

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

304B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
November 13, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 910 – (Technical , Agriculture Amendment and Entitlement/Policy Amendment) – Applicant: Black Emerald LLC – Engineer / Representative: Innovative Land Concepts - Fourth Supervisorial District – Lower Coachella Valley Area – Eastern Coachella Valley Area Plan: Agriculture (10 Acre Minimum) Community Development: High Density Residential (CD:HDR) (8-14 Dwelling Units Per Acre), and Light Industrial (CD:LI) (0.25-0.60 Floor Area Ratio) – Location: Northerly of Avenue 86th, southerly of Avenue 81st, easterly of The Santa Rosa Mountains, and westerly of The Salton Sea – 2,557 Gross Acres - Zoning: Light Agriculture (5 Acre Minimum) (A-1-5), Light Agriculture (10 Acre Minimum) (A-1-10), and Light Agriculture (20 Acre Minimum) (A-1-20), Heavy Agriculture (10 Acre Minimum) (A-2-10), and Heavy Agriculture (20 Acre Minimum) (A-2-20), and Controlled Development (W-2) - **REQUEST:** General Plan Amendment, proposes to amend the Riverside County General Plan Land Use Element as it applies to the project site to eliminate the land use designation of Agriculture: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space – Water (OS-W) and would establish a Community Development Specific Plan on the project area.

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors adopt an order initiating the above referenced general plan amendment based on the attached report. 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 every GPA application and submit it to the Board of Supervisors. Prior to

Ron Goldman
Planning Director

RG:db

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE

DATE 11/19/08
Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

15.7

the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would 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 on 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.

Agenda Item No.:
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisory District: Fourth
Project Planner: Matt Straite
Planning Commission: September 17, 2008

General Plan Amendment No. 910
Applicant: Black Emerald LLC
Engineer/Rep.: Innovative Land Concepts

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends that the appropriate findings per the General Plan Administration Element can be made or have the possibility to be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 910. and the Planning Commission made the comments below. The Planning Director continues to recommend Staff recommends that the appropriate findings per the General Plan Administration Element can be made or have the possibility to be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 910.

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner Jan Zuppardo: Agreed with change in designation

Commissioner John Petty: Indicated that the loss of agriculture needs to be addressed. He explained that the loss of agriculture is a national issue, as the nation increases its dependency on foreign food sources, like foreign oil, the nation is putting itself at risk. Additionally, he felt that hybrid projects that left agriculture in conservation easements alongside urban development may be a solution to guarantee the preservation of the industry in this area. These comments were made during the Scoping Session for the Mecca Specific Plan, SP377, and the Commissioner asked that they be added to this report as he has the same concerns for this project.

Commissioner John Snell: No comment

Commissioner John Roth: Indicated that the Water Supply Assessment needed to address the entire basin, it needed to address contingency plans in case the replenishing water was not available.

Commissioner Jim Porras: Indicated that the community is in support of the project. He welcomed the infrastructure the project would require. Additionally, the Commissioner indicated that the project should set a new standards for green living.

APR 11/12

Agenda Item No.: 6.1
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisorial District: Fourth
Project Planner: Matt Straite
Planning Commission: September 17, 2008

General Plan Amendment No. 910
Type of GPA: Agriculture, Technical, and
Entitlement
Applicant: Black Emerald LLC
Engineer/Rep.: Innovative Land Concepts

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 910, proposes to amend the Riverside County General Plan Land Use Element as it applies to the project site to eliminate the land use designation of Agriculture: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space – Water (OS-W) and would establish a Community Development Specific Plan on the project area.

The proposed Specific Plan area currently consists of approximately 5,131 acres of land of which 3,936 acres (approximately 80 percent) is within Riverside County, and 982 acres (approximately 19 percent) is within Imperial County. Approximately 1,379 acres (approximately 28 percent) of the total Specific Plan area consists of land located within the reservation of the Torres Martinez Desert Cahuilla Indians. The proposed Amendment does not include any land use changes to the sovereign nation of the Torres-Martinez. While the Specific Plan will include all three jurisdictions, the total acreage of the proposed General Plan Amendment No. 910, not including the Torres-Martinez land or the land located in Imperial County, is 2,557 gross acres.

