

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

910B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
January 12, 2008

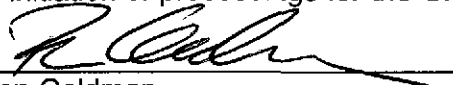
SUBJECT: GENERAL PLAN AMENDMENT NO. 894 – Foundation-Regular – Applicant: Desert Land Ventures III, LLC. – Engineer/Representative: MSA Consulting - Fifth Supervisorial District - Cathedral City-Palm Desert Zoning District - Western Coachella Valley Area Plan: Rural: Rural Desert (RUR:RD) (10 Ac. Min.) and Community Development: Light Industrial (CD:LI) – Location: Northeastly of Interstate 10, southerly of 21st. Ave., and westerly of West Dr. - 29.85 Gross Acres - Zoning: Controlled Development Areas (W-2) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and to amend General Plan land use designation of the subject site from Rural Desert (RD) (10 Ac. Min.) to Light Industrial (LI) (0.25 – 0.60 Floor Area Ratio) - APN(s): 669-150-001, 669-150-002

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 and the "Recommended General Plan" exhibit. 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


Ron Goldman
Planning Director

RG:TH

REVIEWED BY EXECUTIVE OFFICE

DATE 1/13/08
Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.6

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.: 6.1
Area Plan: Western Coachella Valley
Zoning District: Cathedral City- Palm Desert
Supervisory District: Fifth
Project Planner: Tamara Harrison
Planning Commission: July 9, 2008

General Plan Amendment No. 894
Applicant: Desert Land Ventures, LLC.
Engineer/Representative: MSA Consulting

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended to tentatively decline an order initiating proceedings for General Plan Amendment No. 894 from Rural: Rural Desert to Community Development: Light Industrial over the entire subject site as proposed, but that adoption of an order initiating proceedings for General Plan Amendment No. 894 as modified by staff from Rural: Rural Desert to Community Development: Light Industrial on those areas not impacted by the "Willow Hole Conservation Area" would be appropriate and the Planning Commission made the comments below. The Planning Director continues to recommend that initiation would be appropriate from RUR:RD to CD:LI in those areas not impacted by the conservation area. 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:

In a unanimous motion, the Planning Commission commented that adoption of an order initiating proceedings for General Plan Amendment No. 894 from Rural: Rural Desert to Community Development: Light Industrial over the entire proposed site would not be appropriate, but commented that an order initiating proceedings from Rural Desert to Light Industrial on the southern parcel (APN 669-150-002) as recommended by staff would be appropriate.

Commissioner John Roth: Commissioner Roth suggested that if the proposed project moves forward as a development review application, then a detailed water and sewer analysis will need to be completed. According to staff, water and sewer are currently 3 miles away from the subject site.

Commissioner John Snell: Commissioner Snell was concerned about possible flood control issues. County mapping identifies that the northern parcel would require flood plain review and that it may be required on the southern parcel as well.

Commissioner John Petty: Commissioner Petty was concerned about the status of Varner Road adjacent to the site, as well as the status of any interchange at Palm Drive and Interstate 10. Staff has determined that Varner Road west of Palm Drive is not a Circulation Element roadway and that there is an existing interchange at Palm Drive and Interstate 10 approximately 1.3 miles southeast of the site. No interchange is shown for Varner Road and Interstate 10. On the east side of Palm Drive, Varner Road is an Arterial roadway with a 128 foot right-of-way. Palm Drive is also an Arterial roadway.

Commissioner Jim Porras: No Further Comment

Commissioner Jan Zuppardo: No Further Comment

Agenda Item No.: 6.1
Area Plan: Western Coachella Valley
Zoning District: Cathedral City-Palm Desert
Supervisory District: Fifth
Project Planner: Mike Harrod
Planning Commission: July 9, 2008

General Plan Amendment No. 894
(Foundation – Regular)
E.A. Number: 41693
Applicant: Desert Land Ventures III
Engineer/Rep.: MSA Consulting

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan from "Rural: Rural Desert" (RUR:RD) and "Community Development: Light Industrial" (CD:LI) to "Community Development: Light Industrial" (CD:LI) (0.25 – 0.60 floor area ratio) for an approximately 115.42-acre property. The project is located northeasterly of Interstate 10, southerly of 21st Avenue, and westerly of West Drive.

