

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

634B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 18, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 851 – (Entitlement / Policy) – Applicant: Tim Huyck – Engineer / Representative: Transpacific Consultants - Third Supervisorial District – Ramona Zoning District – San Jacinto Valley Area Plan: Community Development: Medium Density Residential (CD: MDR) (2-5 Dwelling Units Per Acre) – Location: Northerly of Whittier Avenue, southerly of Mayberry Avenue, easterly of San Jacinto Street, and westerly of Girard Street – 0.48 Gross Acres - Zoning: General Residential (R-3) - **REQUEST:** The applicant proposes to amend the current General Plan Land Use Designation from Community Development: Medium Density Residential (MDR) (2-5 dwelling units per acre) to Community Development: Very High Density Residential (VHDR) (14-20 dwelling units per acre) for an approximately 0.48 gross acre property.

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. 851. 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

Ron Goldman
Planning Director

RG:db

REVIEWED BY EXECUTIVE OFFICE
DATE 9/24/08 BY Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref. | District: Third | Agenda Number: 15.5

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

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

Agenda Item No.: 6.11
Area Plan: San Jacinto Valley
Zoning District: Romona
Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: September 3, 2008

General Plan Amendment No. 851
Type of GPA: Entitlement/Policy
Applicant: Tim Huyck
Engineer/Rep.: Transpacific 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 Roth: No comments

Commissioner John Snell: No comments

Commissioner John Petty: Recommend with great hesitation

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

Agenda Item No.: 4.11
Area Plan: San Jacinto Valley
Zoning District: Romona
Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: September 3, 2008

General Plan Amendment No. 851
Type of GPA: Entitlement/Policy
Applicant: Tim Huyck
Engineer/Rep.: Transpacific Consultants

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the current General Plan Land Use Designation from Community Development: Medium Density Residential (MDR) (2-5 dwelling units per acre) to Community Development: Very High Density Residential (VHDR) (14-20 dwelling units per acre) for an approximately 0.48 gross acre property.

The project is located northerly of Whittier Avenue, southerly of Mayberry Avenue, easterly of San Jacinto Street, and westerly of Girard 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.

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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. 851 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 Very High Density Residential (VHDR) (14-20 dwelling units per acre) Designation for the parcel in question will achieve the

future vision of General Plan. It is possible to make this finding given that the subject parcel is contiguous on two sides with a parcel designated as VHDR.

(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.

(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 VHDR land use designations to the south and west. The proposed Amendment is highly consistent with 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 project site is contiguous with parcels supporting higher densities than single family residential. As such, the logical development of the site would be that which allows high density multi-family housing, similar to the existing land use designations to the west and 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: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) |
| 2. Surrounding General Plan Land Use (Ex. #6): | Medium Density Residential (MDR) (2-5 dwelling units per acre) to the north, Medium Density Residential (MDR) (2-5 dwelling units per acre) to the east, Very High Density Residential (VHDR) (14 - 20 dwelling units per acre) to the south, and Very High Density Residential (VHDR) (14-20 dwelling units per acre) to the west. |
| 3. Existing Zoning (Ex. #2): | General Residential (R-3) |
| 4. Surrounding Zoning (Ex. #2): | General Residential (R-3) to the north, south, and west, Single-Family Dwellings (R-1) to the east. |
| 5. Existing Land Use (Ex. #1): | Single Family Residence |

General Plan Amendment No. 851

PC Staff Report:

Page 4 of 4

6. Surrounding Land Use (Ex. #1): Single Family Residence to the north and east, vacant land to the south and west.
7. Project Data: Total Acreage: 0.48 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. 851. 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. A high fire area;
 - b. A Flood Zone;
 - c. A Policy Area;
 - d. WRCMSHCP Criteria Cell;
 - e. The boundaries of a Redevelopment Area;
 - f. An Airport Influence Area;
 - g. An Area drainage plan area; or,
 - h. 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, 26.81 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: 447-150-045

Date Prepared: 6-24-08
Date Revised:

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA00851 Supervisorial District: 3rd Existing Zoning: R-3

Area Plan: San Jacinto Valley Acreage: 0.48 Gross Acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Medium Density Residential (MDR) (2-5 Dwelling Units Per Acre)

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: Very High Density Residential (VHDR) (Dwelling Units Per Acre)