The portion of the Specific Plan controlled by the Torres-Martinez will be processed under the requirements of the tribe and, as appropriate, will be subject to additional environmental reviews under the National Environmental Protection Act (NEPA) per 40 CFR 1501.5 because the Torres Martinez Desert Cahuilla Indians are designated a sovereign nation.

This specific plan would include residential, mixed-use, commercial, business park, and open space uses including a resort/marina, recreational, and conservational uses.

The proposed Amendment within Riverside County is located along both the east and west sides of California State Route 86S (SR-86S), between 81st Avenue and the Riverside/Imperial County line. SR-86S traverses the center as a limited-access highway. The site is generally located west of the Salton Sea, south of the community of Mecca, and northeast of the Anza-Borrego Desert State Park. The proposed Amendment site is located along the northwest shore of the Salton Sea.

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. General Plan Amendment 910 is an **Agriculture, Technical and Entitlement/Policy GPA**, under Section 2.4.

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

Consideration Analysis:

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. Given that this Staff Report is analyzing an initiation of an Amendment, and not an approval of an Amendment, the report only needs to show that the required could possibly be made. Actual findings will be made upon approval of the Amendment.

General Plan Amendment No. 910 falls into two categories, Agriculture and Entitlement/Policy. Only 15.53 acres of the proposed Amendment is in a Community Development Foundation, the remaining 2,541 acres is in the Agriculture Foundation. Each will be addressed separately below.

Agriculture-

The required Agriculture Amendment findings must be made for those sections of the proposal that will be changing from an Agriculture Foundation to a Community Development designation. The required findings for this section of the analysis are-

- 1) The amendment would contribute to the achievement of the purposes of the General Plan.
- 2) The amendment would not be detrimental to the purposes of the General Plan.

Additionally, the Agriculture foundation allows up to seven percent of all the land within one of three designated areas to be converted to another Foundation and land use designations during a two and a half year cycle. In the event that the seven percent threshold has been exceeded, an Agricultural Task Force would review the project. The proposed Amendment is in the Eastern Coachella Land Use Plan which is part of the "Palo Verde, Desert Center, and the Eastern Coachella" designated area, one of the three designated areas prescribed by the Administration Element. Given the size of the project, it is expected that the proposed Amendment will exceed the seven (7) percent threshold and will require review by the Agricultural Task Force. The Board of Supervisors must request such a review.

Each of the required findings are analyzed below-

First Required Agriculture Finding: This proposal would change the Land Use designation from Agriculture to Community Development: Specific Plan; therefore, it must be established that this designation would contribute to the achievement of the purposes of the General Plan.

Many areas within the Eastern Coachella Valley Area Plan are experiencing growth, most specifically the Mecca and the South Valley Implementation Program (SVIP) areas. The SVIP is located about eight miles to the north of the proposed site. The Board of Supervisors has indicated that the 2008 General Plan Update will update the Land Use designations in the SVIP area to reflect a more urban pattern of development. Similar efforts have been contemplated for the Oasis Area. The Oasis area includes land between the SVIP and the proposed Amendment boundary on the north. However, the Board has not yet initiated any advanced planning efforts or updates to the General Plan within the proposed Amendment area or the Oasis Area. This context is important to the policy analysis below.

The General Plan Land Use Element is implemented through policies. These are guided by the Vision. The policies are generally arranged into different categories intended to first create policies that cater to an area plan level, then a community level, and finally down to a specific project level, such as subdivisions or use permits. The General Plan explains these as macro, medium and micro levels. Given the scope of the proposed Amendment it is appropriate to analyze the Proposed Amendment primarily at the macro level.

