

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

622B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
December 16, 2008

SUBJECT: GENERAL PLAN AMENDMENT NO. 1066 – (Entitlement/Policy) – Applicant: Curt Caldwell – Engineer / Representative: Leonard Urquiza, P.E. - Fifth Supervisorial District – Good Hope Area – Mead Valley Area Plan: Community Development: Medium Density Residential (CD:MDR) (2 – 5 Dwelling Units Per Acre) – Location: Northerly of Ellis Avenue, easterly of Highway 74, and southerly of Veleria court within the City of Perris Sphere of Influence – 4.4 Gross Acres – Zoning: Rural Residential (R-R) - **REQUEST:** The General Plan Amendment proposes to alter the site's General Plan Land Use Designation from Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) to Community Development: Light Industrial (CD: LI) (0.25-0.60 floor area ratio).

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 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

Ron Goldman
Planning Director

RG:db

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE

DATE

Rita J. Perry
Tina Grande
Departmental Concurrence

Departmental Concurrence

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.1

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: Mead Valley
Zoning Area: Good Hope
Supervisorial District: Fifth
Project Planner: Nicole Berumen
Planning Commission: December 3, 2008

GENERAL PLAN AMENDMENT NO. 1066
Applicant: Curt Caldwell
Engineer/Rep.: Leonard Urquiza, P.E.

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended 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. 1066 as modified to change the land use designation from Community Development: Medium Density Residential (CD:MDR) to Community Development: Business Park (CD:BP). The Planning Commission made the comments below. The Planning Director continues to recommend General Plan Amendment No. 1066, as modified. For additional information regarding this case, see the attached Planning Department Staff Report(s).

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: Not present

Commissioner John Petty: No comments

Commissioner Jim Porras: No comments

Commissioner Jan Zuppardo: Commissioner Zuppardo stated it is not preferred to see outside storage proposed under this General Plan Amendment. The Commissioner stated that the General Plan Amendment as modified by Staff, which is to change the land use designation from Community Development: Medium Density Residential (CD:MDR) to Community Development: Business Park (CD:BP), is appropriate, since the Business Park (BP) designation would limit the development of outside storage areas.

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HR 12/16

Agenda Item No.: 7.7
Area Plan: Mead Valley
Zoning Area: Good Hope
Supervisory District: Fifth
Project Planner: Nicole Berumen
Planning Commission: December 3, 2008

GENERAL PLAN AMENDMENT NO. 1066
Applicant: Curt Caldwell
Engineer/Rep.: Leonard Urquiza, P.E.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1066 proposes to alter the site's General Plan Land Use Designation from Community Development: Medium Density Residential (CD:MDR) (2-5 dwelling units per acre) to Community Development: Light Industrial (CD: LI) (0.25-0.60 floor area ratio).

The proposed amendment is located in the Mead Valley Area Plan of Western Riverside County. More specifically, the project is located northerly of Ellis Avenue, easterly of Highway 74, and southerly of Veleria Court within the City of Perris Sphere of Influence.

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 a 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 Worksheets for General Plan Amendment Initiation Consideration Analysis.

GENERAL PLAN ADMINISTRATIVE ELEMENT 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 subject to the development review process and final CEQA determination. The Administration Element of the General Plan explains that there are four

ABR 11-17-08

categories of amendments, Technical, Entitlement/Policy, Foundation, and Agriculture. Each category has distinct required findings that must be made by the Board of Supervisors at a noticed public hearing.

General Plan Amendment No. 1066 falls into the Entitlement/Policy category, because it is changing within the same Foundation Component, Community Development.

The Administration Element of the General Plan explains that two findings must be made, and at least one of five additional findings must be made to justify an entitlement/policy amendment. The two 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 finding per the General Plan Administrative element 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 change does not conflict with:

(1) The Riverside County Vision.

General Plan Policy LU 6.4 reads as follows:

“Retain and enhance the integrity of existing residential, employment, agricultural, and open space areas by protecting them from encroachment of land uses that would result in impacts from noise, noxious fumes, glare, shadowing, and traffic.”

