

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

606 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 10, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 866 -(Entitlement/Policy)- Applicant: RC Hobbs Co. – Engineer/Representative: Pacific Coast Land Consultants – Third Supervisorial District – Winchester Zoning Area – Sun City/Menifee Area Plan - Highway 79 Policy Area – Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) – Location: Southerly of Simpson Road and easterly of Lindenberger Road. – 9.19 gross acres – Zoning: Rural Residential (R-R) – REQUEST: The general plan amendment 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). APN: 333-200-042

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. 866. 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.

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

David Mares

David Mares for
Principal Planner

Ron Goldman
Planning Director

RG:nl

REVIEWED BY EXECUTIVE OFFICE

DATE 9/15/08

Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.7

The Honorable Board of Supervisors
RE: General Plan Amendment No. 866
September 10, 2008
Page 2 of 2

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: Sun City/Menifee
Zoning Area: Winchester
Supervisorial District: Third
Project Planner: Miguel Vazquez
Planning Commission: 8/6/2008

GENERAL PLAN AMENDMENT NO. 866
Applicant: RC Hobbs, CO
Engineer/Rep.: Pacific Coast Land
Consultants

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
ADDENDUM 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: No comments

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

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Agenda Item No.: 6.7
Area Plan: Sun City/Menifee
Zoning Area: Winchester
Supervisory District: Third
Project Planner: Miguel Vazquez
Planning Commission: 8/6/2008

GENERAL PLAN AMENDMENT NO. 866
Applicant: RC Hobbs, CO
Engineer/Rep.: Pacific Coast Land
Consultants

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 866 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 Sun City/Menifee Area Plan of Western Riverside County; more specifically, southerly of Simpson Road and easterly of Lindenberger 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 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.

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.

ABR
7-21-08

General Plan Amendment No. 866 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 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 9.25 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 Sun City/ Menifee Valley Area Plan Table 2, the change in the availability of land use for Commercial Retail development would be from 958 acres to 967.25 acres or an increase of about 1% if the amendment was to be approved. Conversely, the reduction from 479 acres designated for Low Density Residential to 469.75 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:

"Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan".

The parcel in question is located between two Specific Plans: to the north is Specific Plan 301 "Menifee Ranch" and to the west and south Specific Plan 158 "Menifee Village". Both Specific Plans have established the development of Single-Family detached houses on 7,200 square foot lots which is consistent with the underlying MDR land use designation. The parcel to the east is also designated for Medium Density Residential (MDR).

Because of this density pattern, the existing Low Density Residential (1/2-acre minimum lot size) on approximately 10 acres is out of context and does not follow the logical development of the area.

Furthermore, according to the Sun City Menifee Area Plan Land Use Plan (Figure 3), the nearest parcels designated as Commercial Retail (CR) are about 1-mile to the north along the western the intersection of McCall Boulevard and Menifee Road. The proposed General Plan Amendment, if approved, would provide local commercial retail opportunities to the existing and future residents.

Additionally, on June 1, 2008 the Sun City and Menifee voters decided that their communities become an autonomous city which was not anticipated when the General Plan was prepared. As such, commercial development represents jobs opportunities and operational revenues for the new city which are benign economic aspects for the city to function. The proposed General Plan Amendment, if approved, would further enhance the strategic location of commercial opportunities along Simpson Road.

A finding can be made that the existing Low Density Residential is out of context and does not follow the logical development of the area and that local Commercial Retail opportunities are needed in the vicinity and within the new City of Menifee.

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): | Specific Plan No. 301, Planning Areas 35 and 37, to the north, One-Family Dwellings (R-1) to the south and east, and Specific Plan No. 158 to the west. |
| 6. Existing Land Use (Ex. #1): | Vacant |
| 7. Surrounding Land Use (Ex. #1): | Vacant land to the north, south, east, and single family residential uses to the west. |
| 8. Project Data: | Total Acreage: 9.25 |

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. 866. 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;
 - h. A MSHCP criteria cell or cell group; or,
 - i. A City Sphere of Influence.

3. The project site is located within:
 - a. The Community of Menifee;
 - b. The Highway 79 Policy Area;
 - c. The Romoland School District;
 - d. The Perris Union High School District;
 - e. The Stephen's Kangaroo Rat Fee Area; and,
 - f. The Ordinance 655 Mount Palomar Lighting Influence Area, Zone B (28.90 miles).
 - g. The future City of Menifee (October 1, 2008).
 - h.

