

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

837B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 9, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 1063 – (Entitlement/Policy) – Applicant: Brad Rose – Engineer / Representative: Steve Richie - Third Supervisorial District – Rancho California Zoning District – Riverside Extended Mountainous Area Plan: Rural: Rural Mountainous (R:RM) (10 Acre Minimum) – Location: Northerly of Minto Way, westerly of Oak Drive, and southerly of Oak Drive – 43.84 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** Proposes to amend the current General Plan Land Use Designation from Rural: Rural Mountainous (R:RM) (10 Acre Minimum) to Rural: Rural Residential (R:RR) (5 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. 1063. 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.

Jerry Jolliffe, Chief Deputy Director, for


Ron Goldman
Planning Director

RG:db

CONTINUED ON ATTACHED PAGE

REVIEWED BY EXECUTIVE OFFICE

DATE 10/10/08 JMG

Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.4

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.:
Area Plan: Riverside Extended Mountainous
Zoning District: Rancho California
Supervisorial District: Third
Project Planner: Jeff Horn
Planning Commission: October 1, 2008

General Plan Amendment No. 1063
Type of GPA: Entitlement/Policy
Applicant: Brad Rose
Engineer/Rep.: Steve Richie

**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.: U.U
Area Plan: Riverside Extended Mountainous
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Jeff Horn
Planning Commission: October 1, 2008

General Plan Amendment No. 1063
Type of GPA: Entitlement/Policy
Applicant: Brad Rose
Engineer/Rep.: Steve Richie

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the current General Plan Land Use Designation from Rural Mountainous (RM) (10 Acre Minimum) to Rural Residential (RR) (5 Acre Minimum) on a 43.84 gross acre project site.

The project is located northerly of Minto Way, westerly of Oak Drive, and southerly of Oak Drive.

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 **Entitlement/Policy 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. 1063 falls into the Entitlement/Policy category, because it is changing within the same Foundation-Component, Rural.

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 Rural Residential (RR) (5 Acre Minimum) Designation for the parcel in question will achieve the future vision of General Plan. It is possible to make this finding given that the subject parcel is in the vicinity of parcels currently designated as Rural Residential (RR) (5 Acre Minimum).

(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 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 single family residences to the east, south, and west. The proposed Amendment is highly consistent with the existing General Plan Land Use Designation and with the pattern of approved and proposed development adjacent to the site. 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 project site was designated Rural Mountainous (RM) under the assumption the project sites topography consisted of areas of at least ten (10) acres where a minimum 70% of the area has slopes of 25% or greater, however, further analysis of the existing topography has proven that less than 70% of any ten (10) acres within the project site have slopes of 25% or greater. As such, the logical development of the site would be that of five (5) acre minimum lots, similar to the existing residential lots to the east and south. 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. General Plan Land Use (Ex. #6): | Rural Mountainous (RM) (10 Acre Minimum) |
| 2. Surrounding General Plan Land Use (Ex. #6): | Rural Mountainous (RM) (10 Acre Minimum) to the north, east, south, and west. |
| 3. Existing Zoning (Ex. #2): | Rural Residential (R-R) |
| 4. Surrounding Zoning (Ex. #2): | Rural Residential (R-R) to the north, east, and south, and Rural Residential – 5 Acre Minimum (R-R-5) and One-Family Dwelling – 5 Acre Minimum (R-1-5) |
| 5. Existing Land Use (Ex. #1): | Equestrian barn and arena, vacant land. |
| 6. Surrounding Land Use (Ex. #1): | Large lot single family residence to the north, east, south, and west. |
| 7. Project Data: | Total Acreage: 43.84 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. 1063. 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 Flood Zone;
 - b. A Policy Area;
 - c. A Fault Zone;
 - d. An Airport Influence Area;
 - e. An Area drainage plan area; or,
 - f. A dam inundation area.

2. The project site is located within:
 - a. The boundaries of the Riverside Extended Mountainous Area Plan;
 - b. A High Fire Area;
 - c. Zone B of Ord 655, 19.16 miles;
 - d. WRCMSHCP Criteria Cell Group J, Cell Numbers 5122 and 5125; and,
 - e. The boundaries of the Hemet Unified School District.

