

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

643 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
September 18, 2008

**SUBJECT: GENERAL PLAN AMENDMENT NO. 980** – (Agricultural Amendment) – Applicant: Michael Foutz – Engineer / Representative: Keith Suchow - Third Supervisorial District – Hemet – San Jacinto Zoning District – San Jacinto Valley Area Plan: Agricultural (AG) (10 Acre Minimum) – Location: Westerly of Sage Road, southerly of Old SW Road, easterly of Sage Road – 20.62 Gross Acres - Zoning: Heavy Agricultural – 10 Acre Minimum (A-2-10) - **REQUEST:** Proposes to amend the Riverside County General Plan Land Use designation from Agriculture: Agriculture (AG: AG) (10 Acre Minimum) to Rural Community: Very Low Density Residential (RC:VLDR) (One Acre Minimum).

**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 **not initiating** proceedings as modified for General Plan Amendment No. 980. 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 9/24/2008  
Tina Grande  
Departmental Conference

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.10

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 Agriculture GPA, under Section 2.4.

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

**Agenda Item No.: 6.13**  
**Area Plan: San Jacinto Valley**  
**Zoning District: Hemet-San Jacinto**  
**Supervisorial District: Third**  
**Project Planner: Jeff Horn**  
**Planning Commission: September 3, 2008**

**General Plan Amendment No. 980**  
**Type of GPA: Agriculture Foundation**  
**Applicant: Michael Foutz**  
**Engineer/Rep.: Keith Suchow**

## **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: Surface features should require slope analysis, concerns with possible watercourses and compatibility with surrounding properties. More appropriate as Estate Density Residential (RC:EDR) or Rural Residential (RR).

Commissioner John Snell: Proposal is an extreme change in intensity.

Commissioner John Petty: Agriculture viability on the project site is nonexistent, as well properties west the existing Sage Road and north of the proposed Sage Road. Area most likely received designation due to a once existing Chicken Ranch in the vicinity. Potential issues of compatibility with surrounding properties. In support of applicants proposal of and amendment to Rural Community: Very Low Density Residential (RC:VLDR) (1 acre minimum).

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

Agenda Item No.: 6.13  
Area Plan: San Jacinto Valley  
Zoning District: Hemet-San Jacinto  
Supervisory District: Third  
Project Planner: Jeff Horn  
Planning Commission: September 3, 2008

General Plan Amendment No. 980  
Type of GPA: Agriculture Foundation  
Applicant: Michael Foutz  
Engineer/Rep.: Keith Suchow

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

**General Plan Amendment No. 980** proposes to amend the Riverside County General Plan Land Use designation from Agriculture: Agriculture (AG: AG) (10 Acre Minimum) to Rural Community: Very Low Density Residential (RC:VLDR) (One Acre Minimum).

The proposed amendment is located westerly of Sage Road, southerly of Old SW Road, easterly of Sage Road in the San Jacinto Valley Area Plan.

### 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.

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 Agriculture GPA, under Section 2.4.

Additionally, refer to the attached Worksheets 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. 980 falls into the **Agriculture Foundation** category, which involves amendments to property designation in the General Plan as Agriculture.



The Administration Element of the General Plan explains that two required findings must be made; the required findings are:

- 1) The amendment would contribute to the achievement of the purposes of the General Plan; and
- 2) The amendment would not be detrimental to the purposes of the General Plan.

Additionally, the Agriculture foundation allows up to seven percent (7%) of all the land within one of three designated areas (The area covered by the Palo Verde and Desert Center Area Plan and have Eastern Desert Land Use Plan; The area covered by the Eastern Coachella Valley and Western Coachella Valley Area Plans; and, The area by all other Area Plans) to be converted to other Foundation and Land Use designations during a two and a half (2½) year cycle. In the event that the seven percent threshold has been exceeded, an Agricultural Task Force would review the project.

The proposed Amendment is in the San Jacinto Valley Area Plan, which is included in the area covered by all other Area Plans. The seven percent threshold is triggered when the project is placed on a Board agenda. A total of 20,602 acres of land in western Riverside County was designated Agriculture as of October 2003. During the first 2½ year period, ending April 6, 2006, a total of 14.5 acres was removed. Therefore, a maximum of 1,581.13 acres of land may be converted from Agriculture to other designations during the second 2½ year period. With the proposed amendment, 20.62 acres of land in the Western Riverside County will be removed. As a result, the proposed Amendment will not trigger the seven percent threshold.

#### **Consideration Analysis:**

**First Required Finding:** The proposed Amendment would not contribute to the achievement of the purposes of the General Plan. The General Plan intends to *"Provide for the continued and even expanded production of agricultural products by conserving areas appropriate for agriculture and related infrastructure and supporting services."* The project site is located in the lower San Jacinto Valley Area Plan, which is *"characterized by agricultural uses and mountainous terrain, and contains a portion of Bautista Creek as well as the eastern end of the Diamond Valley Lake. Agricultural land is limited in western Riverside County, and this is one area in which it could be sustained for a considerable period of time."* (SJVAP Page 31) The proposed Amendment to Rural Community: Very Low Density Residential (RC:VLDR) would conflict with the existing Agriculture (AG) designated parcels adjacent to and in the vicinity of the proposed project site, and therefore will not contribute to the purpose of the General Plan as contained in the San Jacinto Valley Area Plan.

**Second Required Finding:** The proposed Amendment would be detrimental to the purposes of the General Plan. The San Jacinto Valley Area Plan *"seeks to recognize existing and future agricultural activities as important and vital components of the land use pattern. Residential uses and agriculture are potentially incompatible and often times lead to complaints by local residents of offending odors, noise, flies and the like."* (SVJAP Page 31) The proposed Amendment to Rural Community: Very Low Density Residential (RC:VLDR) would conflict with the existing Agriculture (AG) designated parcels adjacent to and in the vicinity of the proposed project site, and therefore would be detrimental to the goals of the General Plan and the San Jacinto Valley Area Plan. The General Plan serves as a guide for orderly development in the county. The proposed land uses are neither orderly nor logical development in the county and would cause a great detriment to the purposes of the General Plan.