The macro level, entitled the "efficient use of land" in the General Plan has only one policy, LU 2.1, which has several different components. It can be argued that a Specific Plan could satisfy these components, lettered a through g. Each will be analyzed below.

a, b, and c- Components a, b and c of the policy require a broad range and mix in land uses provided at the area plan level, supported by infrastructure and evaluation of impacts to the environment. A Specific Plan of this size can satisfy the requirement for Land Use diversity; however, it is too early in the process to evaluate these impacts or the infrastructure availability.

f and g- Components f and g cannot be ascertained with the information currently being reviewed. Component f requires site development to capitalize on multi modal transportation opportunities. It is too early in the process to attain commitments from Sun Line or any other transit service. The proposed Amendment is along State Route 86S which will eventually be a limited access freeway, multi-modal opportunities may exist. State Route 86S is a North American Free Trade Agreement (NAFTA) Corridor. Component g prevents inappropriate development in areas that are environmentally sensitive or subject to severe natural hazards. An EIR will be done for the proposed Amendment and related cases, however the information is not yet available.

d and e- Component d explains that growth should cluster near community centers that provide a mixture of commercial, employment, entertainment, recreation, civic, and cultural uses. It can be argued that a Specific Plan of this size can create its own community center; this can be crafted through the design review process. The Commission and Board can insure that each of these uses is eventually represented in the Specific Plan. Component e looks at the same issue from a slightly different perspective. This component explains that growth should concentrate near or within existing urban and suburban areas to maintain the rural and open space character of Riverside County to the greatest extent possible. The proposed Amendment is inconsistent with this requirement. However, the pattern of development in the Eastern Coachella Valley is predominantly following the 86S corridor, as indicated by the South Valley Implementation Program. The proposed Amendment may be premature given the

rate of the development, however, given the time a Specific Plan takes to entitle and develop, the great degree of flexibility inherent in Specific Plans, and the project size, it may be possible that this finding can be made at the time the project and its related applications are ready for final Planning Commission and Board review.

While there is only one Land Use Policy directing development at the macro level, there are several at the 'medium' level, or the Community Design level. A Specific Plan can be found consistent with most of these policies since most can be required by the Specific Plan itself. The Policies in the Community Design section ask for primarily a mix of uses, multi-modal streets and trails, community separators, unique communities with a sense of place, and compact new towns. Other Policies in this section specifically require promotion of infill development and parcel consolidation. For purposes of this analysis it is assumed that these policies are applicable to re-development projects only.

Review of the micro, or Project Design Policies, is inappropriate for a Specific Plan General Plan Amendment, as most of these policies are not applicable to Specific Plans.

Second Required Agriculture Finding: The Agricultural Foundation changes of the proposed Amendment must also not be detrimental to the purposes of the General Plan. This section looks only at the Agricultural Foundation changes, the Community Development analysis will follow. The intent of the Agricultural Foundation is to protect the Agricultural industry in the County. As previously mentioned, the General Plan uses a seven (7) percent conversion threshold before the Agricultural Task Force review is required.

The seven percent threshold is applied as the project is scheduled for discretionary action by the Board of Supervisors. Several projects are in process in the Eastern Coachella Valley. It is very likely that the proposed Amendment and its related cases will exceed the seven percent threshold depending on the sequence of other project approvals. A review by the Agricultural Task Force would then be required, at the direction of the Board. It also stands to note that the Riverside County Vision explains that agriculture needs to remain a strong component of the economy in the County, that the preservation of agricultural lands is vital to the County in many ways. An Amendment of this size significantly affects the agricultural identity of the County. The seven percent threshold was established in an effort to quantify the relationship identified in the Vision. Again, the intent of the Agricultural Task Force is to solicit direction from the industry itself, not to force preservation of lands that cannot viably produce sustainable amounts of agricultural products. In essence, taking control from the industry could result in blighted agricultural landscapes. While the proposed Amendment may appear to be in conflict with the Vision of the County, it is important to understand that the General Plan is structured to address this issue on a case-by-case basis, with the help of the Agricultural Task Force. This project has not been presented to the Agricultural Task Force and can only do so at the direction of the Board of Supervisors.

With the information available at this time the finding cannot be made; however, satisfying the finding would require action by the Agriculture Task Force, so it is appropriate to allow the proposed Amendment proceed.

