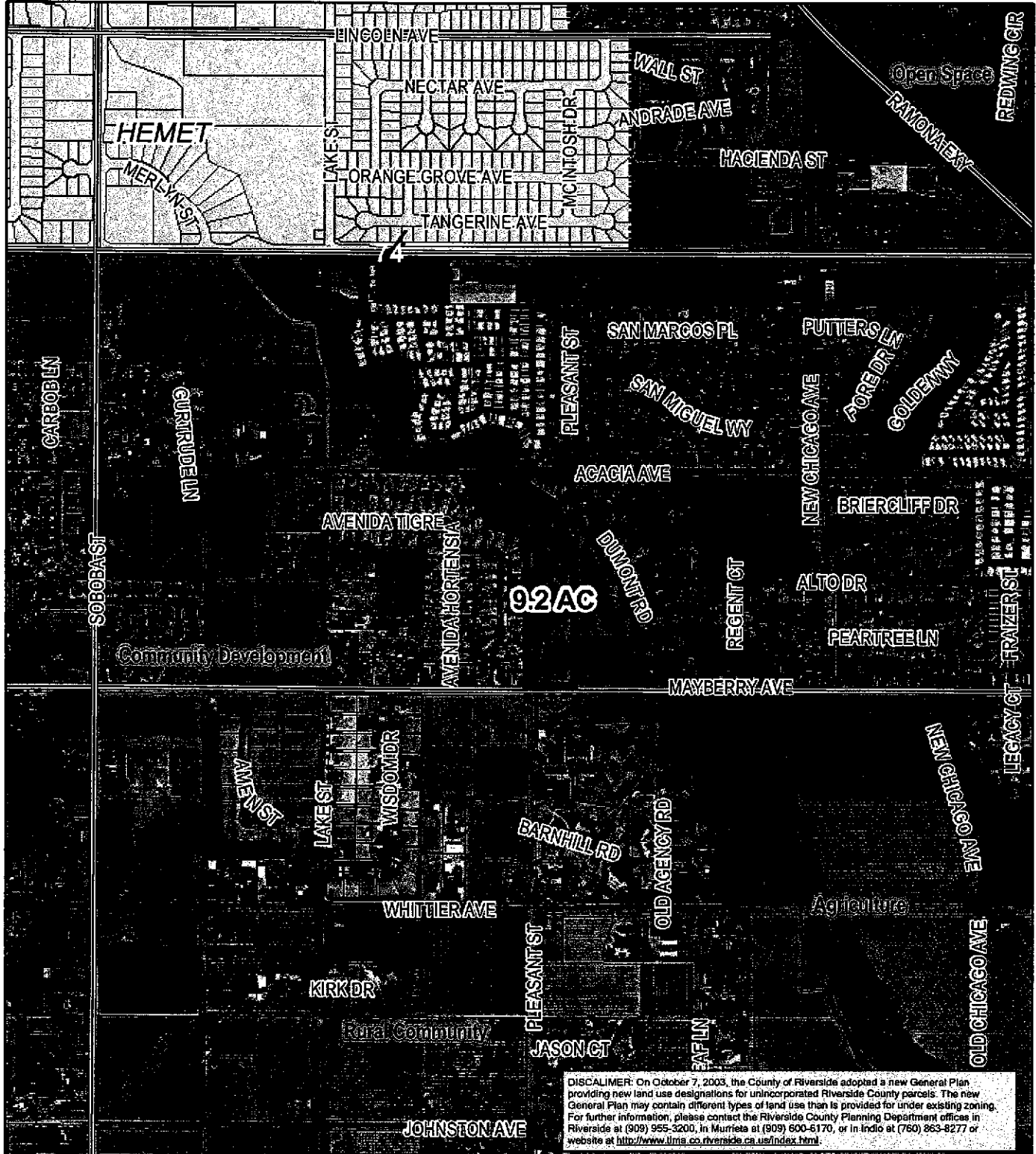
A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.		X	
An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.		X	
An amendment is required to expand basic employment job opportunities (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	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. 753. 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.
Transportation	N/A
EPD	N/A
Fire	N/A
Flood	N/A
Building and Safety	N/A
Geologist	N/A