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

Case: **ENTITLEMENT/POLICY GPA 851**

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		Moderate Liquefaction Potential; 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
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		It is reasonable to assume that a Very High Density Residential (VHDR) (14-20 dwelling units per acre) Designation for the parcel in question will achieve the future vision of General Plan. It is possible to make this finding given that the subject parcel is contiguous on two sides with a parcel currently designated as VHDR.
The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.	X		Given staffs review it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.	X		The project designation would be within the same Foundation. Thus, the proposed Amendment is consistent with the Community Development Foundation.
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	

Case: ENTITLEMENT/POLICY GPA 851

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

Case: ENTITLEMENT/POLICY GPA 851

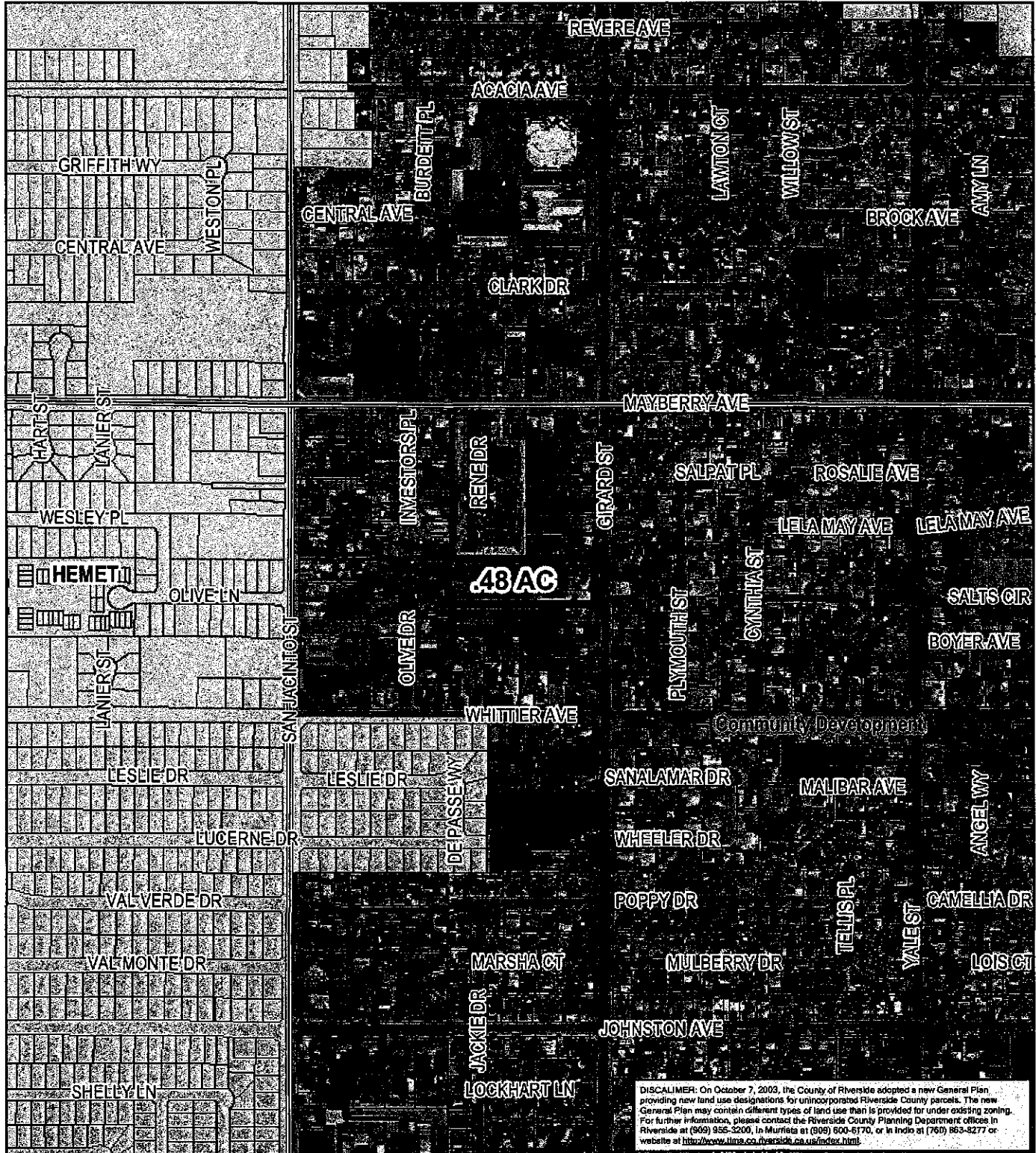
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STAFF COMMENTS:

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. 851. 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

GPA00851
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 Murrieta at (951) 600-6170, or in Indio at (760) 865-8277 or website at http://www.lms.ca.gov/riverside_ca.us/riverside.html.