The proposed amendment to Light Industrial (LI) will not contribute to the goals of the General Plan; however, a change to the Business Park (BP) land use designation could contribute to the purposes of the General Plan. The Light Industrial (LI) designation would allow for intensive land uses, while the Business Park (BP) designation allows for a slightly less intensive array of uses. Due to the close proximity of the project site to properties designated Medium Density Residential (MDR) (2-5 dwelling units) to the north, east, and west, findings could be made that the proposed amendment as modified is consistent with the vision of the General Plan, since it would reduce the impacts from noise and traffic on residential uses.

(2) Any General Plan Principle.

Given Staff's review it is possible that the modified proposed land use designation—i.e., Business Park (BP)—could satisfy each of the General Plan principles and policies. General Plan policies LU 24.3 and LU 24.8 read as follows:

LU 24.3 – “Protect industrial lands from encroachment of incompatible or sensitive uses, such as residential or schools that could be impacted by industrial activity.”

LU 24.8 – “Require that industrial development be designed to consider their surroundings and visually enhance, not degrade, the character of the surrounding area.”

The proposed amendment to Light Industrial (LI) may not conform to all policies of the General Plan, since this land use would place industrial lands adjacent to residential uses, which may create an incompatibility of land uses. In addition, the proposed amendment from Medium Density Residential (MDR) to Light Industrial (LI) will further degrade the character of surrounding residentially designated area. However, a change to Business Park (BP) could conform to the policies of the General Plan, since it would allow for a more compatible array of land uses.

(3) Any Foundation Component designation in the General Plan.

The proposed amendment as modified would be within the same Foundation Component of the General Plan, Community Development. Thus, the proposed amendment is consistent the Community Development Foundation Component.

Second Required Finding: The second General Plan Administrative Element 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 designation proposed by Staff of Business Park (BP) land use designation would contribute to the fulfillment of the “Land Use” goals outlined in Chapter 3 (Land Use) (pg. LU-12) of the General Plan. The area surrounding the project site is undergoing rapid change to more urbanized uses. Initiation of the proposed amendment, as modified, would accommodate this growth while preserving the existing surrounding character of the community.

Third Required Finding: In addition to the two, 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 property in question abuts a property to the south which is designated as Light Industrial (LI). To the south of this property, the Planning Department has received a General Plan Amendment to change the existing land use designation from Medium Density Residential (MDR) (2-5 dwelling units per acre) to Light Industrial (LI). The Planning Department has also received an application immediately to the northwest of the project site, which proposes to alter the site’s land use designation from Commercial Retail (CR) (0.20 to 0.35 floor area ratio) to Commercial Retail (CR) and Very High Density Residential (VHDR) (14-20 dwelling units per acre).

The Highway 74 is becoming a major commercial and industrial corridor within the area. The proposed land use designation would accommodate this change. Given the project’s location, its proximity to land proposing more intensive land uses and the fact that any future development project on the site in question would be required to provide a meaningful layout, landscaped street fronts, circulation and access points, the proposed General Plan Amendment as modified—if approved—would extend a logical land use pattern of commercial and industrial uses along Highway 74.

In addition, commercial and industrial development represents job opportunities and operational revenues for the County. The proposed General Plan Amendment as modified would further enhance the strategic location of commercial and industrial opportunities along Highway 74.

A finding can be made that the proposed General Plan Amendment as modified, would benefit industrial development in Mead Valley.

SUMMARY OF FINDINGS:

- | | |
|---|--|
| 1. General Plan Land Use (Ex. #5): | Community Development: Medium Density Residential (MDR) (2-5 dwelling units per acre) |
| 2. Proposed General Plan Land Use (Ex. #5): | Community Development: Light Industrial (CD: LI) (0.25-0.60 floor area ratio) |
| 3. Surrounding Land Uses (Ex. #5): | Medium Density Residential (MDR) (2-5 dwelling units per acre) to the north, east, and west, and Light Industrial (CD: LI) (0.25-0.60 floor area ratio) to the south |
| 4. Existing Zoning (Ex. #2): | Rural Residential (R-R) |
| 5. Surrounding Zoning (Ex. #2): | Rural Residential (R-R) to the north, east, south, and west |
| 6. Existing Land Use (Ex. #1): | Single-family residence |
| 7. Surrounding Land Use (Ex. #1): | Large-lot, single-family home to the north, vacant land to the east, auto salvage yard to the south, State Highway 74 and vacant land to the west |

