

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

637B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 18, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 816 – (Entitlement / Policy) – Applicant: Menifee Vista Partners, LLC – Engineer / Representative: Keller Consulting, Inc. - Fifth Supervisorial District – Romoland Zoning District – Harvest Valley/Winchester Area Plan: Community Development: Very Low Density Residential (CD: VLDR) (1 Acre Minimum) – Location: Northerly of Mapes Road, westerly of Menifee Road, and easterly of Palomar Road – 38.2 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** Proposes to change the site's general plan land use designation from Community Development: Very Low Density Residential (CD:VLDR) (1 acre minimum) to Community Development: Low Density Residential (CD:LDR) (1/2 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 initiating proceedings for General Plan Amendment No. 816. 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

Keyser
Tina Grande
Departmental Concurrence

Policy Policy
Consent Consent
Dept's Recomm.: Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.17

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.: 6.6
Area Plan: Harvest Valley / Winchester
Zoning District: Romoland
Supervisorial District: Fifth
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 816
Applicant: Menifee Vista Partners, LLC
Engineer/Rep.: Keller Consulting, Inc.

**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

ABK 9/16

Agenda Item No.: 6.6
Area Plan: Harvest Valley / Winchester
Zoning District: Romoland
Supervisory District: Fifth
Project Planner: Russell Brady
Planning Commission: September 3, 2008

General Plan Amendment No. 816
Applicant: Menifee Vista Partners, LLC
Engineer/Rep.: Keller Consulting, Inc.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 816 proposes to change the site's general plan land use designation from Community Development: Very Low Density Residential (CD:VLDR) (1 acre minimum) to Community Development: Low Density Residential (CD:LDR) (1/2 acre minimum).

The proposed project is located in the Romoland community of the Harvest Valley / Winchester Area Plan. More specifically, the project is located northerly of Mapes Road, westerly of Menifee Road, and easterly of Palomar 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 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.

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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: Low Density Residential (CD:LDR) (1/2 acre minimum) 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 existing lower 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." The Land Use Element of the General Plan requires for the provision of adequate infrastructure to serve new development. Since the preparation of the General Plan, there has been an increased concern over the concentration of septic systems in the area and their impact on ground water quality, as evidenced by the Board of Supervisors moratoriums on installation of septic systems in the Quail Valley and Cherry Valley areas, it has become the desire for new developments in this area to connect to a sewer system rather than provide individual septic systems. This project is seeking to increase the density to provide sufficient lot yield to provide for the requested sewer infrastructure extension to existing facilities. 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. Existing General Plan Land Use (Ex. #6): | Community Development: Very Low Density Residential (CD:VLDR) (1 acre minimum) |
| 2. Existing Zoning (Ex. #2): | Rural Residential (R-R) |
| 3. Surrounding Zoning (Ex. #2): | Rural Residential (R-R) to the north, south, east, and west, Rural Commercial (C-R) to the east |
| 4. Existing Land Use (Ex. #1): | Vacant Land |
| 5. Surrounding Land Use (Ex. #1): | Vacant land to the north and south, 1/2-acre minimum single family residential to the west, 1-acre minimum single family residential to the east and south |