RIVERSIDE COUNTY PLANNING DEPARTMENT

District
 Plan: Ramona
 Township/Range: T5SR1W
 Section: 14



Assessors
 Bk. Pg. 447-15
 Thomas
 Bros. Pg. 841 C1

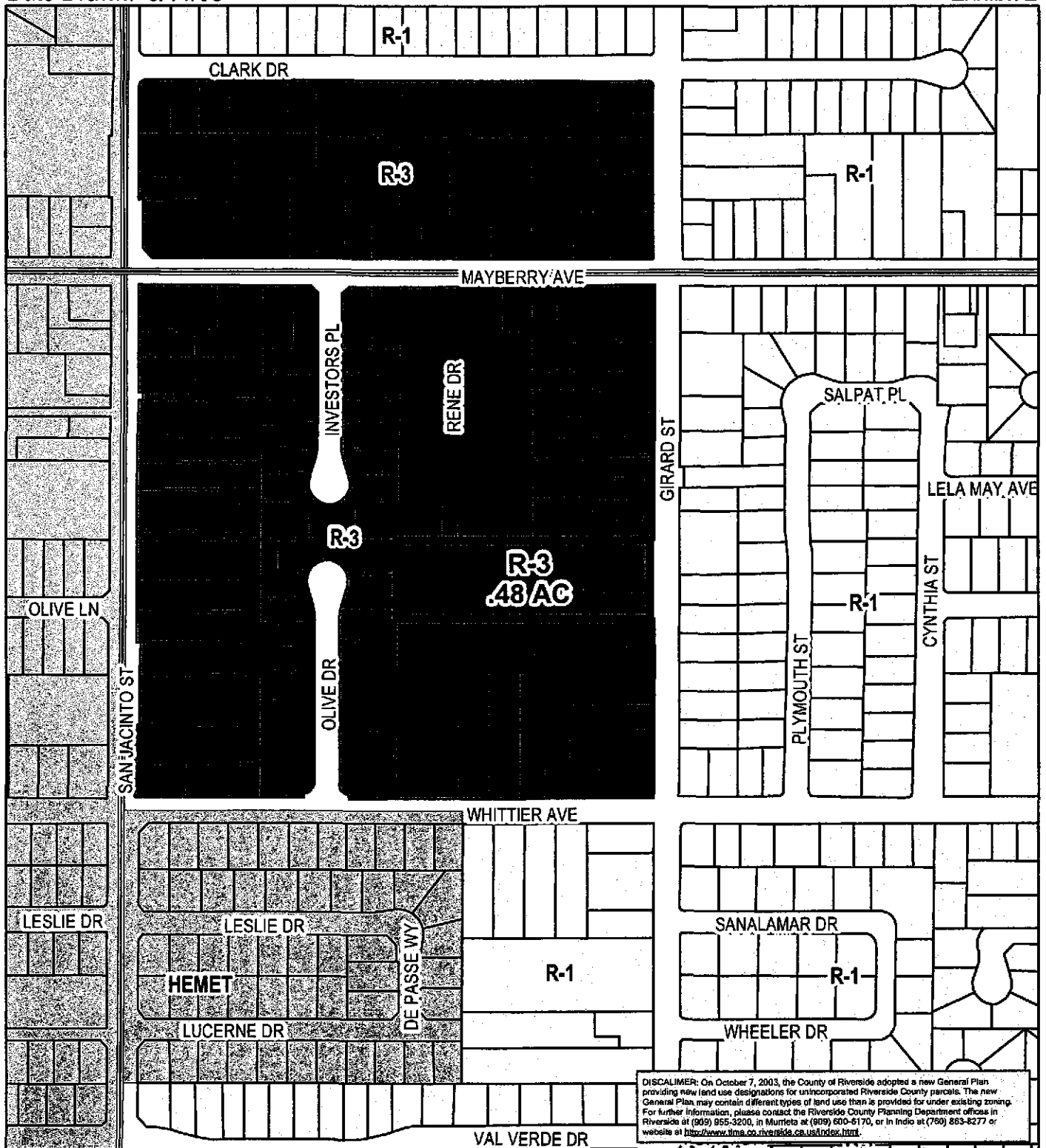


Supervisor Stone
District 3
Date Drawn: 8/11/08

GPA00851

EXISTING ZONING

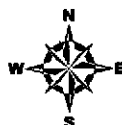
Planner: Jeff Horn
Date: 9/03/08
Exhibit 2