Technical-

In 2008 when the General Plan was approved the Land Use Map, particularly for areas of the desert, included a label that looks like a land use designation called IND. The areas noted as IND are technically not designations, they are attempting to indicate the locations of tribal, sovereign, jurisdictions. The label IND indicates that the General Plan has not provided a designation for the labeled property.

Proposed Amendment No. 910 has included the actual location of tribal and fee land ownership, or tribal jurisdiction on their Specific Plan Land Use Plan (attached). A comparison of the General Plan Land Use map (Exhibit No. 5) and the Specific Plan land Use Plan indicates that the General Plan label of IND was applied to properties that are not tribal, fee land or under tribal jurisdiction in any way. This was a technical mapping error. Staff is still working with the tribe and the applicant to ascertain the actual acreage figures.

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

- a. The proposed amendment would not change any policy direction or intent of the General Plan.
- 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 in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

First Required Technical Amendment Finding: The first required finding explains that the amendment must not change the intent of the General Plan. The intent of the IND label was to indicate where tribal land was located. The proposed Amendment indicates discrepancies in ownership and the IND label. If the intent of the General Plan was to indicate ownership, then the technical correction would correct an error and clarify the intent of the General Plan.

Additional Technical Amendment Finding: In addition to the required finding, the appropriate additional finding is "d," a point of clarification is needed to more accurately express the General Plan's meaning and eliminate a source of confusion. By labeling property within the Counties jurisdiction as IND, the General Plan technically left those properties with no designation at all. These properties will be incorporated into the Specific Plan, and thus take on the designations indicated on the proposed Land Use Plan.

It is possible that the findings can be made to support the technical correction amendment.

Entitlement/Policy-

The Amendment proposes to change the designations of Community Development: Commercial Tourist (CT), 15.15 acres, and Public Facilities (PF), 156 acres, to Community Development Specific 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.

An analysis of three, the two required and one additional, findings are made below. This section of the analysis will only address the land converting within the Community Development Designations.

First Required Entitlement/Policy 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. Each will be analyzed below.

1) The Riverside County Vision: the Vision explains that random sprawl is discouraged and development should follow transportation and open space corridors, with concentrations of development, in other words, important open space and transportation corridors should define growth areas. Population growth should be focused where it can best be accommodated. And while the Vision goes on to explain that leapfrog development (development that "skips over" developable land and establishes inefficient development patterns) is discouraged, it also explains that development proposed at some distance from existing communities should occur because of a conscious commitment to a new community there, and these types of projects must demonstrate self-sufficiency in terms of public facilities and services. The flexibility afforded by a Specific Plan, and the sheer size of the proposed Amendment both indicate the possibility to satisfy all of these Vision ideals. Indeed the Vision explains that new communities should demonstrate methods for achieving efficient development and building a sense of community from the very beginning. It is possible for the proposed Amendment to satisfy the finding.

(2) Any General Plan Principle: given staffs review, in light of the extreme flexibility a Specific Plan affords and the large size of the proposed Amendment, it is possible that the proposed designation could satisfy each of the General Plan Principals and Policies. This can be crafted through the design review process. The Commission and Board can insure that each of these uses is eventually satisfied by and with the Specific Plan.

(3) Any Foundation Component designation in the General Plan: in this case the project designation would be within the same Foundation. The proposal includes changes from two Foundations into one, however, this section of the analysis for the Community development sections of the proposal. Thus, the Community Development changes proposed are consistent with the Community Development Foundation.

Second Required Entitlement/Policy Finding: The second required finding explains that the Community Development changes in 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. In light of the extreme flexibility a Specific Plan affords and the large size of the proposed Amendment, it is possible that the proposed designation could satisfy this finding at the discretion of the Commission and the Board.

Additional Entitlement/Policy 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 finding for the proposed Amendment is "special circumstances or conditions have emerged that were unanticipated in preparing the General Plan." In this instance the special circumstance would be the application itself. While this may seem circuitous, the near 4,000 acre proposal is large enough to create an entire new community unto itself. The Community Development changes include a 15 acre parcel going from Commercial Tourist to Specific Plan, and a 156 acre parcel going from Public Facilities to Specific Plan. These proposed changes must be taken in context of the entire proposal which because of its size can grant the opportunity to be a new community. The General Plan permits new communities, so long as they are separated by natural boundaries, located along transportation corridors, and can provide adequate public facilities. A plan of this size can make such provisions; more importantly, the Planning Commission and Board can require the future Specific Plan to include these elements. Thus the finding of special circumstances can be made using the proposal itself.