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 (909) 955-3200, in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lrms.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Valle Vista & Little Lake
Township/Range: T5SR1E
Section: 17 & 18



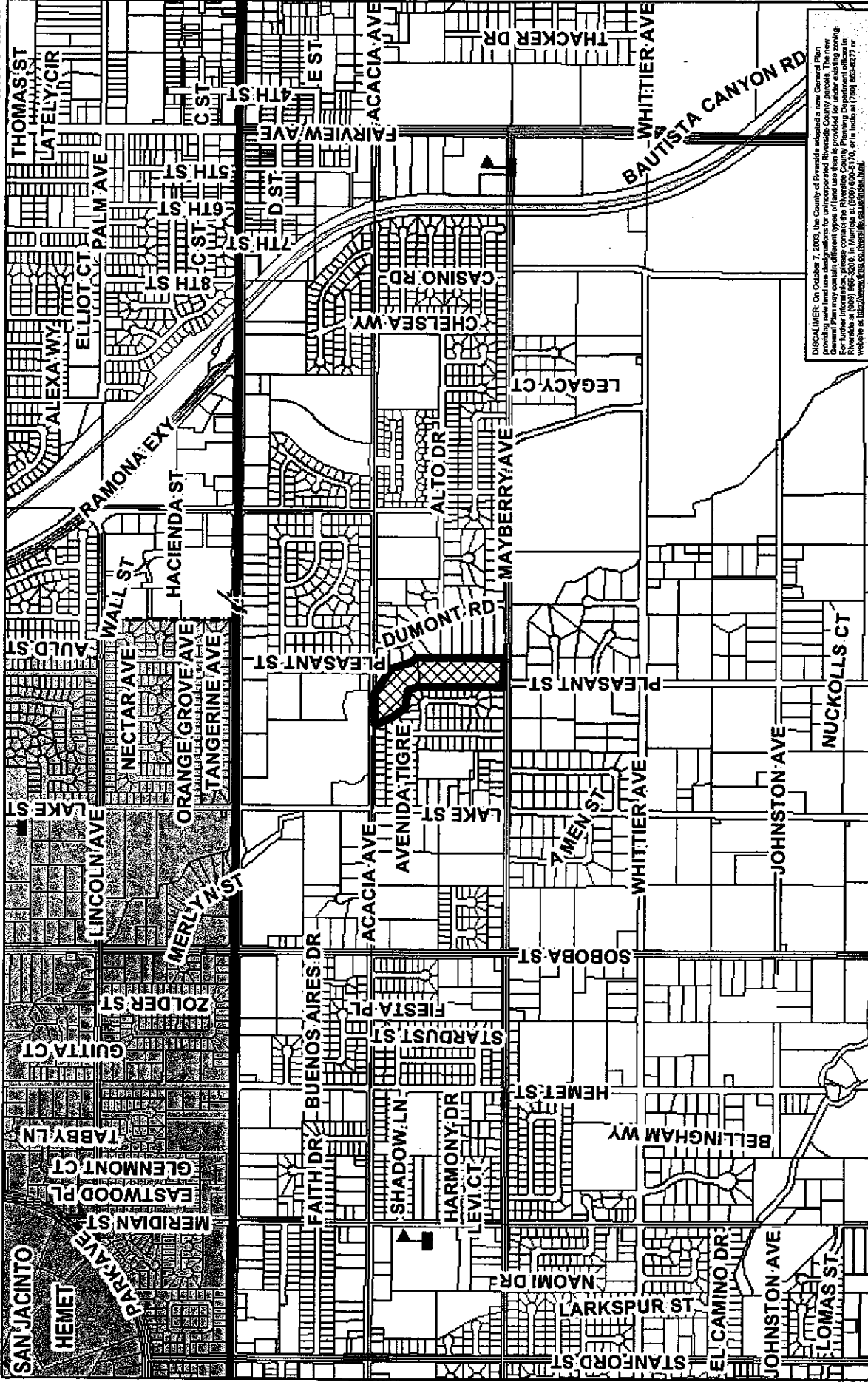
Assessors
Bk. Pg. 552-10
Thomas
Bros. Pg. 841 H1