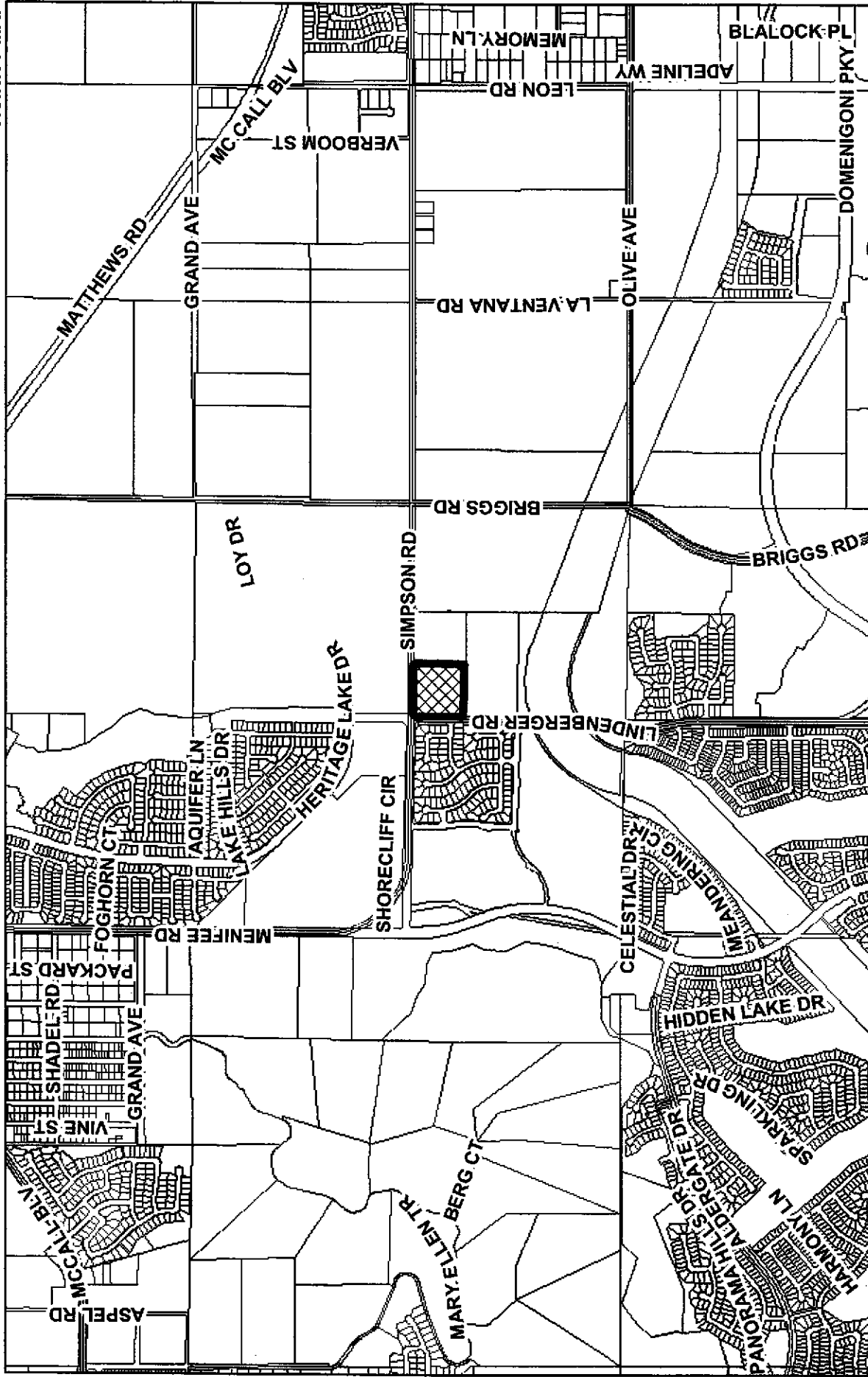
4. The subject site is currently designated as Assessor's Parcel Number 333-200-042.