ISSUES OF POTENTIAL CONCERN:

Given the scope, size, and location of the proposed Amendment staff feels it is appropriate to highlight some concerns that should be addressed as the project continues. While the General Plan does make allowances for new towns, it is important that the proposal itself create the aspects of a new community that will ensure the community be viable.

Jobs/Industry- The desert regions predominant industry is agriculture. This project proposes to supplant almost 5,000 acres of that industry with a new community. This community needs to look past simply providing jobs. The project needs to find, cultivate, promulgate and create a new industry, an industry that will replace the existing agricultural industry. Small office and retail uses will provide jobs; however these kinds of jobs should be the result of a successful community, not the backbone of a new community.

Transit- The new industry referenced in the previous section should help minimize the need for off-site transit, but it will never eliminate transit needs. The project should consider assisting in implementing an inter-regional transit system. Other large scale projects are being proposed within the region, each of these will also become a new community unto themselves. It is important that each project, including this one, play a role in connecting each of these new communities with the existing communities via some form of transit.

Affordable Housing- The project needs to incorporate an affordable housing component. As the agriculture industry transitions to the next industry, the existing population of the region will continue to need affordable housing.

Land Use- In an effort to support the new industry that the region will require, the land uses proposed in this, and other large scale projects should facilitate and support the new industry. The proposed plan should incorporate some form of industrial land uses. It will be crucial, given the location of the project, that the land uses not be designed to create a bedroom community. It is important that the proposed land uses cultivate, not preclude the new industry.

Additionally, densities within the plan should support regional commercial land uses, if they are proposed. The rooftops required to support regional commercial activities cannot rely on neighboring communities given the projects location.

Tribal Lands- The project should be cognizant of the unique relationship between the County and the Torres-Martinez Tribe. The project needs to be planned in a way that lets the tribe and the County exercise independence in possible future land use decisions, and minimize interdependence of infrastructure.

Sustainability/Green- Given the size of the project, an unprecedented opportunity exists to demonstrate sustainable building practices and lifestyles that will minimize the projects footprint.

Salton Sea- The Sea is contiguous to the project, but the issues that surround the Sea and development near the Sea are regional issues, the odors that emanate from the Sea effect most of the Desert Region. While the County and the State have a responsibility to assist in the restoration of the Sea, a development proposed on the shore of the Sea must play a very active role in the restoration as well. The Sea is a critical aspect of the project. Its restoration can and should play a role in the approval of a project of this size and scope. The two are linked. The proposed project should not bear the burden alone; however, all projects in this region should play a role.

SUMMARY OF FINDINGS:

- | | |
|------------------------------------|--|
| 1. General Plan Land Use (Ex. #5): | Agriculture: Agriculture (AG), Community Development: High Density Residential, Medium High Density Residential, and Industrial uses (CD:HDR) (LI) - (8 – 14 DU/AC) |
| 2. Existing Zoning (Ex. #2): | Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2). |
| 3. Surrounding Zoning (Ex. #2): | Heavy Agriculture with a 10 and 20 acre minimum (A-2-10 and A-2-20) to the north, south, east and west, Controlled Development (W-2) to the north, south, east and west, and Watercourse, Watershed & Conservation Areas (W-1) to the northeast. |
| 4. Existing Land Use (Ex. #1): | Agriculture and Single Family |
| 5. Surrounding Land Use (Ex. #1): | Agriculture and Single Family to the north, south, east and west |
| 6. Project Data: | Total Acreage proposed to be Amended: 2,557 |

RECOMMENDATIONS:

Staff recommends that the appropriate findings per the General Plan Administration Element can be made or have the possibility to be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 910. 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 of sphere of influence,
 - b. The Stephens Kangaroo Rat Fee Area or Core Reserve Area,
 - c. Fringe Toed Lizard sand source area,
 - d. A high fire area,
 - e. An Area drainage plan area; or,
 - f. A dam inundation area.
3. The project site is located within (or contains):
 - a. Agriculture Preserve- Coachella Valley No. 27, 31, and 97,
 - b. CSA #125 – Thermal-Street Lighting,
 - c. The Coachella Valley Recreation and Parks District,
 - d. The boundaries of the Coachella Valley Unified School District, and,
 - e. A low, moderate and high liquefaction area.