**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. #5): | Agriculture (AG) (10 Acre Minimum)   |
| 2. Proposed General Plan Land Use: | Rural Community: Very Low Density Residential (RC:VLDR) (One Acre Minimum)         |
| 3. Existing Zoning (Ex. #2):       | Heavy Agricultural – 10 Acre Minimum (A-2-10)                                      |
| 4. Surrounding Zoning (Ex. #2):    | Heavy Agricultural – 10 Acre Minimum (A-2-10) to the north, south, east, and west. |
| 5. Existing Land Use (Ex. #1):     | Agriculture (AG) (10 Acre Minimum)   |
| 6. Surrounding Land Use (Ex. #1):  | Agriculture (AG) (10 Acre Minimum) to the north, south, east, and west.            |
| 7. Project Data:                   | Total Acreage: 20.62 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 **not initiating** proceedings as modified for General Plan Amendment No. 980. 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.

Alternatively, Staff could support land use designations of Rural: Rural Mountainous (RR) (10 acre minimum) or possibly Rural: Rural Residential (RM) (5 acre minimum) with the completion of a satisfactory slope analysis.

**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 fault zone; or
  - c. A dam inundation area.
3. The project site is located within:
  - a. The San Jacinto Valley Area Plan;
  - b. The boundaries of the Hemet Unified School District;
  - c. HANS Cell Groups: P and Q;
  - d. HANS Cell NOs: 4796 and 4797;
  - e. Zone B ORD. 655: 21.22 miles; and
  - f. A high fire area.
4. The subject site is currently designated as Assessor's Parcel Number 469-120-048

Y:\Planning Case Files-Riverside office\gpa00980\Staff Report for GPA980.doc  
Date Prepared: 7/16/08  
Date Revised: 7/28/08

# AGRICULTURE AMENDMENT

CYCLE: 2½ YEAR

Case No. GPA00980 Supervisorial District: Third Existing Zoning: A-2-10

Area Plan: San Jacinto Valley Acreage: 20.62

## EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Agriculture

Existing General Plan Land Use Designation: Agriculture (AG) (10 Acre Minimum)

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

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3, Page 15

Existing Text of Issue (cite GP page #, plus policy #, if applicable): N/A

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## PROPOSED GENERAL PLAN CHANGES (For categories with no proposed change, write "N/A" on applicable line.)

Proposed General Plan Foundation: Rural Community

Proposed General Plan Land Use Designation: Very Low Density Residential (VLDR) (One Acre Minimum)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): San Jacinto Valley Area Plan Land Use Plan

Proposed Revision(s) to GP Text: (Attach redline/strike-out of text): N/A

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**CHECK LIST**

Affected by	Yes	No	Comments
Coachella Valley MSHCP Conservation Area		X	
Western Riverside County MSHCP Cell	X		Groups P and Q, Cell Nos. 4796 and 4797
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 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)			

<b>* OTHER ISSUES:</b>		
<b>Item</b>	<b>Policy</b>	<b>Discussion</b>
Surrounding Land Uses	SJVAP 7.1 The project site is surrounded by parcels with a Land Use Designation of Agriculture (AG) (10 acre minimum).	The proposed GPA would create land uses that were inconsistent and incompatible with the surrounding properties and the vision of the SJVAP.

**AGRICULTURE FINDINGS** (Check all that apply)

Is there a reasonable possibility that the following findings can be made?\*

Finding	Yes	No	Comment
The amendment would contribute to the achievement of the purposes of the General Plan.		X	"The lower San Jacinto Valley area is characterized by agricultural uses and mountainous terrain, and contains a portion of Bautista Creek as well as the eastern end of the Diamond Valley Lake. Agricultural land is limited in western Riverside County, and this is one area in which it could be sustained for a considerable period of time." (SVJAP Page 31)
The amendment would not be detrimental to the purposes of the General Plan.		X	"This area plan, while limiting intense forms of urban development, also seeks to recognize existing and future agricultural activities as important and vital components of the land use pattern. Residential uses and agriculture are potentially incompatible and often times lead to complaints by local residents of offending odors, noise, flies and the like." (SVJAP Page 31)

**\* 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	<p>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 <b>not initiating</b> proceedings as modified for General Plan Amendment No. 980. 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.</p> <p>Alternatively, Staff could support land use designations of Rural: Rural Mountainous (RR) (10 acre minimum) or possibly Rural: Rural Residential (RM) (5 acre minimum) with the completion of a satisfactory slope analysis.</p>
Transportation	
EPD	
Fire	
Flood	
Building and Safety	
Geologist	