8. Project Data:

Total Acreage: 4.4

RECOMMENDATIONS:

The Planning Director 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. 1066. 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 MSHCP criteria cell or cell group;
 - b. A Specific Plan;
 - c. A Community Center Overlay (CCO);
 - d. A Redevelopment Area;
 - e. An Agricultural Preserve;
 - f. An Airport Influence Area;
 - g. A Fault Zone;
 - h. A Flood Zone; or,
 - i. A High Fire Area or State Responsibility Area.

2. The project site is located within:
 - a. The City of Perris Sphere of Influence;
 - b. The Community of Good Hope;
 - c. The Highway 74 Perris Policy Area;
 - d. The Perris and Perris Union High School District;
 - e. The Ordinance No. 663.10 Stephen's Kangaroo Rat Fee Area; and,
 - f. The Ordinance No. 655 Mount Palomar Lighting Influence Area, Zone B (36.04 miles).

3. The subject site is currently designated as Assessor's Parcel Number 326-250-043.

NB:rf

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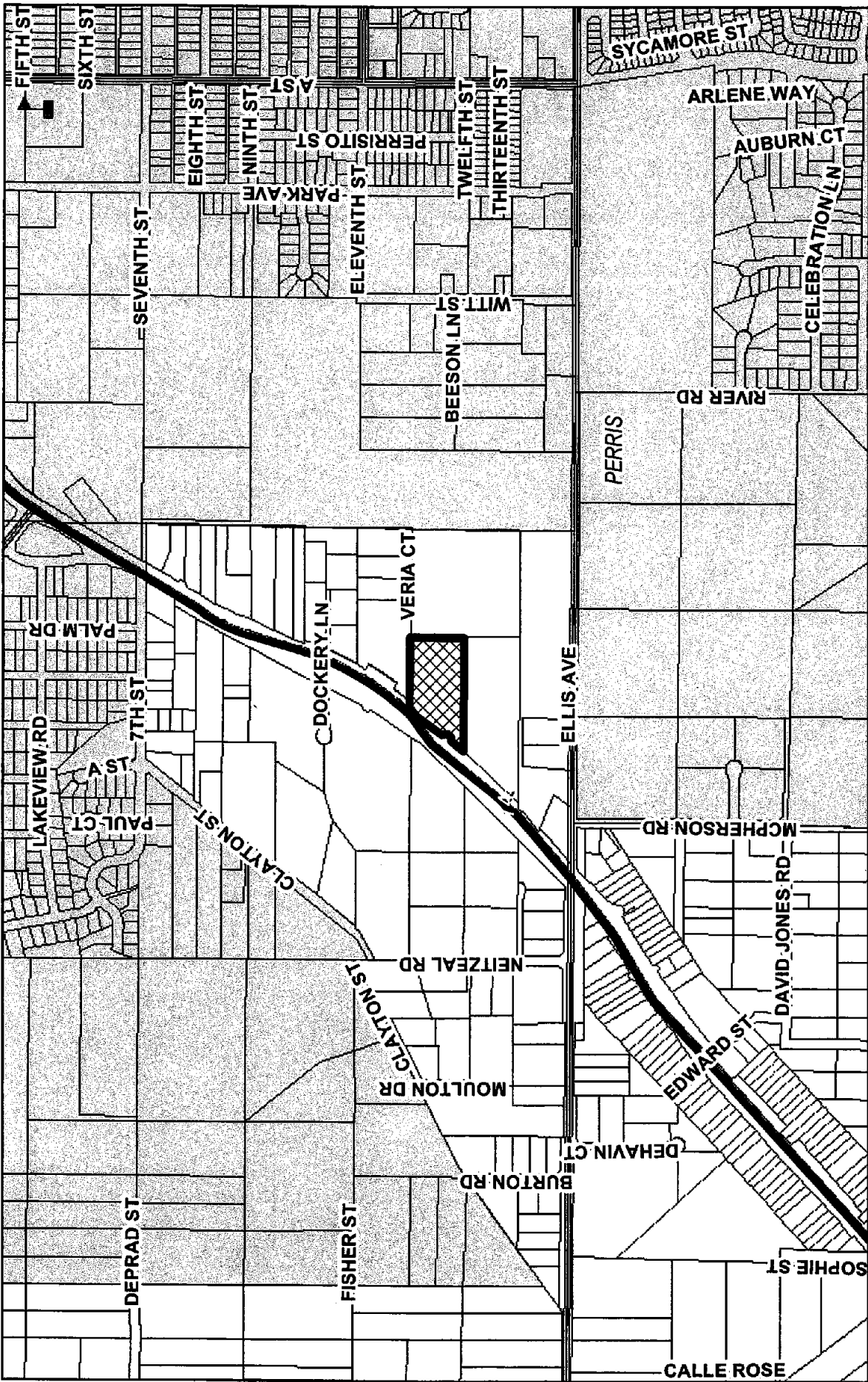
Date Prepared: 10/6/08