BACKGROUND:

A proposed General Plan Amendment (GPA) shall not be processed unless the Board of Supervisors (Board) adopts an order initiating proceedings for the proposed GPA. The Planning Director is required to prepare and submit to the Board a report and recommendation concerning initiation.

Before submitting his report and recommendation to the Board, the Planning Director must request comments on the proposed GPA from the Planning Commission (Commission) and must include the Commission's comments, if any, in his report. The Commission may make its comments in any form it deems appropriate. For example, the Commission may recommend that the Board adopt or decline to adopt an order initiating proceedings for the proposed GPA. A recommendation is not, however, required and the Commission may choose instead to simply identify its concerns regarding the proposed GPA. In addition to any comments the Commission may make as a group, the Planning Director will include the comments of individual Commission members in his report to the Board.

A noticed public hearing is not required for the Commission to comment on the initiation of a proposed GPA. Nor is such a hearing required for the Board to actually initiate or decline to initiate proceedings for the proposed GPA. The Planning Department did, however, notify the applicant by mail that the Commission would consider the initiation of this proposed GPA on this date, at this time and at this place.

After reviewing the Planning Director's report and recommendation, which as noted above, must include the Commission's comments, the Board may either adopt or decline to adopt an order initiating proceedings for the proposed GPA.

If the Board adopts an order initiating proceedings, the proposed GPA will thereafter be processed, reviewed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Commission and the Board. The adoption of an order initiating proceedings does not imply that the proposed GPA will be approved.

If the Board declines to adopt an order initiating proceedings, the proposed GPA shall not be processed.

The Board established the initiation procedures for proposed GPAs in Ordinance No. 348.4573 which was effective May 8, 2008. Proposed GPA No. 894 is considered a Regular GPA as described in Section 2.5 of that ordinance.

Proposed GPA No. 894 is not associated with any other cases.

The proposed General Plan Amendment (GPA) presents a unique situation. The parcel to the north [Assessor's Parcel Number (APN) 669-150-001] is within the Willow Hole Conservation Area and contains sensitive Fringe-Toed Lizard (FTL) sand transport areas. Proposed general plan amendment is not consistent with the conservation policies for this area; therefore, the request to modify this parcel from Rural:Rural Desert to Community Development:Light Industrial would potentially create incompatible land uses within this conservation area.

The southern parcel (APN 669-150-002), however, is not within a conservation area and is mapped Rural:Rural Desert and Community Development:Light Industrial. Because portions of the site are now designated Light Industrial and Light Industrial is planned to the east along the I-10 Freeway, the request to modify the parcel to Community Development:Light Industrial is feasible and consistent with existing characteristics of the surrounding area. An on-site well is available but may not be sufficient to support all industrial uses. Because piped water and sewer is unavailable (approximately 3 miles away), certain industrial uses may not be feasible at this location until such time as piped water and sewer become available.

The request to modify the northern (APN 669-150-001) parcel would potentially create incompatible land uses within this conservation area. Modifying the southern parcel (APN 669-150-002) is practical and consistent with the surrounding area characteristics, although an infrastructure for piped water and sewer may be needed to support certain industrial uses.

For additional information, refer to the attached Worksheet for General Plan Amendment Initiation Consideration Analysis.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Vacant to the north, east, south, and west |
| 3. Existing Zoning (Ex. #3): | W-2 |
| 4. Surrounding Zoning (Ex. #3): | R-R to the north; W-2 to the east, south, and west; the City of Palm Springs southerly of the I-10 Freeway. |
| 5. Riverside County General Plan | Land Use: Rural Desert (RD) (10 Ac. Min.); Light Industrial (LI) (0.25 – 0.60 FAR) |
| 6. Project Data: | Total Acreage: 115.42 |
| 7. Environmental Concerns: | APN 669-150-001 within Willow Hole Conservation Area and contains FTL sand transport areas. |

RECOMMENDATIONS:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 894 would not be appropriate, but comment that adoption of an order initiating proceedings for General Plan Amendment No. 894 as modified by staff would be appropriate.