The subject site is currently designated as Assessor's Parcel Numbers: 737090002, 737110001, 737110004, 737110006, 737110009, 737120005-9, 737140002, 737140003, 737140009, 737140010, 737170003, 737170004, 737170006-8, 737170010-15, 737180001, 737180002, 737180004, 737180007, 737180009-14, 737190001-7, 737190009-13, 737200002, 737200003, 737200004, 737200006-10, 737200016-20, 737200023, 737200024, 737200026-32, 737210001, 737210007-13, 737220001-7, 737220009, 737220010, 737230006, 737230013-15, 737240002, 737240003, 737240004, 737250002, 737260003, 737260005, 737260007-17, 737270001, 737270003, 737270005-11, 737280001-8, 737290001, 737290004, 737290005, 737290006, 737290011, 737290012, 737290014-19, 755270015, 755270016, 755270021, 755270022, 755270023, 755270024, 755300016, 755300017, 755300022-26, 755310012, 755310013, 755310015, 755310028-32, 755310035, 755310037, 755310038, 755310040, 755310042-45

ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. GPA910 Supervisorial District: Fourth

Existing Zoning: Watercourse (W-1) Watercourse, 20 Acre Minimum (W-1-20), Controlled Development (W-2), Light Agriculture, 10 Acre Minimum (A-1-10), Light Agriculture, 20 Acre Minimum (A-1-20), Heavy Agriculture, 10 Acre Minimum (A-2-10) and Heavy Agriculture, 20 Acre Minimum (A-2-20)

Area Plan: Eastern Coachella Valley Area Plan Acreage: 5,131 Gross (4,148 within Riverside County)

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Agriculture, Community Development, and Open Space

Existing General Plan Land Use Designation: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space – Water (OS-W)

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

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3 page 13

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: Specific Plan

Proposed Change to Policy Area or Overlay: N/A

Proposed Change to Map (cite GP map name): N/A

Case: **ENTITLEMENT/POLICY GPA 910**

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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 | | Agriculture Preserve- Coachella Valley No. 27, 31, and 97. |
| 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, Moderate, and High |
| High Fire Area | | X | |
| Code Compliant | | X | |
| MSHCP Conserved Land | | X | |
| Access / Alternate Access Issues | | X | |
| Water / Sewer Issues | X | | A Water Supply Assessment has yet to provided. |
| City Sphere of Influence | | X | |

Case: **ENTITLEMENT/POLICY GPA 910**

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| | | |
|--|--|---|
| Proposed Annexation/ Incorporation Area | | X |
| Other Issues* (see below) | | X |

| * OTHER ISSUES: | | |
|------------------------|---------------|-------------------|
| <i>Item</i> | <i>Policy</i> | <i>Discussion</i> |
| | | |
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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 | See Staff Report |
| An amendment is required to comply with an update of the Housing Element or change in State Housing Element law. | | X | See Staff Report |
| 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 | See Staff Report |

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

Case: ENTITLEMENT/POLICY GPA 910

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AGRICULTURAL AMENDMENT

CYCLE: 2 1/2 YEAR

Case No. GPA910 Supervisorial District: Fourth

Existing Zoning: Watercourse (W-1) Watercourse, 20 Acre Minimum (W-1-20), Controlled Development (W-2), Light Agriculture, 10 Acre Minimum (A-1-10), Light Agriculture, 20 Acre Minimum (A-1-20), Heavy Agriculture, 10 Acre Minimum (A-2-10) and Heavy Agriculture, 20 Acre Minimum (A-2-20)

Area Plan: Eastern Coachella Valley Area Plan Acreage: 5,131 Gross

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Agriculture, Community Development, and Open Space

