

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

827B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 7, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 1062 – (Entitlement/Policy) – Applicant: Pacific Canal Properties LLC – Engineer / Representative: Jordan Architects, Inc. - Second Supervisorial District – Rubidoux Zoning District – Jurupa Area Plan: Community Development: Medium Density Residential (CD:MDR) (2-5 Dwelling Units per Acre) – Location: Northerly of State Highway 60, southerly of Canal Street, and easterly of Pacific Avenue – 10.67 Gross Acres - Zoning: Manufacturing Service Commercial (M-SC) - **REQUEST:** Proposes to change the project site's existing General Plan Land Use Designation from Community Development: Medium Density Residential (CD: MDR) (2 – 5 Dwelling Units per Acre) to Community Development: Business Park (CD: BP) (0.25 – 0.60 Floor Area Ratio).

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. 1062. 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

Ron Goldman
Planning Director

RG:db

CONTINUED ON ATTACHED PAGE

REVIEWED BY EXECUTIVE OFFICE

DATE 10/9/08 YMY

Tina Grande
Departmental Concurrence

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Second

Agenda Number:

15.2

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 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: Jurupa
Zoning District: Rubidoux
Supervisorial District: Second
Project Planner: Christian Hinojosa
Planning Commission: October 1, 2008

General Plan Amendment No. 1062
Applicant: Pacific Canal Properties, L.L.C.
Engineer/Representative: Jordan Architects,
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 John Roth: No comments

Commissioner John Snell: No problems with it

Commissioner John Petty: No comments

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

Ref
9-15-08

Agenda Item No.: U.5
Area Plan: Jurupa
Zoning District: Rubidoux
Supervisorial District: Second
Project Planner: Christian Hinojosa
Planning Commission: October 1, 2008

General Plan Amendment No. 1062
Applicant: Pacific Canal Properties, L.L.C.
Engineer/Representative: Jordan Architects, Inc.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1062 proposes to change the project site's existing General Plan Land Use Designation from Community Development: Medium Density Residential (CD: MDR) (2 – 5 Dwelling Units per Acre) to Community Development: Business Park (CD: BP) (0.25 – 0.60 Floor Area Ratio).

The proposed Amendment is located in the Community of Rubidoux of the Jurupa Area Plan of Western Riverside County; more specifically, northerly of State Highway 60, southerly of Canal Street, and easterly of Pacific Avenue.

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 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:

Ray
9.15.08

In order to support the initiation of a proposed General Plan Amendment it must be established that the proposal could satisfy 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. 1062 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 Amendment does not conflict with:

(1) The Riverside County Vision. It is reasonable to assume that a Business Park 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 staffs 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 be within the same Foundation. 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 Land Use Element of the General Plan argues that development should be clustered around community centers and that leapfrog development should be discouraged. The proposed Amendment is adjacent to residential neighborhoods which have very few business park developments within their vicinity. The proposed Amendment is highly consistent with the existing General Plan Land Use designation and with the pattern of approved development adjacent to the site along Canal Street. 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 "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." The proposed Amendment can be consistent with the existing General Plan as business park employment options are few for the residents that surround the proposed general plan amendment and the County. 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 Land Use (Ex. #1): | Vacant Land |
| 2. Surrounding Land Use (Ex. #1): | Single Family Residences and Vacant Land to the north, east, and west, and State highway 60 to the south |
| 3. Existing Zoning (Ex. #2): | Manufacturing - Service Commercial (M-SC) |
| 4. Surrounding Zoning (Ex. #2): | Manufacturing - Service Commercial (M-SC) and One - Family Dwellings (R-1) to the north, and One - Family Dwellings (R-1) to the south, east, and west. |
| 5. General Plan Land Use (Ex. #6): | Community Development: Medium Density Residential (CD: MDR) (2 – 5 Dwelling Units per Acre) |

6. Project Data:

Total Acreage: 10.67 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 initiating proceedings for General Plan Amendment No. 1062. 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.

