

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

638 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 18, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 803 – (Entitlement / Policy) – Applicant: The Shopoff Group – Engineer / Representative: Stantec Consulting - Fifth Supervisorial District – Edgemont-Sunnymead Zoning District – Highgrove & Reche Canyon/Badlands Area Plan: Community Development: Public Facilities (CD: PF) – Location: Southerly of Highgrove Pass Road, and easterly of Pigeon Pass Road – 45.57 Gross Acres - Zoning: Light Agricultural -10 Acre Minimum (A-1-10) - **REQUEST:** Proposes to change the site's general plan land use designation from Community Development: Public Facilities (CD:PF) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre).

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. 803. 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 9/24/08
Tina Grande
Departmental Conference

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

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.16

The Honorable Board of Supervisors
RE: General Plan Amendment No. 803
September 18, 2008
Page 2 of 2

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.: 6.5
Area Plan: Highgrove and Reche Canyon /
Badlands
Zoning Area: Edgemont-Sunnymead
Supervisorial District: Fifth
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 803
Applicant: The Shopoff Group
Engineer/Rep.: Stantec Consulting

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 Jan Zuppardo: Agreed with change in designation

Commissioner John Petty: No comment

Commissioner John Snell: No comment

Commissioner John Roth: No comment

Commissioner Jim Porras: No comment

APP 1/16

Agenda Item No.: 6.5
Area Plan: Highgrove and Reche
Canyon/Badlands
Zoning District: Edgemont-Sunnymead
Supervisory District: Fifth
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 803
Applicant: The Shopoff Group
Engineer/Rep.: Stantec Consulting

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 803 proposes to change the site's general plan land use designation from Community Development: Public Facilities (CD:PF) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre).

The proposed project is located at the eastern end of the Highgrove community split between the Highgrove and Reche Canyon/Badlands Area Plans. More specifically, the project is located southerly of Highgrove Pass Road and easterly of Pigeon Pass 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.

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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. 816 falls into the Entitlement/Policy category, because it is not altering the Foundation-Component of the General Plan.

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 Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) Land Use Designation for the parcel in question will achieve the future vision of General Plan. It is possible to make this finding.

(2) Any General Plan Principle: Given staff's 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 not change the Foundation Component of the General Plan. Therefore, 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 developing medium density residential development and vacant land. The proposed Amendment is highly consistent with the General Plan Land Use Element and with the pattern of existing development in the surrounding area. 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." At the time of approval of the General Plan, the subject property was in use for the operation of the Highgrove Sanitary Landfill, which was still an open landfill. Since the approval of the General Plan, the landfill has been closed and the subject property was sold off to a private owner. Since the project is now under private ownership and is no longer associated with a public use, the Public Facilities designation is no longer applicable. The planned densities to the west of the project associated with the Spring Mountain Ranch Specific Plan (SP 323) are generally in the Medium Density range (2-5 dwelling units per acre)

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)