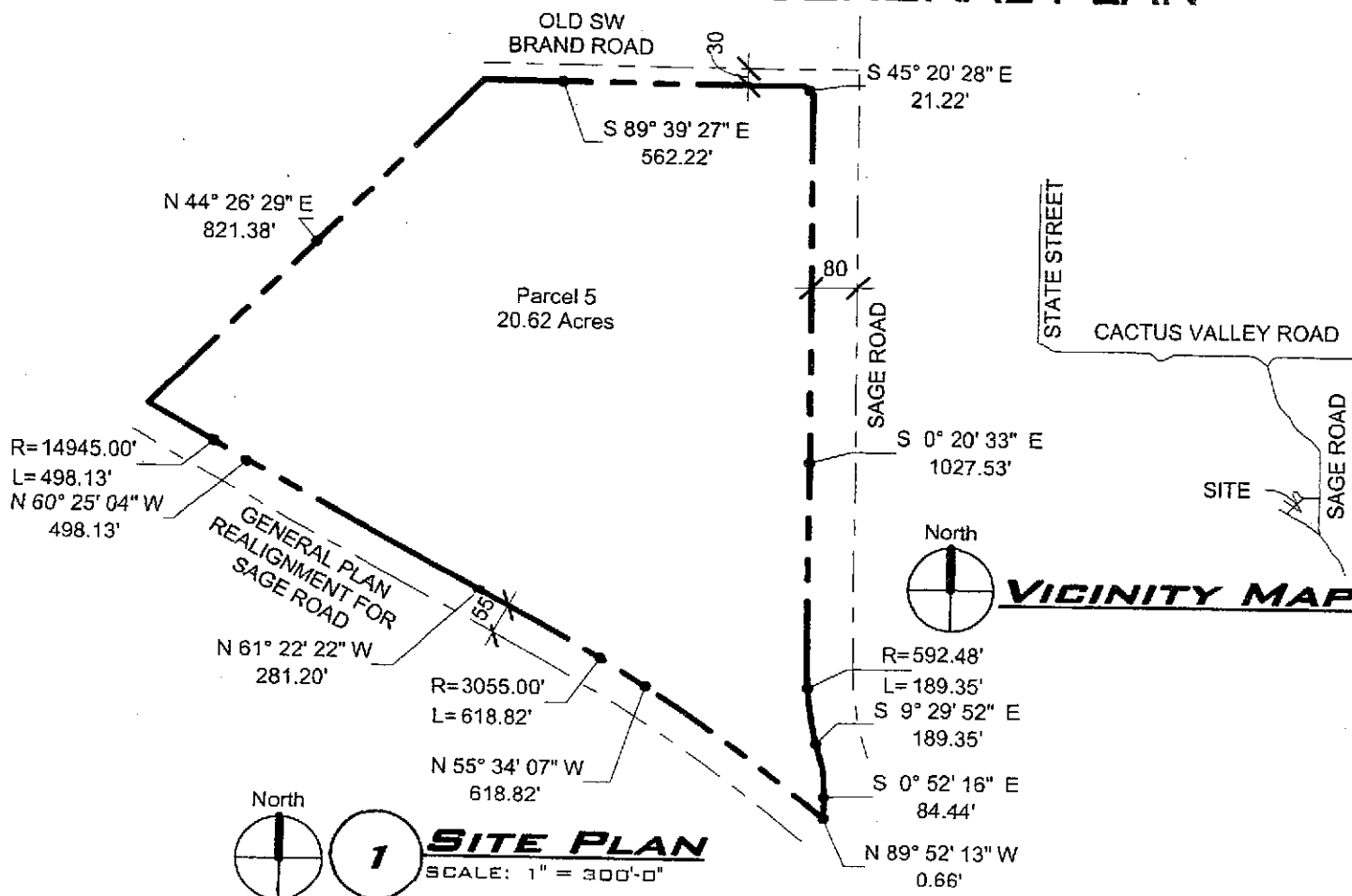


**Case: AGRICULTURE GPA NO. 980**

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File: Y:\Planning Case Files\Riverside\office\GPA00980\AGRICULTURE FINDINGS\GPA00980-Checklist.doc

# APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN



## APPLICATION INFORMATION:

### A. APPLICANT

Michael B. Foutz  
1045 E. Morton Place  
Hemet Ca. 92543  
(951) 658-3277

### B. LAND OWNERS

Michael B. Foutz & Karen L. Foutz  
Todd A. Foutz & Debra R. Foutz  
Joseph D. Pehl & Janice S. Pehl  
C. Peter Stiny  
1045 E. Morton Place  
Hemet Ca. 92543  
(951) 658-3277

### C. MAP PREPARER

Keith A. Suchow Architect, Inc.  
Redlands, Ca.  
(909) 798-1827

### D. SCALE: See Plan

### E. VICINITY MAP: See Plan

### F. LEGAL DESCRIPTION OF PROPERTY:

Parcel 5 of Parcel Map No. 19613 as shown by Parcel Map on file in Book 125, Pages 99 & 100 of Parcel Maps, records of Riverside County, California.

## APPLICATION INFORMATION:

### G. NORTH ARROW: See Plan

H. EXISTING GENERAL PLAN DESIGNATION: AG  
PROPOSED GENERAL PLAN DESIGNATION: VLDR

### I. AMENDMENT DESCRIPTION:

Amend General Plan from AG to VLDR

### J. AREA CALCULATIONS: See Plan

### K. DATE: February 14, 2008

### L. SITE INFORMATION: See Plan

### M. DIMENSIONS: See Plan

### N. EXISTING STRUCTURES, EASEMENTS OR USES: None

### O. THOMAS BROS. MAP PAGE NO. & COORDINATES:

Page 871, Coord. D5  
(Per County GIS System)

