

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

904B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
January 9, 2009

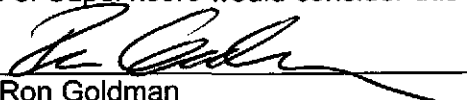
SUBJECT: GENERAL PLAN AMENDMENT NO. 1065 – (Technical Amendment) – Applicant: Grant E. Destache – Engineer / Representative: K&A Engineering, Inc. - First Supervisorial District – Glen Ivy Area – Temescal Canyon Area Plan: Open Space: Mineral Resources (OS:MIN) – Location: Northerly of Clay Canyon Road, easterly of Temescal Canyon Road, and westerly of Dawson Canyon Road – 15.19 Gross Acres – Zoning: Manufacturing Medium (M-M) - **REQUEST:** General Plan Amendment proposes to alter the site's General Plan Land Use Designation from Open Space: Mineral Resources (OS:MIN) 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 when the Planning Commission and the Board of Supervisors would consider this GPA initiation


Ron Goldman
Planning Director

RG:db

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE

DATE 1/27/09
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: First

Agenda Number:

15.1

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: Temescal Canyon
Zoning District: Glen Ivy
Supervisory District: First
Project Planner: Nicole Berumen
Planning Commission: January 7, 2009

General Plan Amendment No. 1065
Applicant: Grant Destache
Engineer/Rep.: K&A Engineering, Inc.

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended that the appropriate findings per the General Plan Administration can be made and that an order initiating proceedings for General Plan Amendment No. 1065 to change the land use designation from Open Space: Mineral Resources (OS:MIN) to Community Development: Light Industrial (CD:LI) be made and the Planning Commission made the comments below. For additional information regarding this case, see the attached Planning Department Staff Report.

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

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

Commissioner John Roth: Agreed with the recommendation made by the Planning Director.

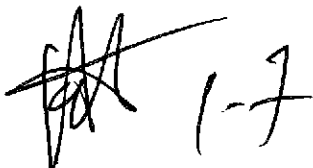
Commissioner John Snell: Not Present

Commissioner John Petty: No Comment

Commissioner Jim Porras: No Comment

Commissioner Jan Zappardo: No Comment

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Agenda Item No.: 0.1
Area Plan: Temescal Canyon
Zoning Area: Glen Ivy
Supervisory District: First
Project Planner: Nicole Berumen
Planning Commission: January 7, 2009

GENERAL PLAN AMENDMENT NO. 1065
Applicant: Grant E. Destache
Engineer/Rep.: K & A Engineering, Inc.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1065 proposes to alter the site's General Plan Land Use Designation from Open Space: Mineral Resources (OS:MIN) to Community Development: Light Industrial (CD: LI) (0.25-0.60 floor area ratio).

The proposed amendment is located in the Temescal Canyon Area Plan of Western Riverside County. More specifically, the site is located northerly of Clay Canyon Road, easterly of Temescal Canyon road, and westerly of Dawson Canyon Road. The project is also located within the City of Corona 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.

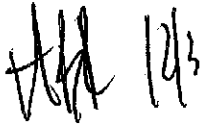
If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission 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 Technical 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



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final CEQA determination. 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 that must be made by the Board of Supervisors at a noticed public hearing.

General Plan Amendment No. 1065 falls into the Technical category, because it involves changes in the General Plan of a technical nature, including technical corrections discovered in the process of implementing the General Plan. This General Plan Amendment would correct a documentable error in the General Plan.

The Administration Element of the General Plan explains that the first findings must be made, and at least one of the subsequent findings must be made to justify a technical amendment:

- 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.

Consideration Analysis:

First Required Finding: The first finding per the General Plan Administrative element explains that the proposed amendment must not change any policy direction or intent of the General Plan.