Supervisor Stone
 District 3
 Date Drawn: 8/19/08

CZ07184 TR33615 GPA00753

Planner: Jeff Horn
 Date: 9/3/08
 VICINITY MAP

VICINITY MAP



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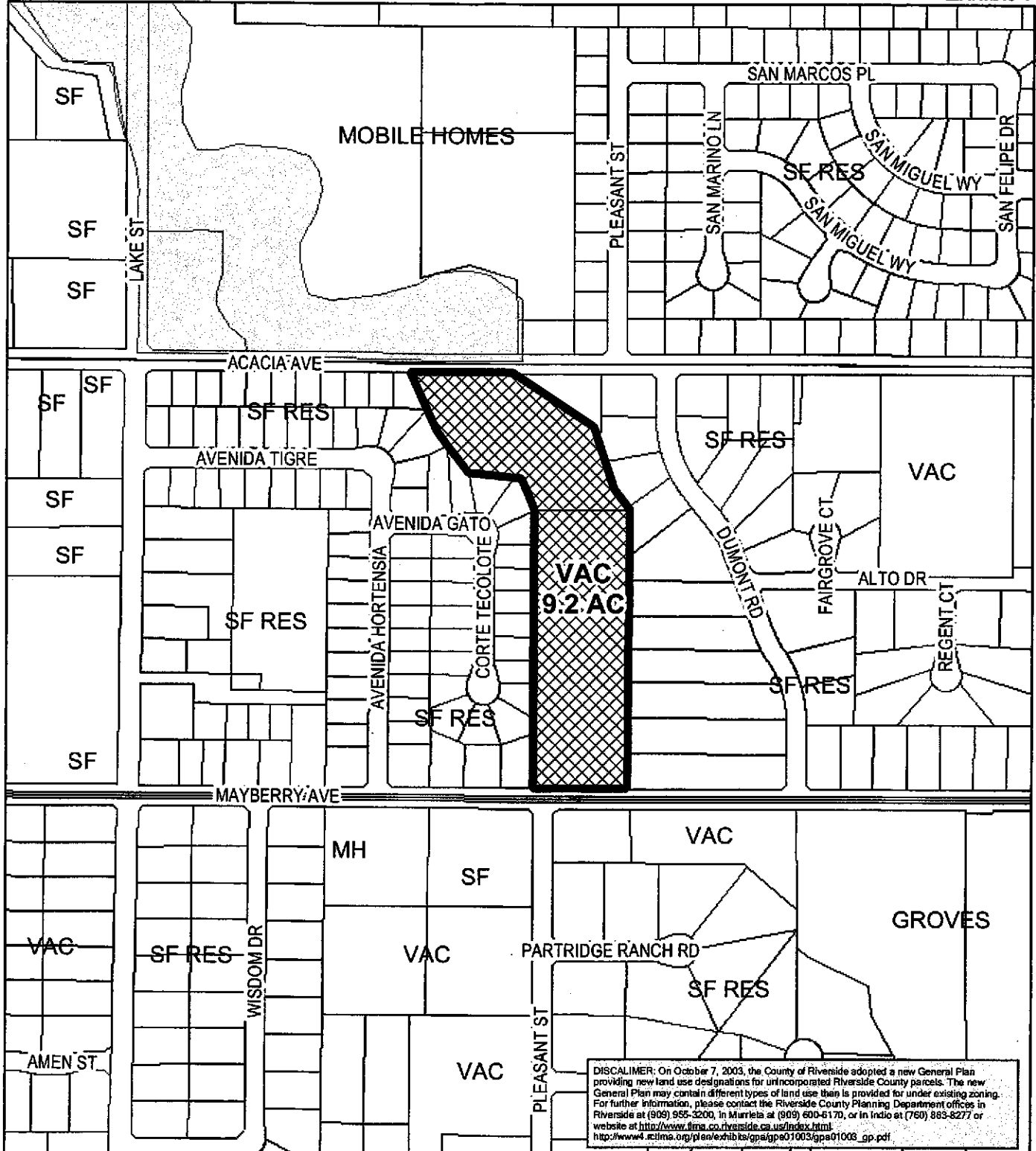
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Zone
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Land Use