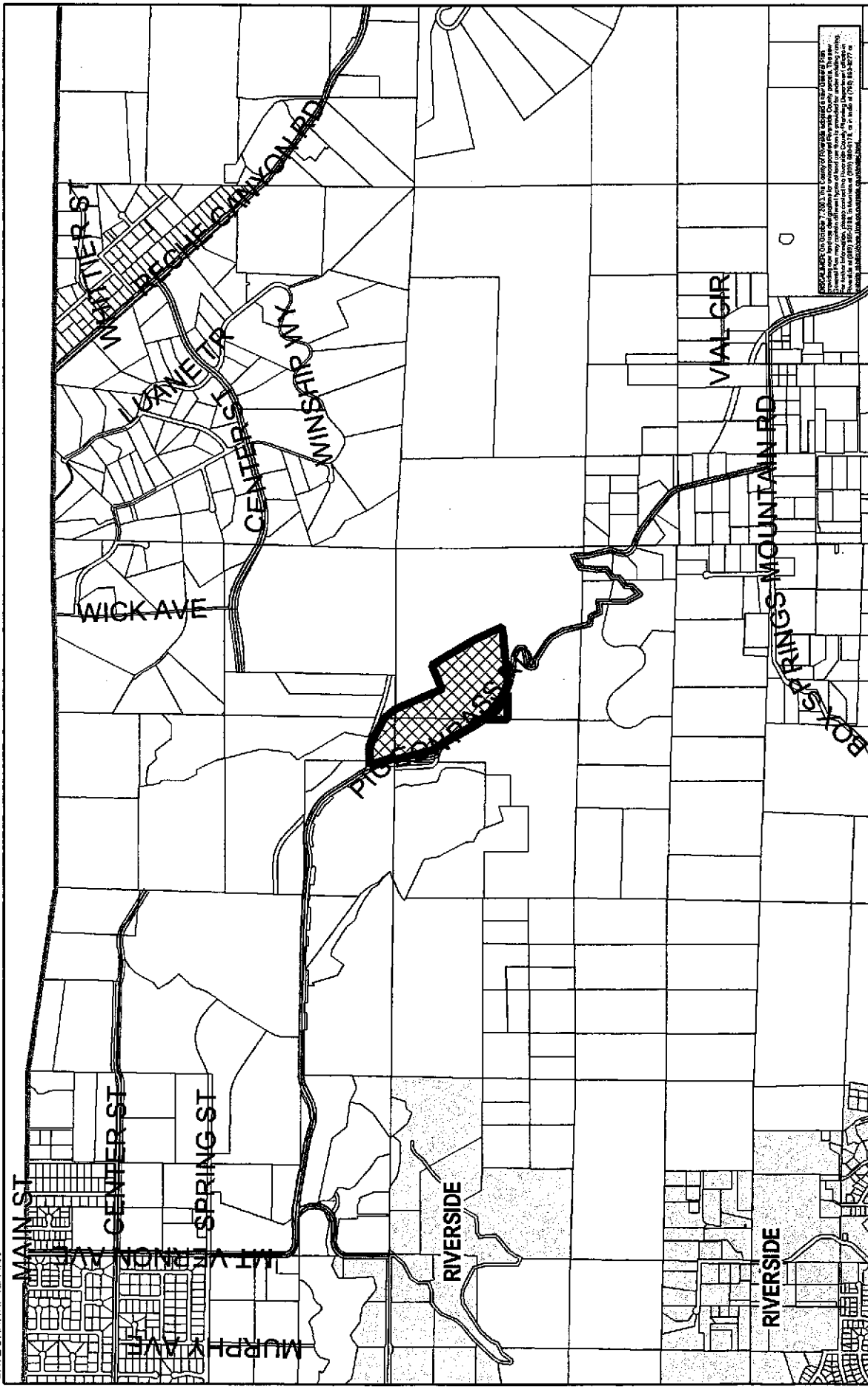
SUMMARY OF FINDINGS:

- | | |
|---|---|
| 1. Existing General Plan Land Use (Ex. #6): | Community Development: Public Facilities (CD:PF) |
| 2. Existing Zoning (Ex. #2): | Light Agriculture ten-acre minimum (A-1-10) |
| 3. Surrounding Zoning (Ex. #2): | Specific Plan (SP 323) to the north and west, Light Agriculture ten-acre minimum (A-1-10) to the north, south, and west, Residential Agricultural ten-acre minimum (R-A-10) to the west |
| 4. Existing Land Use (Ex. #1): | Vacant Land |
| 5. Surrounding Land Use (Ex. #1): | Vacant land to the north and south, Highgrove Sanitary Landfill (closed) to the east, developing |

