

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

838 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 9, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 796 – (Technical Amendment) – Applicant: BT Development – Engineer / Representative: Dumont Engineers - Third Supervisorial District – Bautista Zoning District – San Jacinto Valley Area Plan: Community Development: Medium Density Residential (CD:MDR) (2 – 5 Dwelling Units Per Acre) – Location: Northerly of Acacia Avenue, southerly of Florida Avenue, and westerly of Grant Avenue – 4.52 Gross Acres - Zoning: Multi-Family Dwelling (R-2-4000) and One-Family Dwelling (R-1) - **REQUEST:** The General Plan Amendment proposes to amend the existing General Plan Land Use Designation of Rural: Rural Mountainous (R:RM) (10 acre minimum) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) on an approximately 0.9 acre portion of a 4.52 gross acre project site.

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. 796. 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

Jerry Jolliffe, Chief Deputy Director, for


Ron Goldman
Planning Director

RG:db

CONTINUED ON ATTACHED PAGE

REVIEWED BY EXECUTIVE OFFICE

DATE 10/14/08 Tina Grande

Departmental Conference

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.3

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 a Technical GPA, under Section 2.4.

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

Agenda Item No.:
Area Plan: San Jacinto Valley
Zoning District: Bautista
Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: October 1, 2008

General Plan Amendment No. 796
Type of GPA: Technical
Applicant: BT Development
Engineer/Rep.: Dumont Engineers

**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 comments

Commissioner John Petty: Recommend with no hesitation

Commissioner Jim Porras: No comments

Commissioner Jan Zappardo: No comments

Agenda Item No.: 4.7
Area Plan: San Jacinto Valley
Zoning District: Bautista
Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: October 1, 2008

General Plan Amendment No. 796
Type of GPA: Technical
Applicant: BT Development
Engineer/Rep.: Dumont Engineers

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The General Plan Amendment proposes to amend the existing General Plan Land Use Designation of Rural: Rural Mountainous (R:RM) (10 acre minimum) to Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) on an approximately 0.9 acre portion of a 4.52 gross acre project site.

The project is located northerly of Acacia Avenue, southerly of Florida Avenue, and westerly of Grant 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 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 a **Technical** 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



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. 796 falls into the Technical category, because the proposed amendment involves changes of a technical nature including, without limitation: statistical corrections; mapping error corrections; changes in spheres of influence and city boundaries; changes in Unincorporated Communities or Communities of Interest; editorial clarifications that do not change the intent of the General Plan; or appendix information useful in interpreting the General Plan but which does not change the General Plan intent.

The Administration Element of the General Plan explains that first required finding must be made, and at least one of four additional findings must be made to justify a Technical amendment. The required finding is:

- a. The proposed amendment would not change any policy direction or intent of the General Plan.

The additional findings, only one of which need be made include:

- b. An error or omission needs to be corrected.
- c. A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.
- d. A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.
- e. A minor change of boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

Consideration Analysis:

First Required Finding: The first required finding explains that the proposed amendment would not change any policy direction or intent of the General Plan.

The (RM) Land Use Designation applies to areas of at least 10 acres where a minimum 70% of the area has slopes of 25% or greater. The existing line dividing the (MDR) from the (RM) Land Use Designation on APNs 548-120-005 and 548-120-006 is located further north than actual steeper contours exist. The subject area's actual contours are uniform with the rest the project site's parcels designated (MDR). This finding can be made to support the proposed Amendment.

Second Required Finding: In addition to the first required finding, the General Plan indicates that an additional finding, from a list of four, must also be made.

The appropriate additional finding for the proposed Amendment is a land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan. The (RM) Land Use Designation applies to areas of at least 10 acres where a minimum 70% of the area has slopes of 25% or greater. The existing line dividing the (MDR) from the (RM) Land Use Designation on APNs 548-120-005 and 548-120-006 is located further north than actual steeper contours exist. The subject area's actual contours are uniform with