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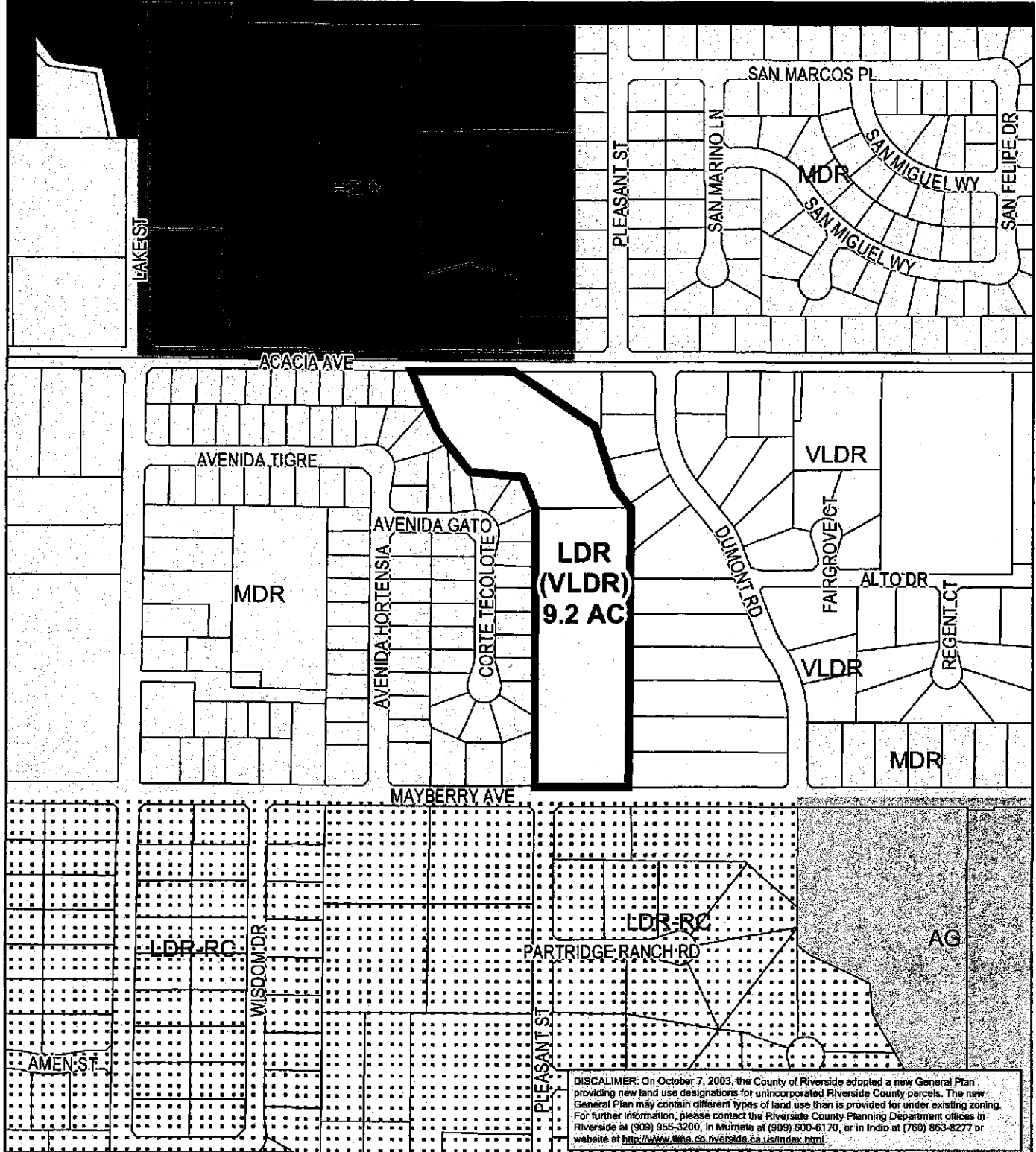
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Zone
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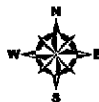
Proposed General Plan