OWNER/APP

ENG/REP

**Michael Foutz**  
**1045 E Morton Place**  
**Hemet CA 92543**

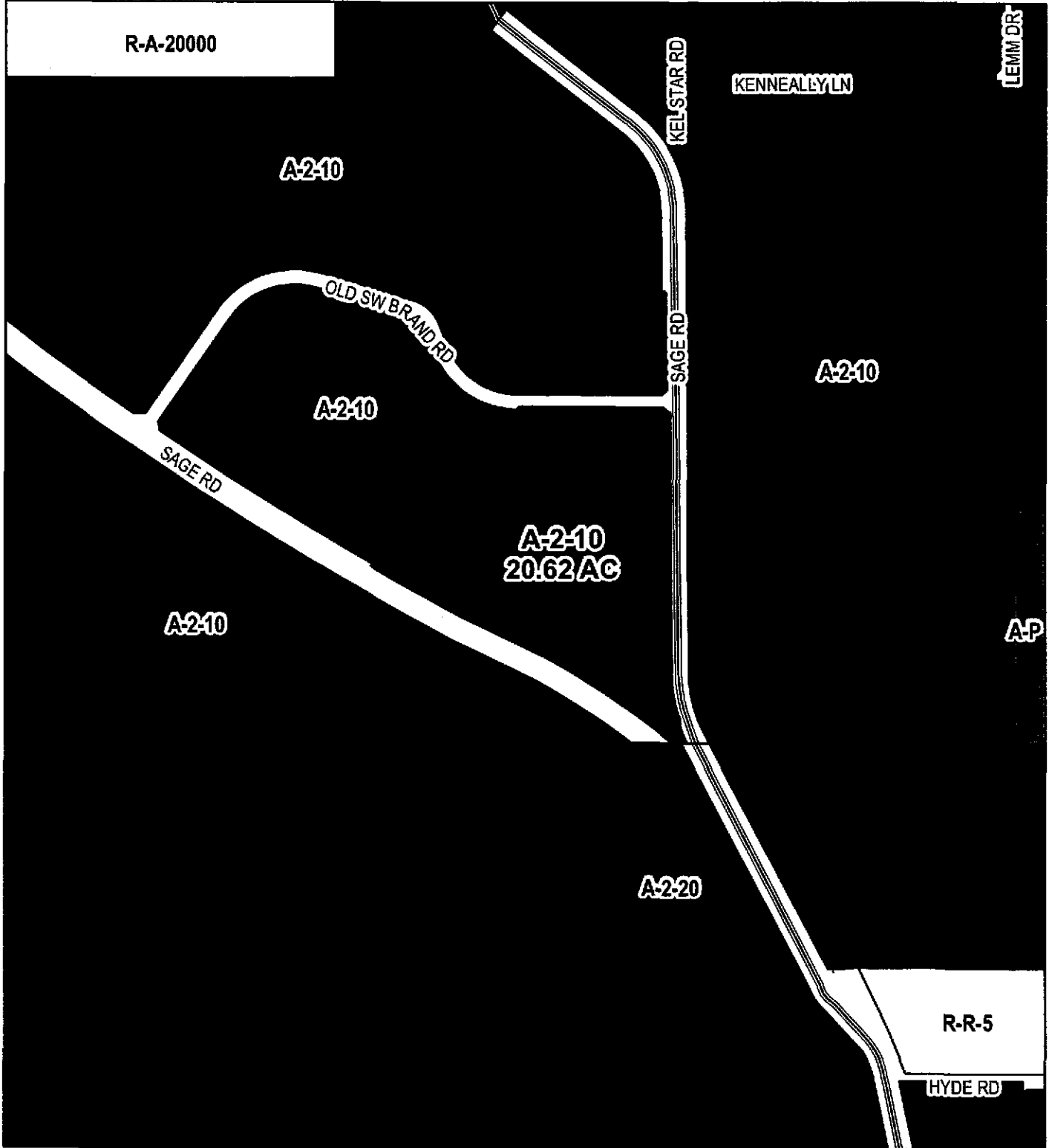
**Keith Suchow**  
**PO BOX 5367**  
**Hemet CA92544**

**Michael Foutz**  
**1045 E Morton Place**  
**Hemet CA 92543**

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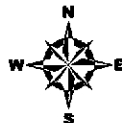
**Michael Foutz**  
**1045 E Morton Place**  
**Hemet CA 92543**

**Keith Suchow**  
**PO BOX 5367**  
**Hemet CA92544**



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
District: Hemet-San Jacinto  
Township/Range: T6SR1W  
Section : 11