the rest the project site's parcels designated (MDR). This finding can be made to support 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. General Plan Land Use (Ex. #6): | Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) |
| 2. Surrounding General Plan Land Use (Ex. #6): | Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) to the north, Rural: Rural Mountainous (RM) (10 Acre Minimum), Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) and Rural: Rural Mountainous (RM) (10 Acre Minimum) to the south, and Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) to the east. |
| 3. Existing Zoning (Ex. #2): | Multi-Family Dwellings (R-2-4000) and One-Family Dwellings (R-1) |
| 4. Surrounding Zoning (Ex. #2): | Multi-Family Dwellings (R-2-4000) to the north, Mobile Home Subdivisions & Mobile Home Parks (R-T) to the east, One-Family Dwellings (R-1) to the south, and Light Agriculture (A-1) to the south. |
| 5. Existing Land Use (Ex. #1): | Vacant Land |
| 6. Surrounding Land Use (Ex. #1): | Vacated citrus grove to the north, single family residential to the east and south, and citrus grove to the west. |
| 7. Project Data: | Total Acreage: 4.52 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. 796. 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. The Stephens Kangaroo Rat Fee Area or Core Reserve Area;
 - b. Fringe Toed Lizard sand source area;
 - c. A high fire area;
 - d. A Flood Zone;

General Plan Amendment No. 796

PC Staff Report:

- e. A Policy Area;
 - f. The boundaries of a Redevelopment Area;
 - 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. The boundaries of the San Jacinto Valley Area Plan;
 - b. The Valley-Wide Recreation and Parks District;
 - c. City of Hemet sphere of influence;
 - d. WRCMSHCP Criteria Cell Group C, Cell No. 3610;
 - e. Zone B of Ord 655, 25.81 miles;
 - f. An area of Low Paleontological potential;
 - g. The boundaries of the Hemet Unified School District; and,
 - h. An area of moderate liquefaction potential.
3. The subject site is currently designated as Assessor's Parcel Number: 548-120-005 and 548-120-006

Date Prepared: 6-24-08

Date Revised:

TECHNICAL AMENDMENT

CYCLE: Quarterly

Case No. GPA00796 Supervisorial District: 3rd Existing Zoning: R-1

Area Plan: San Jacinto Valley Acreage: 4.52 Gross Acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Rural and Community Development

Existing General Plan Land Use Designation: Rural Mountainous (RM) (10 acre minimum) and Medium Density Residential (MDR) (2-5 dwelling unit 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: Community Development

Proposed General Plan Land Use Designation: Medium Density Residential (MDR) (2-5 - dwelling unit per acre)

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		Group C, Cell No. 3610
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 liquefaction
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		City of Hemet
Proposed Annexation/ Incorporation Area		X	
Other Issues* (see below)		X	

* OTHER ISSUES:		
<i>Item</i>	<i>Policy</i>	<i>Discussion</i>

TECHNICAL FINDINGS

(Check all that apply)

Is there a reasonable possibility that the first finding listed below and any one or more of the subsequent findings can be made?*

Finding	Yes	No	Comment
The proposed amendment would not change any policy direction or intent of the General Plan.	X		The (RM) Land Use Designation applies to areas of at least 10 acres where a minimum 70% of the area has slopes of 25% or greater. The existing line dividing the (MDR) from the (RM) Land Use Designation on APNs 548-120-005 and 548-120-006 is located further north than actual steeper contours exist. The subject area's actual contours are uniform with the rest the project site's parcels designated (MDR).
An error or omission needs to be corrected.		X	
A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.	X		The (RM) Land Use Designation applies to areas of at least 10 acres where a minimum 70% of the area has slopes of 25% or greater. The existing line dividing the (MDR) from the (RM) Land Use Designation on APNs 548-120-005 and 548-120-006 is located further north than actual steeper contours exist. The subject area's actual contours are uniform with the rest the project site's parcels designated (MDR).
A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.		X	
A minor change of boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.		X	

***THE ADOPTION OF AN ORDER BY THE BOARD OF SUPERVISORS INITIATING AMENDMENT PROCEEDINGS SHALL NOT IMPLY ANY SUCH AMENDMENT WILL BE APPROVED.**