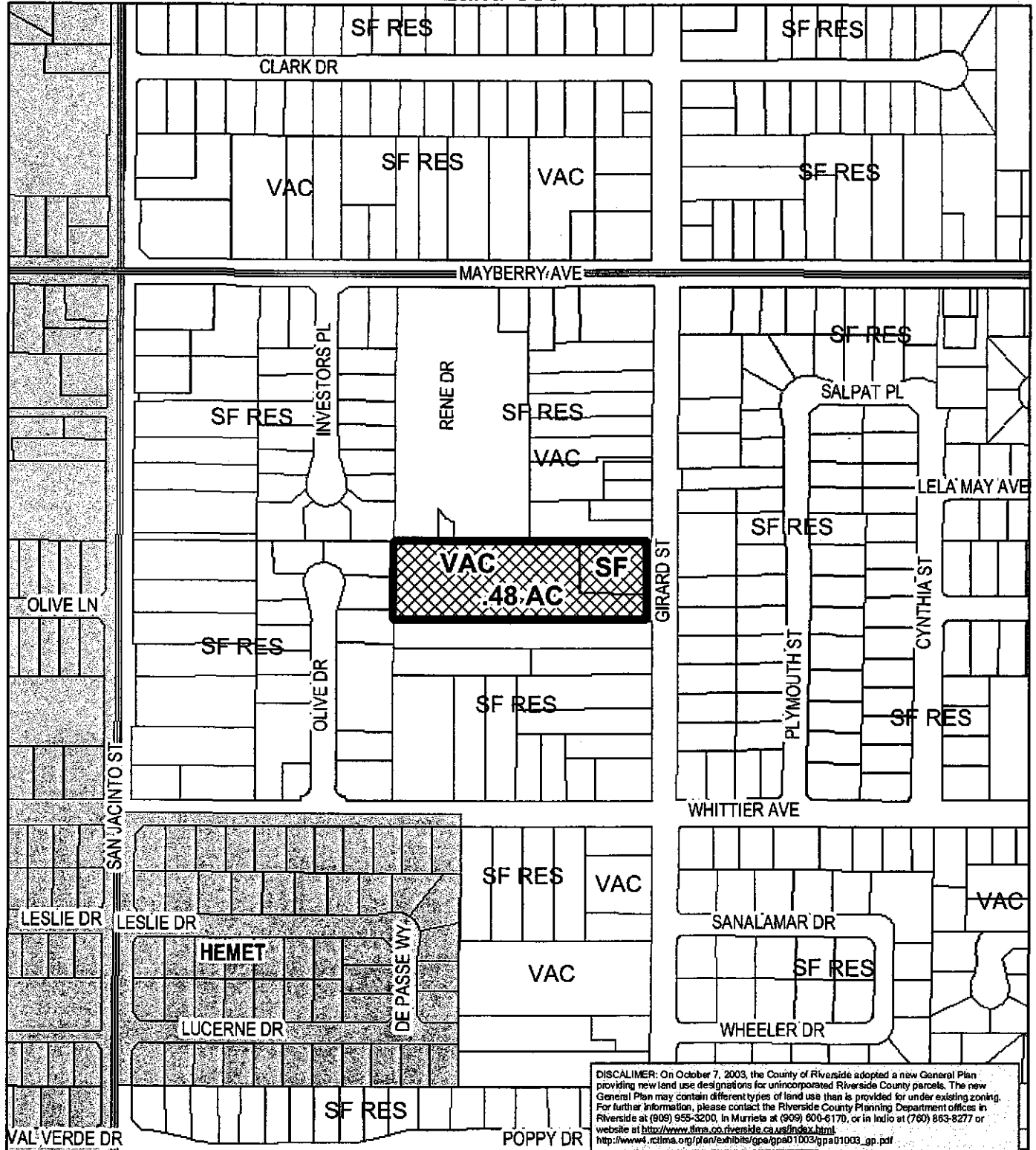


Zone
District: Ramona
Township/Range: T5SR1W
Section : 14