Date Revised: 10/6/08

GPA01066 VICINITY MAP

Supervisor Ashley
District 5
Date Drawn: 10/30/08

Planner: Nicole Berumen
Date: 12/03/08
VICINITY MAP



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Blk. Pg. 326-25
Thomas
Bros. Pg. 807 E4



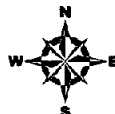
Area: Good Hope
Township/Range: T4SR4W
Section: 36

DEVELOPMENT OPPORTUNITY



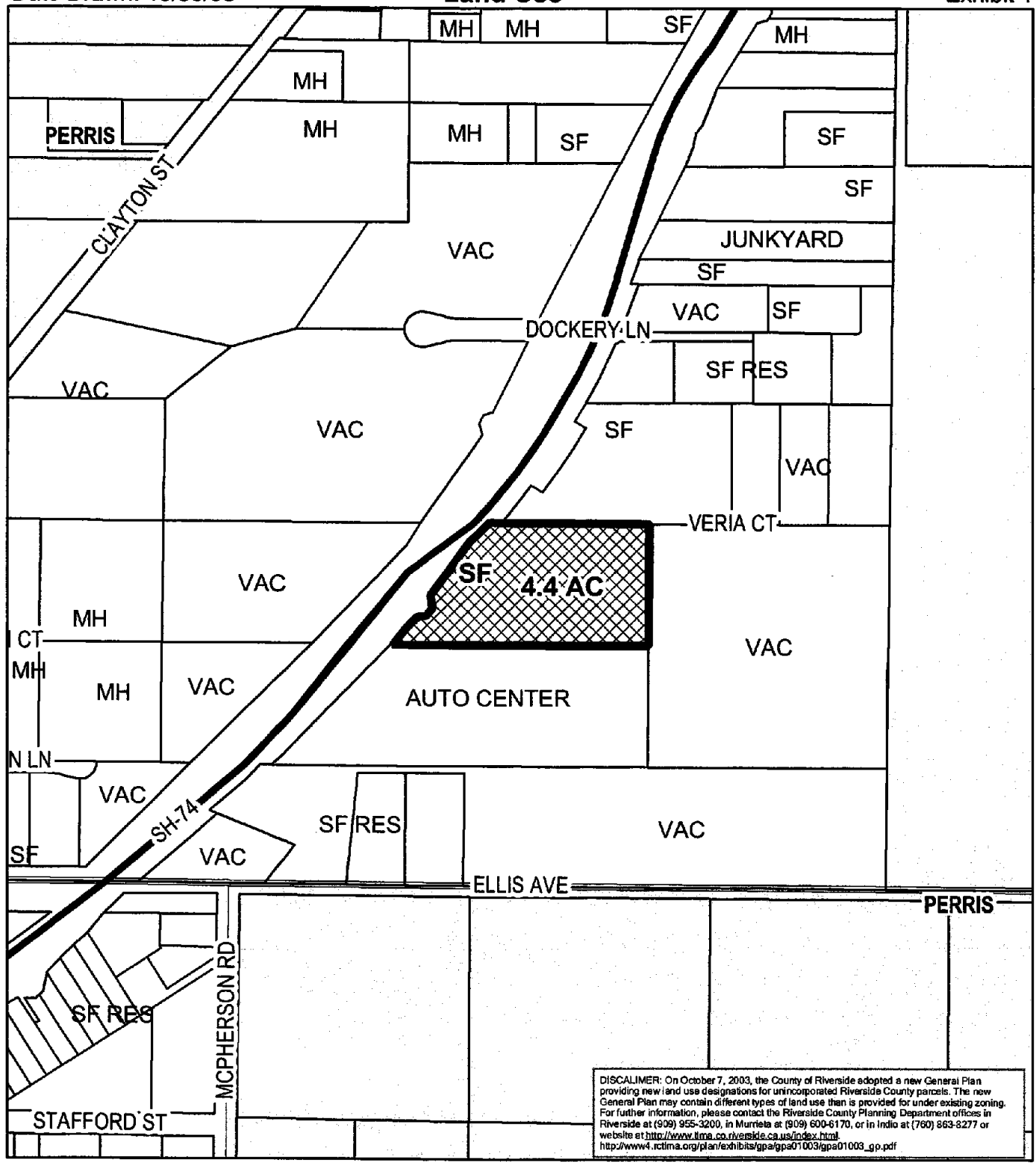
RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Good Hope
Township/Range: T4SR4W
Section: 36