3. The subject site is currently designated as Assessor's Parcel Number: 569-090-031

Date Prepared: 6-24-08

Date Revised:

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA01063 Supervisorial District: 3rd Existing Zoning: R-R

Area Plan: Riverside Extended Mountainous (REMAP) Acreage: 43.84 Gross Acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Rural

Existing General Plan Land Use Designation: Rural Mountainous (RM) (10 Acre Minimum)

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

Existing Map(s) of Issue (cite GP figure # and page #): Land Use Plan, Figure 3

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: Rural

Proposed General Plan Land Use Designation: Rural Residential (RR) (5 Acre Minimum)

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): Land Use Plan, Figure 3

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		Cell Group J, Cell Numbers 5122 and 5125
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	
High Fire Area	X		
Code Compliant		X	
MSHCP Conserved Land	X		HANS01747
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?*

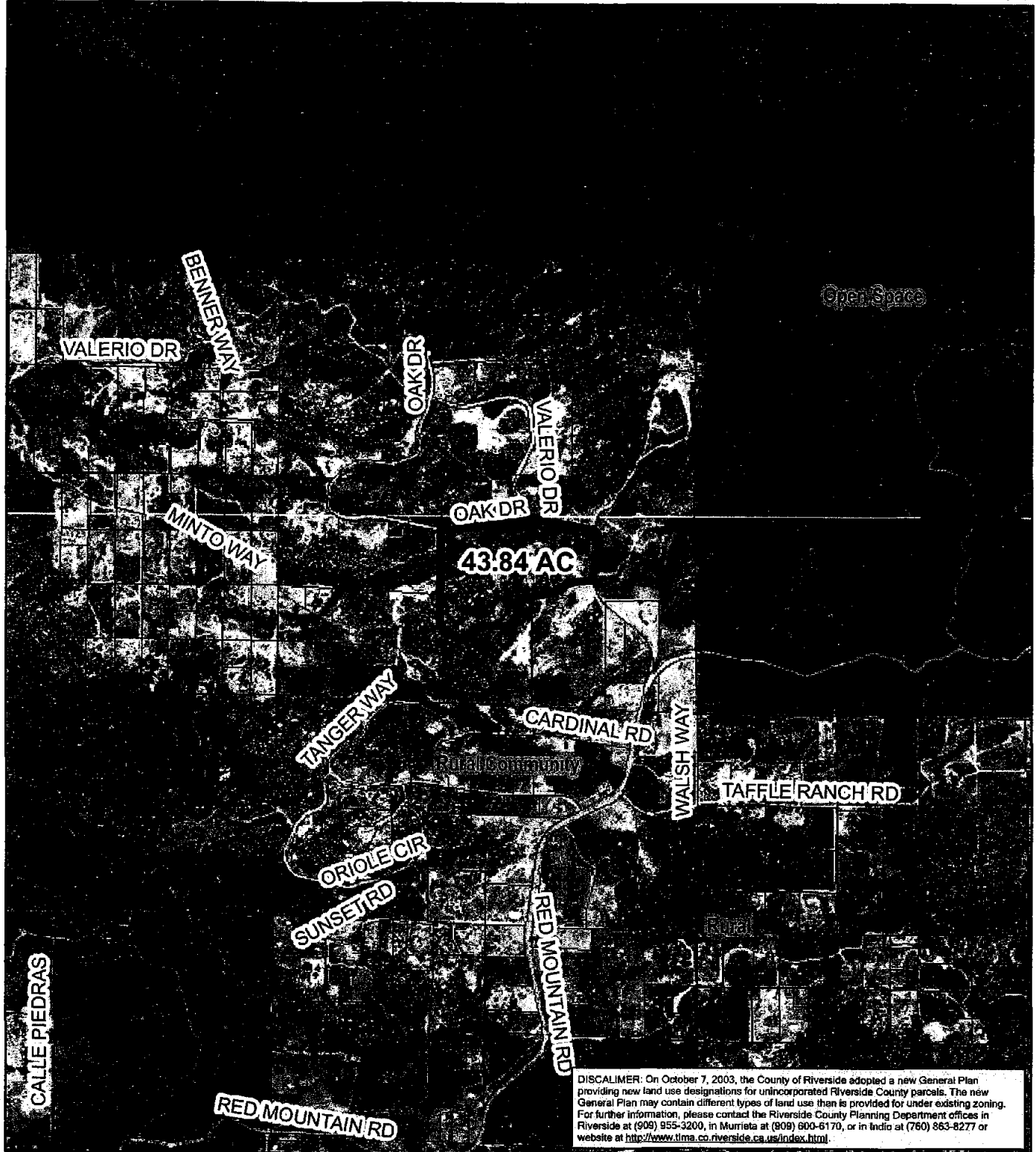
Finding	Yes	No	Comment
The proposed change does not involve a change in or conflict with: the Riverside County Vision; any General Planning Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.	X		It is reasonable to assume that a Rural: Rural Residential (R: RR) (5 acre minimum) Designation for the parcel in question will achieve the future vision of General Plan by maintaining the rural character of the area. Specifically, REMAP identifies the vision to build heavily on the value of its remarkable environmental setting. REMAP also offers vistas in every direction and is, itself, a backdrop for much of western Riverside County and the Coachella Valley.
The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.	X		Given staffs review it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies.
Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.	X		The project designation would be within the same Foundation. Thus, the proposed Amendment is consistent with the Community Development Foundation.
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	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. 1063. 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

