

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

527B



FROM: TLMA – Planning Department

SUBMITTAL DATE:  
December 3, 2008

**SUBJECT: GENERAL PLAN AMENDMENT NO. 1019 - Foundation-Regular – Applicant: R. Denzil Lee – Engineer/Representative: R. Denzil Lee - Fifth Supervisorial District - Cherry Valley Zoning District - The Pass Area Plan: Rural: Rural Residential (RUR-RR) (5 Ac. Min.) and Rural: Rural Mountainous (RUR-RM) (10 Ac. Min.) – Location: Easterly of Tague Road, southerly of County Line Road, and westerly of Oak Glen Road. - 11.17 Gross Acres - Zoning: Controlled Development Areas (W-2) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component on the subject site from Rural (RUR) to Community Development (CD) and to amend the land use designation of the subject site from Rural Mountainous (RUR:RM) (10 ac. min.) and Rural Residential (RUR:RR) (5 ac. min.) to Medium High Density Residential (CD:MHDR) (5-8 du/ac) - APN: 401-030-010**

**RECOMMENDED MOTION:**

The Planning Director recommends that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 1019 based on the attached report.

**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 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

Ron Goldman  
Planning Director

RG:TH

REVIEWED BY EXECUTIVE OFFICE

DATE 12/19/08

Tina Grande  
Departmental Concurrence

Policy  
 Policy

Consent  
 Consent

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

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.8

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.: 5.20  
Area Plan: The Pass  
Zoning District: Cherry Valley  
Supervisory District: Fifth  
Project Planner: Tamara Harrison  
Planning Commission: August 12, 2008

General Plan Amendment No. 1019  
Applicant: Denzil Lee  
Engineer/Representative: Denzil Lee

## COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

### RECOMMENDATIONS:

The Planning Director recommended to tentatively decline an adoption of an order initiating proceedings for GPA01019 from Rural: Rural Residential and Rural Mountainous to Community Development: Medium High Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend to tentatively decline initiation from RUR: RR and RM to CD: MHDR. For additional information regarding this case, see the attached Planning Department Staff Report(s).

### PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

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

**Commissioner John Roth:** Commissioner Roth noted that there was nothing similar in area, that the proposed site is not appropriate for Community Development and that it's the wrong environment for the proposed level of development.

**Commissioner John Snell:** No Comments

**Commissioner John Petty:** No Comments

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** Commissioner Zuppardo feels that the proposed site is the wrong place for MDR. She concurred with staff to tentatively decline initiation.

Agenda Item No.: 5.20  
Area Plan: The Pass  
Zoning District: Cherry Valley District  
Supervisory District: Fifth  
Project Planner: Tamara Harrison  
Planning Commission: August 12, 2008

General Plan Amendment No. 1019  
E.A. Number 41851  
Applicant: R. Denzil Lee  
Engineer/Rep.: R. Denzil Lee

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation and Land Use designations from "Rural: Rural Residential" (RUR:RR) (5 acre min.) to "Community Development: Medium High Density Residential" (CD:MHDR) (5-8 du/ac) for an approximately 11.17-acre parcel. The project is located westerly of Oak Glen Road, easterly of Tage Road and southerly of County Line Road.