Assessors  
Bk. Pg. 469-12  
Thomas  
Bros. Pg. 871 D5

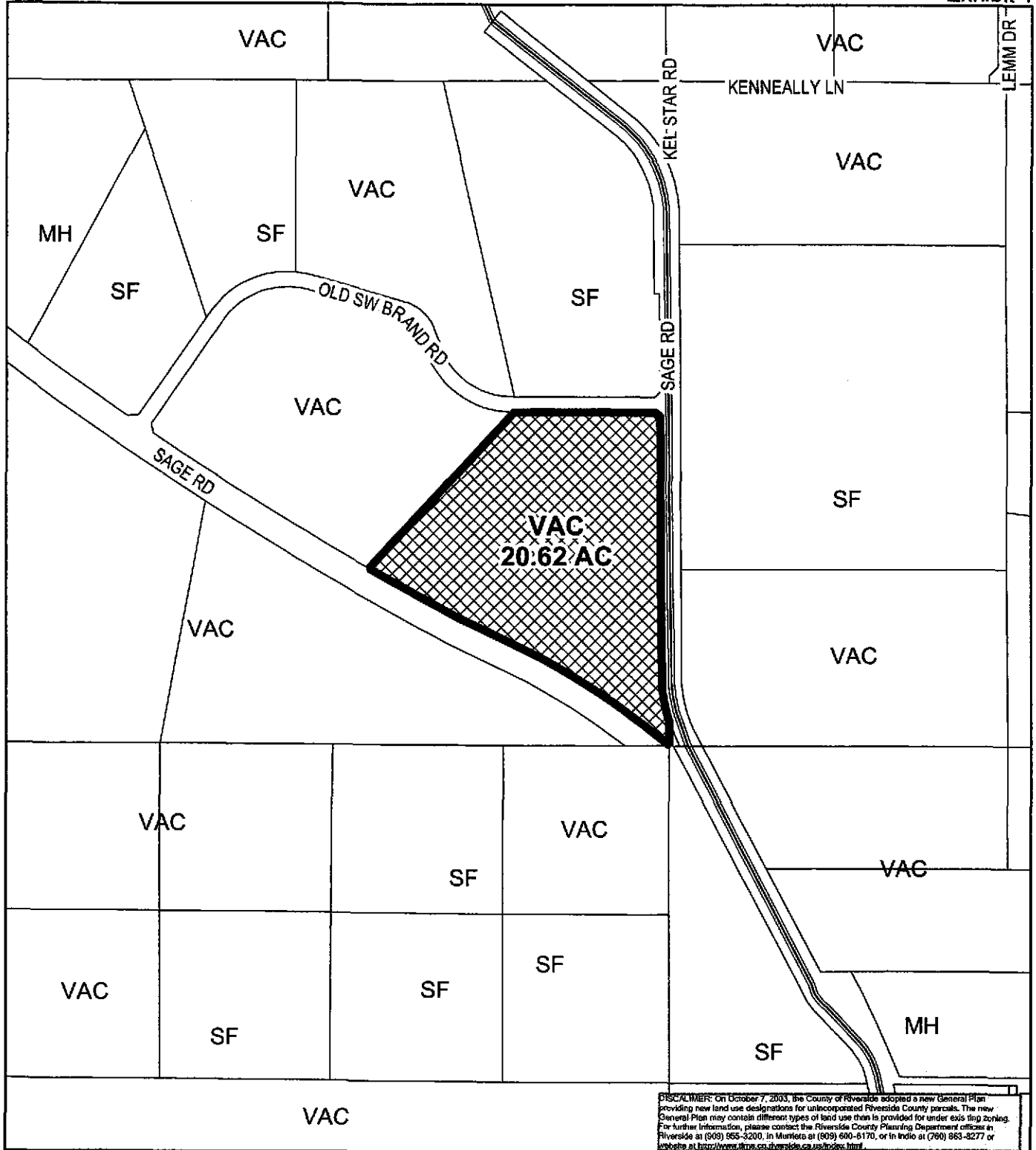


Supervisor Stone  
District 3  
Date Drawn: 8/11/08

# GPA00980

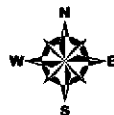
## Land Use

Planner: Jeff Horn  
Date: 9/03/08  
Exhibit 1



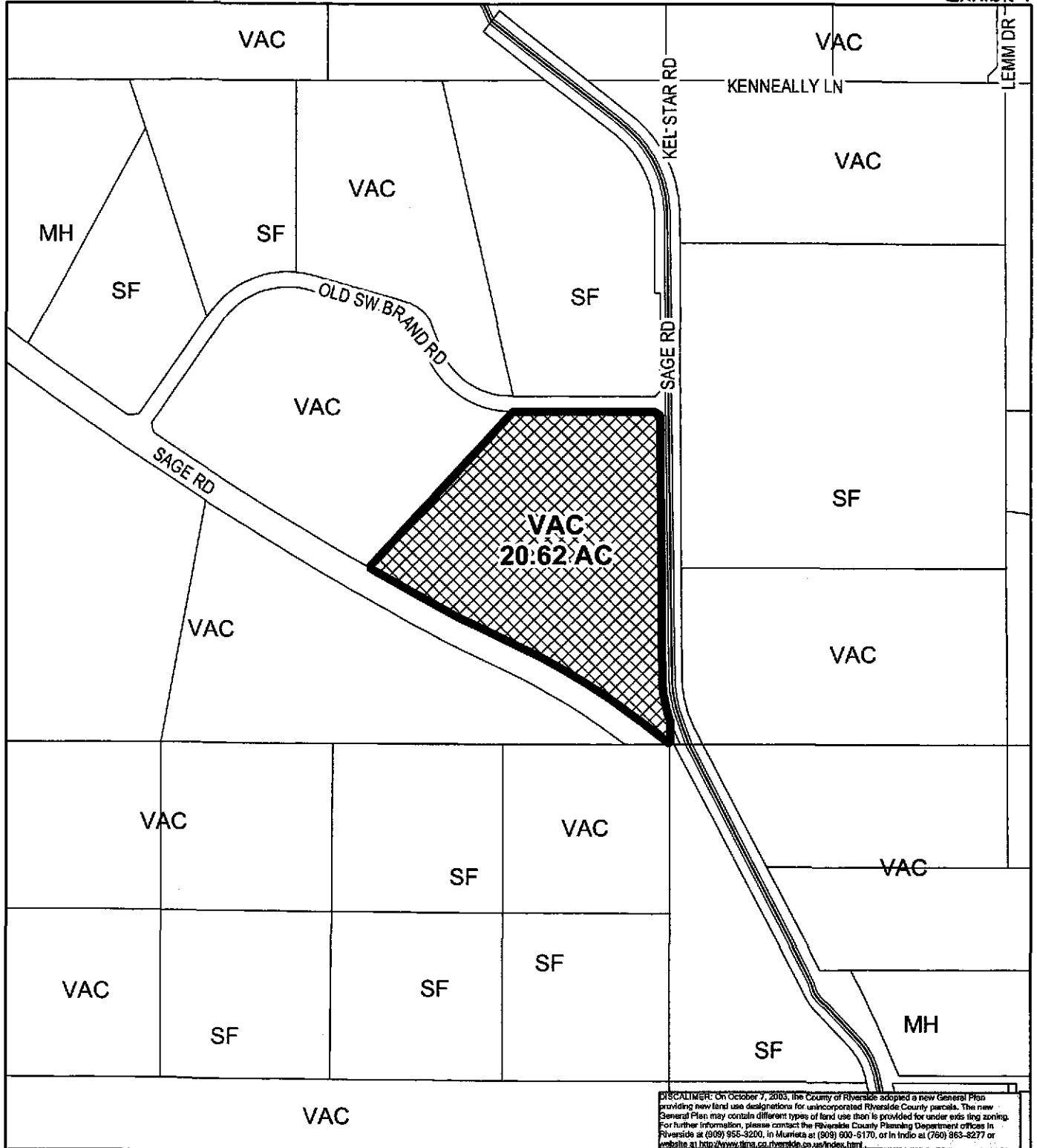
### RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Hemet-San Jacinto  
Township/Range: T6SR1W  
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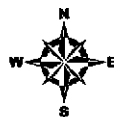
Assessors  
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**RIVERSIDE COUNTY PLANNING DEPARTMENT**