Assessors
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Thomas
Bros.Pg. 807 E4





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 Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lima.co.riverside.ca.us/index.html> http://www4.ictima.org/plan/exhibits/gpa/gpa01003/gpa01003_gp.pdf

RIVERSIDE COUNTY PLANNING DEPARTMENT

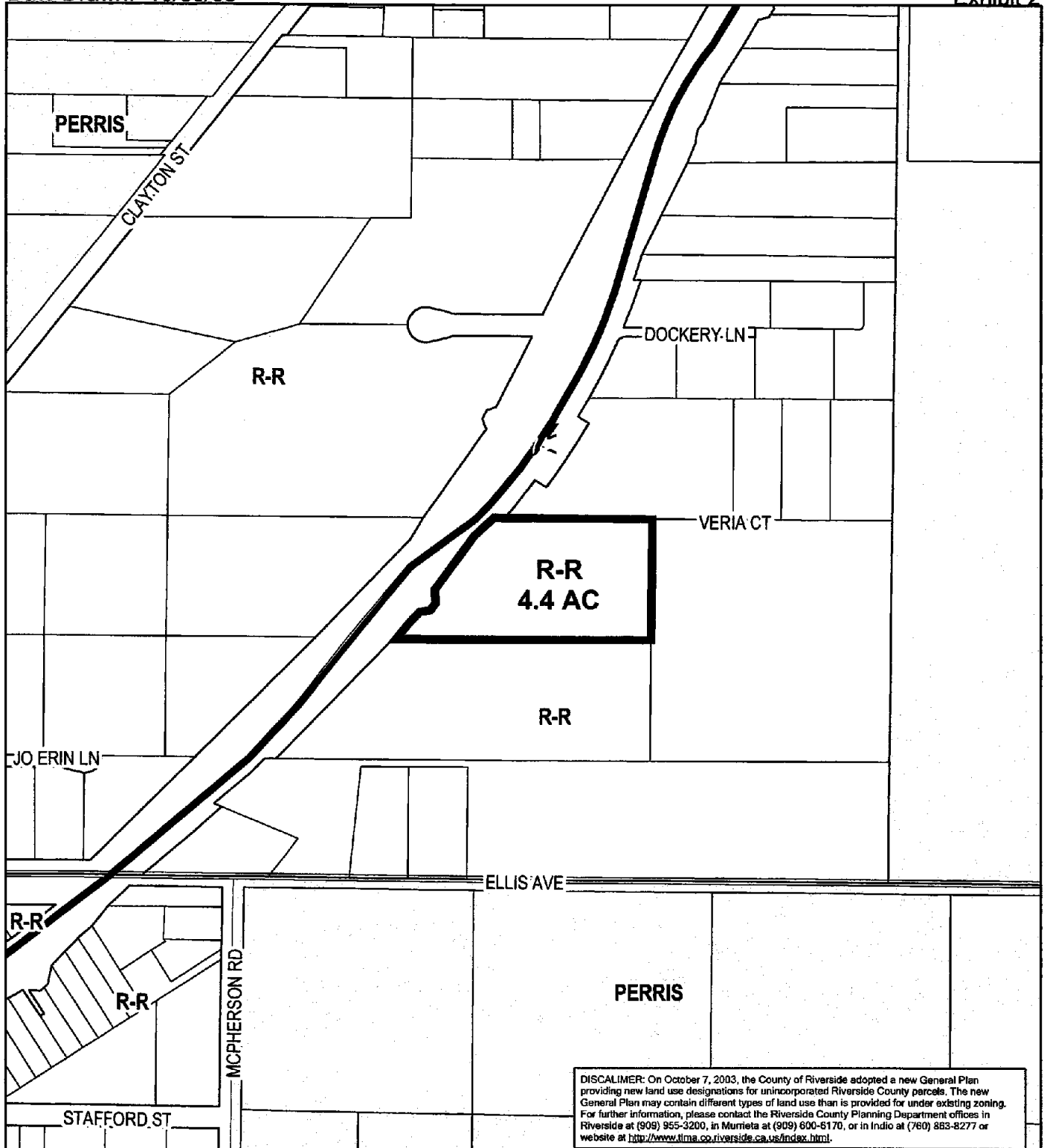
Area: Good Hope
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GPA01066
EXISTING ZONING