### POTENTIAL ISSUES:

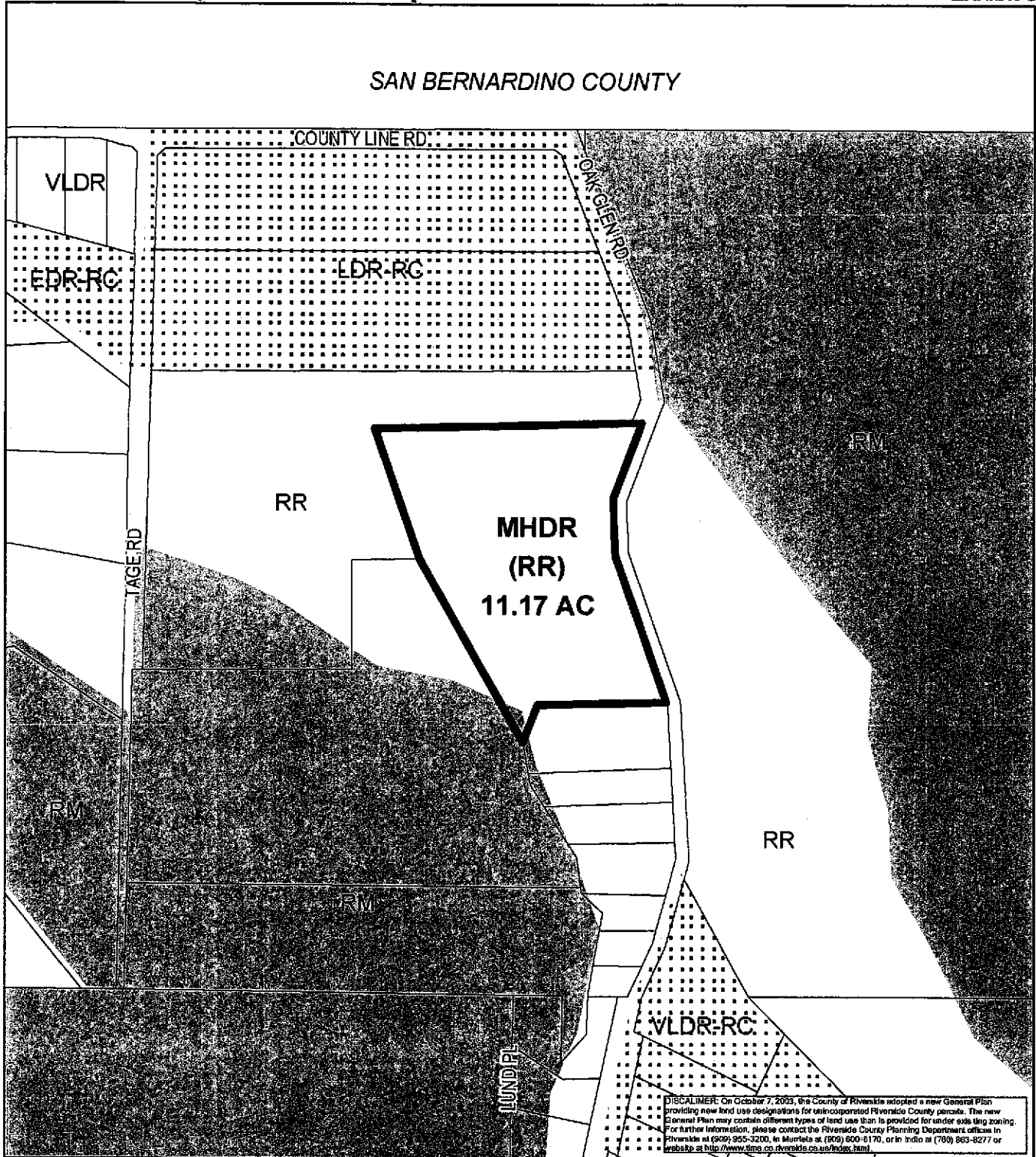
The subject parcel is located in the "Cherry Valley" community within the Pass area plan. Cherry Valley has been characterized as a rural community with larger residential lots, LAFCO has designated Cherry Valley as an Unincorporated Community in an effort to maintain the existing rural character of the area. The proposed change is not consistent with the vision for the area and would create a pocket of Medium High Density Residential in an area that is dominantly rural in character; therefore, the proposal is incompatible with the surrounding land uses and designations. Increasing the density of the subject site to 5-8 dwelling units per acre would require necessary infrastructure and public services to sustain that level of development, such infrastructure and services aren't present in the area. The existing infrastructure could potentially be overburdened by such an increase. No substantial evidence has been provided to show that new conditions or circumstances are present in the area to justify the proposed change; sewer is not available at the site.

The proposed site has also been classified as a "high fire area" and lacks secondary public access. The Safety element of the General Plan addresses fire hazard risks in a number of ways including deterring building in those "high risk" areas and providing secondary public access for the areas that are proposing developments. Increasing the density for the site would increase the potential fire hazard risks and create an inconsistency between the land use map/element and the safety element of the General plan.