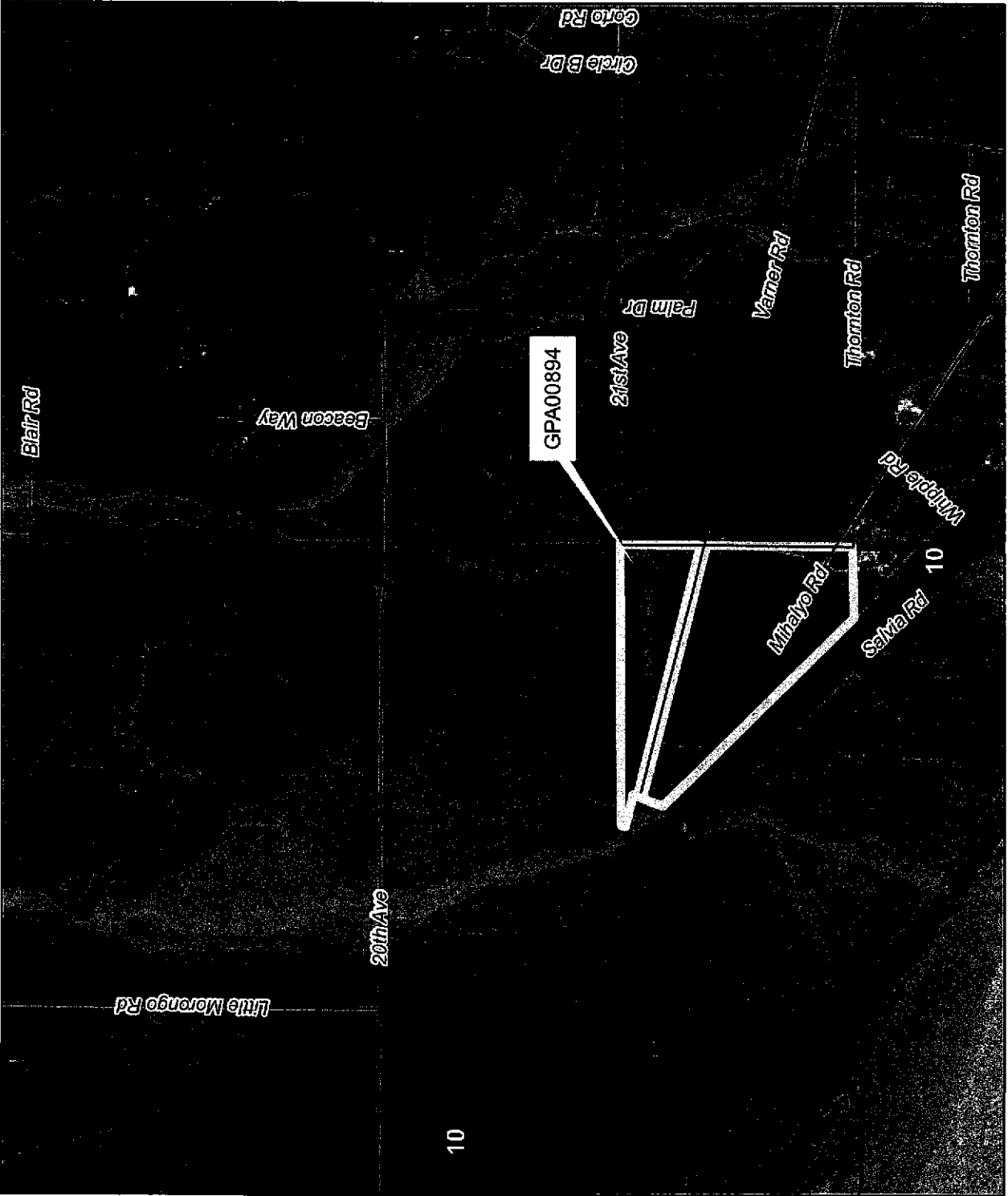
The current proposal would change the existing land use designation from Rural: Rural Desert (RUR:RD) to Community Development: Light Industrial (CD:LI) for both parcels. Staff recommends that

the land use designation on the southern parcel (APN 669-150-002) be changed from Rural: Rural Desert (RUR:RD) to Community Development: Light Industrial (CD:LI). Staff recommendation for the northern parcel (APN 669-150-001) is to maintain the current designation of Rural: Rural Desert (RUR:RD). The adoption of such an order does not imply that the proposed GPA will be approved.





