

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 7, 2008

SUBJECT: TENTATIVE TRACT MAP NO. 33884, CHANGE OF ZONE NO. 7218 – (Mitigated Negative Declaration) – Applicant: Diversified Products – Engineer / Representative: Hacker Engineering, Inc. - Fifth Supervisorial District – Cabazon Zoning District – The Pass Area Plan: Community Development: Medium Density Residential (CD:MDR) (2-5 Dwelling Units Per Acre) – Location: Westerly of Broadway Street, northerly of Carmen Avenue, and southerly of Aloma Drive – 9.26 Gross Acres - Zoning: Residential Agriculture (R-A) - **REQUEST:** Change of Zone proposes to change the project site's zoning classification from Residential Agricultural (R-A) to Residential Incentive (R-6). The tentative Tract Map is a schedule A subdivision of 9.26 gross acres into 40 residential lots with a minimum lot size of 5,000 sq ft with affordable housing provisions in accordance with R-6 zoning requirements, and three open space lots for a storm water detention basin and expanded parkway landscaping.

RECOMMENDED MOTION:

The Planning Department recommended Approval; and,

THE PLANNING COMMISSION RECOMMENDED:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40369**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;

APPROVAL of **CHANGE OF ZONE NO. 7218** from Residential Agricultural (R-A) to Residential Incentive (R-6) in accordance with Exhibit 3 pending final adoption of the Zoning Ordinance by the Board of Supervisors; and;

APPROVAL of **TENTATIVE TRACT MAP NO. 33884**, subject to the attached conditions of

Ron Goldman
Planning Director

RG:db

CONTINUED ON ATTACHED PAGE

REVIEWED BY EXECUTIVE OFFICE
DATE 10/10/08
By [Signature]
The Grande
Departmental Conference

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

Prev. Agn. Ref. | **District: Fifth** | **Agenda Number: 16.1**

The Honorable Board of Supervisors

RE: Tentative Tract Map No. 33884, Change of Zone No. 7218

Page 2 of 2

approval, and based upon the findings and conclusions incorporated in the staff report;

Agenda Item No.: 5.3
Area Plan: The Pass
Zoning District: Cabazon
Supervisorial District: Fifth
Project Planner: Russell Brady
Planning Commission: June 25, 2008

CHANGE OF ZONE NO. 7218
TENTATIVE TRACT MAP NO. 33884
EA No. 40369
Applicant: Diversified Products
Engineer: Hacker Engineering Inc.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Change of Zone No. 7218 proposes to change the project site's zoning classification from Residential Agricultural (R-A) to Residential Incentive (R-6).

Tentative Tract Map No. 33884 proposes a schedule A subdivision of 9.26 gross acres into 40 residential lots with a minimum lot size of 5,000 sq ft with affordable housing provisions in accordance with R-6 zoning requirements, and three open space lots for a detention basin and expanded parkway landscaping.

The proposed project is located westerly of Broadway Street, northerly of Carmen Avenue, southerly of Aloma Drive

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Scattered Single Family Residential to the east and south, Single Family Residential to the north, Vacant to the west |
| 3. Proposed Zoning (Ex. #3): | Residential Incentive (R-6) |
| 4. Surrounding Zoning (Ex. #3): | One Family Dwellings (R-1) to the north, Residential Agricultural (R-A) to the east, south, and west, Scenic Highway Commercial (C-P-S) to the northeast, and Controlled Development Areas (W-2) to the southwest |
| 5. General Plan: | Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) |
| 6. Project Data: | Total Acreage: 9.26
Total Proposed Residential Lots: 40
Proposed Min. Lot Size: 5,000 sq ft
Schedule: A |
| 7. Environmental Concerns: | See attached Environmental Assessment |

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 40369**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;

SA
5/30/08

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 7218** from Residential Agricultural (R-A) to Residential Incentive (R-6) in accordance with Exhibit 3; and;

APPROVAL of **TENTATIVE TRACT MAP NO. 33884**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report;

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Medium Density Residential (CD:MDR) 2-5 dwelling units per acre) designation of the General Plan and all elements of the Riverside County General Plan.
2. The proposed project is consistent with the proposed Residential Incentive (R-6) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The proposed project is consistent with the Schedule A map requirements of Ordinance No. 460, and with other applicable provisions of Ordinance No. 460.
4. The public's health, safety and general welfare are protected through project design.
5. The proposed project is compatible with the present and future logical development of the area.
6. The proposed project will not have a significant effect on the environment.
7. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings, and in the attached environmental assessment, which is incorporated herein by reference.