DEVELOPMENT OPPORTUNITY

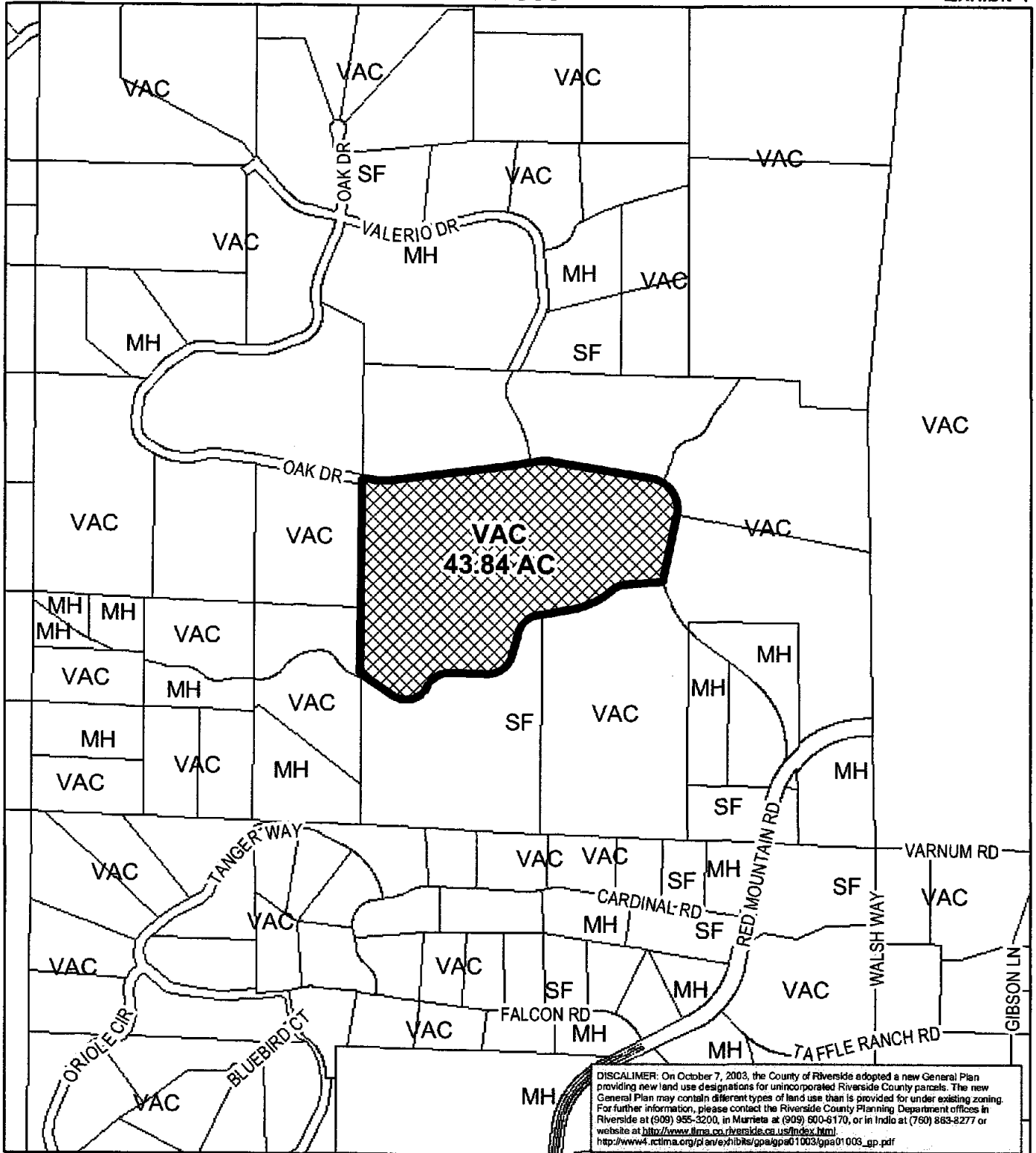


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T6SR1E
Section: 20



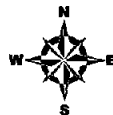