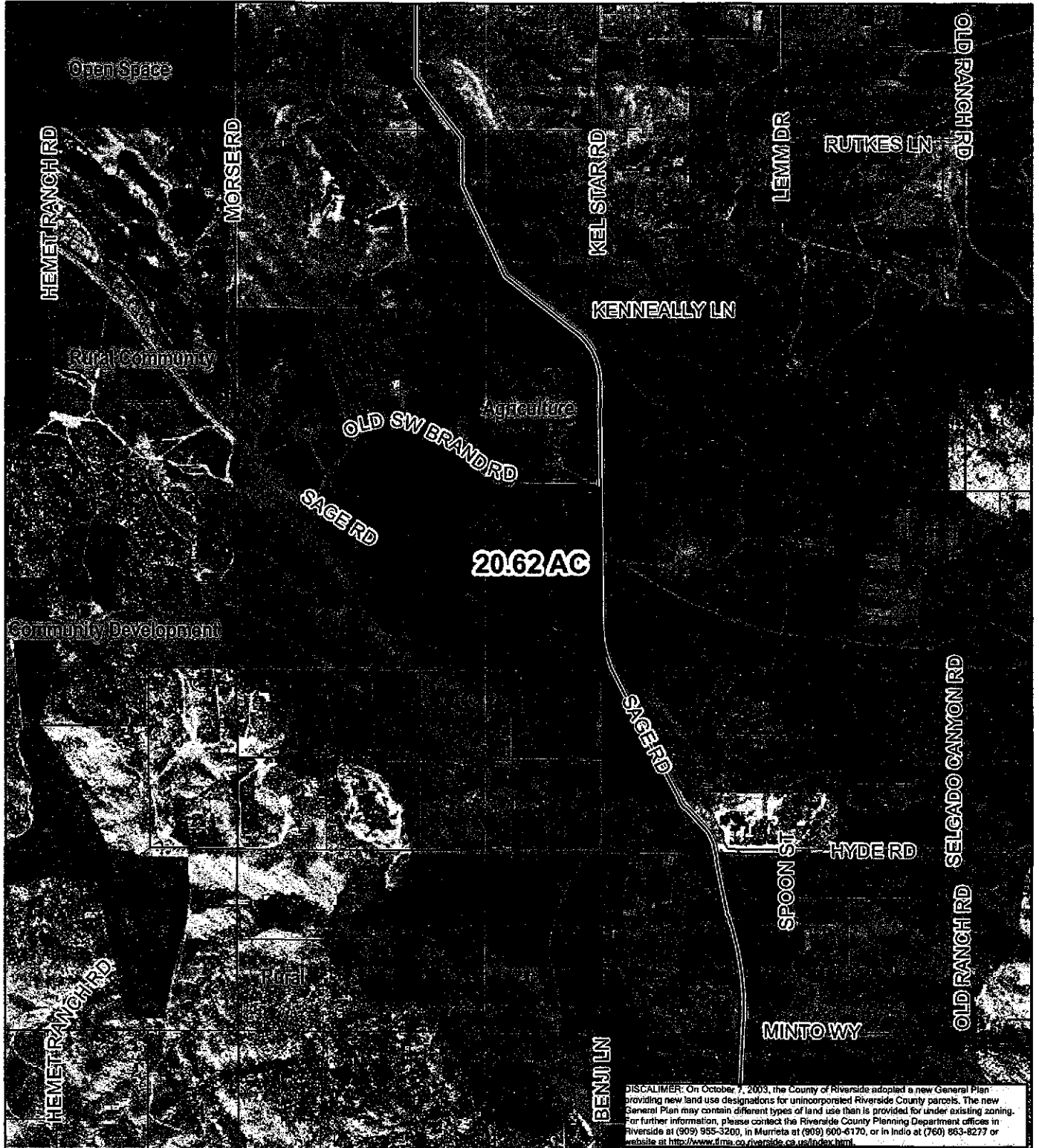
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**DEVELOPMENT OPPORTUNITY**