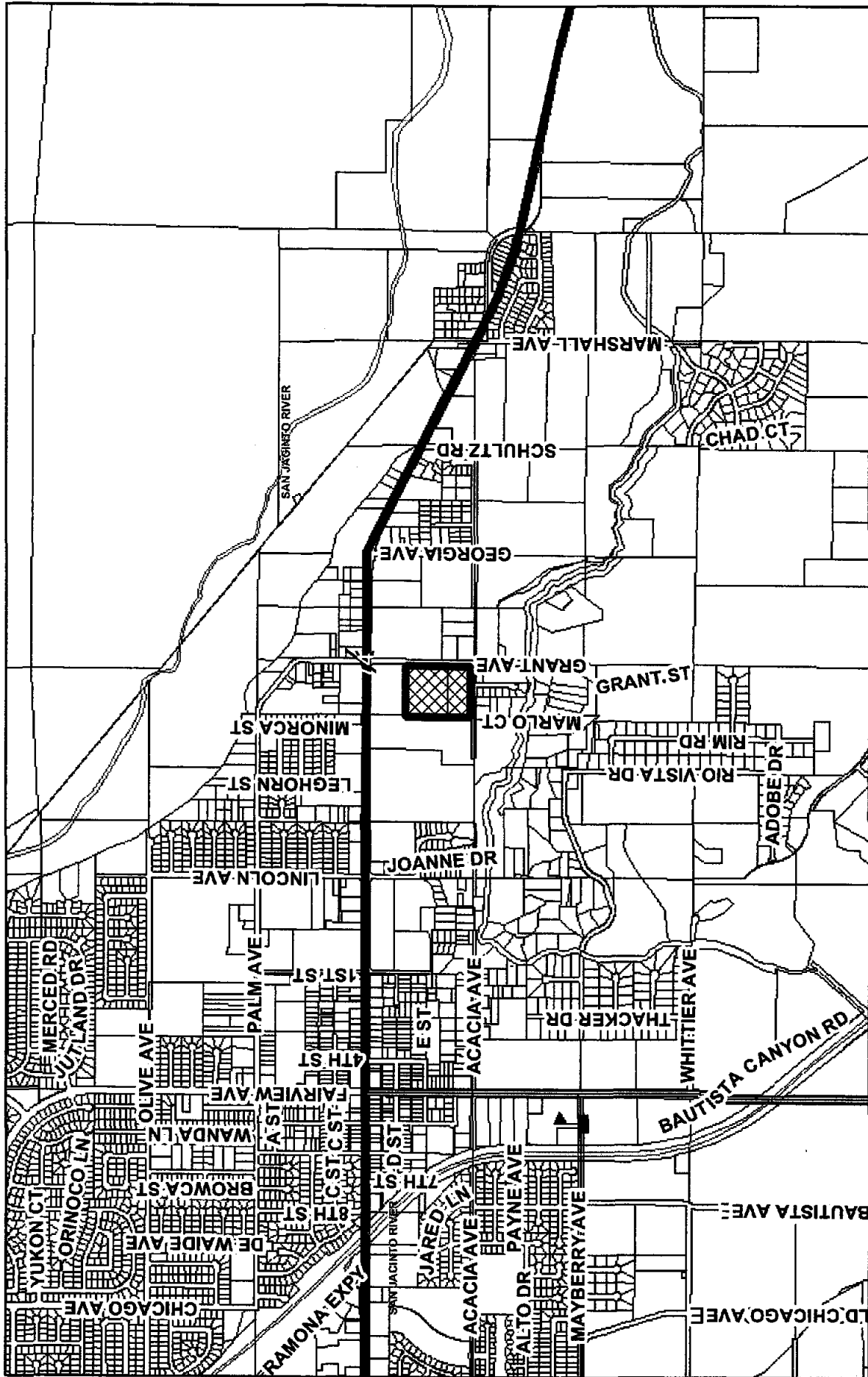
STAFF COMMENTS:

Department	Comments
Planning	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. 796. 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.
Transportation	N/A
EPD	N/A
Fire	N/A
Flood	N/A
Building and Safety	N/A
Geologist	N/A

Planner: Jeff Horn
Date: 10/01/08
VICINITY MAP

GPA00796 VICINITY MAP

Supervisor Stone
District 3
Date Drawn: 9/22/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Blk. Pg. 469-07
Thomas
Bros. Pg. 812 C7