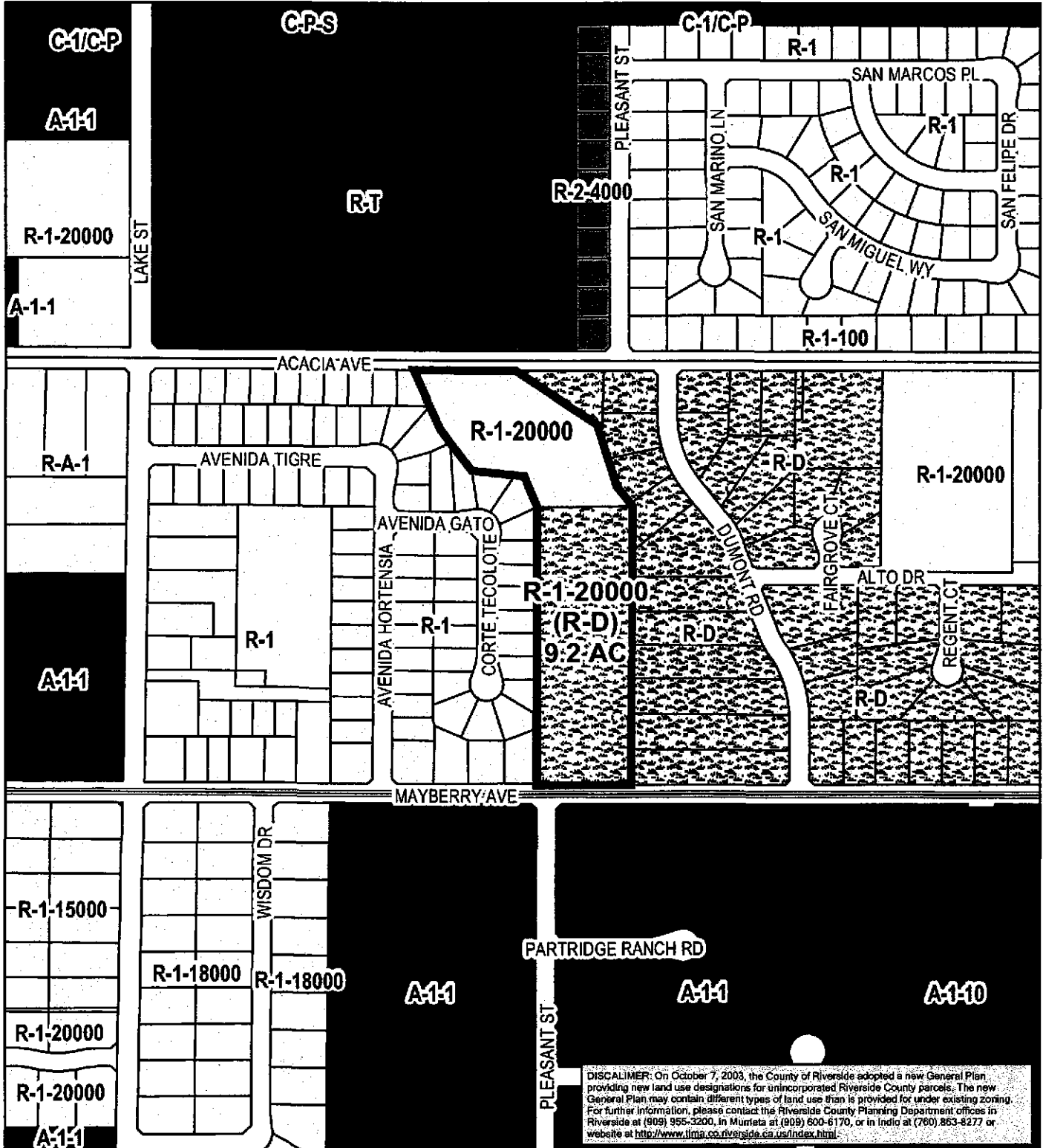
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RIVERSIDE COUNTY PLANNING DEPARTMENT