The proposed site also falls within Cells 240 and 241 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

### RECOMMENDATION:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 1019 from Rural: Rural Residential to Community Development: Medium High Density Residential **would not be appropriate.**



Zone  
District: Cherry Valley  
Township/Range: T2SR1W  
Section: 14 & 15

RIVERSIDE COUNTY PLANNING DEPARTMENT

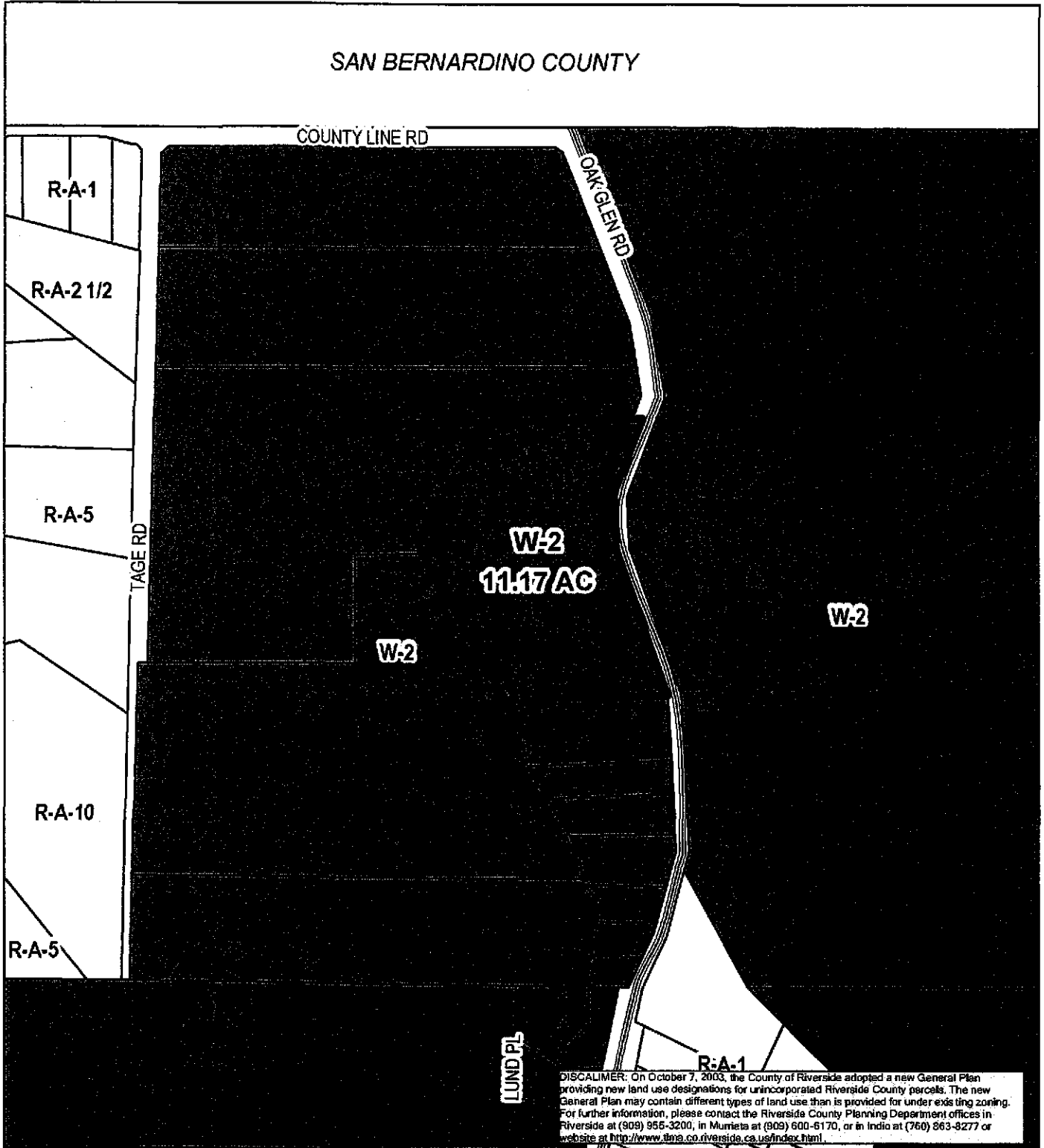
Assessors  
Bk.Pg. 401-03  
Thomas  
Bros. Pg. 651 A7



Supervisor Ashley  
District 5  
Date Drawn: 4/2/08

**GPA01019**  
**EXISTING ZONING**

Planner: Amy Aldana  
Date: 3/14/08  
Exhibit 2



Zone  
District: Cherry Valley  
Township/Range: T2SR1W  
Section : 14 & 15

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

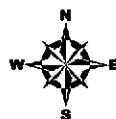
Assessors  
Bk. Pg. 401-03  
Thomas  
Bros. Pg. 651 A7