MV: ls
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Date Prepared: 07/15/08
Date Revised: 07/15/08

GPA00866
VICINITY MAP

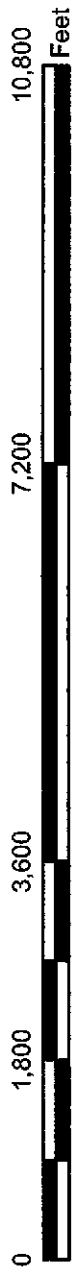
Planner: Miguel Vazquez
Date: 7/15/08
VICINITY MAP

Supervisor Stone
District 3
Date Drawn: 7/15/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 338-15
Thomas
Bros. Pg. 838 H6



Zone: Winchester
Area: T5SR3W
Township/Range: T5SR3W
Section: 25

DEVELOPMENT OPPORTUNITY

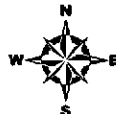


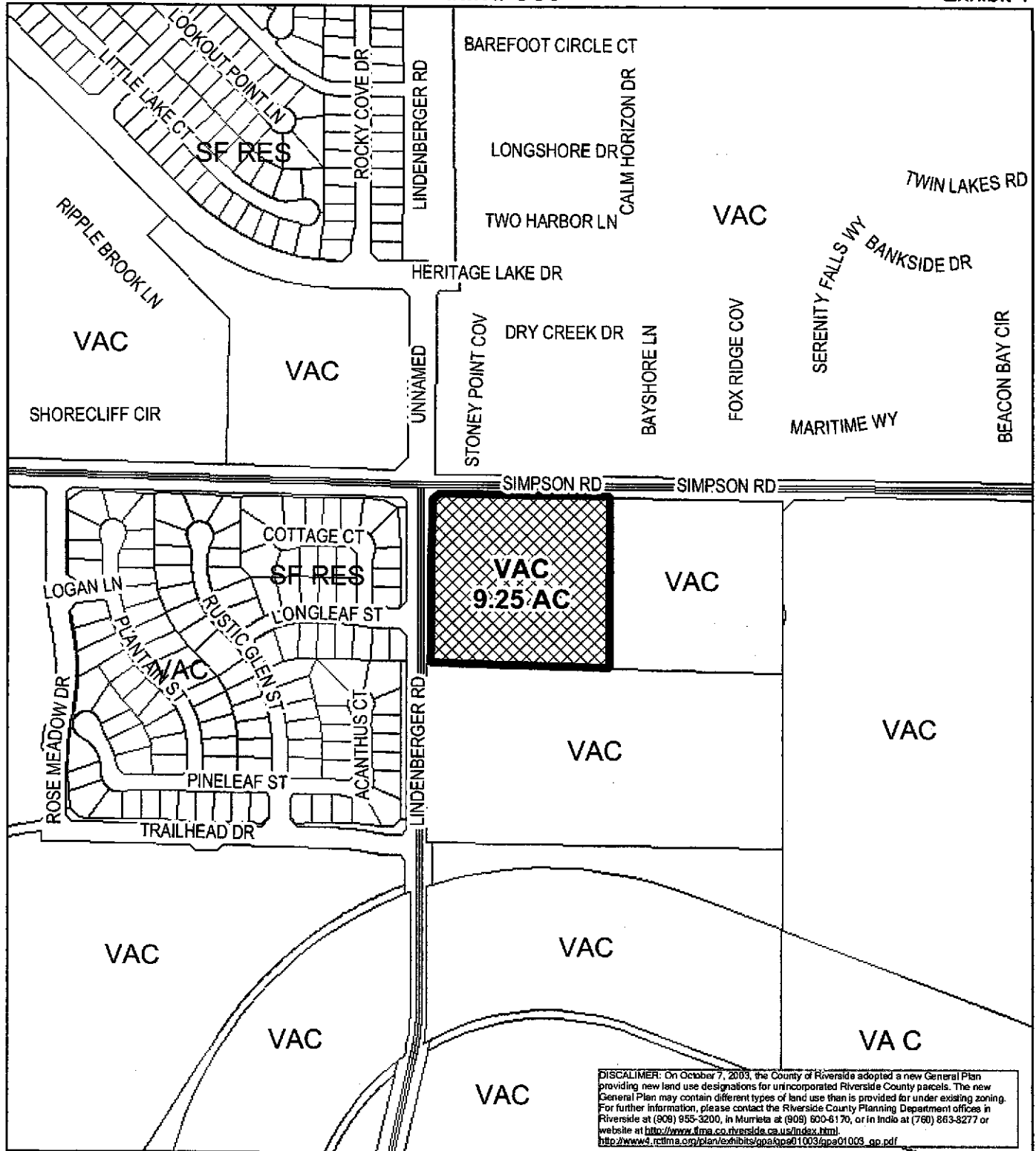
DISCALIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please 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>.