The project is located adjacent to the El Sobrante Landfill. This facility is recognized as being important to the economy of Temescal Canyon and Riverside County and a necessary public facility. Truck traffic, noise and dust are common operational characteristics of this facility, which operates on a 24-hour basis. Policies are intended to ensure the landfill's continued operations and compatibility with adjacent uses. The following policies apply:

Temescal Canyon Area Plan (TCAP) Policy 2.2 – Require that development proposed within one-half mile of the El Sobrante Landfill be inherently compatible with the landfill as determined by the County of Riverside Department of Waste Management and Planning Department...

Policy 2.2 further states that most types of industrial development will be considered compatible with these facilities. Only industrial developments using sensitive equipment or conducting manufacturing operations which would be negatively affected by dust particles, noise, odor, and truck traffic resulting from the operation is not considered a compatible use adjacent to the El Sobrante Landfill. The proposed amendment would be compatible with the adjacent landfill, since the Light Industrial (LI) land use designation offers an array of uses which would not be negatively affected impacts from dust particles, noise, odor, and truck traffic.

Given Staff's review it is possible that the proposed land use designation could satisfy each of the General Plan Principals 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) will conform to all policies of the General Plan. This land use would not be located near schools or residential uses. Therefore, an incompatibility in land uses would not occur. In addition, the proposed amendment of Light Industrial (LI) allows for a compatible array of land uses compatible which would enhance the surrounding area.

Second Required Finding: The second General Plan Administrative Element finding explains that an error or omission needs to be corrected.

Plot Plan No. 16011, located on both assessor's parcel number (APN) 283-120-019 (the project site) and 283-190-037, was approved on August 19, 2003 prior to the adoption of the Riverside County Integrated Project (RCIP). That entitlement included a Change of Zone (CZ06463) which changed the zoning classification on both parcels from Mineral Resources (M-R) to Medium – Manufacturing (M-M). A revised permit, PP16011R1, which increased the size of the approved building was later approved on January 28, 2008. In both cases, the land use designation boundaries were not adjusted or accurately depicted on the Riverside County General Plan to reflect the approved land use of the entitled projects. Therefore, the General Plan did not take into account the approved change of use on the project site.

Currently, the site is mass graded and building permits have been issued on the project site (BNR040187). The Open Space: Mineral Resources (OS:MIN) land use designation was not the proper designation for the project site, since the General Plan describes the Mineral Resources designation as follows:

Ancillary structures or uses may be permitted which assist in the extraction, processing, or preservation of minerals. Actual building or structure size, siting and design will be determined on a case-by-case basis.

The project site has already been entitled for uses different than what is described under the Mineral Resources (MIN) designation above. The Light Industrial (LI) land use designation, however, is consistent with the approved use for the site. A Light Industrial (LI) designation was assigned to the property to the south (APN 283-190-037) which falls under the same entitlement (PP010611R1) as the project site. Therefore, the project site was incorrectly assigned a land use designation of Open Space: Mineral Resources (OS:MIN). The Riverside County land use map did not properly reflect the entitled use; therefore, this proposed Technical GPA will correct this discrepancy while preserving the policy intent of the General Plan.

A finding can be made that the proposed General Plan Amendment would benefit industrial development in Temescal Canyon.

SUMMARY OF FINDINGS:

- | | |
|---|--|
| 1. General Plan Land Use (Ex. #5): | Open Space: Mineral Resources (OS:MIN) |
| 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): | Open Space: Mineral Resources (OS:MIN) to the north, Community Development: Public Facilities (CD:PF) (≤ 0.60 floor area ratio) to the east, Light Industrial (CD:LI) (0.25-0.60 floor area ratio) and Open Space: Mineral Resources (OS:MIN) to the south, and Open Space: Rural (OS:RUR) (20 Acre Minimum) |
| 4. Existing Zoning (Ex. #2): | Manufacturing – Medium (M-M) |
| 5. Surrounding Zoning (Ex. #2): | Mineral Resources (M-R) to the north and east, Manufacturing – Medium (M-M) to the south, and Natural Assets (N-A) to the west |
| 6. Existing Land Use (Ex. #1): | Mass graded vacant land |
| 7. Surrounding Land Use (Ex. #1): | Surface mining activities to the north, vacant land to the east and west, and partially graded vacant land to the south |
| 8. Project Data: | Total Acreage: 15.19 |

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. 1065 as modified to change the land use designation from Open Space: Mineral Resources (OS:MIN) to Community Development: Light Industrial (CD:LI). 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 Specific Plan;
 - b. A Redevelopment Area;
 - c. An Agricultural Preserve;
 - d. An Airport Influence Area;
 - e. A Fault Zone;
 - f. A Flood Zone; or,
 - g. The Ordinance No. 655 Mount Palomar Lighting Influence Area.