RIVERSIDE COUNTY PLANNING DEPARTMENT

District  
Plan: Cherry Valley  
Township/Range: T2SR1W  
Section: 14 & 15



Assessors  
Bk. Pg. 401-03  
Thomas  
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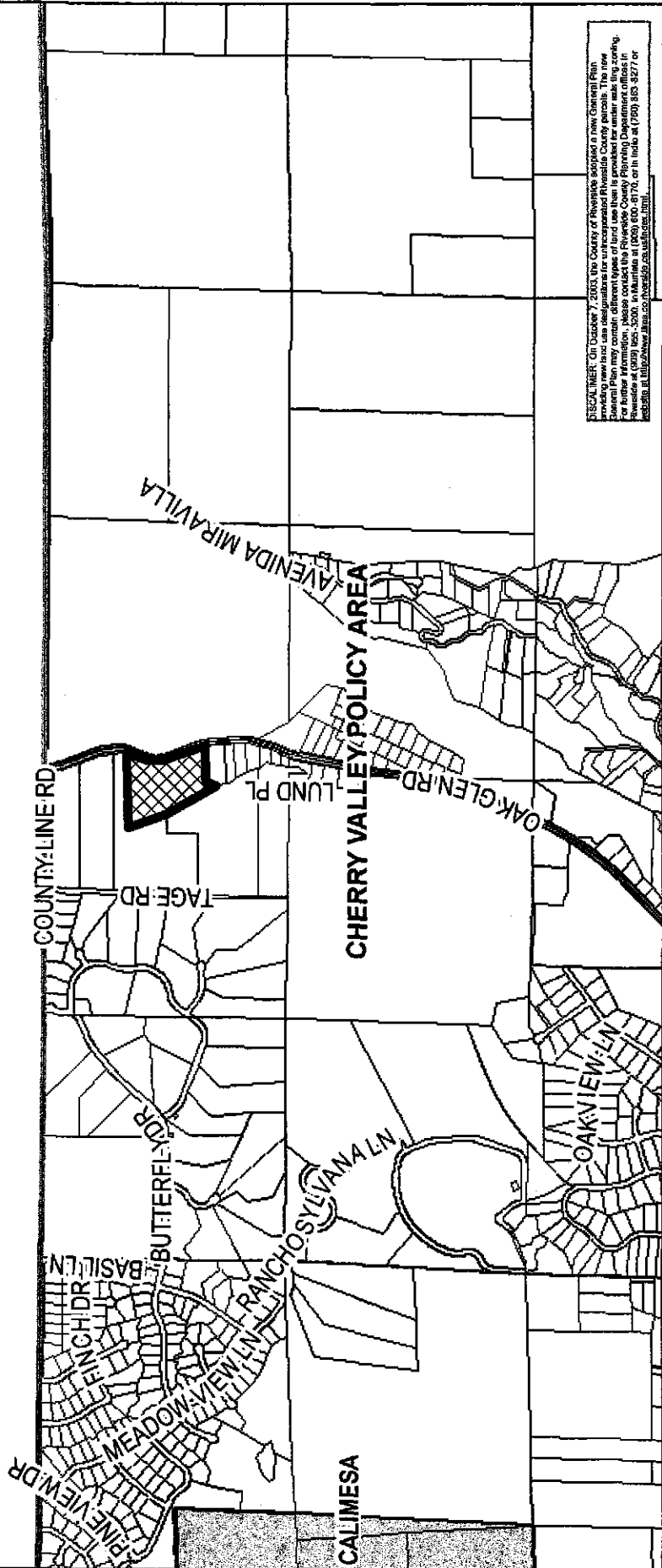


Supervisor Ashley  
District 5  
Date Drawn: 4/2/08

GPA01019  
POLICY AREAS

Planner: Amy Aldana  
Date: 3/14/08  
Exhibit 8

SAN BERNARDINO COUNTY



RESOLUTION: On October 7, 2008, the County of Riverside adopted a new General Plan including new maps and amendments to the Riverside County General Plan. 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 Westmoreland at (951) 860-3111, or in Indio at (951) 865-3277 or website at <http://www.riversideca.gov/planning>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Cherry Valley  
Township/Range: T2SR1W  
Section : 14 & 15