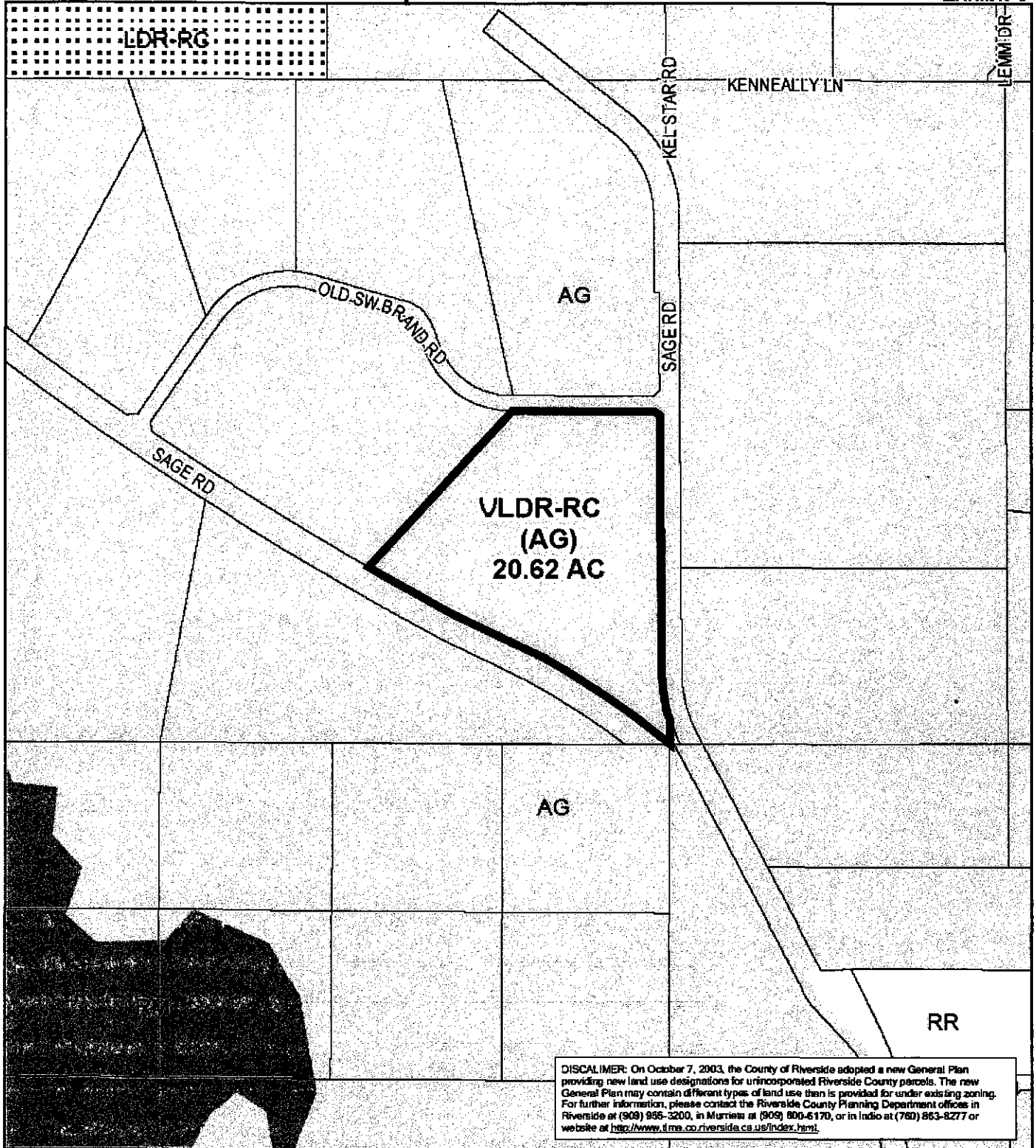
**RIVERSIDE COUNTY PLANNING DEPARTMENT**

District  
Plan: Hemet-San Jacinto  
Township/Range: T6SR1W  
Section: 11



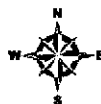
Assessors  
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**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
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Township/Range: T6SR1W  
Section: 11



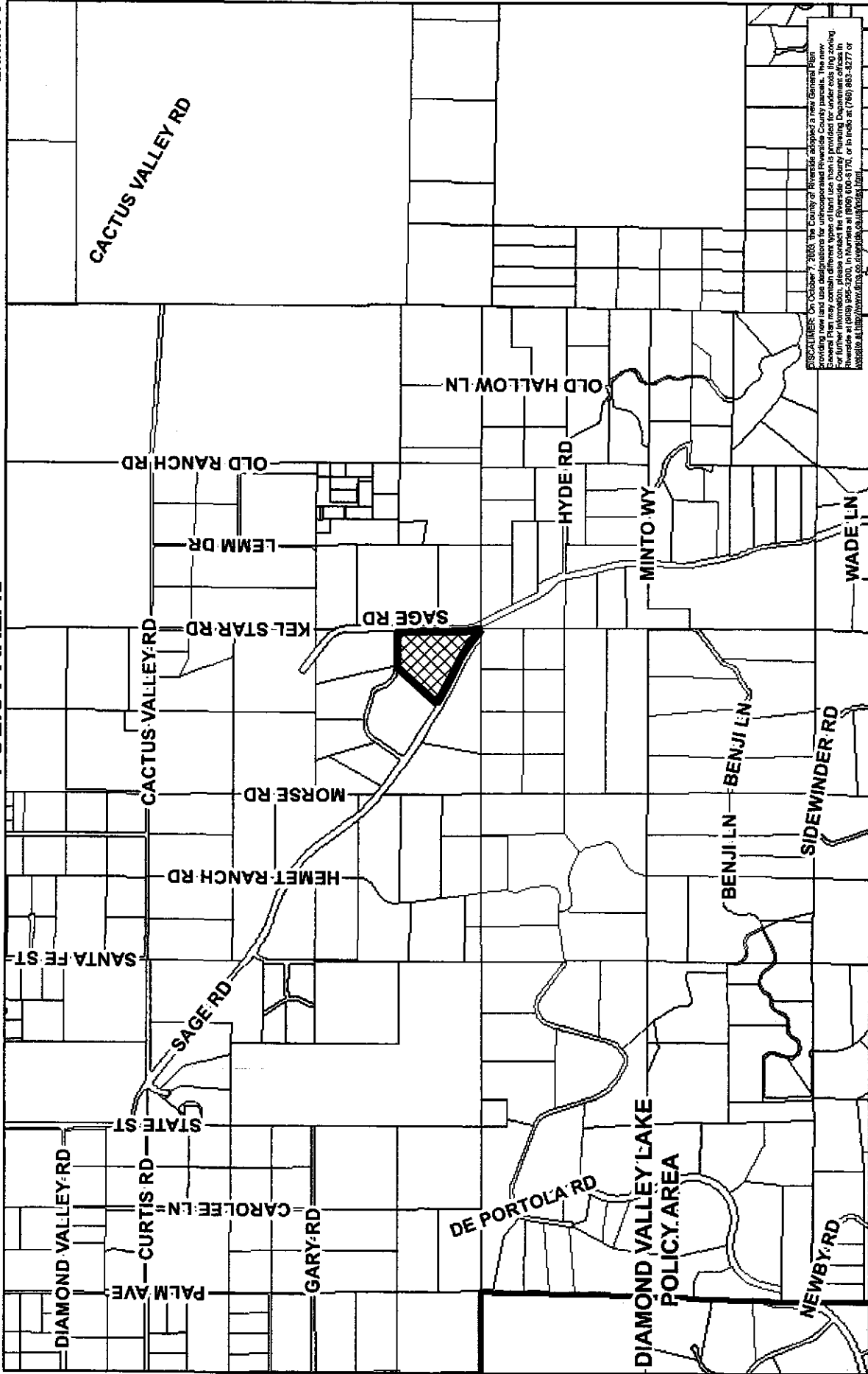
Assessors  
Bk. Pg. 469-12  
Thomas  
Bros. Pg. 871 D5