Area: Bautista
Township/Range: T5SR1E
Section: 9



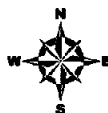
DEVELOPMENT OPPORTUNITY



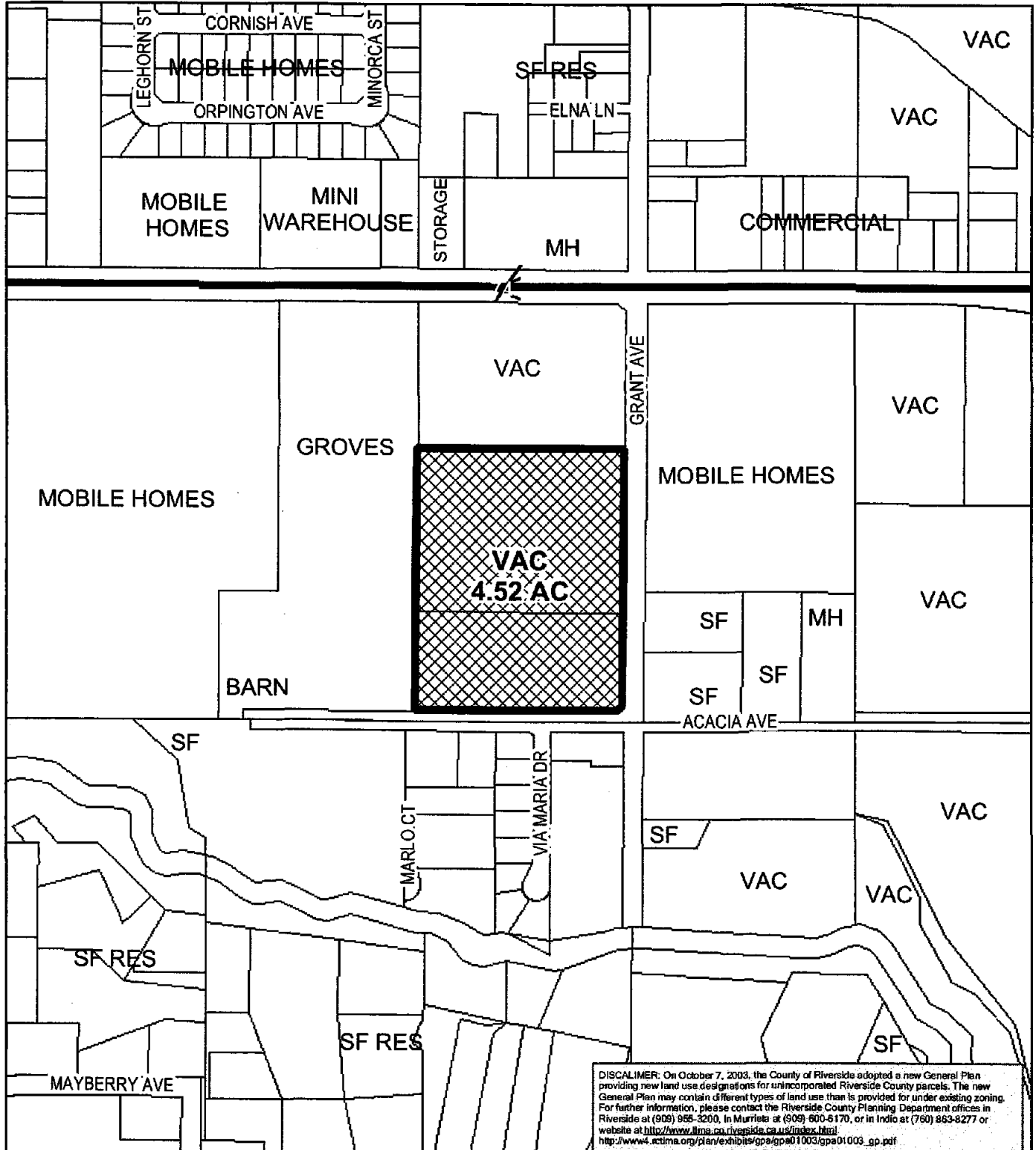
DISCALIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murrieta at (909) 800-6170, or in Indio at (760) 863-8277 or website at <http://www.llma.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Bautista
 Township/Range: T5SR1E
 Section: 9



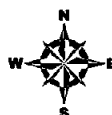
Assessors
 Bk. Pg. 469-07
 Thomas
 Bros. Pg. 812 C7