1. The project site is designated Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre).
2. The project site is surrounded by properties that are designated Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) to the north, Community Development: Low Density Residential (CD:LDR) (1-2 dwelling units per acre) to the east, south, and west, and Community Development: Commercial Retail (CD:CR) (0.20-0.35 floor area ratio) to the northeast..
3. The existing zoning for the subject site is Residential Agricultural (R-A).
4. The proposed zoning for the subject site is Residential Incentive (R-6).
5. The project site is surrounded by properties that are zoned One Family Dwellings (R-1) to the north, Residential Agricultural (R-A) to the east, south, and west, Scenic Highway Commercial (C-P-S) to the northeast, and Controlled Development Areas (W-2) to the southwest.
6. The proposed project, creating 40 single-family residential lots with a minimum lot size of 5,000 square feet is permitted in the proposed Residential Incentive (R-6) zone.

7. This project is not located within a Criteria Area of the Multi-Species Habitat Conservation Plan.
8. The following environmental impacts have been found to be less than significant with mitigation incorporated through those measures identified in Environmental Assessment No. 38625:
 - a. Cultural Resources
 - b. Geology/Soils

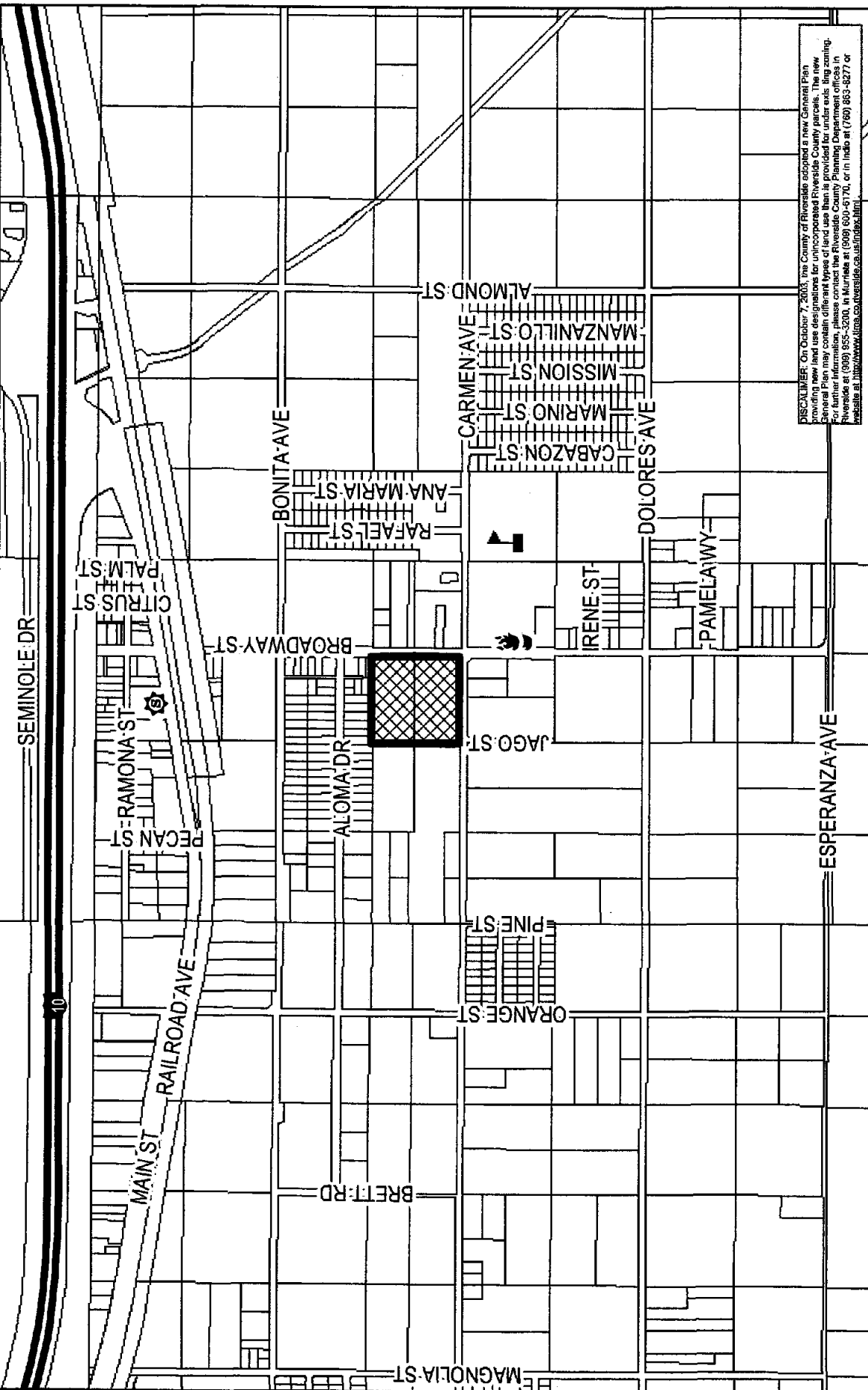
INFORMATIONAL ITEMS:

1. As of this writing, no letters in support or opposition have been received.
2. The project site is not located within:
 - a. A dam inundation area;
 - b. A hazardous fire area;
 - c. A flood hazard zone;
 - d. An area drainage plan;
 - e. An Alquist-Priolo earthquake fault hazard study zone; or
 - f. A city sphere of influence.
3. The project site is located within:
 - a. The boundaries of the Banning Unified School District;
 - b. Mt. Palomar Lighting Ordinance Zone B;
 - c. County Service Area No. 85; and
 - d. The Whitewater Watershed.
4. The subject site is currently designated as Assessor's Parcel Numbers 526-131-002, 526-131-004

Supervisor Ashley
District 5
Date Drawn: 5/27/08

CZ07218 TR33884 VICINITY MAP

Planner: Russell Brady
Date: 6/25/08
Vicinity Map



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. Riverside at (909) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 853-8277 or website at <http://www.alpha.co.riverside.ca.us/index.html>.

Zone
District: Cabazon
Township/Range: T3SR2E
Section: 16

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 526-13
Thomas Bros. Pg. 723 D5

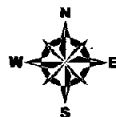
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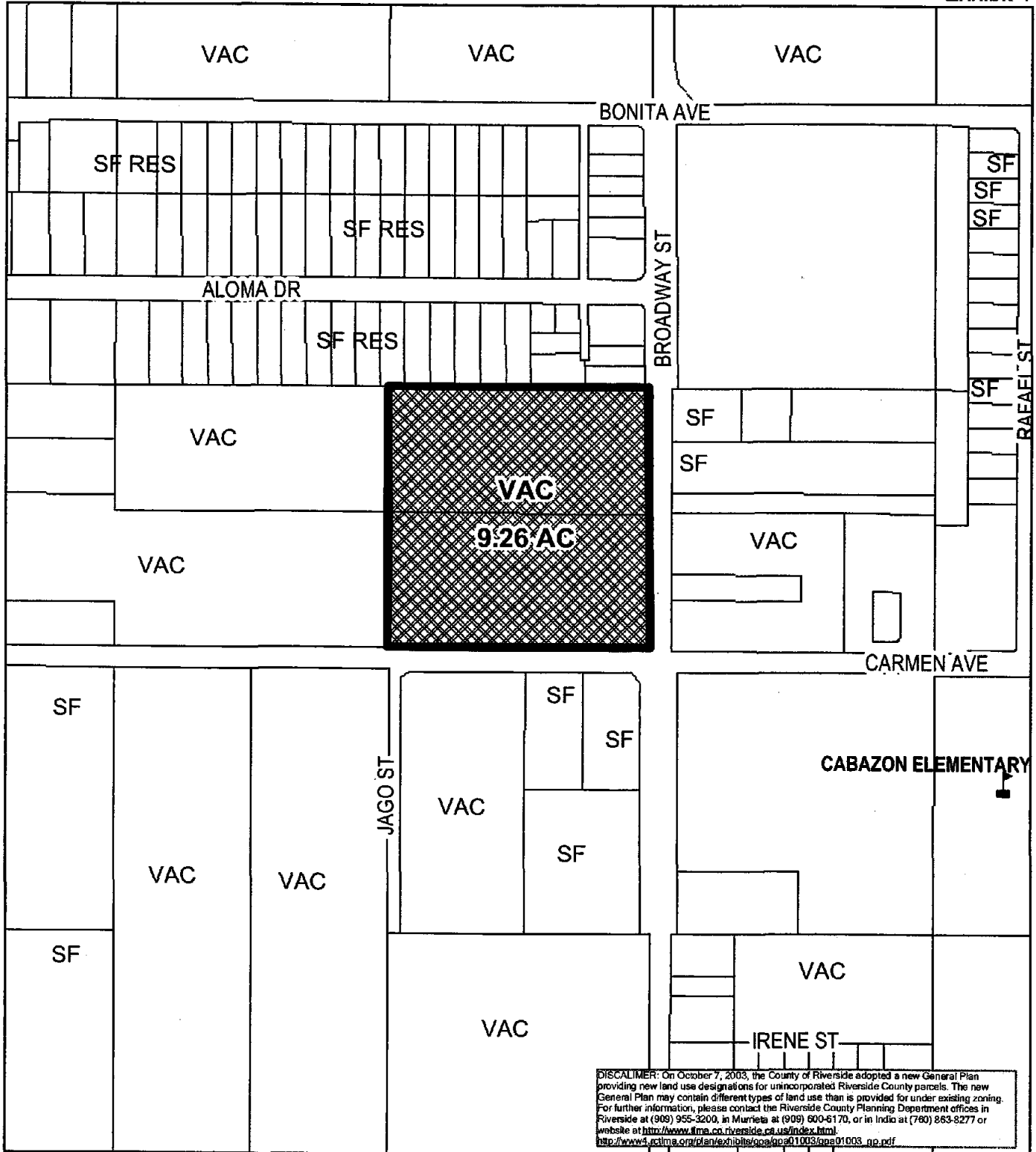


District
Plan: Cabazon
Township/Range: T3SR2E
Section: 16

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http://www3.pclma.org/plan/exhibits/gca/gp01003/gpa01003_gp.pdf