2. The project site is located within:
 - a. The City of Corona Sphere of Influence;
 - b. The Community of Spanish Hills;
 - c. The Temescal Wash Policy Area;
 - d. The Corona-Norco Unified School District;
 - e. A High Fire Area or State Responsibility Area;

- f. WRMSHCP Criteria Cell No. 2931 and 2932, Cell Group E; and,
- g. The Ordinance No. 663.10 Stephen's Kangaroo Rat Fee Area.

3. The subject site is currently designated as Assessor's Parcel Number 283-120-019.

NB:rf

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Date Prepared: 11/18/08

Date Revised: 11/18/08

TECHNICAL AMENDMENT

CYCLE: Quarterly

Case No. GPA1065 Supervisorial District: First Existing Zoning: Manufacturing Medium (M-M)

Area Plan: Temescal Canyon Acreage: 15.19

EXISTING GENERAL PLAN DESIGNATIONS

Existing General Plan Foundation: Open Space (OS)

Existing General Plan Land Use Designation: Mineral Resources (MR)

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

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: Community Development (CD)

Proposed General Plan Land Use Designation: Light Industrial (LI)

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		Temescal Canyon Area Plan MSHCP Cell Group E Cell Number 2931 & 2932, Per Environmental Programs Department no HANS will be required because the site already has an entitlement and the site has been graded.
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		Both Very Low and Low potential for liquefaction.
High Fire Area	X		High fire area and State responsibility area
Code Compliant		X	
MSHCP Conserved Land		X	
Access / Alternate Access Issues		X	
Water / Sewer Issues			
City Sphere of Influence	X		City of Corona Sphere of Influence
Proposed Annexation/ Incorporation Area		X	
Other Issues* (see below)		X	

* OTHER ISSUES:		
<i>Item</i>	<i>Policy</i>	<i>Discussion</i>

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.	X		See Staff Report
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.		X	
A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.		X	
A minor change of boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.		X	