INFORMATIONAL ITEMS:

1. As of this writing, no letter in opposition or in favor of this project has been received.
2. The project site is not located within:
 - a. A General Plan Policy Overlay Area
 - b. An Agriculture Preserve
 - c. A High Fire Area
3. The project site is located within:
 - a. The Willow Hole Conservation Area (APN 669-150-001)
 - b. A 100-Year Flood Plain (Zone A)
 - c. Within ½ mile of Garnet Hill Fault
4. The project site is currently designated as Assessor's Parcel Number 669-150-001, 659-150-002.

Riverside County Proposed General Plan Changes Willow Hole Area



Legend

-  Highways
-  Roads
-  CVMISHCP Conservation Area
-  CD-LI



Map by
Nicholas Peihl,
Coachella Valley
Association of Governments

Map Document: (F:\m\p\h\ISOE Projects\CountyGP_PropChanges_willowHole.mxd)
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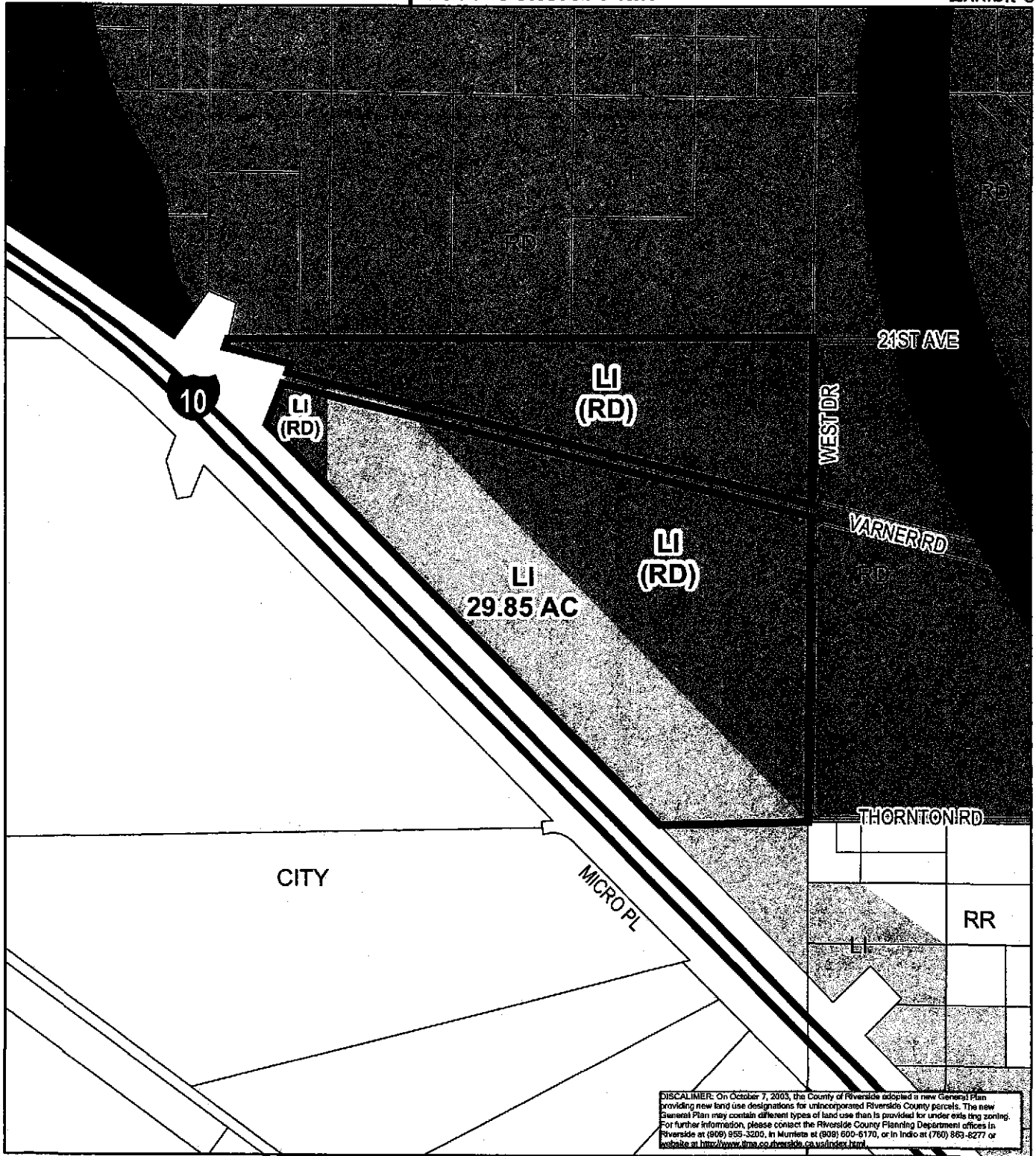
Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. CVAG makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Supervisor Ashley
District 5
Date Drawn: 01/30/08