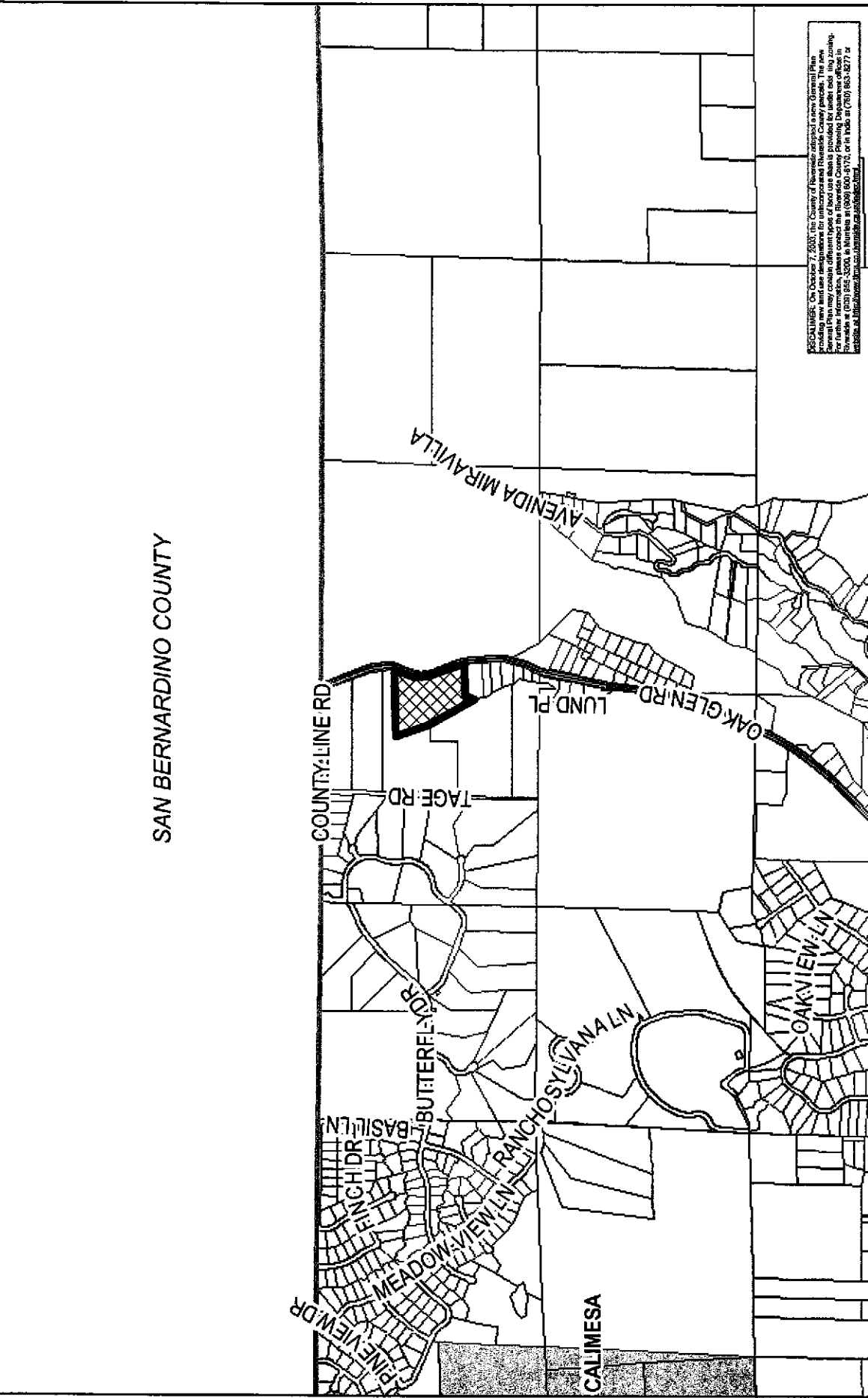
Assessors  
Bk. Pg. 401-03  
Thomas  
Bros. Pg. 651 A7  
12,600



Supervisor Ashley  
District 5  
Date Drawn: 4/2/08

**GPA01019**  
**VICINITY MAP**

Planner: Amy Aldana  
Date: 3/14/08  
Vicinity Map



RESOLUTION: On October 7, 2003, the County of Riverside adopted a new General Plan including new land use designations for unincorporated Riverside County parcels. The new designations are effective January 1, 2004. For further information, please contact the Riverside County Planning Department office in Riverside at (951) 955-3300, in Murrieta at (951) 600-6722, or in Indio at (760) 863-8277 or website at <http://www.riversideca.gov/planning>.

Zone  
District: Cherry Valley  
Township/Range: T2SR1W  
Section : 14 & 15

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors  
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