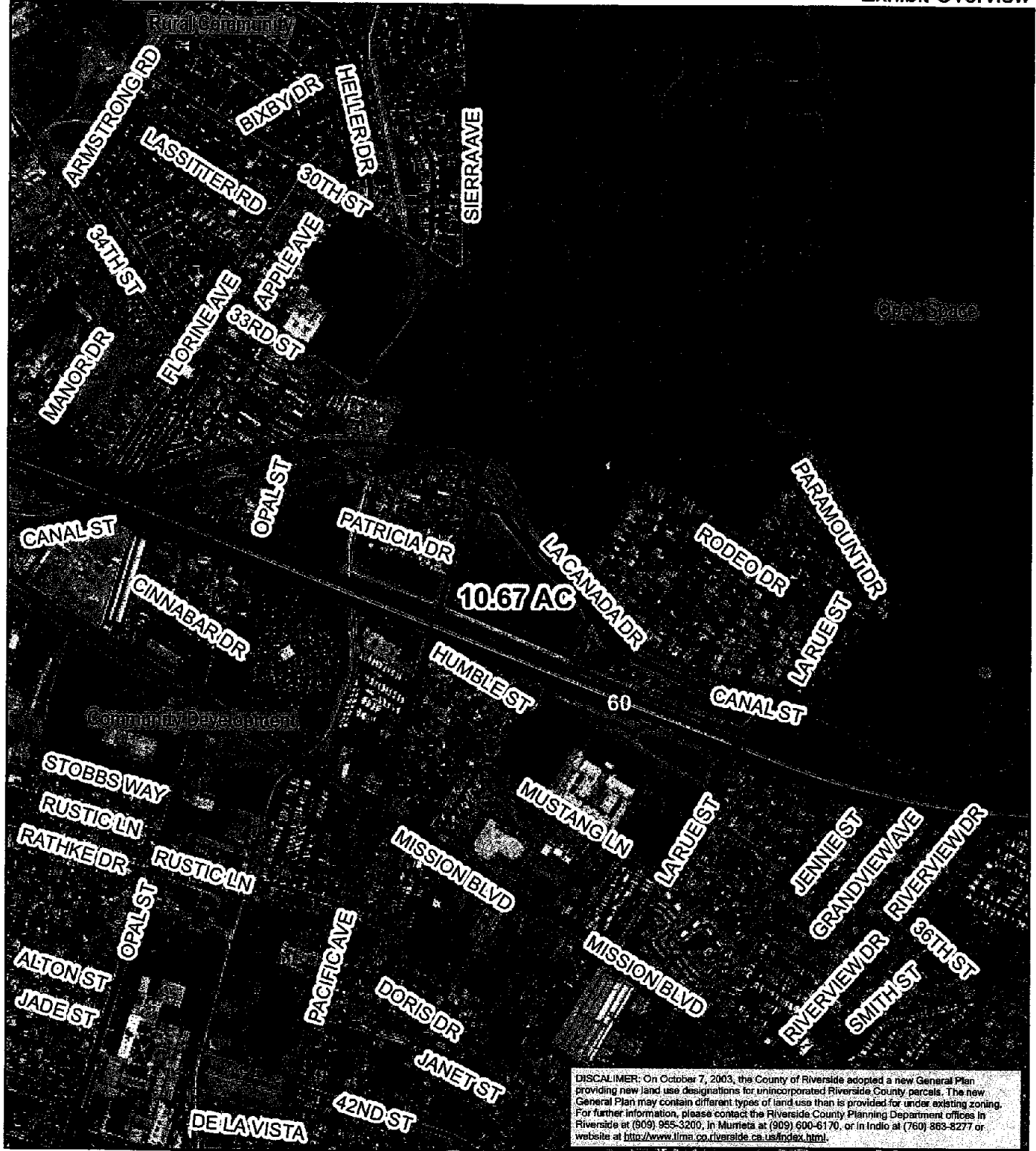
INFORMATIONAL ITEMS:

1. The project site is not located within:
 - a. A City of sphere of influence;
 - b. The Stephens Kangaroo Rat Fee Area (Ordinance No. 663.10);
 - c. Fringe Toed Lizard sand source area;
 - d. A high fire area;
 - e. A Flood Zone;
 - f. WRCMSHCP Criteria Cell;
 - g. An Airport Influence Area;
 - h. An Area drainage plan area; or,
 - i. A dam inundation area.

2. The project site is located within:
 - a. An MSHCP Fee area (Ordinance No. 810);
 - b. A Development Impact Fee area (Ordinance No. 659);
 - c. A West T.U.M.F. Fee area (Ordinance No. 824);
 - d. Circulation Element Right-Of-Way;
 - e. The boundaries of the Jurupa Area Plan;
 - f. The Jurupa Area Recreation and Parks District;
 - g. The Jurupa Valley Redevelopment Area;
 - h. An area of high paleontological potential (High A);
 - i. An area of moderate liquefaction potential;
 - j. An area susceptible to subsidence; and,
 - k. The boundaries of the Jurupa Unified School District.