GPA00894

Proposed General Plan

Planner: Amy Aldana
Date: 02/05/08
Exhibit 6



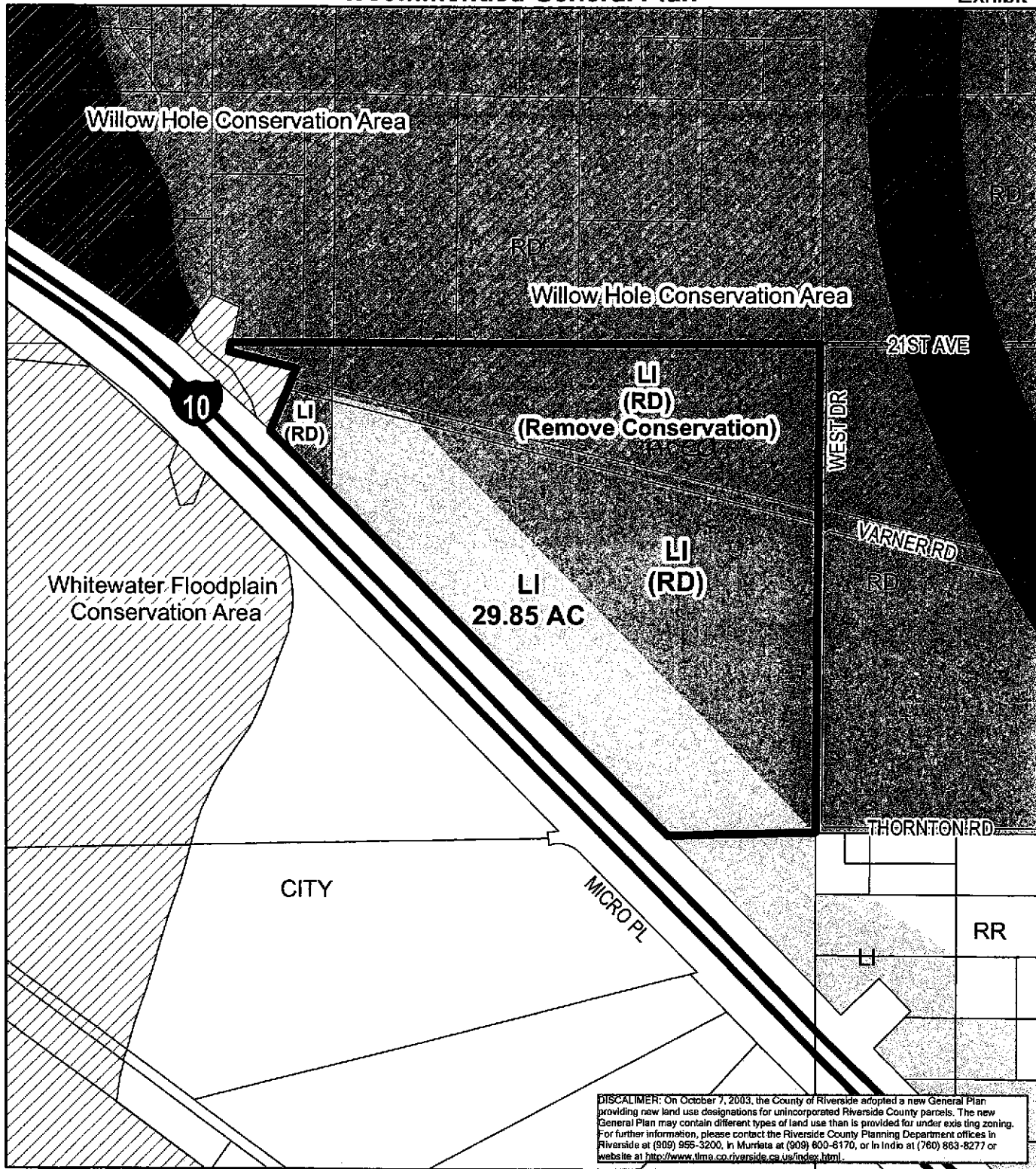
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (951) 600-5170, or in Indio at (760) 863-8277 or website at <http://www.ira.ca/riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section: 24