Area
 Plan: Winchester
 Township/Range: T5SR3W
 Section: 25

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 338-15
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 Bros. Pg. 838 H6





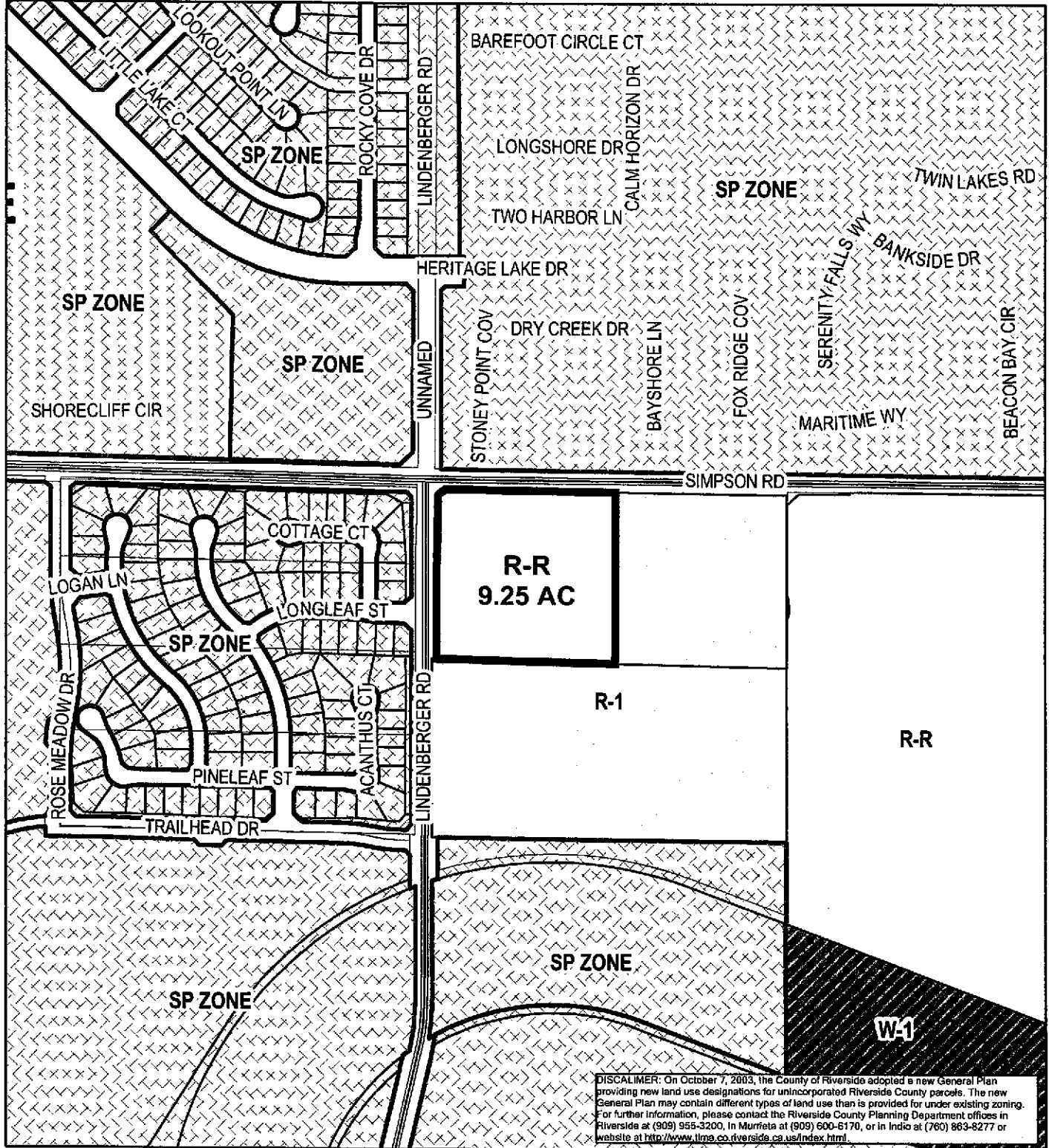
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Zone
 Area: Winchester
 Township/Range: T5SR3W
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RIVERSIDE COUNTY PLANNING DEPARTMENT

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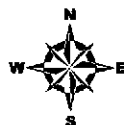