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

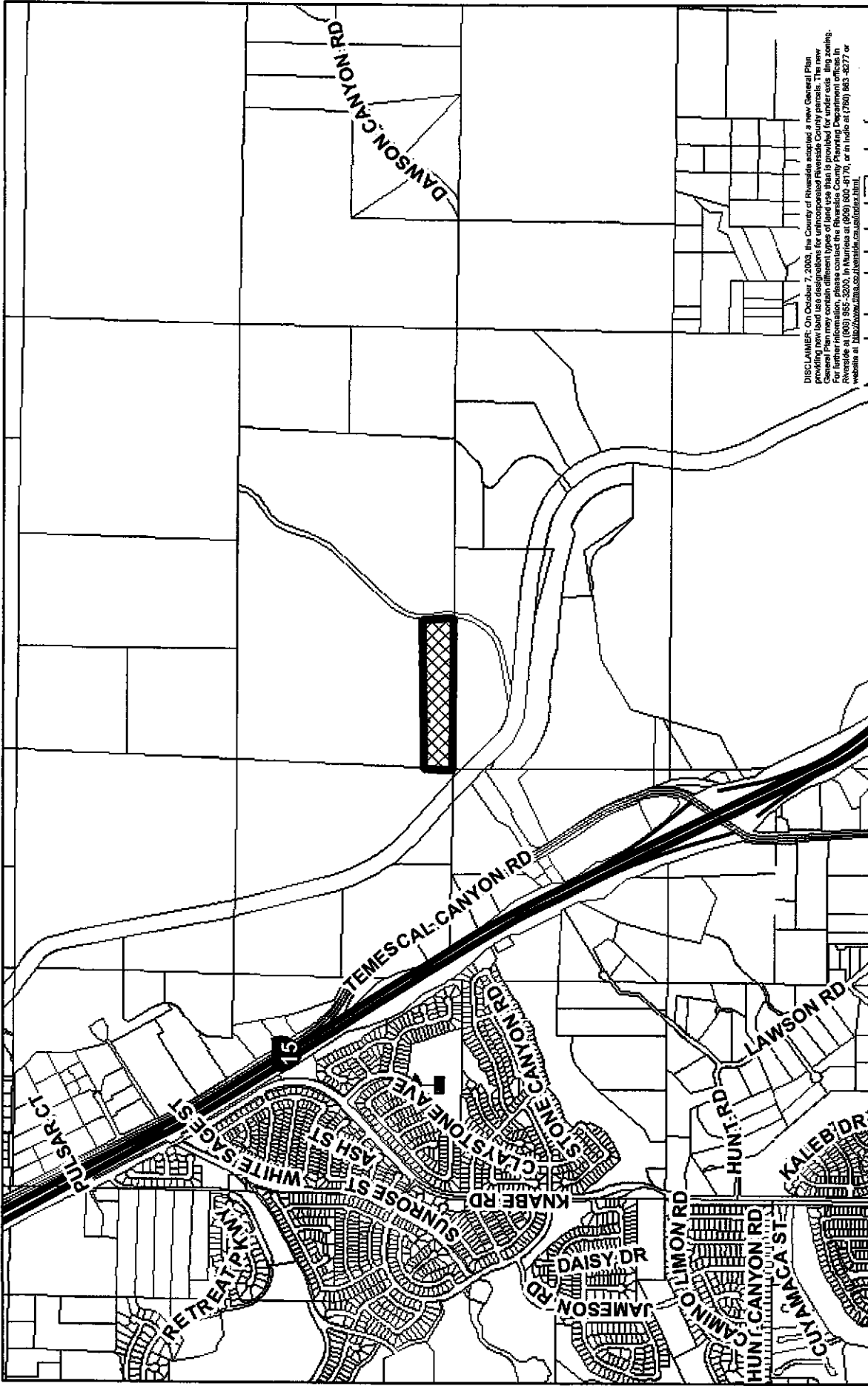
STAFF COMMENTS:

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

Planner: Ryan Fowler
Date: 12/03/08
VICINITY MAP

GPA01065
VICINITY MAP

Supervisor Buster
District 1
Date Drawn: 11/19/08



DISCLAIMER: On October 7, 2003, the County of Riverside accepted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new designations are effective January 1, 2004. For more information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (951) 800-4170, or in Indio at (760) 863-8277 or website at <http://planning.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Glen Ivy
Township/Range: T4SR6W
Section: 26

