

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

604B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 10, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 892 (Entitlement/Policy)-Applicant: Greens Heritage LLC – Engineer/Representative: Pacific Coast Land Consultants – Third Supervisorial District – Sun City Zoning District – Sun City/Menifee Area Plan – Highway 79 Policy Area – Community Development: Medium Density Residential (CD: MDR) (2-5 dwelling units per acre) – Location: Northerly of Shadel Road, southerly of McCall Boulevard, easterly of Packard Street, and westerly of Dales Street. – 3.47 gross acres – Zoning: Planned Development (W-2) – REQUEST: The general plan amendment proposes to alter the site’s General Plan Land Use Designation from Community Development: Medium Density Residential (CD: MDR) (2-5 dwelling units per acre) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio). APNs: 333-151-004, 005, 006, and 007.

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. 892. 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

David Mares

David Mares
Principal Planner

Ron Goldman
Planning Director

RG:nl

REVIEWED BY EXECUTIVE OFFICE

DATE: 9/10/08
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.9

The Honorable Board of Supervisors
RE: General Plan Amendment No. 892
September 10, 2008
Page 2 of 2

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

GENERAL PLAN AMENDMENT NO. 892
Applicant: Greens Heritage LLC
Engineer/Rep.: Pacific Coast Land

**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

Agenda Item No.: 6.6
Area Plan: Sun City/Menifee
Zoning District: Sun City
Supervisory District: Third
Project Planner: Miguel Vazquez
Planning Commission: 8/6/2008

GENERAL PLAN AMENDMENT NO. 892
Applicant: Greens Heritage LLC
Engineer/Rep.: Pacific Coast Land

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 892 proposes to alter the site's General Plan Land Use Designation from Community Development: Medium Density Residential (CD: MDR) (2-5 dwelling units per acre) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio).

The amendment is located in the Sun City/Menifee Area Plan of Western Riverside County; more specifically, northerly of Shadel Road, southerly of McCall Boulevard, westerly of Packard Street, and easterly of Dales 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 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

ABE
7/2/08

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. 892 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 3.47 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 958.48 acres to 961.95 acres or an increase of about 0.3% if the amendment was to be approved. Conversely, the reduction from 11,259 acres designated for Medium Density Residential to 11,255.53 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 3.47 acres of land in question abut properties to the north and east which are designated as Commercial Retail (CR) and are bounded by McCall Boulevard and Menifee Road. The parcels to the west and south are designated as Medium Density Residential (MDR) and are bounded by unimproved roads and steep slopes to the southwest. Given this location and the fact the proponent is pursuing the consolidation of approximately 14 acres (including the 3.47 acres) to design a commercial project featuring a meaningful layout, edge conditions, circulation and access points, the proposed General Plan Amendment, if approved, would remediate an illogical land use pattern.

Furthermore, 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 McCall Boulevard-Menifee Road intersection.

A finding can be made that the proposed General Plan Amendment, would benefit commercial development in the new City of Menifee.

SUMMARY OF FINDINGS:

- | | |
|---|---|
| 1. Existing General Plan Land Use (Ex. #5): | Community Development: Medium Density Residential (CD: MDR) (2-5 dwelling units per acre) |
| 2. Proposed General Plan Land Use (Ex.#5): | Community Development: Commercial Retail (CD: CR) (0.20-0.35 floor area ratio) |
| 3. Existing Zoning (Ex. #3): | Controlled Development Areas (W-2) |
| 4. Proposed Zoning (Ex. #3): | Scenic Highway Commercial (C-P-S) |
| 5. Surrounding Zoning (Ex. #3): | Scenic Highway Commercial (C-P-S) to the north and east and Planned Development (W-2) to the south and west. |
| 6. Existing Land Use (Ex. #1): | Single family residential and vacant land |
| 7. Surrounding Land Use (Ex. #1): | Vacant land to the north, vacant, single family residential and recreational vehicle storage to the east, and vacant and scattered single family residential to the west. |
| 8. Project Data: | Total Acreage: 3.47 |

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. 892. 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 MSHCP criteria cell or cell group;
 - b. A Specific Plan;
 - c. An Agricultural Preserve;
 - d. An Airport Influence Area;
 - e. A Fault Zone;
 - f. A Flood Zone;
 - g. A High Fire Area; or,
 - h. A City Sphere of Influence.
3. The project site is located within:
 - a. The Highway 79 Policy Area;
 - b. The Community of Menifee;
 - c. The Romoland School District;
 - d. The Perris Union High School District;
 - e. A Redevelopment Area;