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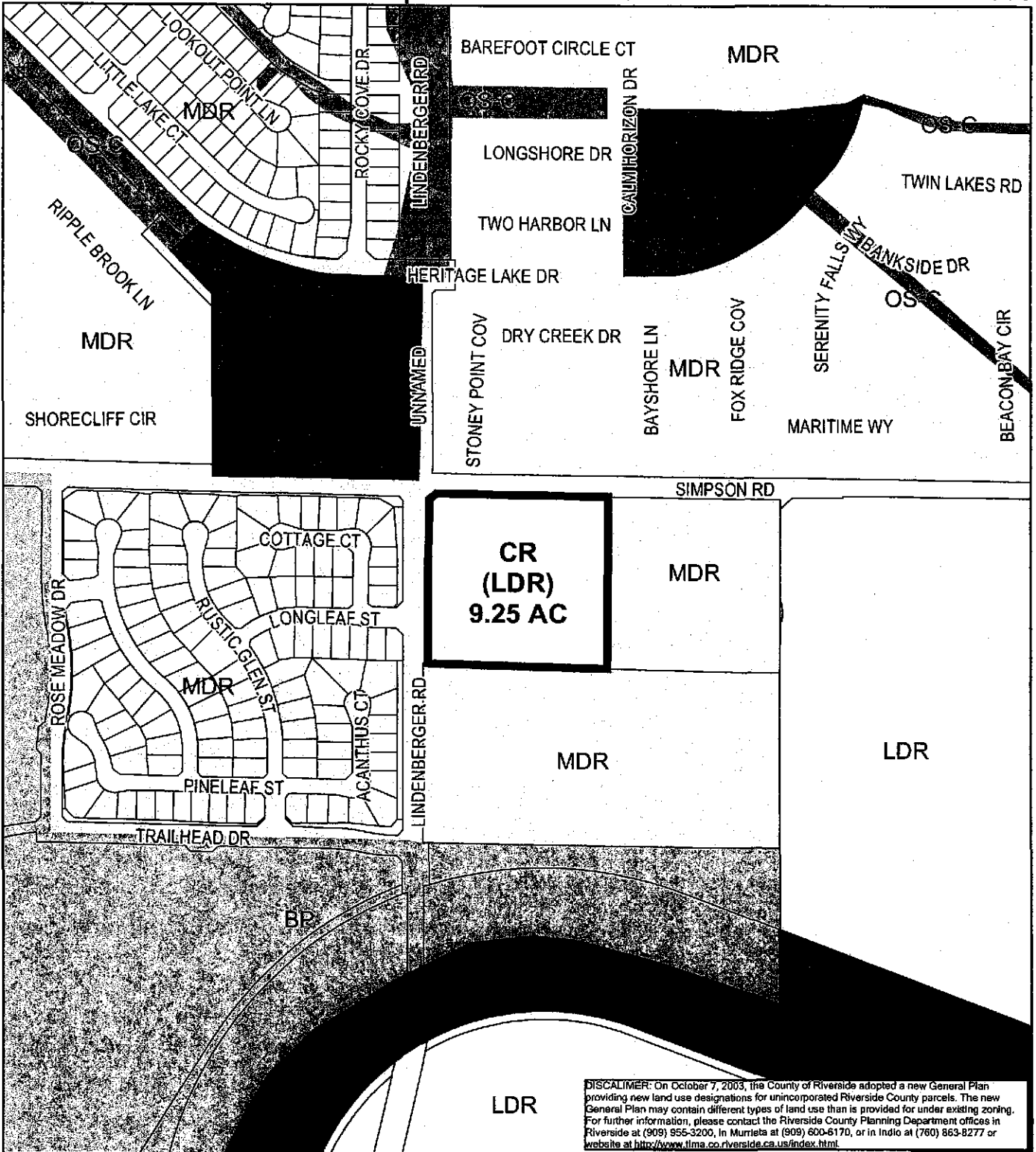
Zone
 Area: Winchester
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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Proposed General Plan



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Zone
Area: Winchester
Township/Range: T5SR3W
Section : 25