Assessors
Bk.Pg. 669-15
Thomas
Bros. Pg. 726 H6



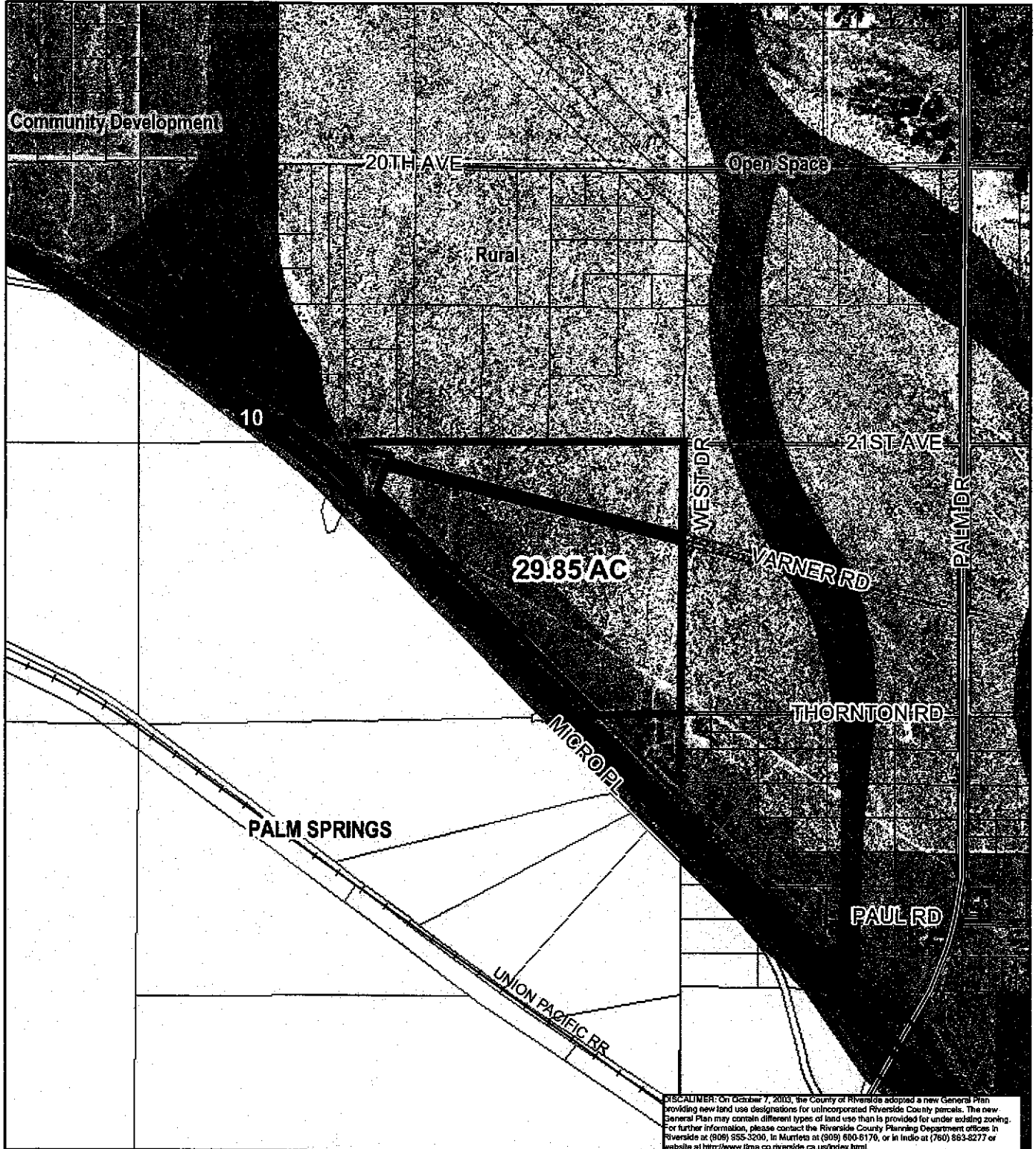
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Zone
District: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section : 24