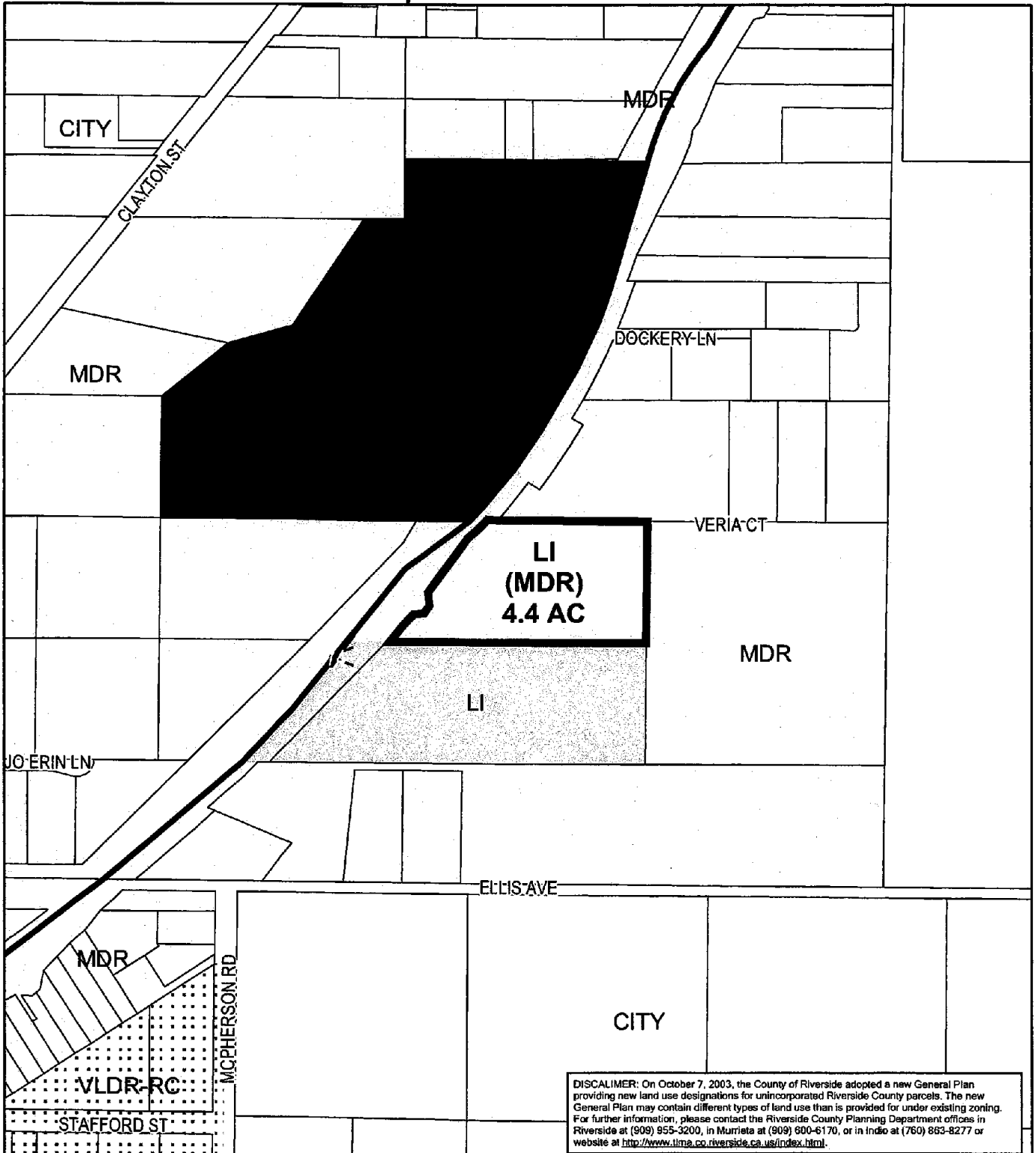


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Good Hope
Township/Range: T4SR4W
Section: 36



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RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Good Hope
Township/Range: T4SR4W
Section: 36



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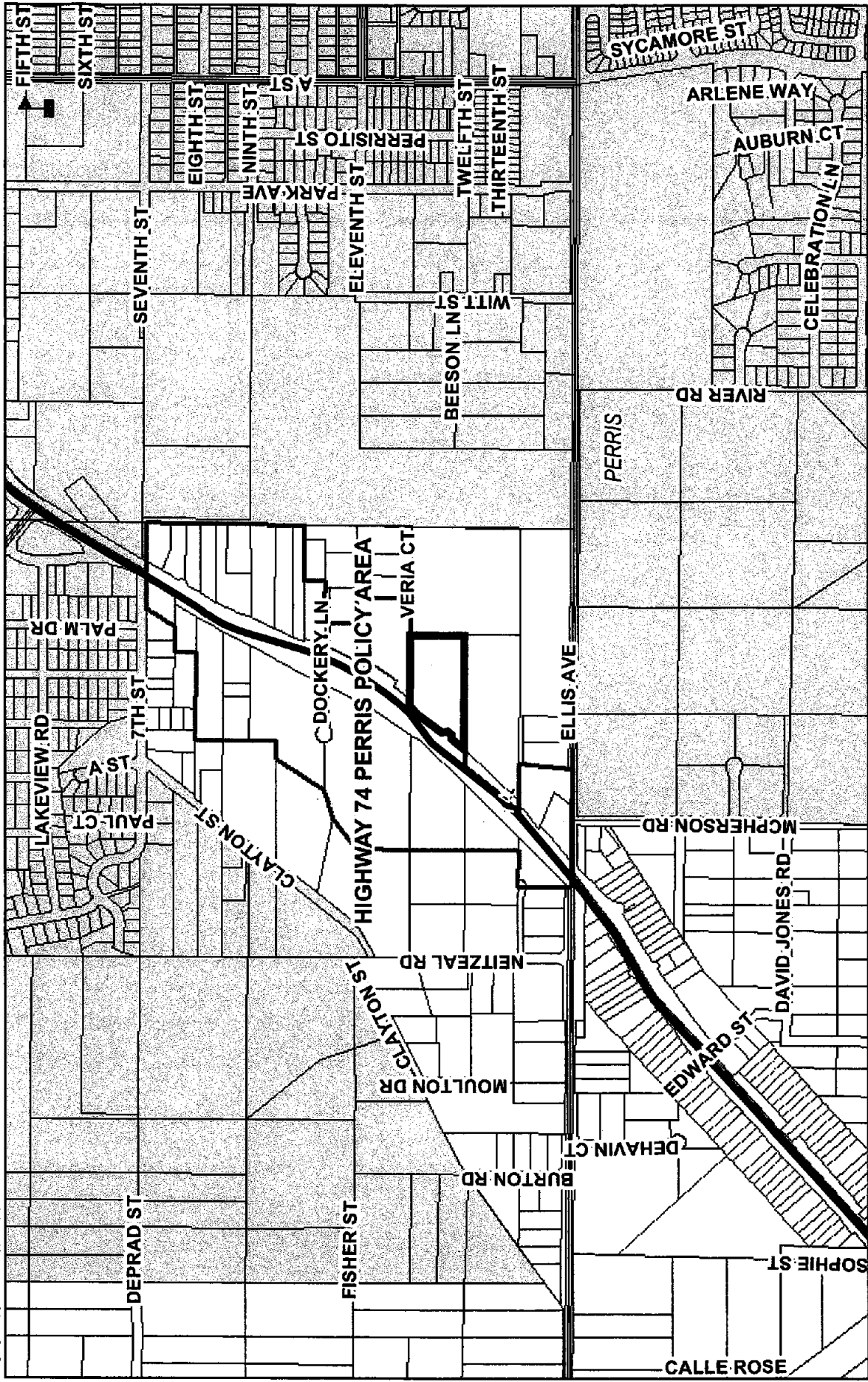