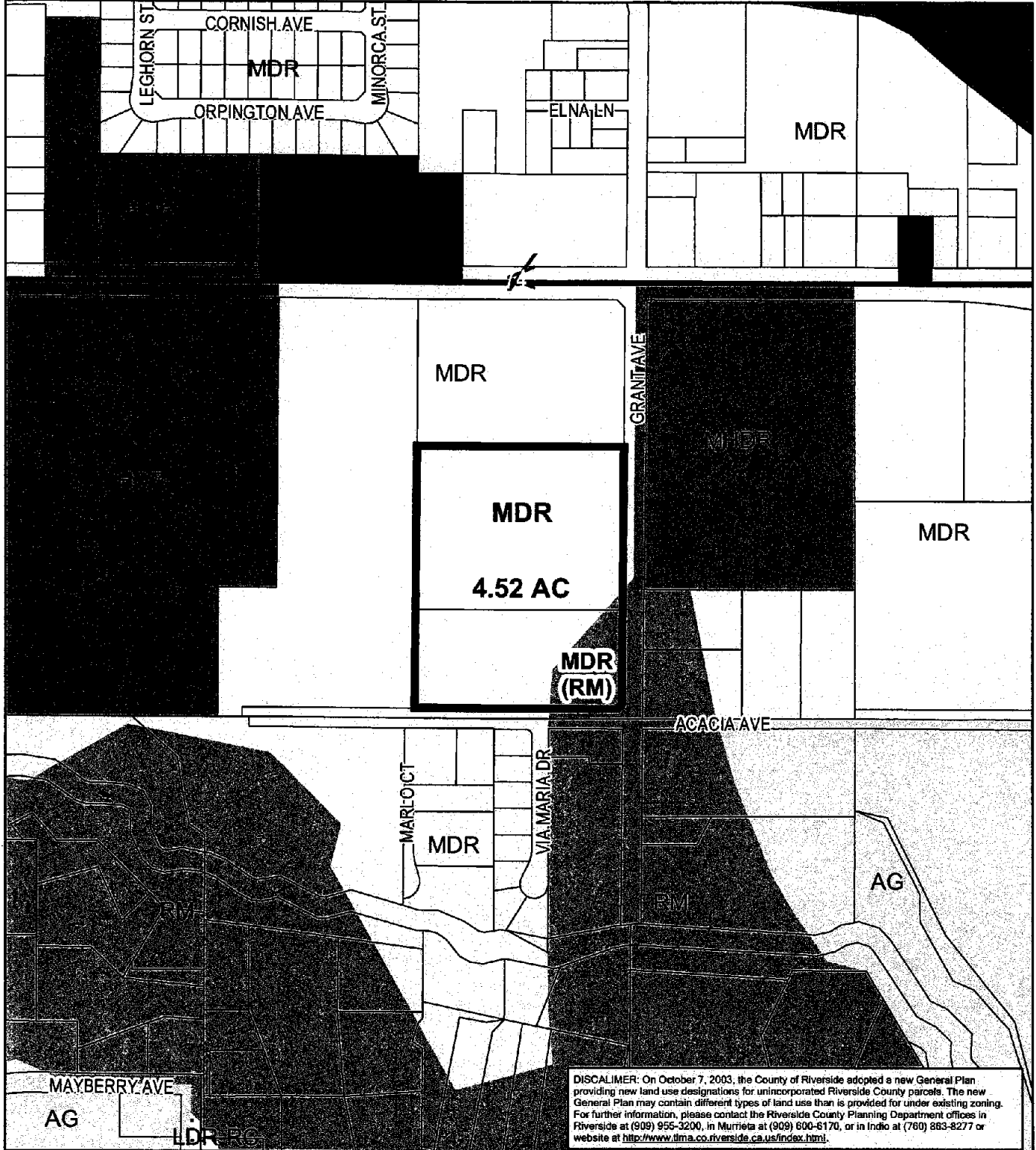


RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 469-07
Thomas
Bros. Pg. 812 C7

Area: Bautista
Township/Range: T5SR1E
Section: 9





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RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Bautista
Township/Range: T5SR1E
Section : 9