6. Project Data:

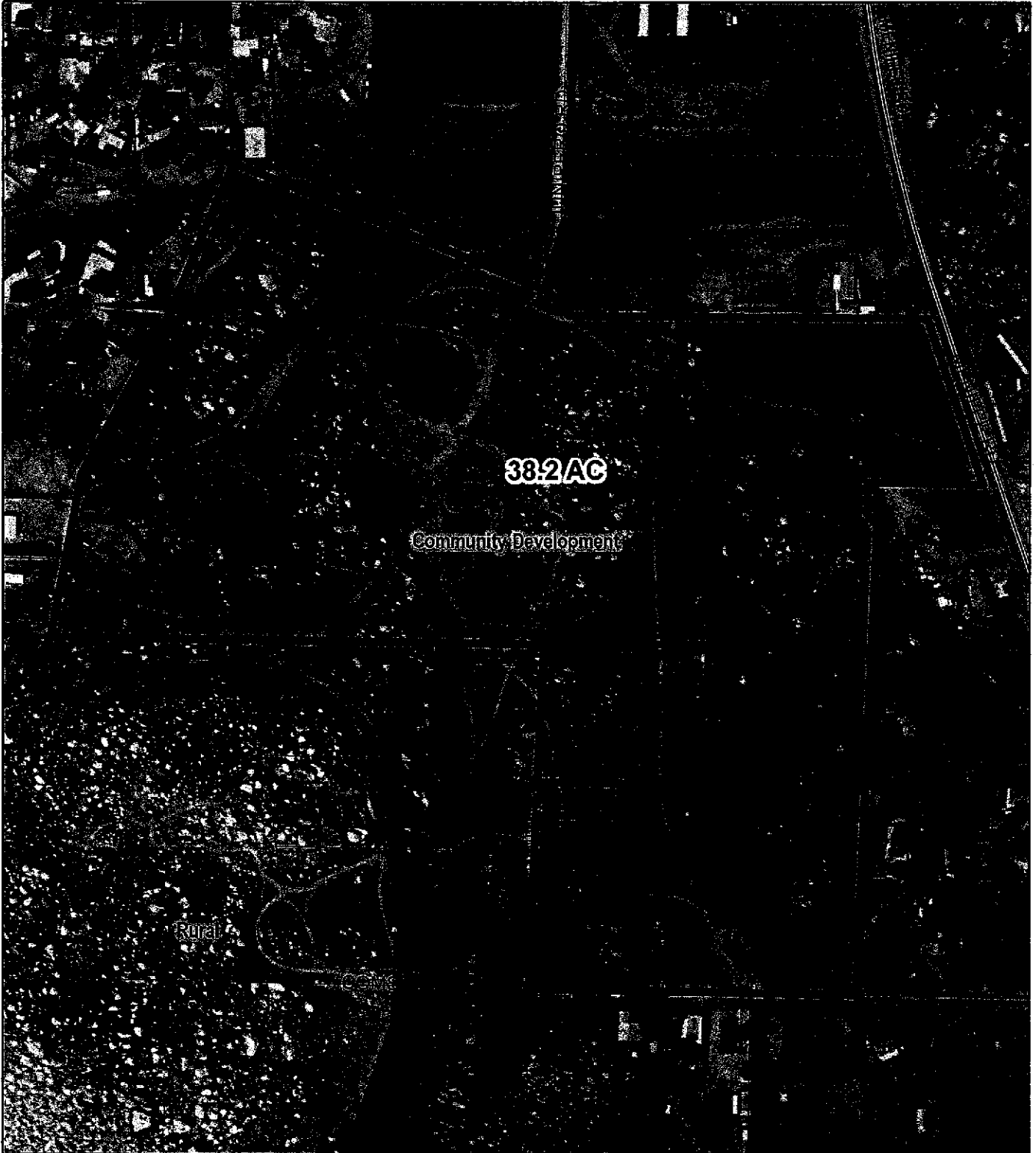
Total Acreage: 38.2

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. 816. 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 city sphere of influence;
 - b. Fringe Toed Lizard sand source area;
 - c. A Flood Zone;
 - d. WRCMSHCP Criteria Cell;
 - e. The boundaries of a Redevelopment Area;
 - f. An area drainage plan area; or,
 - g. A dam inundation area.
3. The project site is located within:
 - a. The boundaries of the Romoland Union and Perris Union High School Districts;
 - b. The Stephens Kangaroo Rat Fee Area;
 - c. Valley Wide Recreation and Parks District sphere of influence;
 - d. A high fire area;
 - e. An area susceptible to subsidence; and,
 - f. An area of low liquefaction potential.
4. The subject site is currently designated as Assessor Parcel Number's: 327-100-013, 327-100-026, 327-090-005.