Zone
 District: Cabazon
 Township/Range: T3SR2E
 Section: 16

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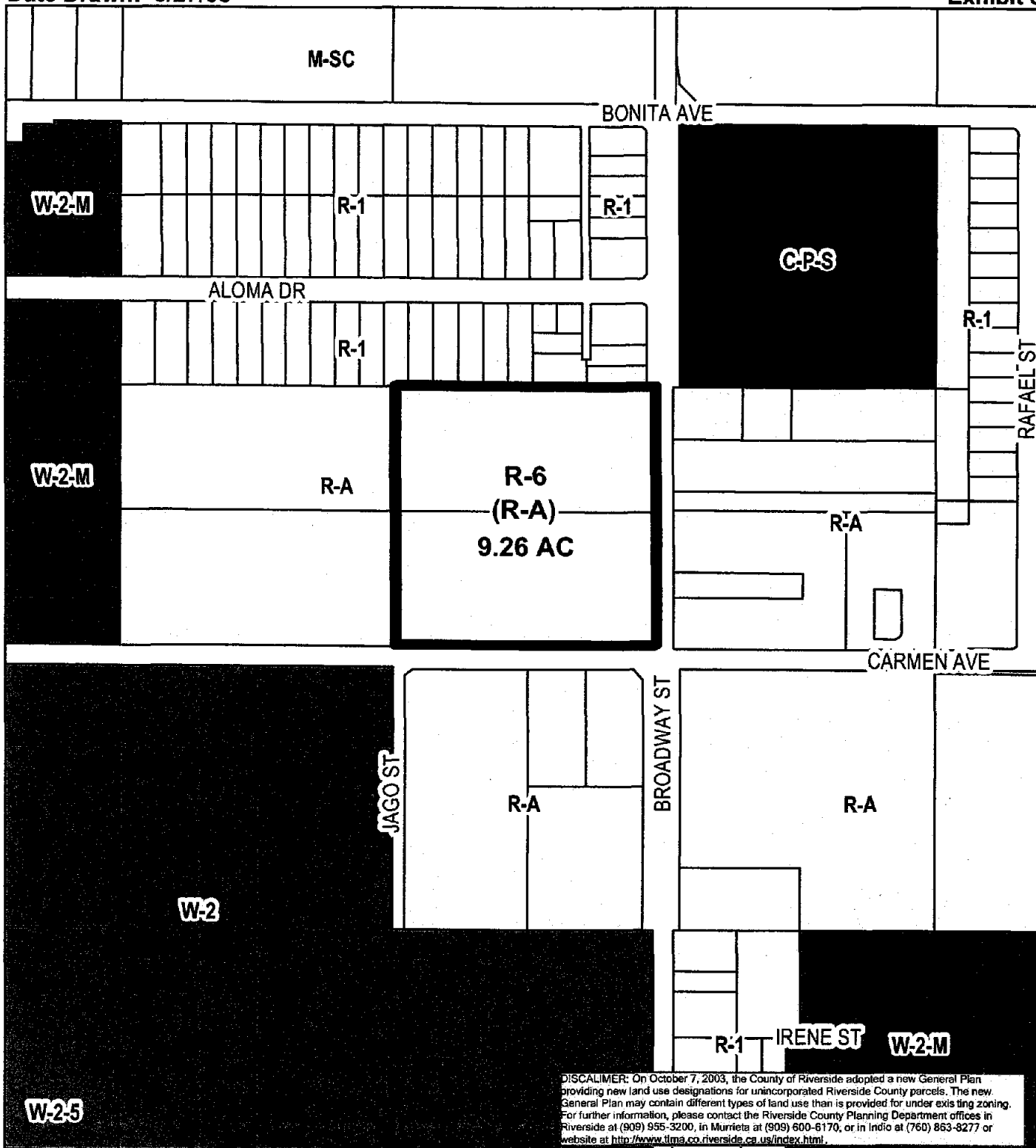


Supervisor Ashley
District 5
Date Drawn: 5/27/08

CZ07218 TR33884

PROPOSED ZONING

Planner: Russell Brady
Date: 6/25/08
Exhibit 3



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.tlma.co.riverside.ca.us/index.html>.