RIVERSIDE COUNTY PLANNING DEPARTMENT

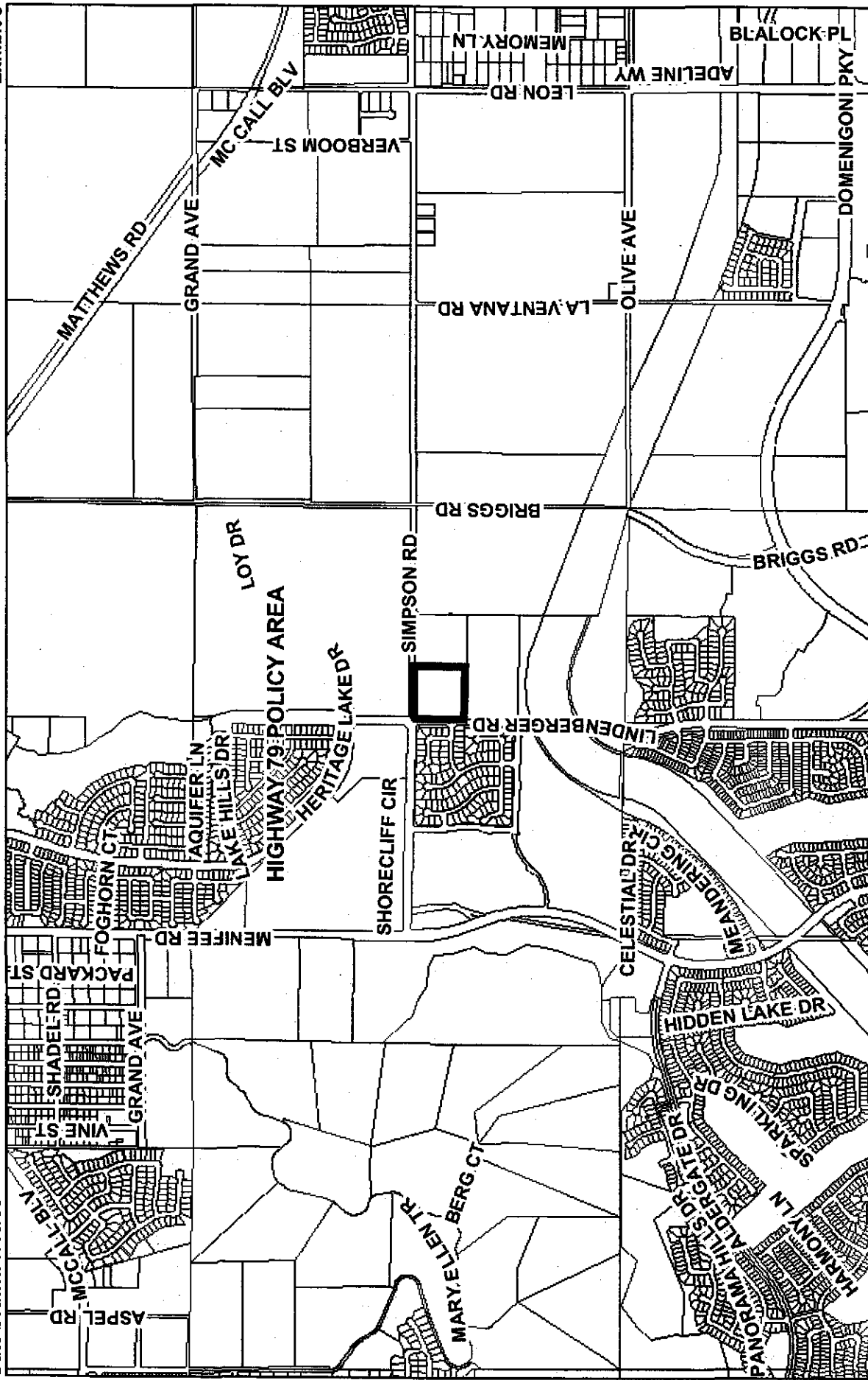
Assessors
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GPA00866
POLICY AREAS

Planner: Miguel Vazquez
Date: 7/15/08
Exhibit 8

Supervisor Stone
District 3
Date Drawn: 7/15/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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Thomas
Bros. Pg. 838 H6

Zone
Area: Winchester
Township/Range: T5SR3W
Section : 25



ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA866
Residential (R-R)

Supervisory District: Third

Existing Zoning: Rural

Area Plan: Sun City/Menifee

Acreage: 9.19 gross

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Low Density Residential (LDR) (1/2 Acre Minimum)

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

Existing Map(s) of Issue (cite GP figure # and page #): 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: Commercial Retail (CR) (0.20-0.35 floor area ratio)

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 1/2 Mile		X	
Liquefaction Potential; Subsidence	X		High
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	
Proposed Annexation/ Incorporation Area		X	
Other Issues* (see below)	X		The project is located within the boundaries of the new city of Menifee.

*** 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.			
An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.			
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.			
An amendment is required to address changes in ownership of land or land not under the land use authority of the Board of Supervisors.			

*** 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