Assessors
Bk. Pg. 283-12
Thomas
Bros. Pg. 804 E3



DEVELOPMENT OPPORTUNITY

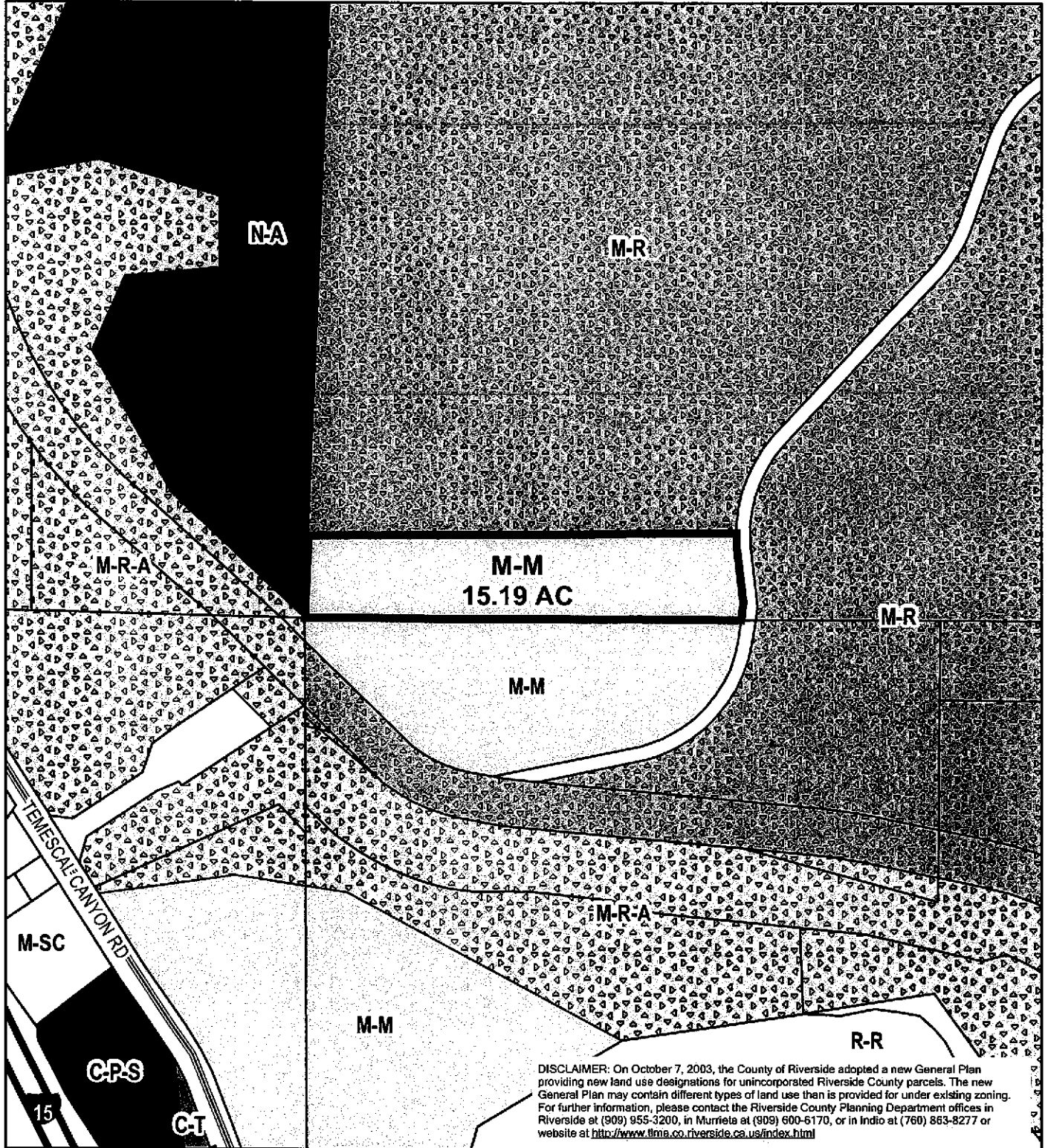


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Glen Ivy
Township/Range: T4SR6W
Section: 26

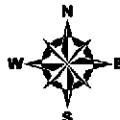


Assessors
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Thomas
Bros. Pg. 804 E3