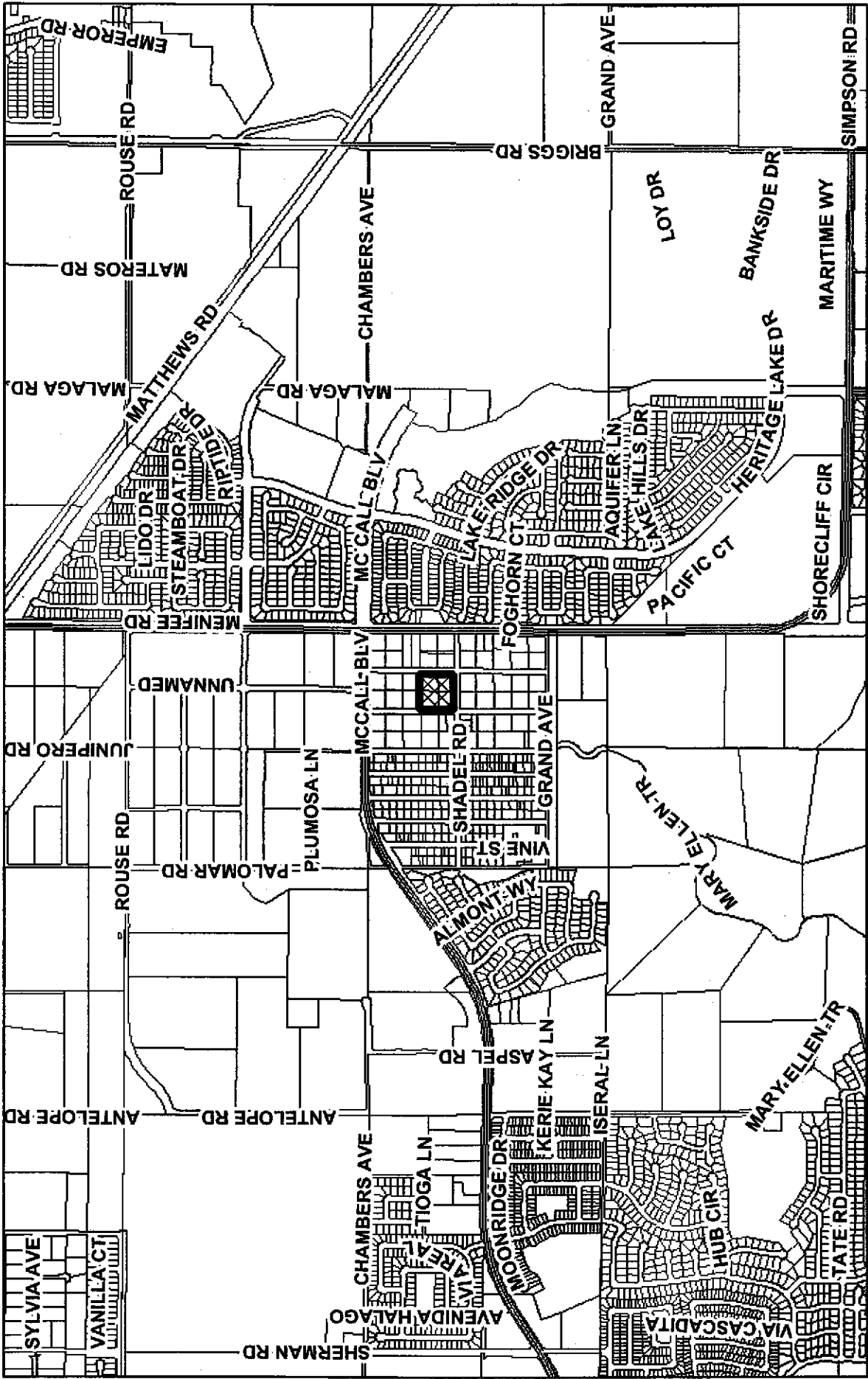
- f. The Ordinance No. 663.10 Stephen's Kangaroo Rat Fee Area; and,
 - g. The Ordinance No. 655 Mount Palomar Lighting Influence Area, Zone B (30.09 miles).
 - h. The future City of Menifee (October 1, 2008).
4. The subject site is currently designated as Assessor's Parcel Numbers 333-151-004, 005, 006, and 007.