Assessors
Bk.Pg. 469-07
Thomas
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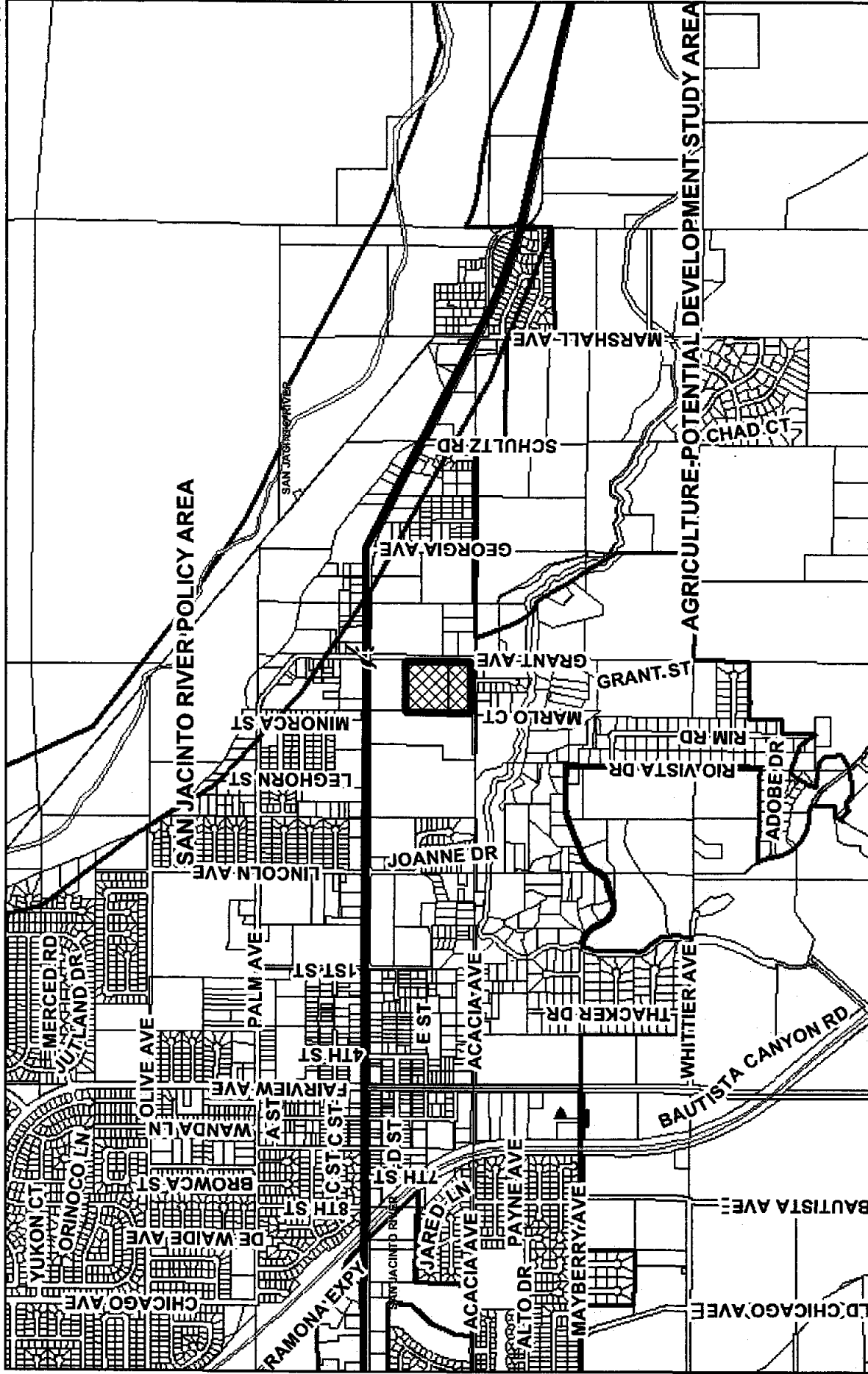


GPA00796

POLICY AREAS

Planner: Jeff Horn
Date: 10/01/08
Exhibit 8

Supervisor Stone
District 3
Date Drawn: 9/22/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 469-07
Thomas
Bros. Pg. 812 C7

Area: Bautista
Township/Range: T5SR1E
Section : 9