3. The subject site is currently designated as Assessor's Parcel Numbers 177-210-002, 177-210-003, and 177-210-005

DEVELOPMENT OPPORTUNITY



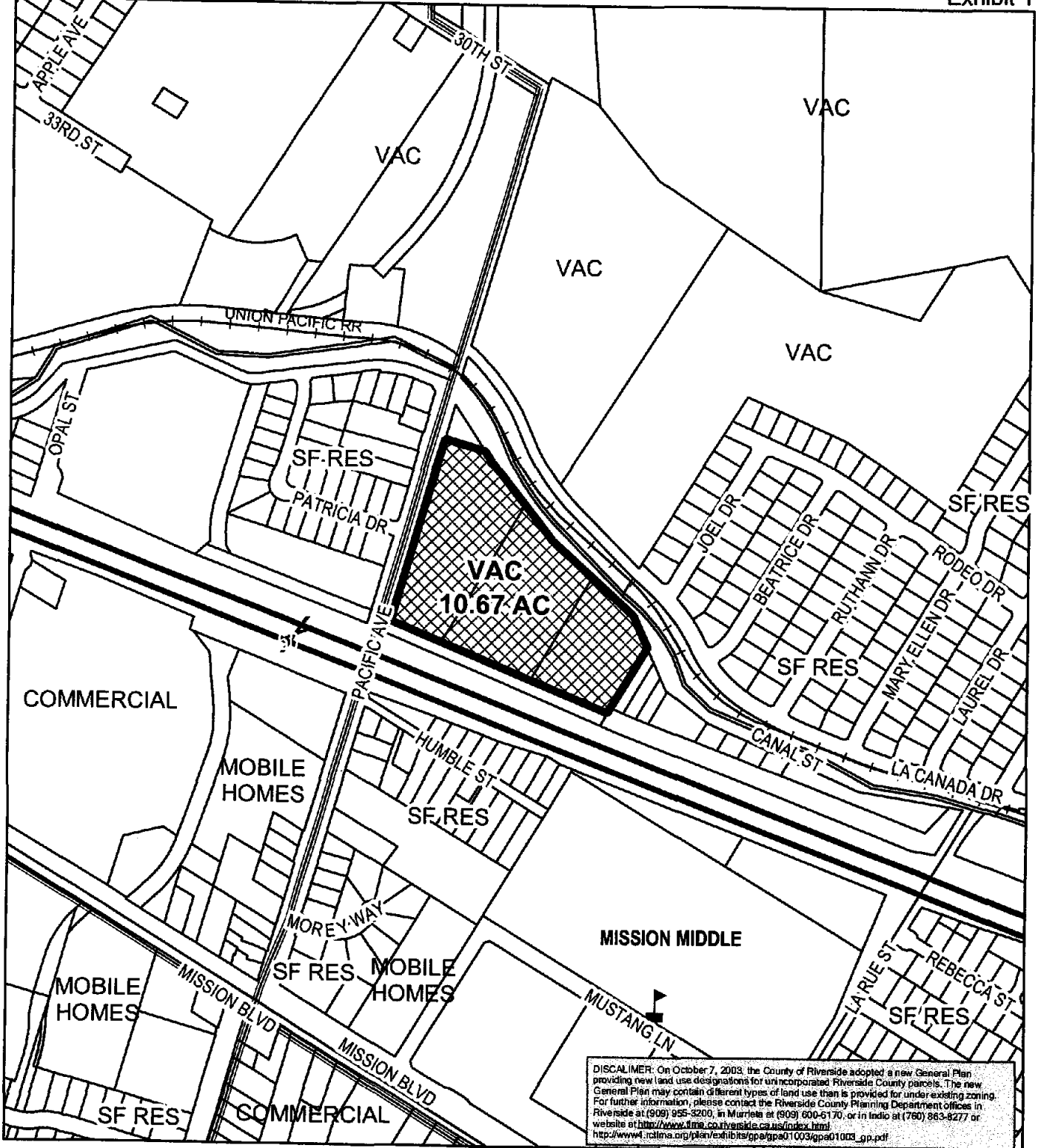
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lima.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Rubidoux
 Township/Range: T2SR5W
 Section: 9



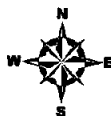
Assessors
 Bk. Pg. 177-21
 Thomas
 Bros. Pg. 645 B7



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http://www4.rclina.org/plan/exhibits/gpa/gpa01003gpa01003_gp.pdf

RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Rubidoux
 Township/Range: T2SR5W
 Section: 9