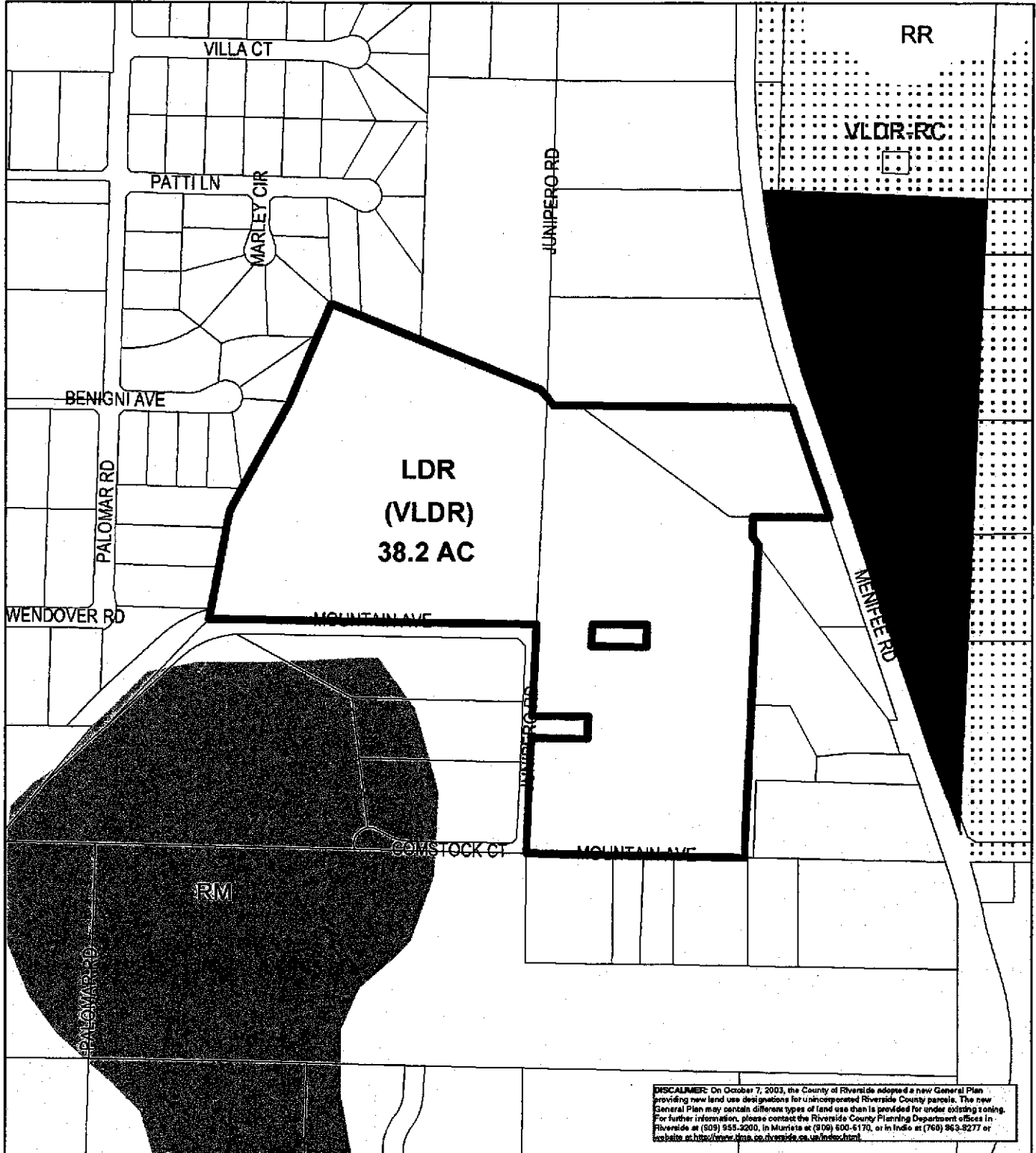


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Romoland
Plan:
Township/Range: T5SR3W
SECTION: 2