MV: ls
Y:\Planning Case Files-Riverside office\GPA00892\Staff Report_GPA892_GPIP.doc
Date Prepared: 07/15/08
Date Revised: 07/15/08

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

CZ07613 GPA00892
 VICINITY MAP

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

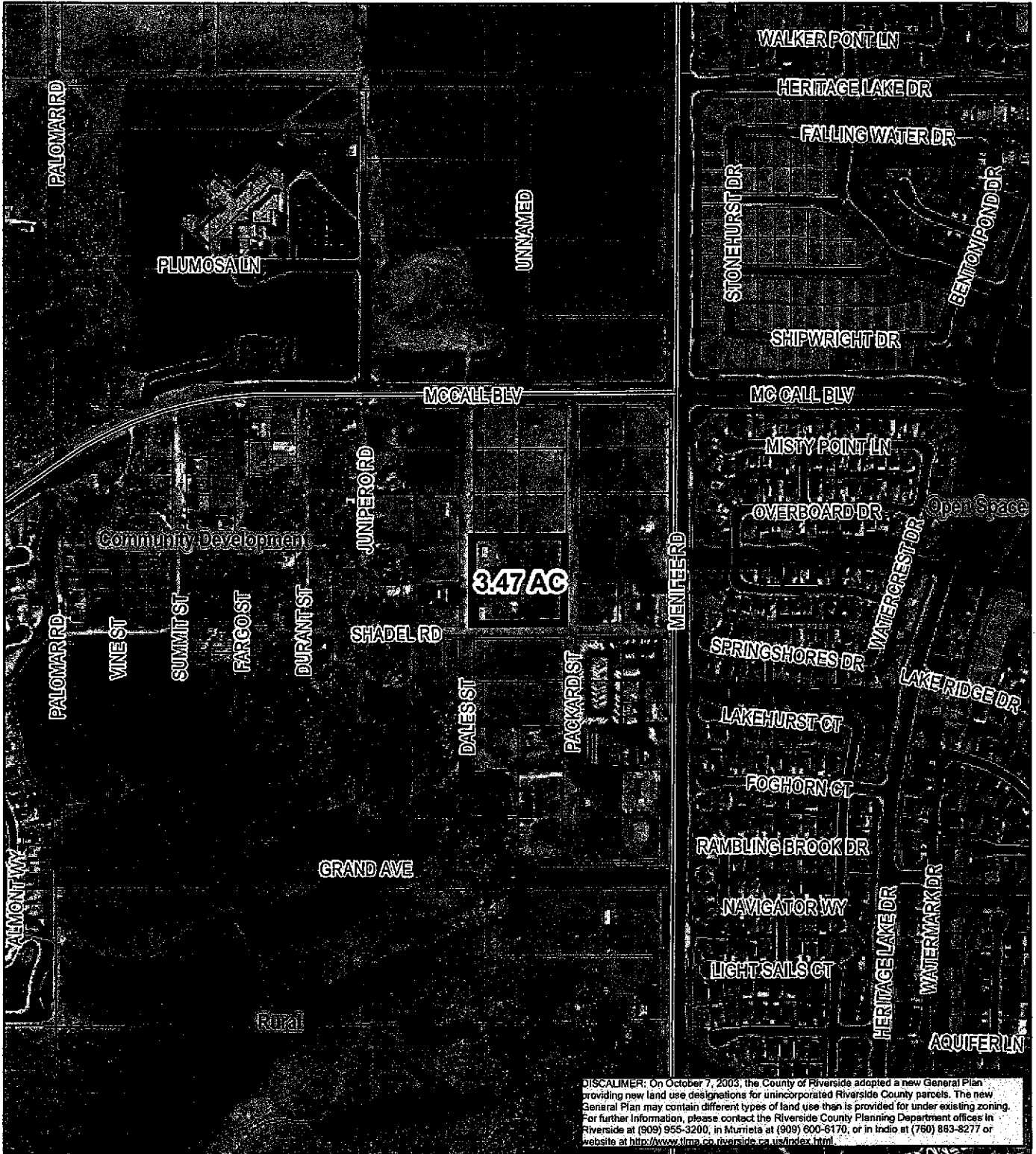


Zone District: Sun City
 Township/Range: T5SR3W
 Section: 23

Assessors
 Bk. Pg. 333-15
 Thomas
 Bros. Pg. 838 G4

0 1,600 3,200 6,400 9,600 Feet

RIVERSIDE COUNTY PLANNING DEPARTMENT



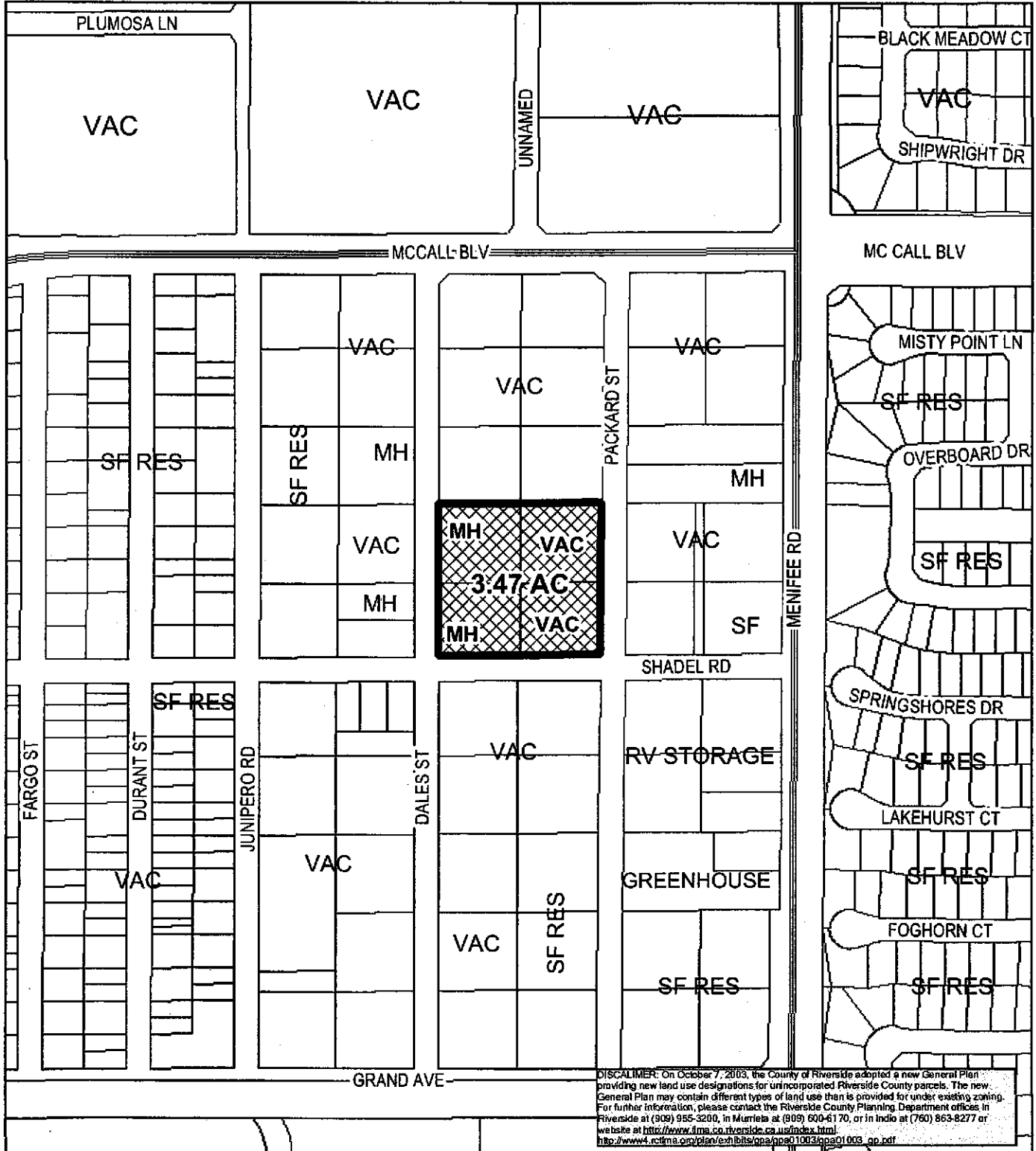
District
 Plan: Sun City
 Township/Range: T5SR3W
 Section: 23

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 333-15
 Thomas
 Bros. Pg. 838 G4



Land Use



Zone
 District: Sun City
 Township/Range: T5SR3W
 Section: 23

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 333-15
 Thomas
 Bros. Pg. 838 G4



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

CZ07613 GPA00892
PROPOSED ZONING

Planner: Miguel Vazquez
 Date: 7/15/08
 Exhibit 3



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) 883-8277 or website at <http://www.tlma.co.riverside.ca.us/index.html>.