Existing General Plan Land Use Designation: Agriculture: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space – Water (OS-W)

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

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3 page 13

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: Specific Plan

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 | | Agriculture Preserve- Coachella Valley No. 27, 31, and 97. |
| Airport Compatibility Zone | | X | |
| Flood Plain (Zone A – 100 Year) | X | | The Salton Sea is within 100 year Flood zone, part of the proposed Amendment is in the Salton Sea. |
| FLT Sand Source Area or FLT Preserve | | X | |
| Fault Zone | | X | |
| Faults within 1/2 Mile | | X | |
| Liquefaction Potential; Subsidence | X | | Low, Moderate, and High. |
| High Fire Area | | X | |
| Code Compliant | | X | |
| MSHCP Conserved Land | | X | |
| Access / Alternate Access Issues | | X | |
| Water / Sewer Issues | X | | A Water Supply Assessment has yet to provided. |
| 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> |
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AGRICULTURAL FINDINGS

(Check all that apply)

Is there a reasonable possibility that the following findings can be made?*

| Finding | Yes | No | Comment |
|--|-----|-------------------------------------|------------------|
| The amendment would contribute to the achievement of the purposes of the General Plan. | | <input checked="" type="checkbox"/> | See Staff Report |
| The amendment would not be detrimental to the purposes of the General Plan. | | <input checked="" type="checkbox"/> | See Staff Report |

*** 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 |

TECHNICAL AMENDMENT

CYCLE: Quarterly

Case No. GPA910 Supervisorial District: Fourth

Existing Zoning: Watercourse (W-1) Watercourse, 20 Acre Minimum (W-1-20), Controlled Development (W-2), Light Agriculture, 10 Acre Minimum (A-1-10), Light Agriculture, 20 Acre Minimum (A-1-20), Heavy Agriculture, 10 Acre Minimum (A-2-10) and Heavy Agriculture, 20 Acre Minimum (A-2-20)

Area Plan: Eastern Coachella Valley Area Plan Acreage: 5,131 Gross (4,148 within Riverside County)

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Agriculture, Community Development, and Open Space

Existing General Plan Land Use Designation: Agriculture: Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space -- Water (OS-W)

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

Existing Map(s) of Issue (cite GP figure # and page #): Figure 3 page 13

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: Specific Plan

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 | | Agriculture Preserve- Coachella Valley No. 27, 31, and 97. |
| Airport Compatibility Zone | | X | |
| Flood Plain (Zone A - 100 Year) | X | | The Salton Sea is within 100 year Flood zone, part of the proposed Amendment is in the Salton Sea. |
| FLT Sand Source Area or FLT Preserve | | X | |
| Fault Zone | | X | |
| Faults within 1/2 Mile | | X | |
| Liquefaction Potential; Subsidence | X | | Low, Moderate, and High. |
| High Fire Area | | x | |
| Code Compliant | | x | |
| MSHCP Conserved Land | | x | |
| Access / Alternate Access Issues | | x | |
| Water / Sewer Issues | x | | A Water Supply Assessment has yet to provided. |
| 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> |
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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 | | See Staff Report |
| An error or omission needs to be corrected. | | | |
| 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. | | | |
| A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion. | X | | See Staff Report |
| A minor change of boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries. | | | |

* **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 | |
| EPD | |
| Fire | |
| Flood | |
| Building and Safety | |
| Geologist | |

Supervisor Wilson
 District 4
 Date Drawn: 6/4/08

SP00375
 Existing General Plan

Planner: Matt Straite
 Date: 7/09/08
 Exhibit 5



San Diego County

Imperial County

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) 863-8277 or website at <http://www.irma.co.riverside.ca.us/index.html>.

Zone **RIVERSIDE COUNTY PLANNING DEPARTMENT**
 Area: Lower Coachella Valley
 Township/Range: T8SR8E & T8SR9E
 Section : 19, 20, 25, 28, 29, 31, 32, 33 & 34

Assessors
 Bk.Pg. 737-09 - 29
 Thomas 755-27 - 31
 Bros. Pg. 683 E5