Assessors
Bk. Pg. 569-09
Thomas
Bros. Pg. 902 A1



RIVERSIDE COUNTY PLANNING DEPARTMENT

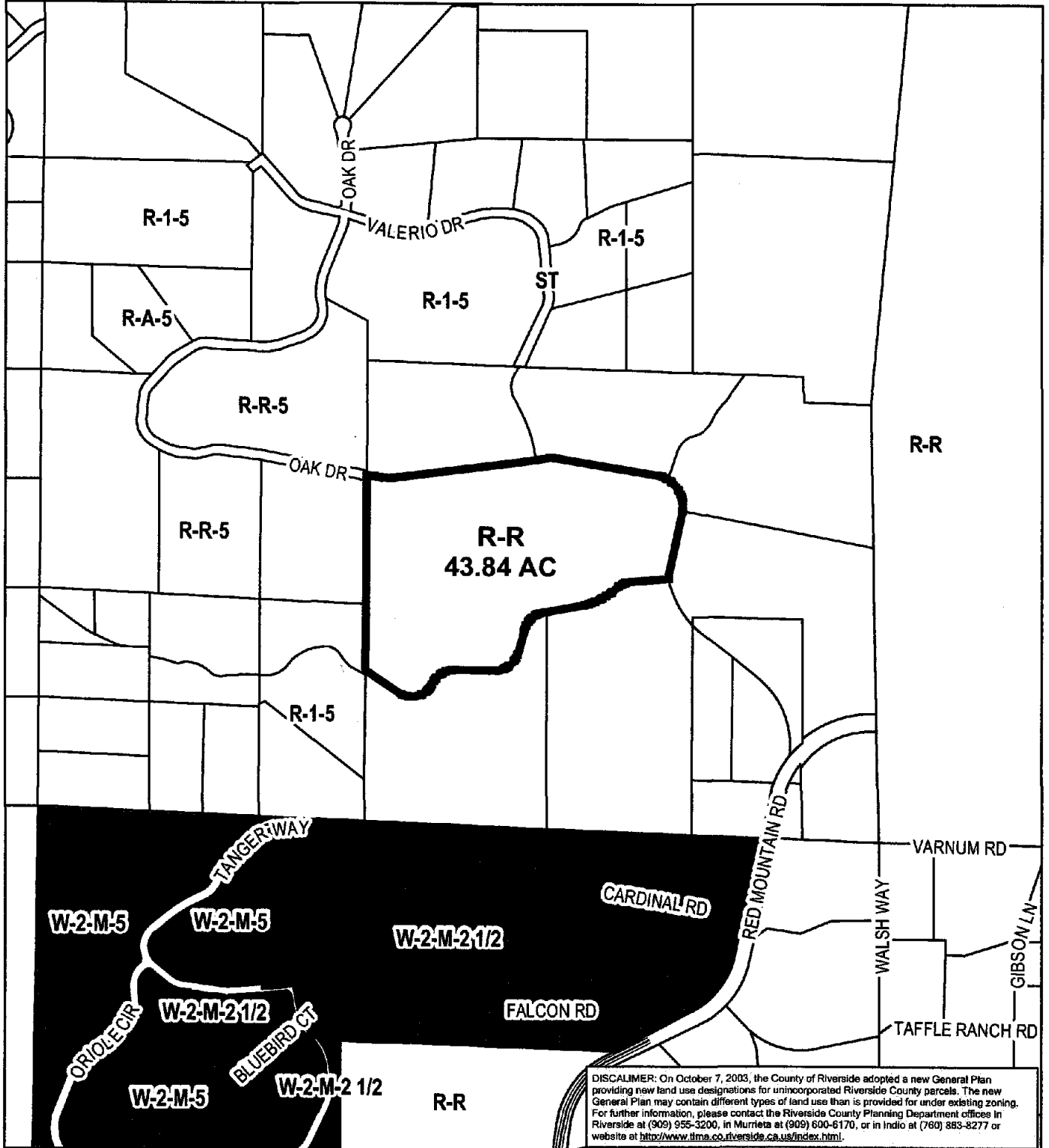
Area: Rancho California
 Township/Range: T6SR1E
 Section: 20