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PROPOSED ZONING

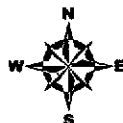


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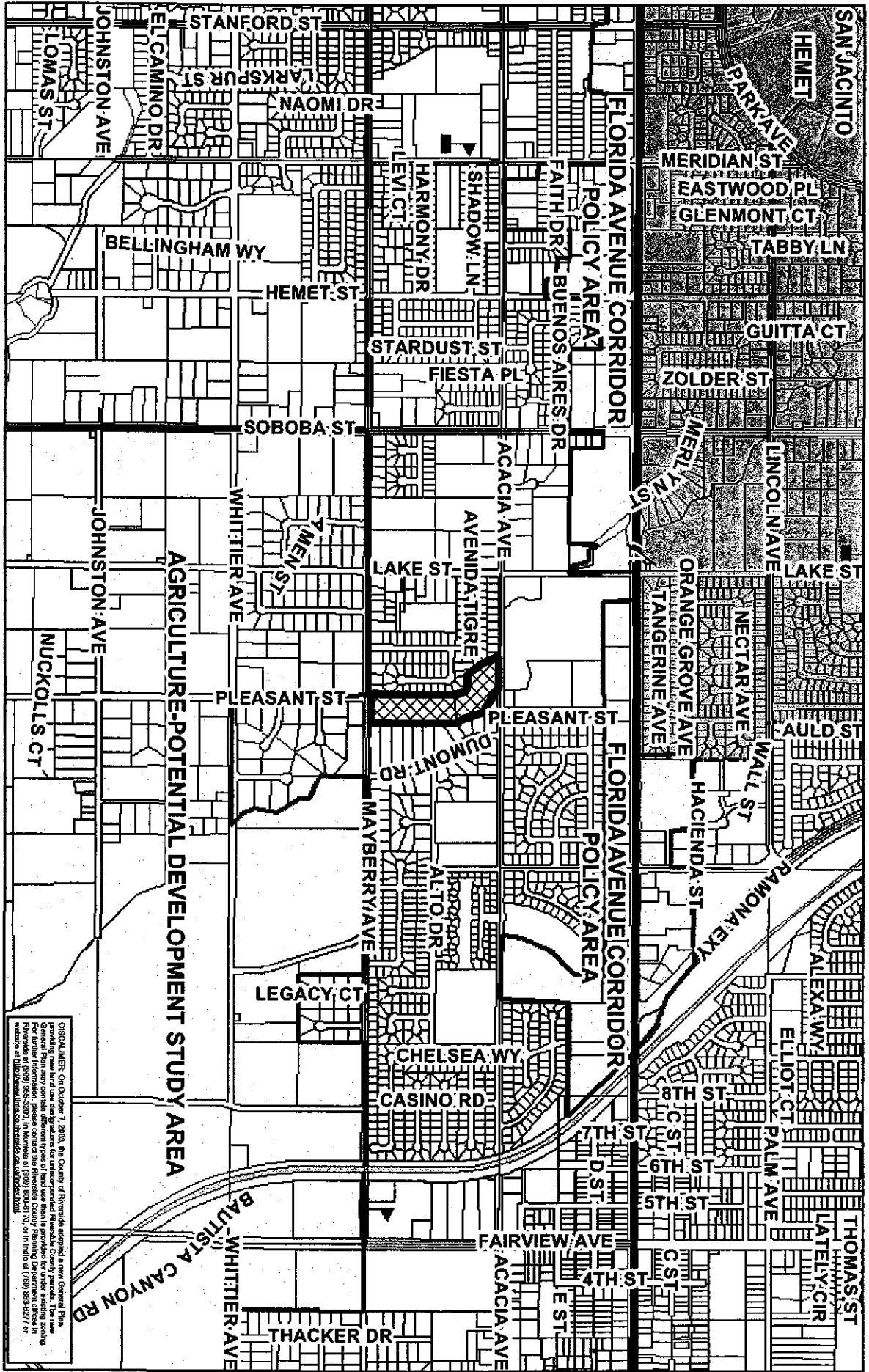


Supervisor Stone
 District 3
 Date Drawn: 8/19/08

CZ07184 TR33615 GPA00753

POLICY AREAS

Planner: Jeff Horn
 Date: 9/3/08
 Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 District: Valle Vista & Little Lake
 Township/Range: T5SR1E
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