Planner: Jeff Horn  
Date: 9/03/08  
Exhibit 8

# GPA00980 POLICY AREAS

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



DISCLAIMER: On October 7, 2008, 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 the following areas: Hemet, 9500 N. Highway 91, Hemet, CA 92343; or in Indio at (760) 863-6277 or VISIBO@CALTRANS.CA.GOV or VISIBO@CALTRANS.CA.GOV

## RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Hemet-San Jacinto  
Township/Range: T6SR1W  
Section: 11

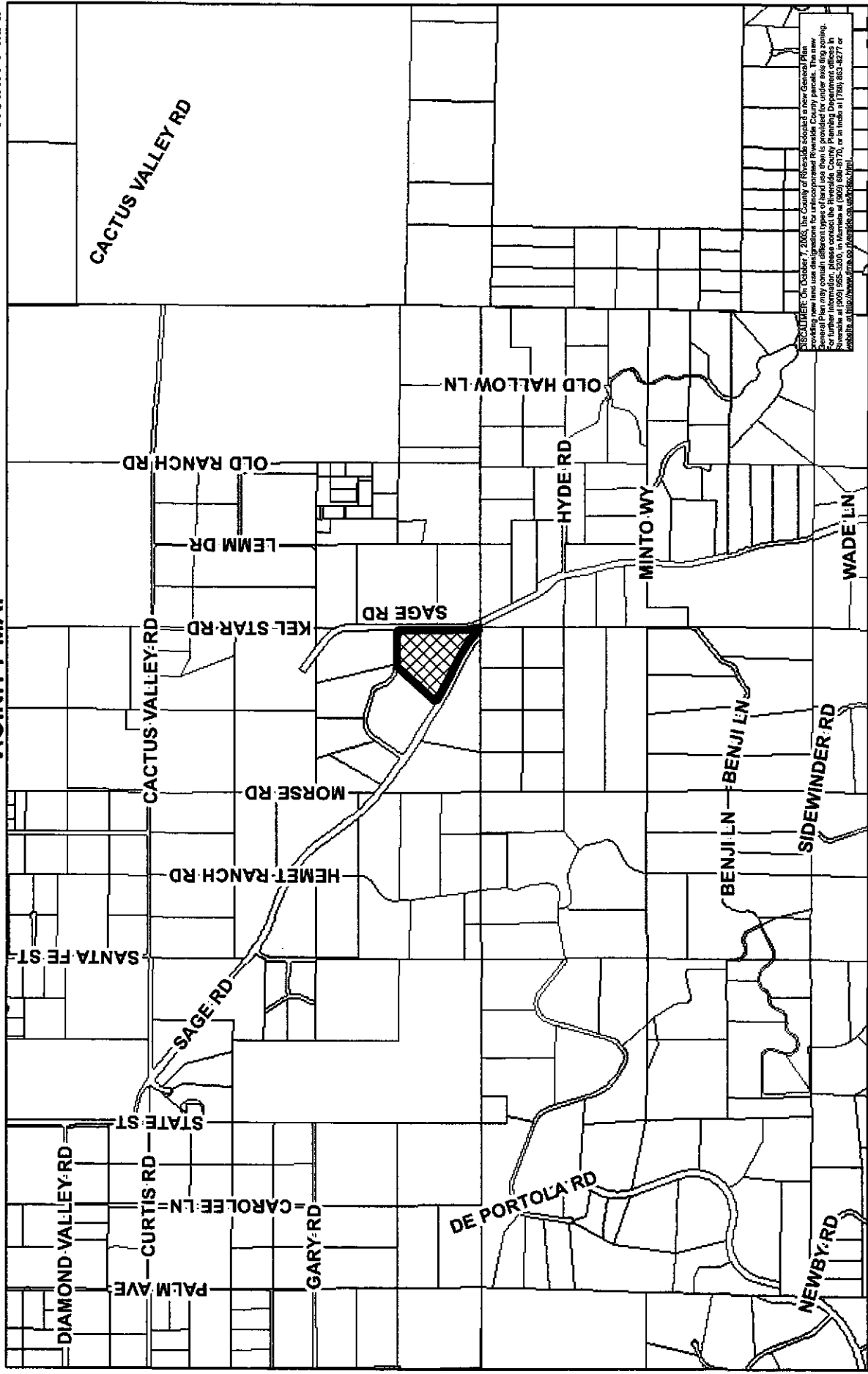
Assessors  
Bk. Pg. 469-12  
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Bros. Pg. 871 D5



Planner: Jeff Horn  
Date: 9/03/08  
VICINITY MAP

GPA00980  
VICINITY MAP

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



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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Hemet-San Jacinto  
Township/Range: T6SR1W  
Section : 11

Assessors  
Bk. Pg. 469-12  
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Bros. Pg. 871 D5

0 2,375 4,750 9,500 14,250 Feet



Applicant  
Michael Foutz  
1045E Morton Place  
Hemet, CA. 92543

Applicant  
Michael Foutz  
1045E Morton Place  
Hemet, CA. 92543

Engineer  
Keith Suchow  
P.O. Box 5367  
Hemet, CA 92544-0367

Engineer  
Keith Suchow  
P.O. Box 5367  
Hemet, CA 92544-0367

GPAD 80