Assessors
 Bk. Pg. 569-09
 Thomas
 Bros. Pg. 902 A1



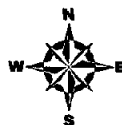
GPA01063

EXISTING ZONING

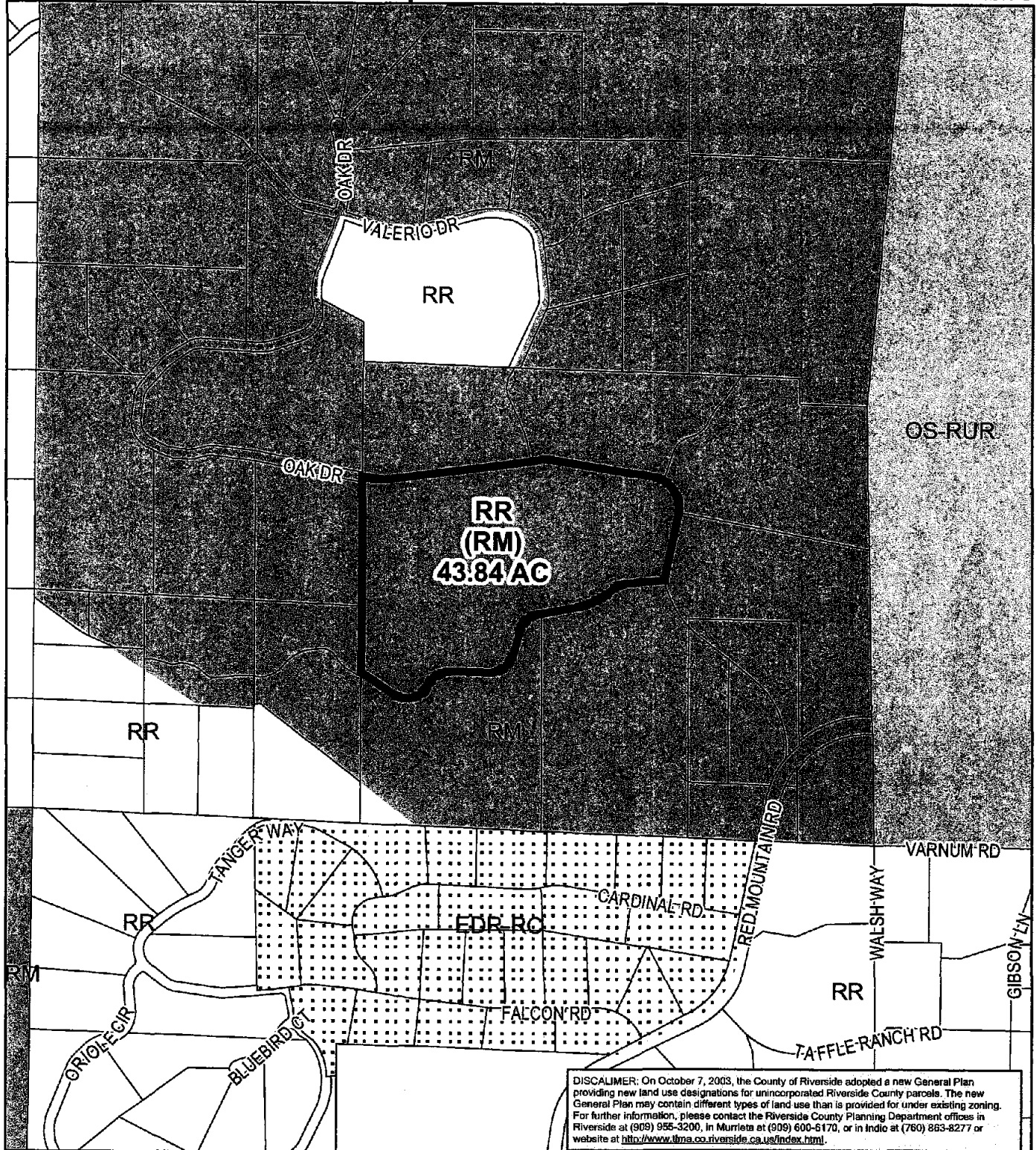


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T6SR1E
Section : 20



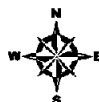
Assessors
Bk. Pg. 569-09
Thomas
Bros. Pg. 902 A1