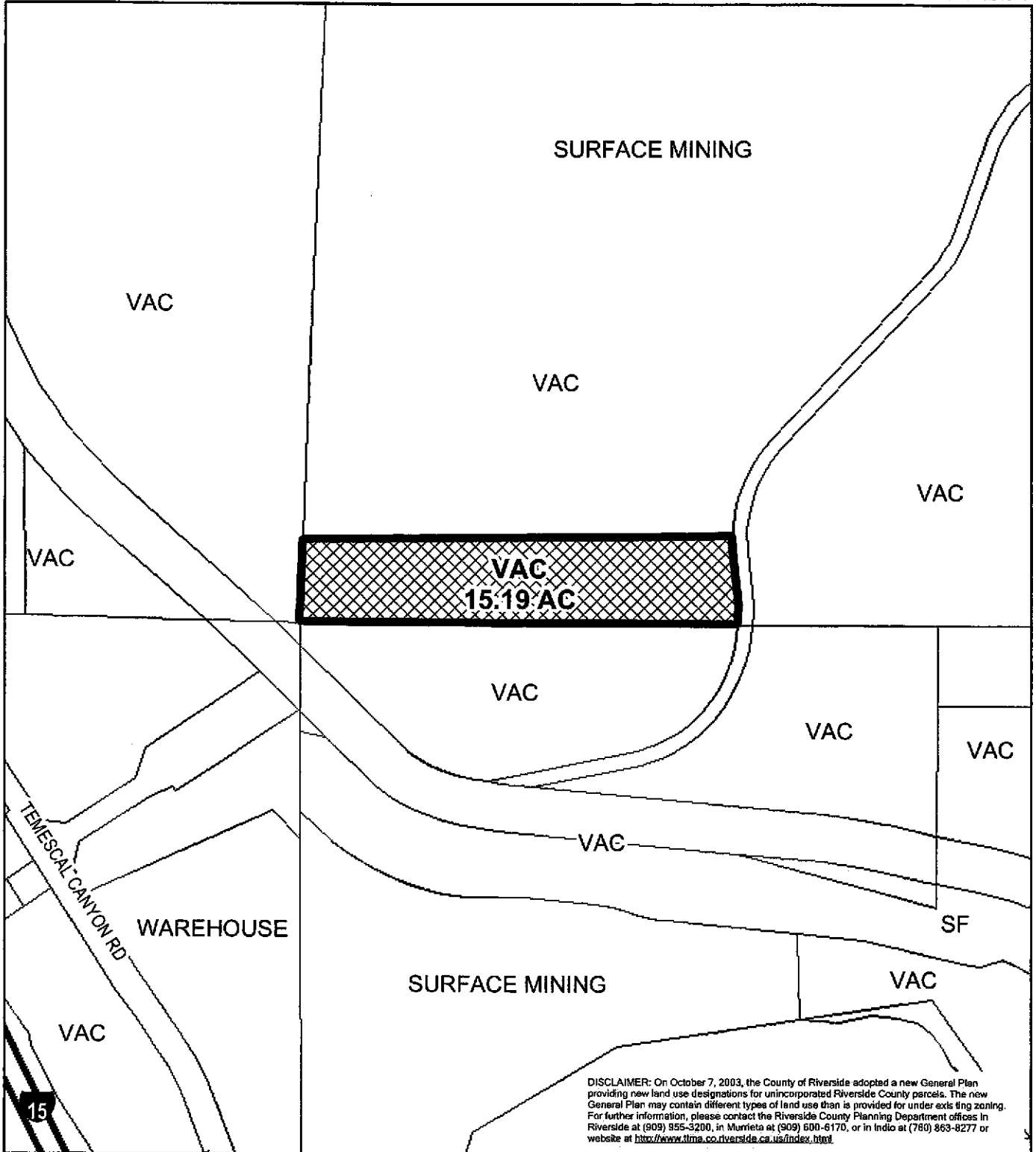
RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Glen Ivy
Township/Range: T4SR6W
Section: 26



Assessors
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Thomas
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Glen Ivy
Township/Range: T4SR6W
Section: 26