Zone
District: Cabazon
Township/Range: T3SR2E
Section: 16

RIVERSIDE COUNTY PLANNING DEPARTMENT

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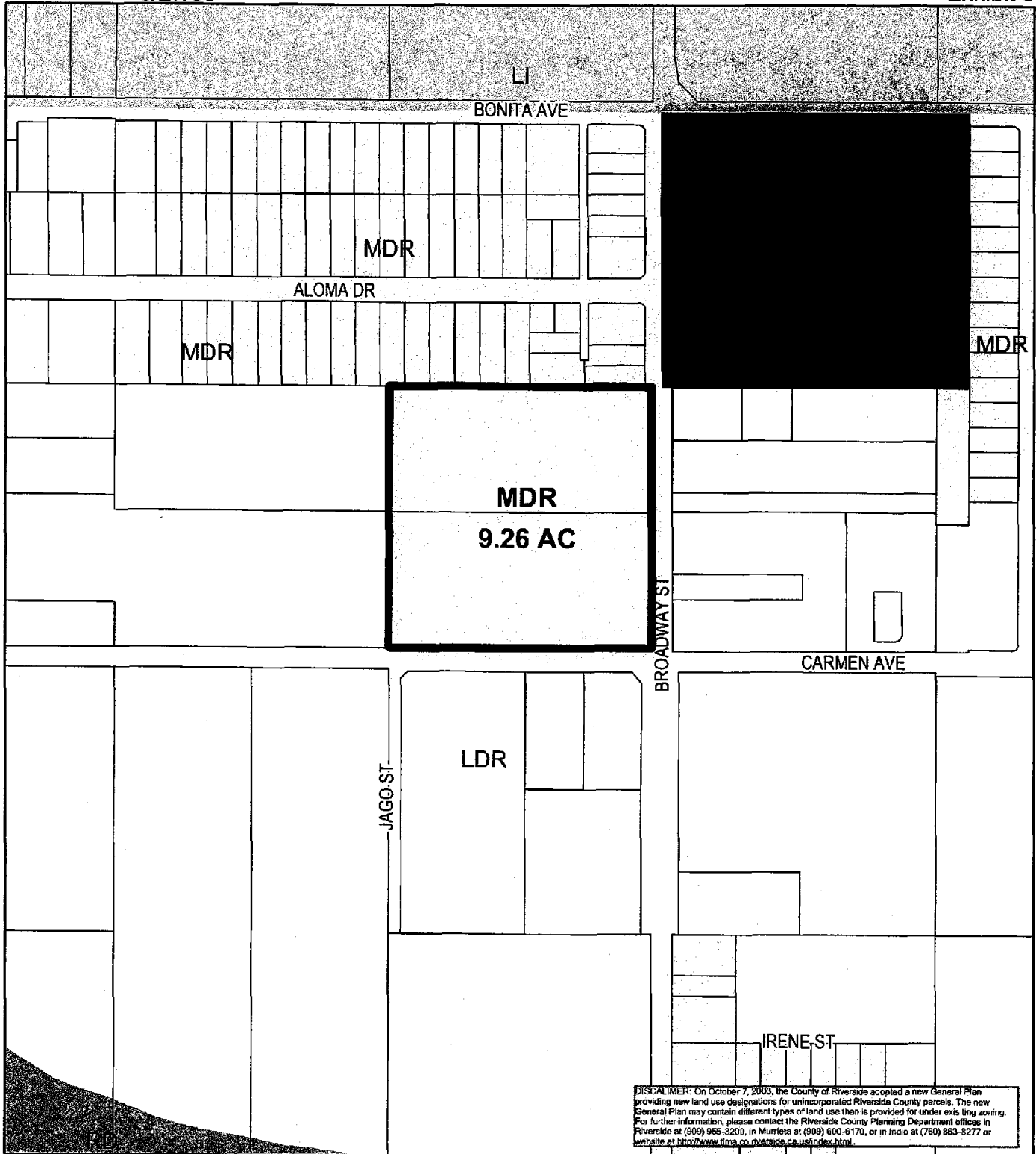