RIVERSIDE COUNTY PLANNING DEPARTMENT

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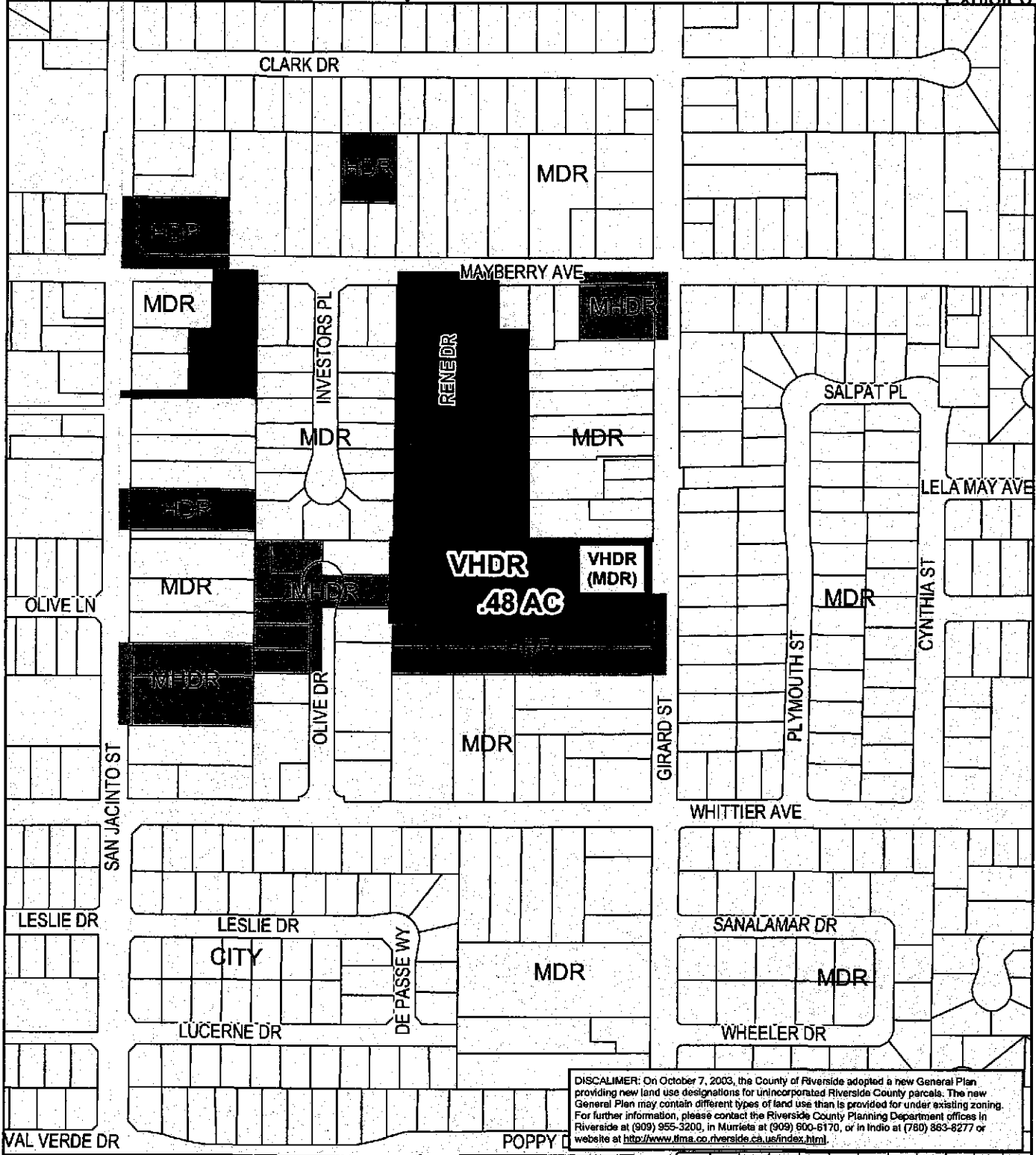