CZ07321 TR33410 GPA00803
VICINITY MAP

Planner: Josias Gonzalez
Date: 1/10/07
VICINITY MAP

Supervisor Ashley
District 5
DATE DRAWN: 12/14/06



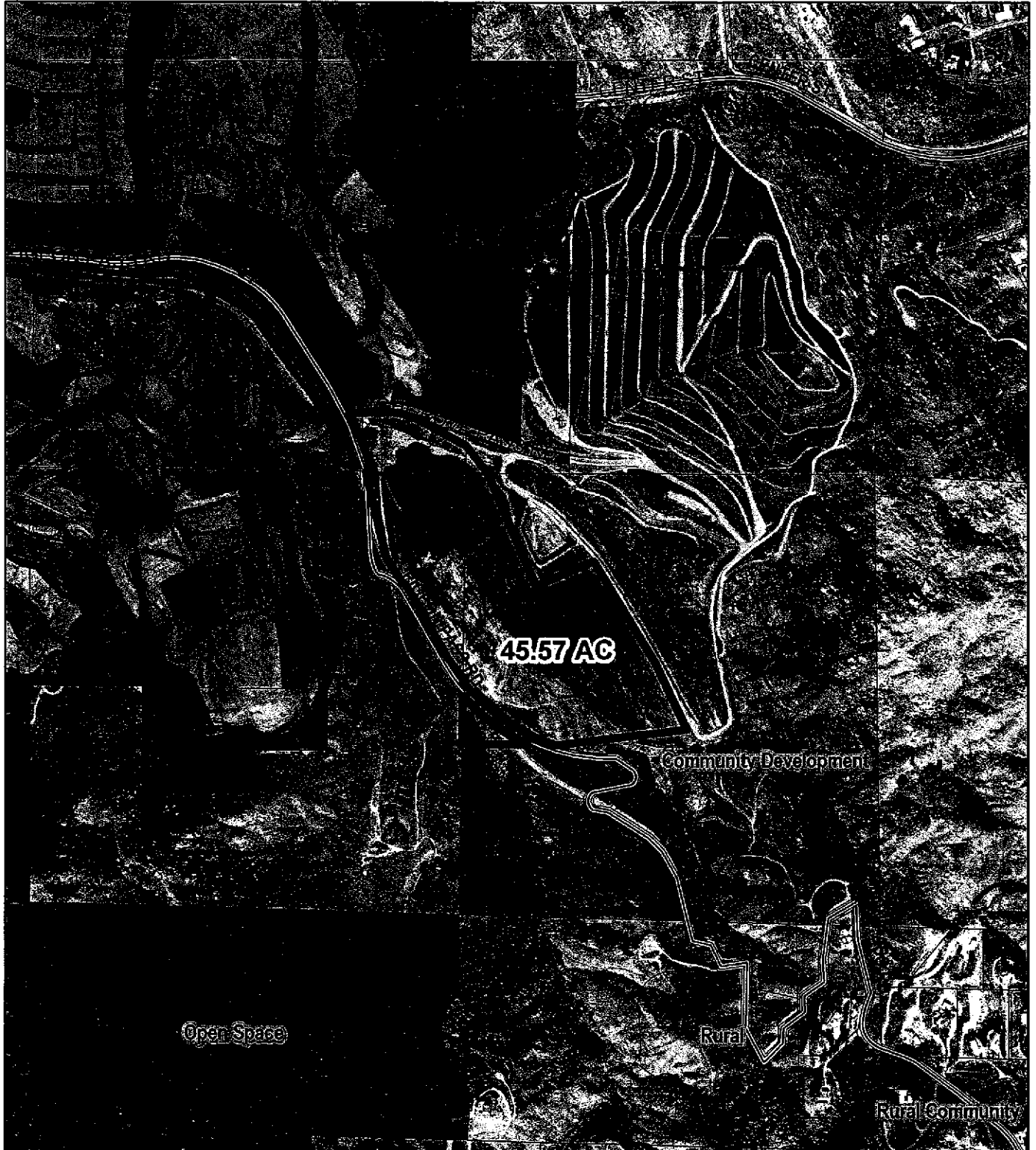
REGULATORY CODES: 7-303, THE COUNTY OF RIVERSIDE GEORGE CHAPMAN 1983
This map was prepared for the County of Riverside Planning Department. The map
provides information for planning purposes only. It is not intended to be used for
any other purpose. Please contact the County Planning Department at (951) 864-2774
for more information. The County of Riverside is not responsible for any errors or
omissions on this map.

RIVERSIDE COUNTY PLANNING DEPARTMENT

ASSESSORS 255-24
BK. PG. 257-18
THOMAS
BROS.PG 686 H1

Zone Edgemont-Sunnymead
District: T2SR5W
Township/Range: 10 & 15
Section : 10 & 15