Zone
 District: Sun City
 Township/Range: T5SR3W
 Section: 23

RIVERSIDE COUNTY PLANNING DEPARTMENT

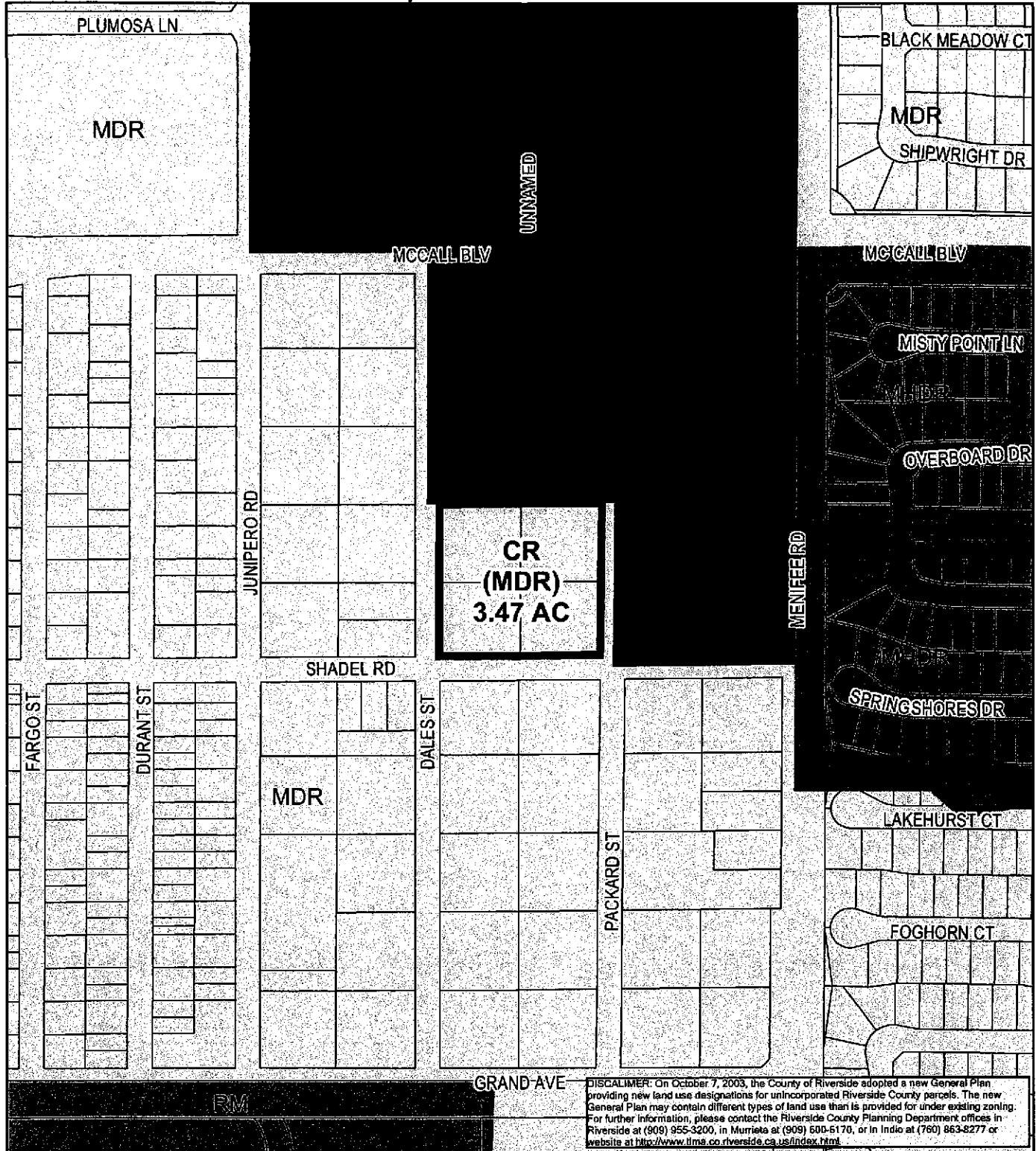
Assessors
 Bk. Pg. 333-15
 Thomas
 Bros. Pg. 838 G4



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

CZ07613 GPA00892
Proposed General Plan

Planner: Miguel Vazquez
 Date: 7/15/08
 Exhibit 6



Zone
District: Sun City
Township/Range: T5SR3W
Section : 23

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk.Pg. 333-15
Thomas
Bros. Pg. 838 G4



ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA892
Development (W-2)

Supervisory District: Third

Existing Zoning: Planned

Area Plan: Sun City/Menifee

Acreage: 3.47 gross

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): 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	

Case: **ENTITLEMENT/POLICY GPA 892**

Printed: 7/16/2008 9:28:58 AM

File: Y:\Planning Case Files-Riverside office\GPA00892\GPA00892 Checklist (7-15-08).doc

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
High Fire Area		X	
Code Compliant	X		CV975044 (Substandard Mobilehome - resolved), CV022117 (Auto Wrecking - resolved), CV022880 (Junk Yard - resolved), CV971233 (Abandoned vehicle - resolved)
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