ASSESSORS
BK. PG. 327-9,10
THOMAS 808 F5
BROS.PG



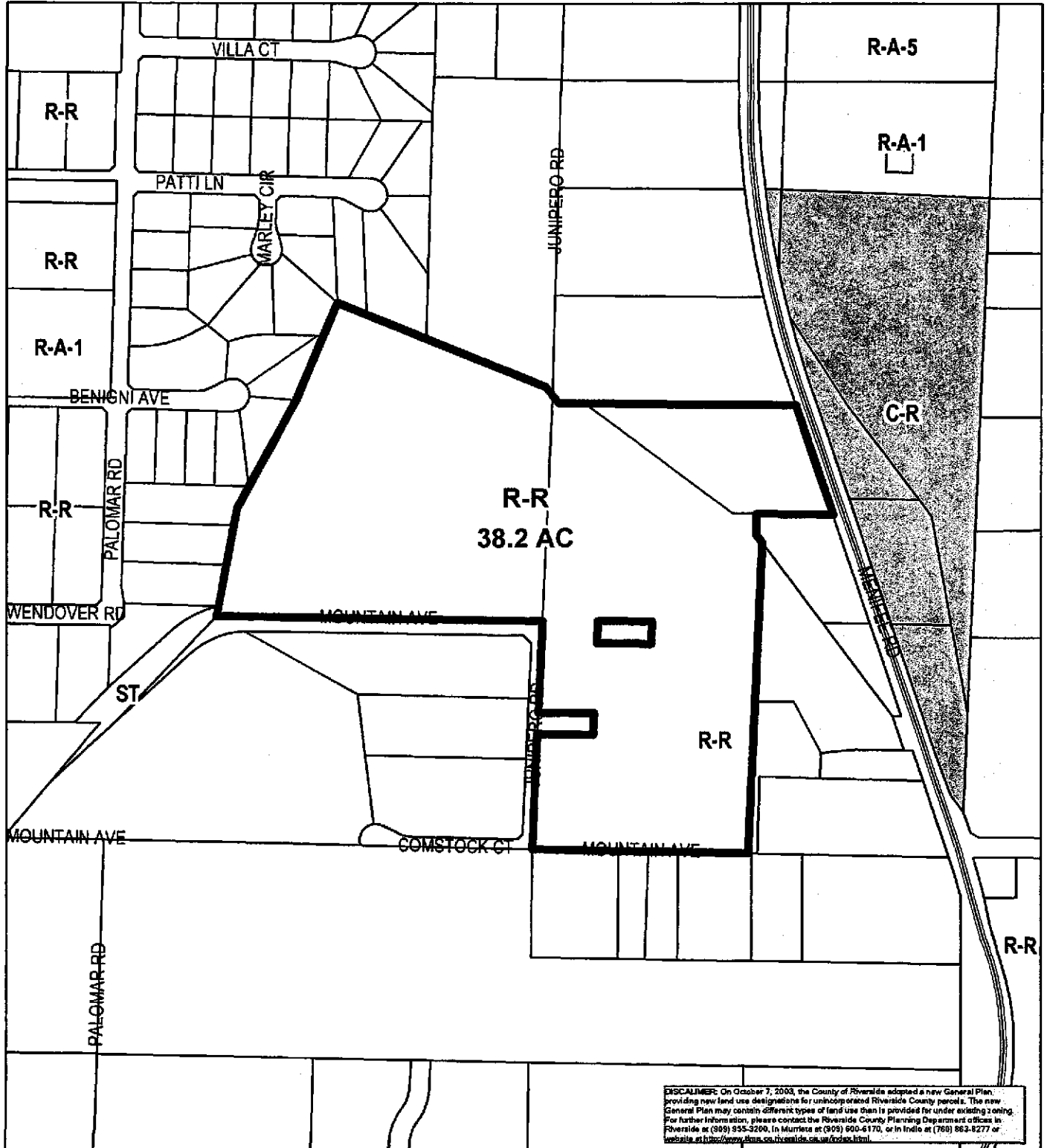
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 963-9277 or website at <http://www.cpla.ca.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: **Romoland**
Township/Range: **T5SR3W**
Section: **2**