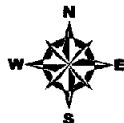
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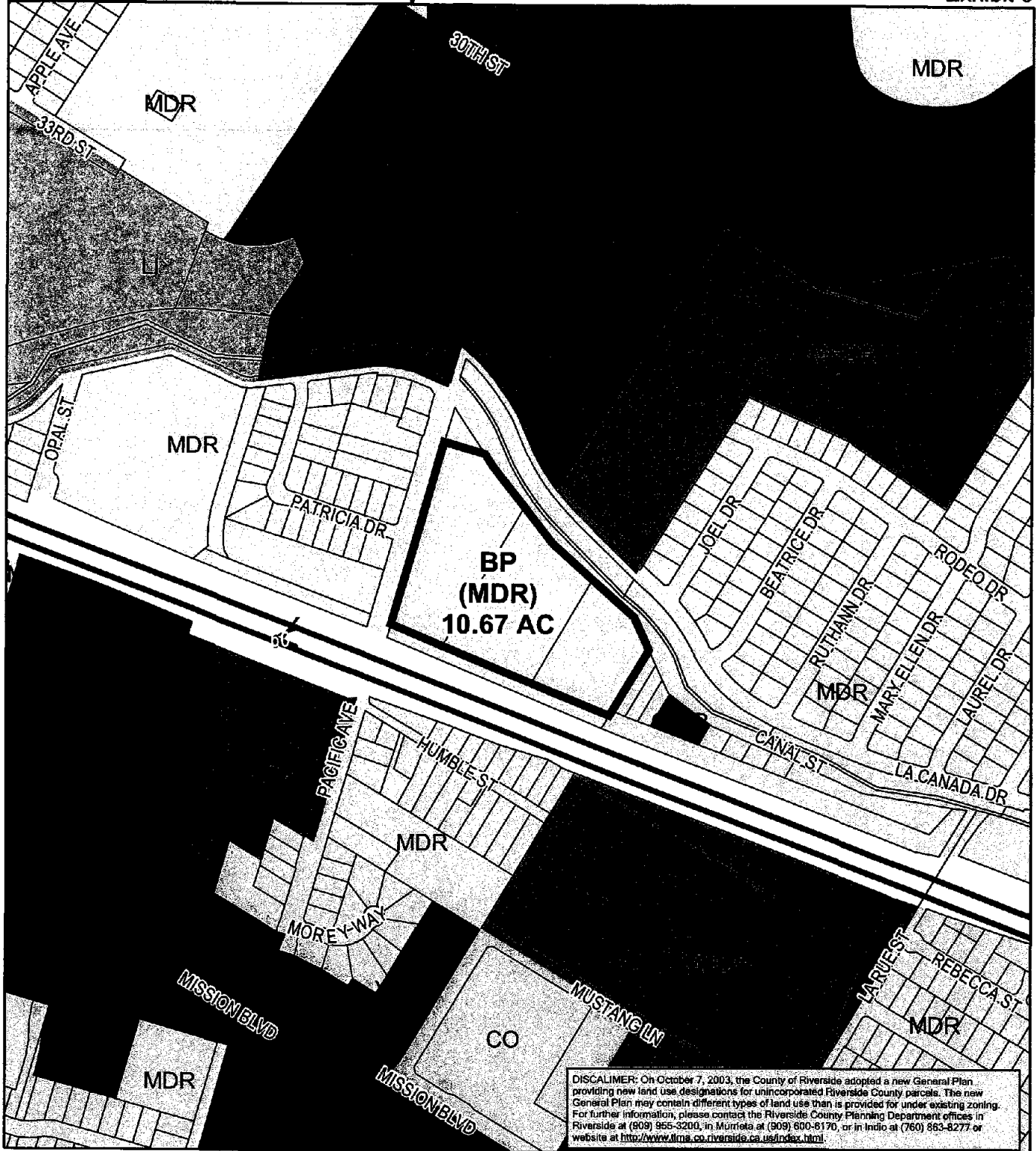
RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Rubidoux
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 Section : 9



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RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Rubidoux
Township/Range: T2SR5W
Section: 9