Assessors
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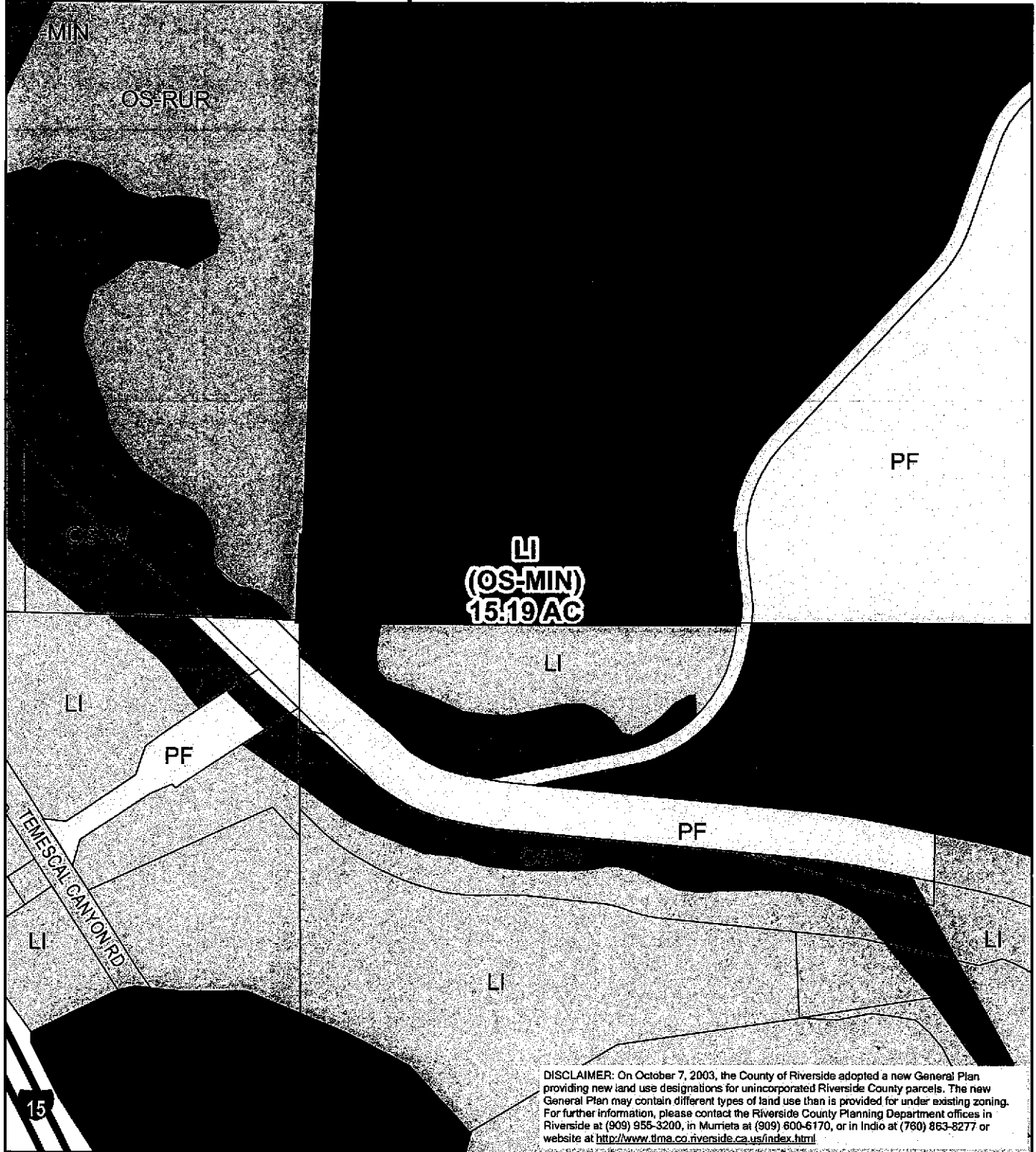


Supervisor: Buster
District 1
Date Drawn: 11/19/08

GPA01065

Proposed General Plan

Planner: Ryan Fowler
Date: 12/03/08
Exhibit 6



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Glen Ivy
Township/Range: T4SR6W
Section: 26