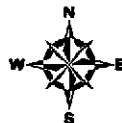
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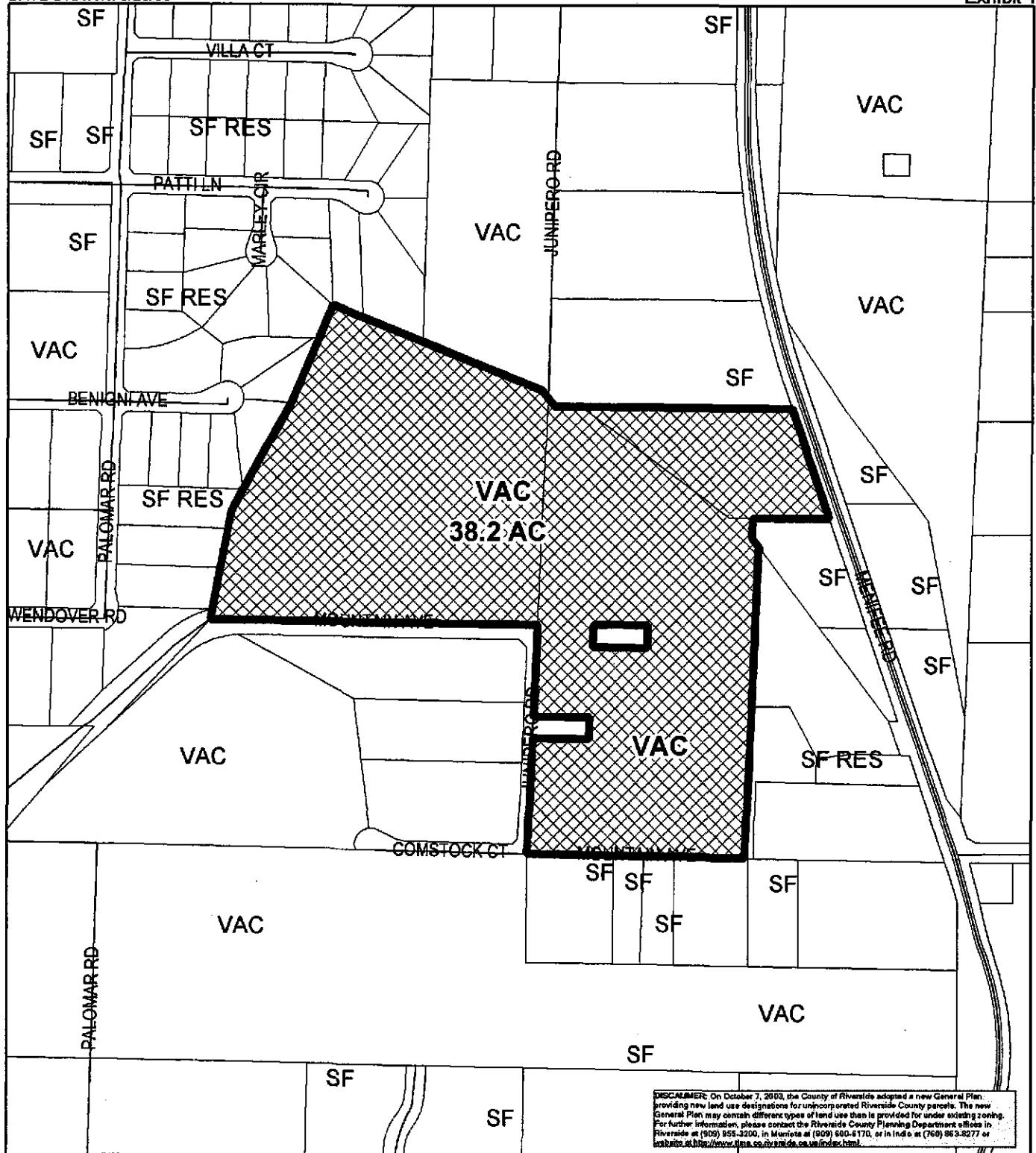
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 Area: **Romoland**
 Township/Range: T5SR3W
 Section : 2



ASSESSORS
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 BROS.PG 808 F5



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: **Romoland**

Township/Range: **T5SR3W**

Section : **2**



ASSESSORS
BK. PG. **327-9,10**

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BROS.PG **808 F5**

ENTITLEMENT / POLICY AMENDMENT

Case No. GPA00816 Supervisorial District: Fifth Existing Zoning: Rural Residential (R-R)

Area Plan: Harvest Valley/Winchester Area Plan Acreage: 38.2 Gross

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Very Low Density Residential

Existing Policy Area(s) or Overlay(s): None

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: Low 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 1/2 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