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) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lbna.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T6SR1E
Section : 20

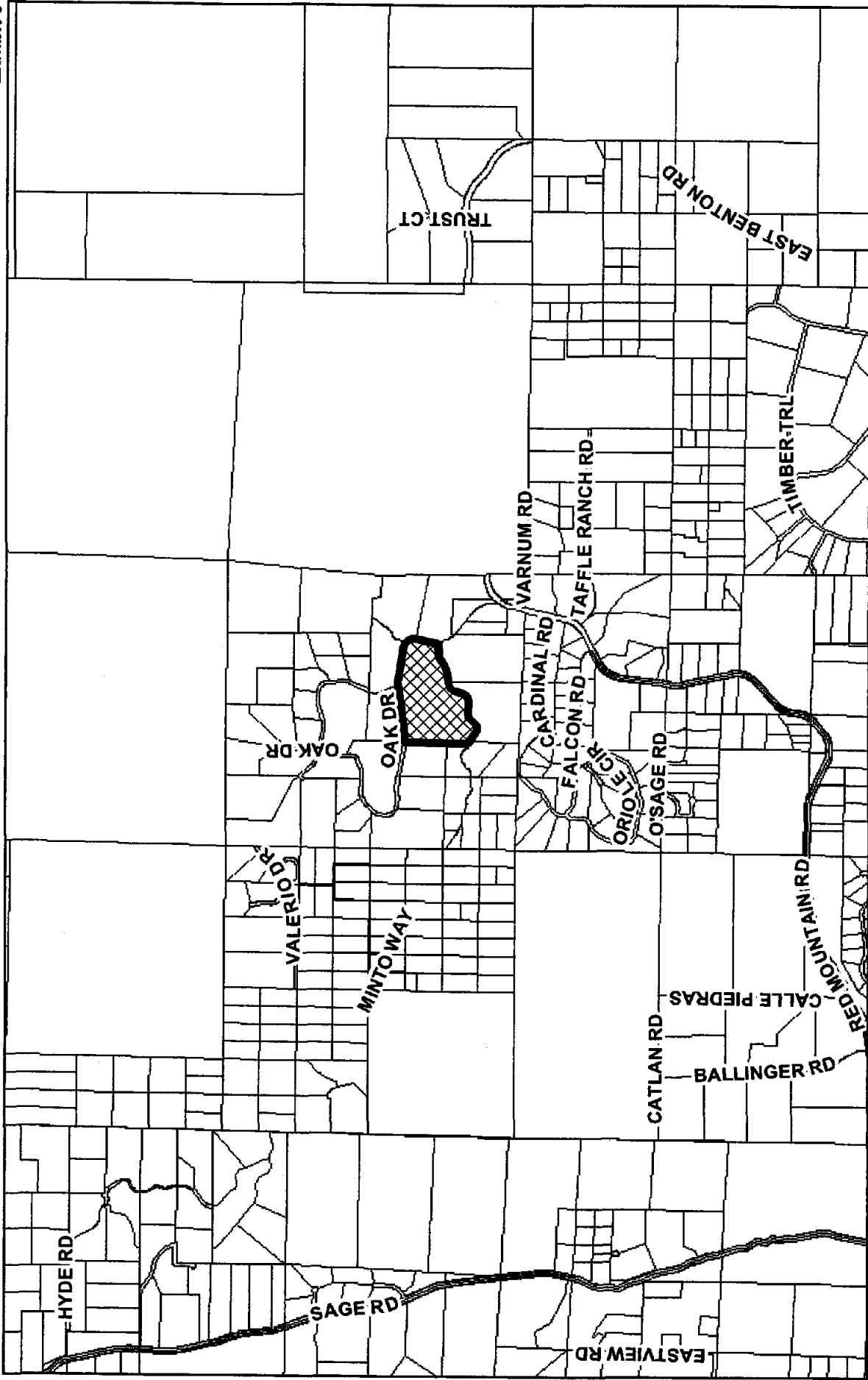


Assessors
Bk.Pg. 569-09
Thomas
Bros. Pg. 902 A1

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

GPA01063 POLICY AREAS

Supervisor Stone
District 3
Date Drawn: 9/15/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T6SR1E
Section : 20