Supervisor Ashley
District 5
Date Drawn: 5/27/08

CZ07218 TR33884

Existing General Plan

Planner: Russell Brady
Date: 6/25/08
Exhibit 5



Zone
District: Cabazon
Township/Range: T3SR2E
Section: 16

RIVERSIDE COUNTY PLANNING DEPARTMENT

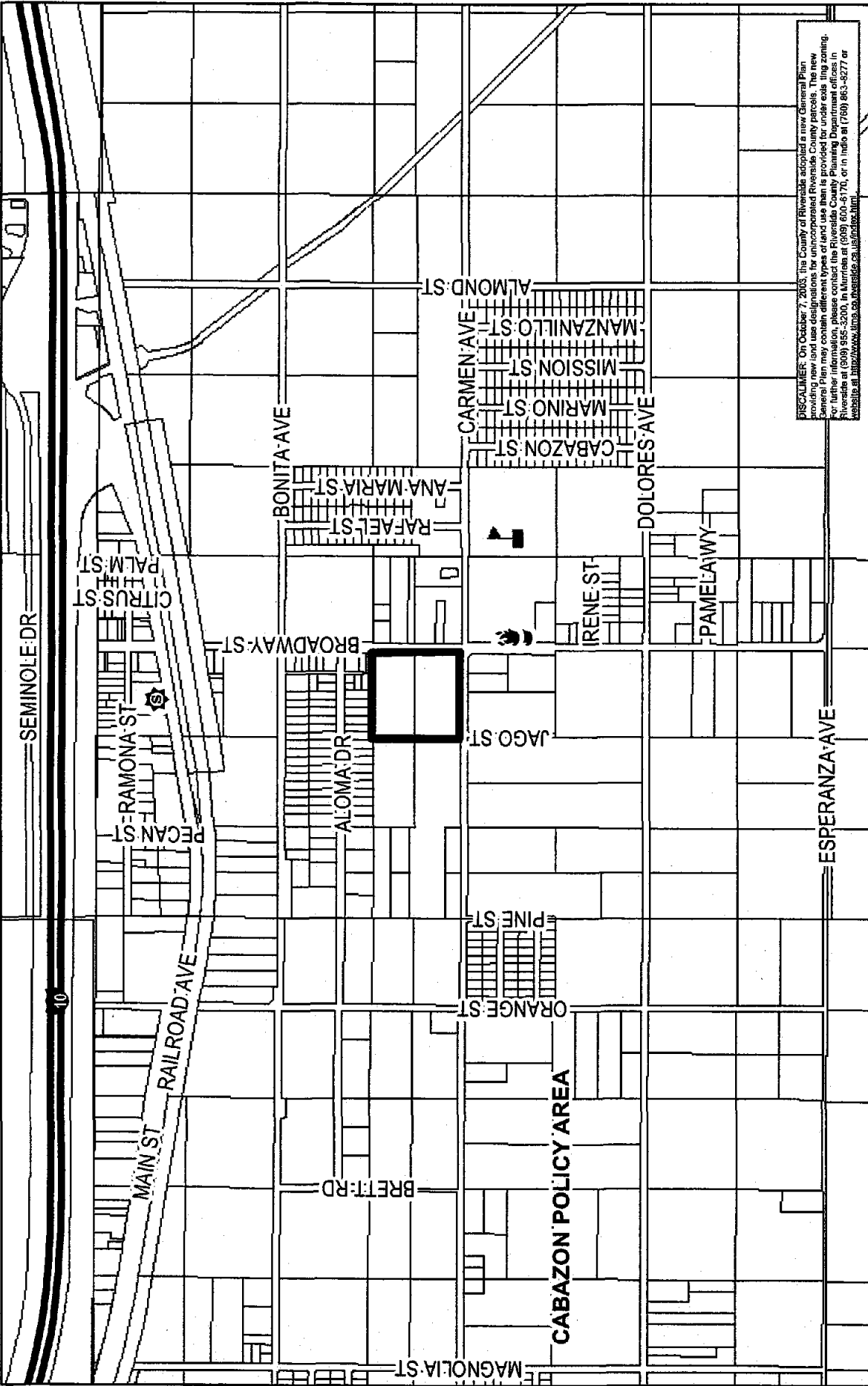
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Supervisor Ashley
District 5
Date Drawn: 5/27/08

CZ07218 TR33884
POLICY AREAS

Planner: Russell Brady
Date: 6/25/08
Exhibit 8



FISCAL YEAR: 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) 600-5170, or in Indio at (760) 863-8277 or website at <http://www.ltrps.ca.gov/planning>.

Zone
District: Cabazon
Township/Range: T3SR2E
Section : 16

RIVERSIDE COUNTY PLANNING DEPARTMENT

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