GPA01066

POLICY AREAS

Planner: Nicole Berumen
 Date: 12/03/08
 Exhibit 6

Supervisor Ashley
 District 5
 Date Drawn: 10/30/08



RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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 Thomas
 Bros. Pg. 807 E4

Area: Good Hope
 Township/Range: T4SR4W
 Section: 36



+ENTITLEMENT / POLICY AMENDMENT

CYCLE: Quarterly

Case No. General Plan Amendment No. 1066 Supervisorial District: Fifth Existing Zoning: Rural Residential

Area Plan: Mead Valley Acreage: 4.4 acres

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Community Development

Existing General Plan Land Use Designation: Medium Density Residential (2-5 dwelling units per acre)

Existing Policy Area(s) or Overlay(s): Highway 74 Policy Area

Existing Map(s) of Issue (cite GP figure # and page #): N/A

Existing Text of Issue (cite GP page #, plus policy #, if applicable): N/A

PROPOSED GENERAL PLAN CHANGES (For categories with no proposed change, write "N/A" on applicable line.)

Proposed General Plan Foundation: N/A

Proposed General Plan Land Use Designation: Light Industrial (LI) (0.25-0.60 floor area ratio)

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	
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		CV0805715 Grading without permit, CV08-03061 Substandard structure
MSHCP Conserved Land		X	
Access / Alternate Access Issues			
Water / Sewer Issues	X		No sewer currently exists within close proximity to the project site. The nearest possible connection is located at the corner of San Jacinto Avenue and Diana Street.
City Sphere of Influence	X		City of Perris Sphere of Influence
Proposed Annexation/ Incorporation Area		X	
Other Issues* (see below)		X	

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	
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	See Staff Report
Transportation	N/A
EPD	N/A
Fire	N/A
Flood	N/A
Building and Safety	N/A
Geologist	N/A

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



15.1

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the recommendation of the Planning Director to adopt an order initiating General Plan Amendment No. 1066, for the application submitted by Curt Caldwell/Leonard Urquiaz, P.E., which proposes to alter the site's General Plan Land Use Designation from Community Development: Medium Density Residential (CD:MDR) (2-5) dwelling units per acre) to Community Development: Light Industrial (CD:LI) (0.25-0.60 floor area ratio), is continued to Tuesday, January 6, 2009 at 1:30 p.m.

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on December 23, 2008 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors

Dated: December 23, 2008

Nancy Romero, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

(seal)

By: Jane Schlemmer Deputy

AGENDA NO.
15.1

xc: Planning(2), Applicant, COB