RIVERSIDE COUNTY PLANNING DEPARTMENT

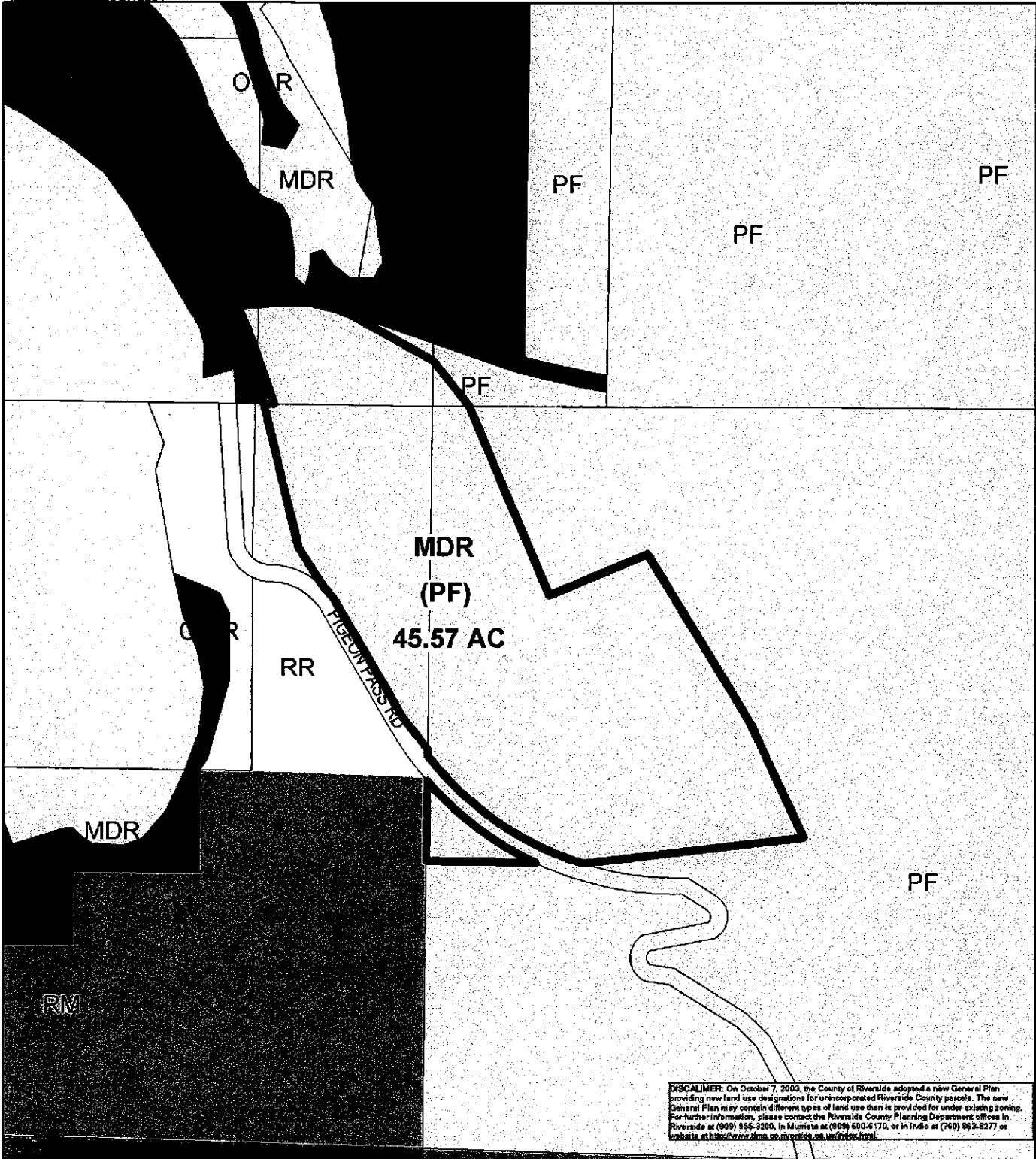
District
Plan: **Edgemont-Sunnymead**

Township/Range: T2SR4W

SECTION: 10 & 15

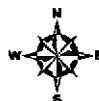


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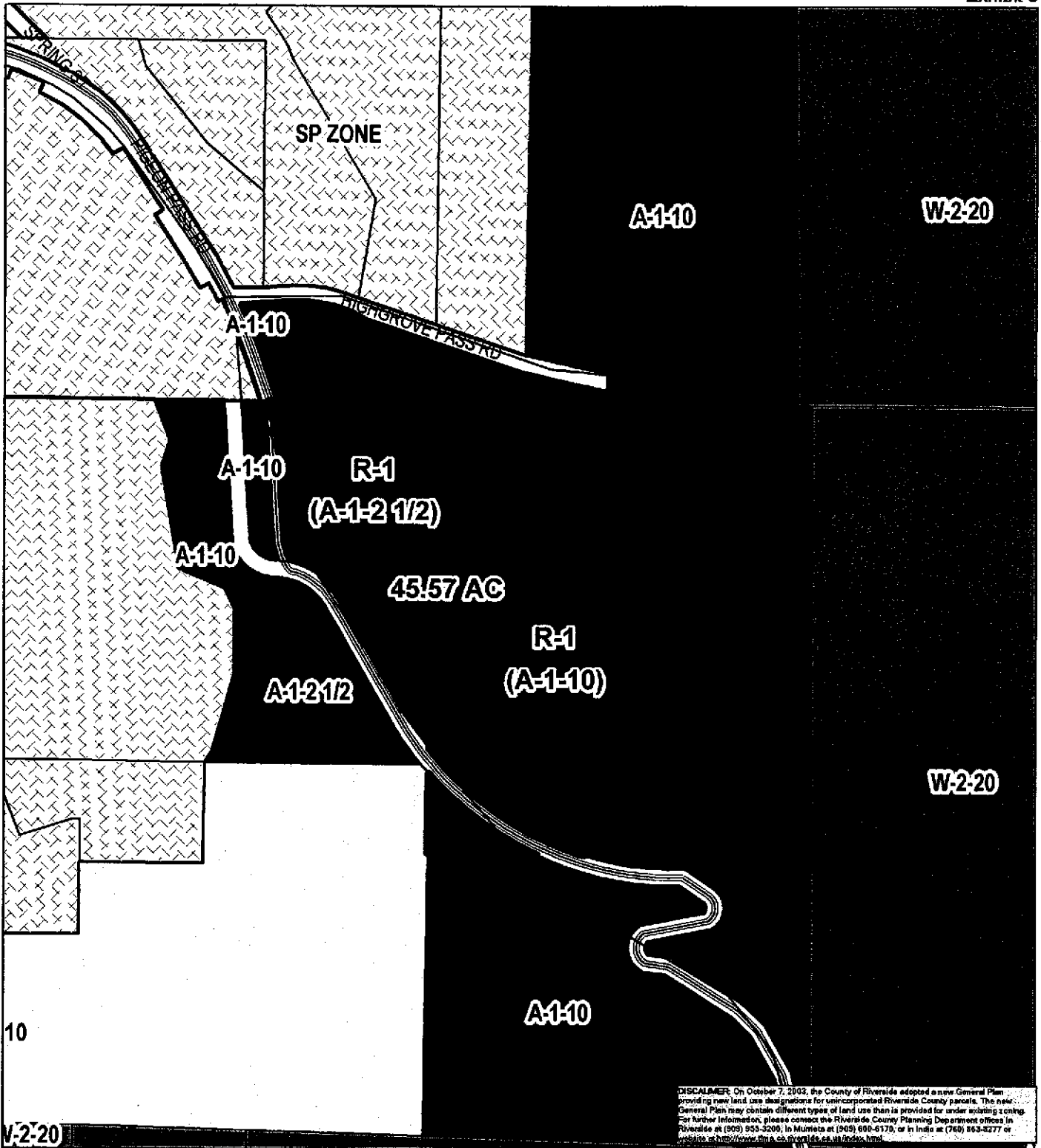
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Edgemont-Sunnymead**
Township/Range: **T2SR4W**
Section : **10 & 15**



ASSESSORS **255-24**
BK. PG. **257-18**
THOMAS
BROS.PG **686 H1**

DATE DRAWN: 12/14/06



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Edgemont-Sunnymead**
Township/Range: T2SR4W
Section : 10 & 15