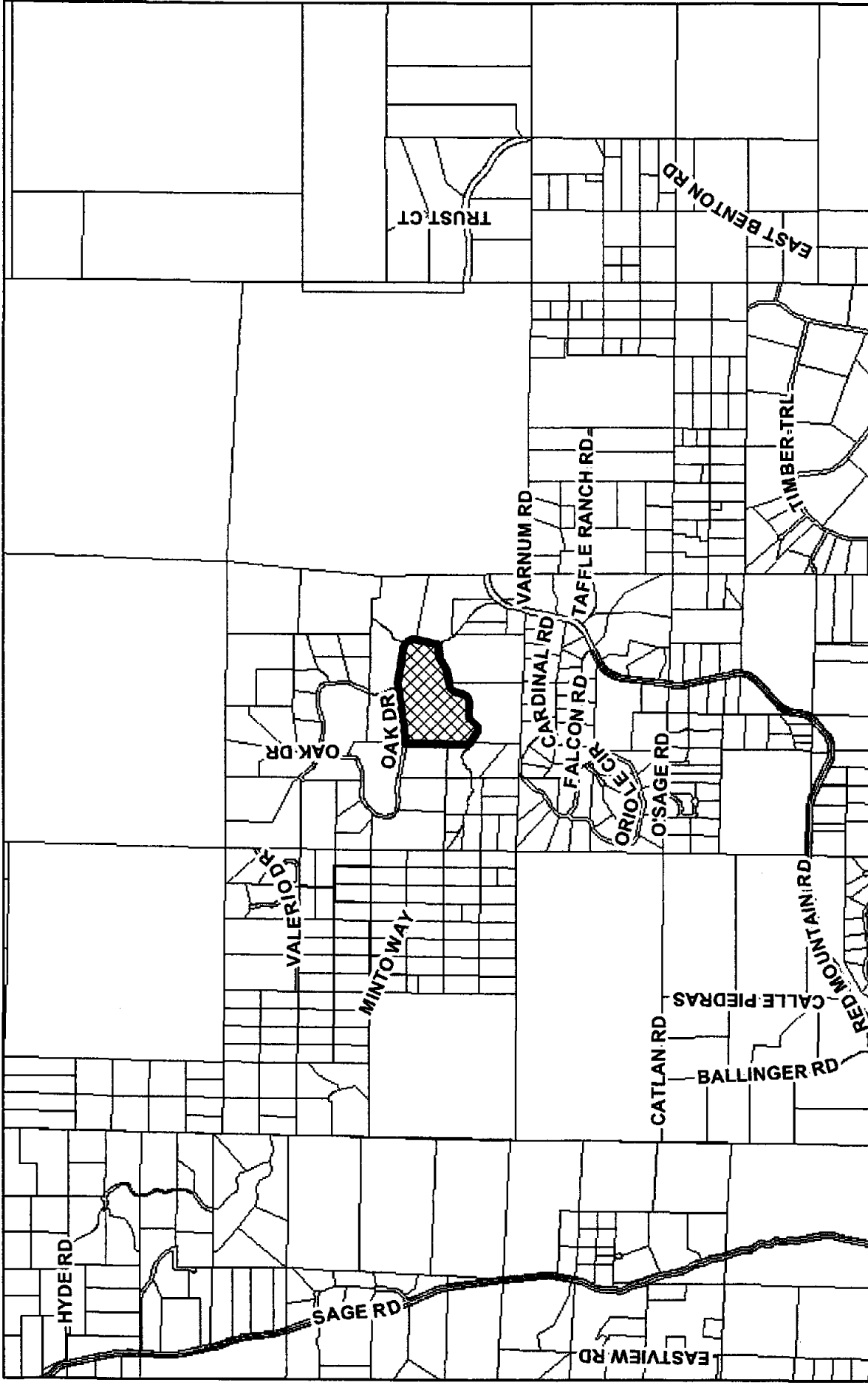
Assessors
Bk. Pg. 569-09
Thomas
Bros. Pg. 902 A1



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

GPA01063 VICINITY MAP

Supervisor Stone
District 3
Date Drawn: 9/15/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T6SR1E
Section : 20

Assessors
Bk. Pg. 569-09
Thomas
Bros. Pg. 902 A1