RIVERSIDE COUNTY PLANNING DEPARTMENT

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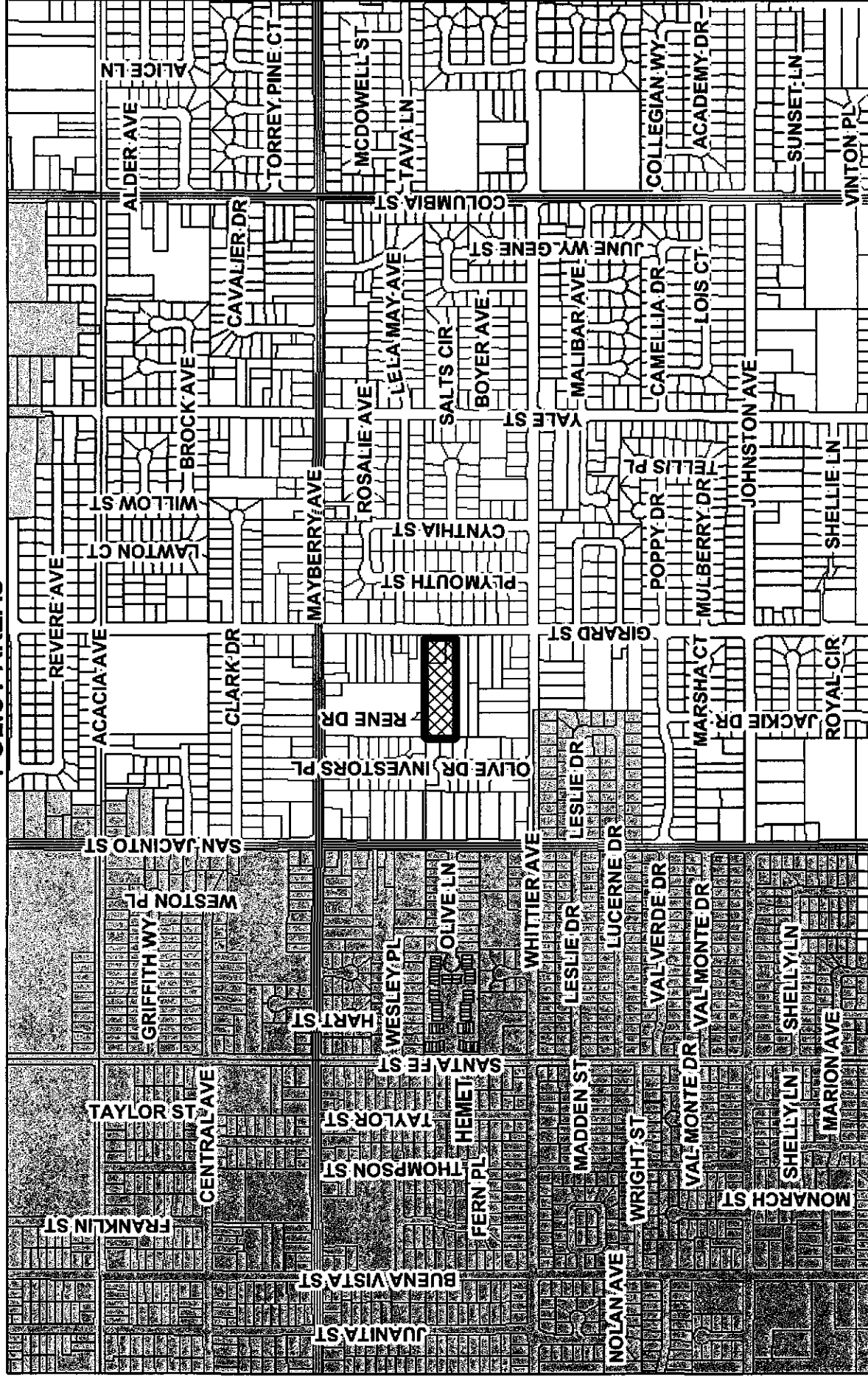
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Zone
 District: Ramona
 Township/Range: T5SR1W
 Section : 14

RIVERSIDE COUNTY PLANNING DEPARTMENT

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Zone
District: Ramona
Township/Range: T5SR1W
Section: 14

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