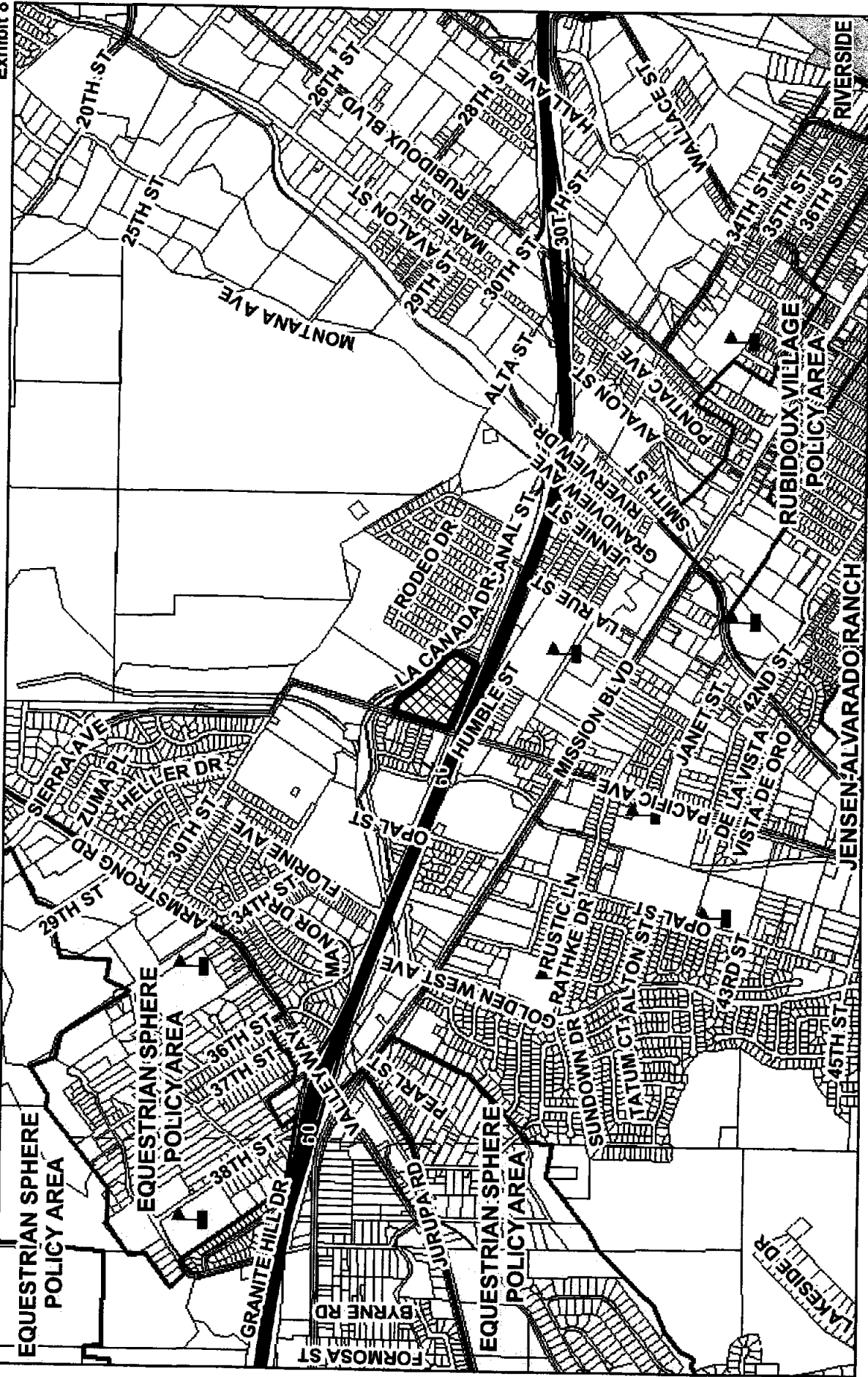
Assessors
Bk.Pg. 177-21
Thomas
Bros. Pg. 645 B7



Supervisor Tavaglione
District 2
Date Drawn: 9/11/08

GPA01062 POLICY AREAS

Planner: Christian Hinojosa
Date: 10/15/08
Exhibit 8



District: Rubidoux
Township/Range: T2SR5W
Section: 9

RIVERSIDE COUNTY PLANNING DEPARTMENT

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ENTITLEMENT / POLICY AMENDMENT

Case No. GPA01062
Service Commercial (M-SC)

Supervisory District: Second

Existing Zoning: Manufacturing -

Area Plan: Jurupa

Acreage: 10.67 Gross Acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Medium Density Residential (CD: MDR) (2 - 5 Dwelling Units per Acre)

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

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: N/A

Proposed General Plan Land Use Designation: Business Park (BP) (0.25 - 0.60 Floor Area Ratio)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): Jurupa Area Plan Land Use Plan

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		Moderate
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	

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	
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		See Staff Report
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

Applicant/Owner
Ramon Lamelas
Pacific Canal Properties, LLC
9102 Firestone Blvd., Suite M
Downey, CA 90241

Engineer/Rep
Terry Tull
Jordan Architects, Inc.
187 Avenida La Pata
San Clemente, CA 92673

Trip Hord
Trip Hord Associates
P.O. Box 1235
Riverside, CA 92502