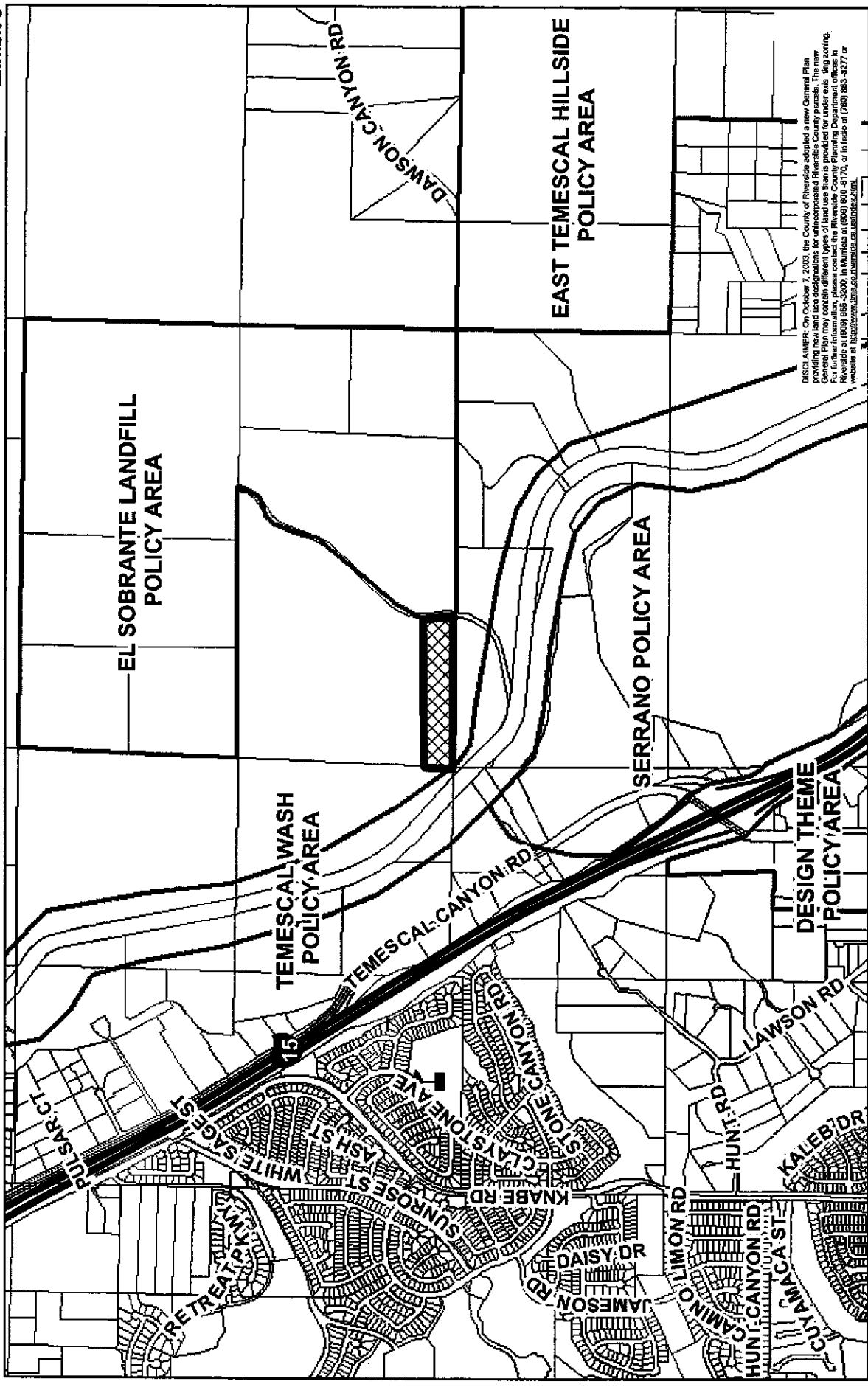
Assessors
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Thomas
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Supervisor Buster
 District 1
 Date Drawn: 11/19/08

GPA01065
POLICY AREAS

Planner: Ryan Fowler
 Date: 12/03/08
 Exhibit 8



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 designations are effective for all parcels within the County of Riverside. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murrieta at (909) 800-8770, or in Indio at (760) 853-3277 or website at <http://www.planning.ca.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors
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 Thomas
 Bros. Pg. 804 E3

Area: Glen Ivy
 Township/Range: T4SR6W
 Section: 26