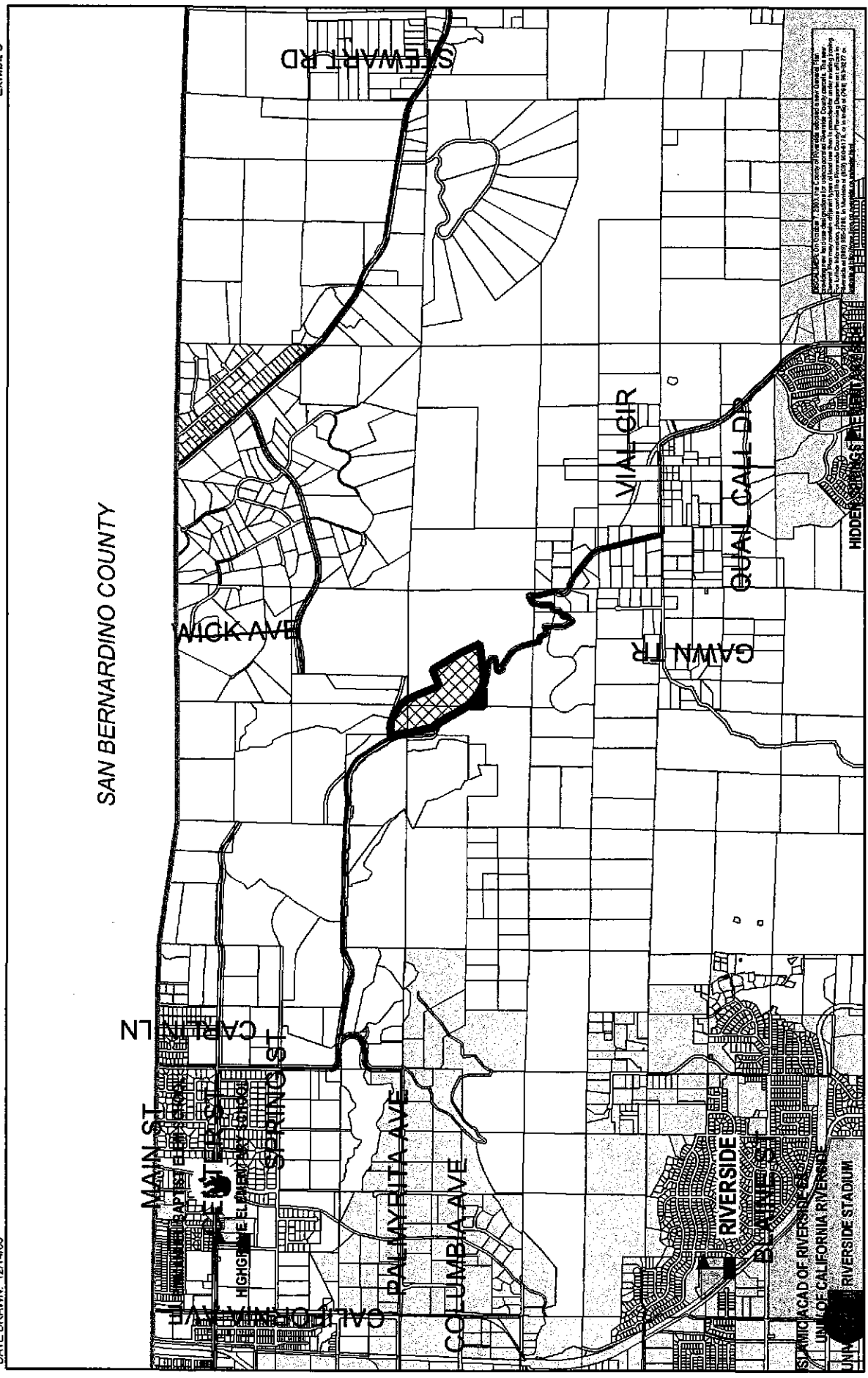


ASSESSORS	255-24
BK. PG.	257-18
THOMAS	
BROS.PG	686 H1

**CZ07321 TR33410 GPA00803
POLICY AREAS**

Planner: Josias Gonzalez
Date: 1/10/07
Exhibit 8

Supervisor Ashley
District 5
DATE DRAWN: 12/14/06



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Edgemoor-Sunnymead
 District: T2SR5W
 Township/Range: 40 & 15
 Section: 10 & 16

ASSESSORS 255-24
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 THOMAS 686 H1
 BROS.PG

0 2,650 5,300 10,600 15,900 Feet

ENTITLEMENT / POLICY AMENDMENT

Case No. GPA00803 Supervisorial District: Fifth Existing Zoning: Rural Residential (R-R)

Area Plan: Highgrove and Reche Canyon/Badlands Area Plans Acreage: 45.57

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Public Facilities

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

Existing Map(s) of Issue: 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: Medium Density Residential

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 ½ Mile		X	
Liquefaction Potential; Subsidence	X		Low
High Fire Area	X		
Code Complaint		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	

* 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.		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	See Staff Report
Transportation	N/A
EPD	N/A
Fire	N/A
Flood	N/A
Building and Safety	N/A
Geologist	N/A