RIVERSIDE COUNTY PLANNING DEPARTMENT

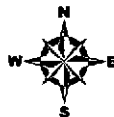


Assessors
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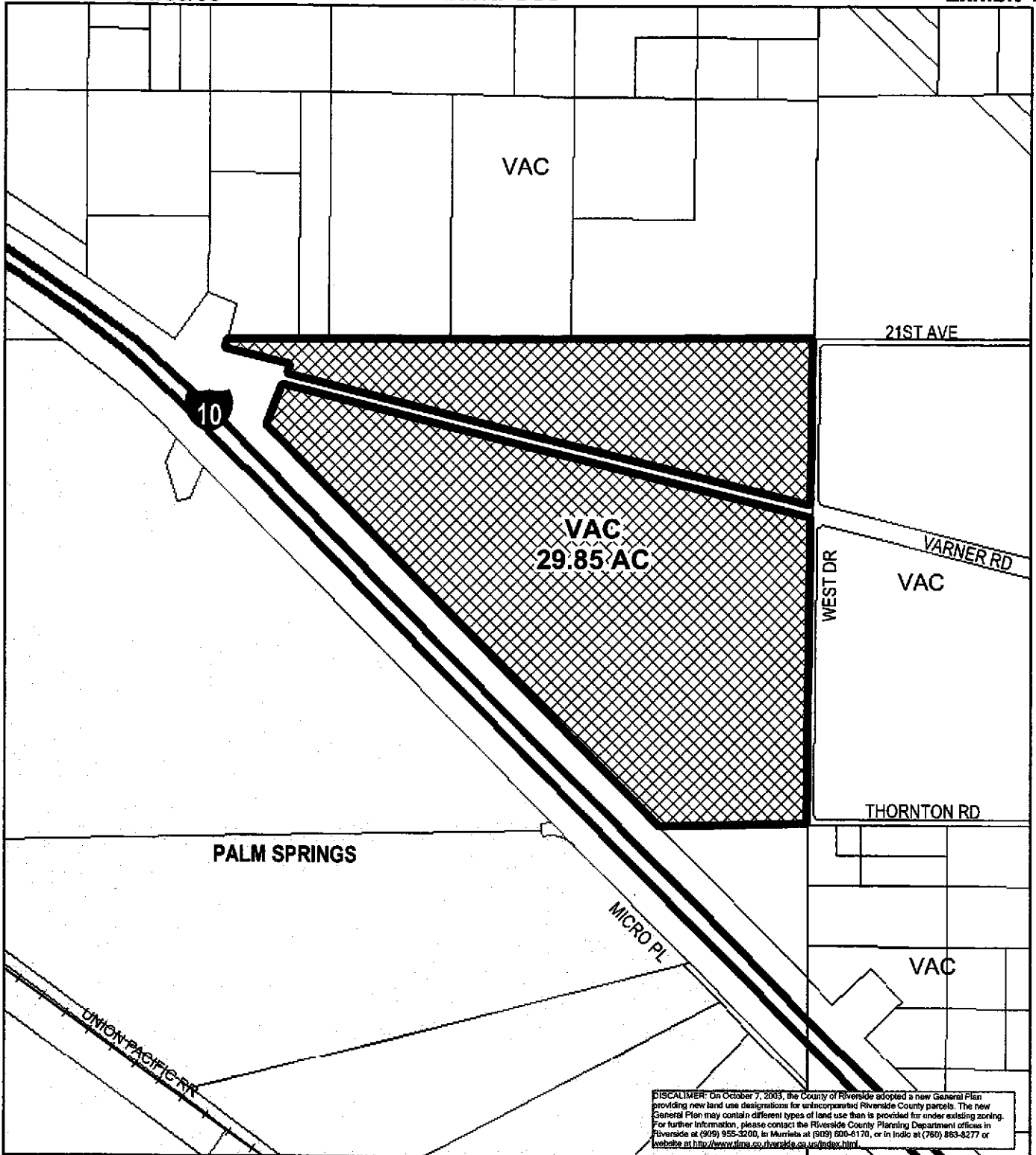


RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section: 24

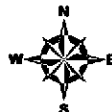


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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Cathedral City-Palm Desert
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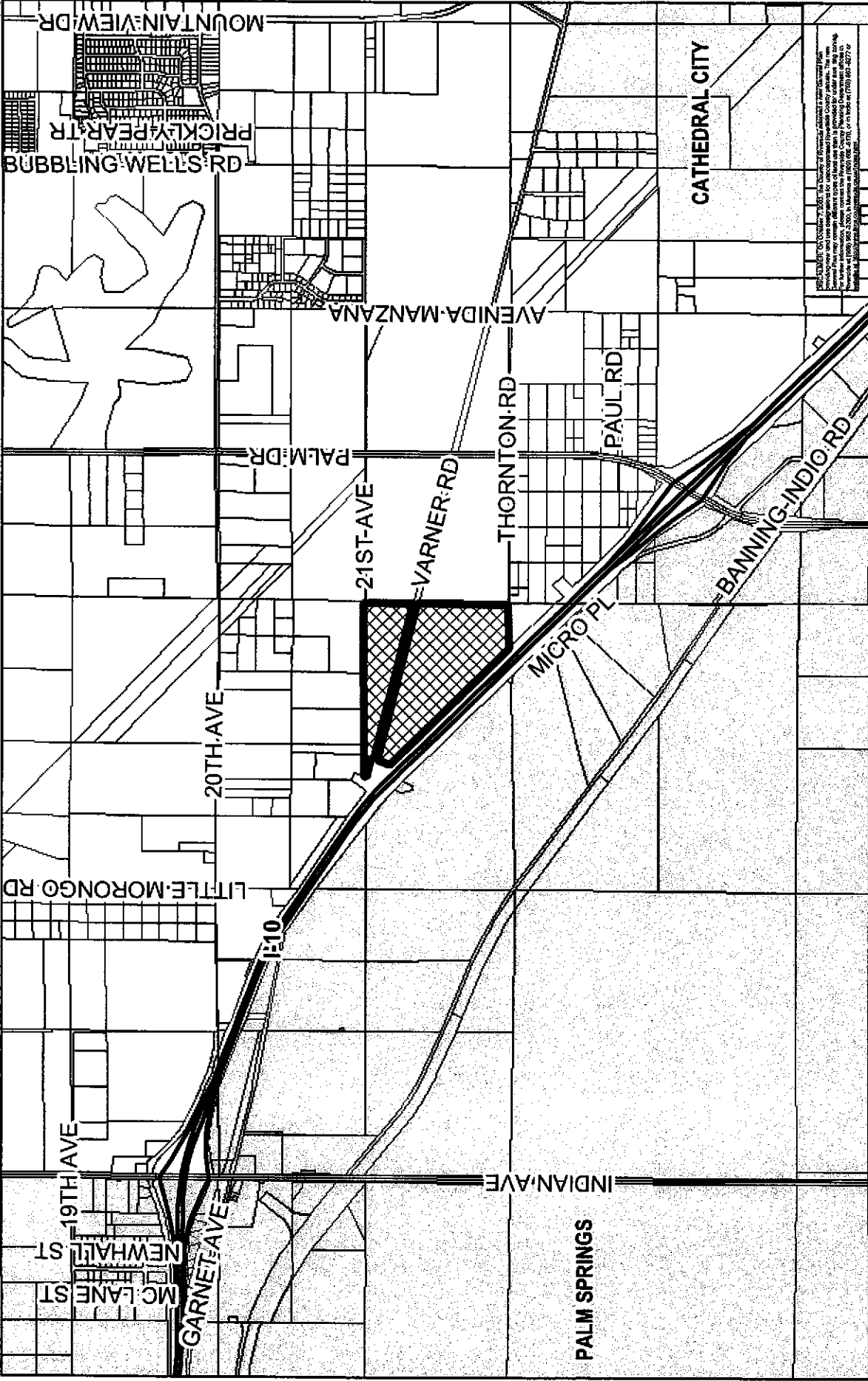
GPA00894

POLICY AREAS

Supervisor Ashley
District 5

Date Drawn: 01/30/08

Planner: Amy Aldana
Date: 02/05/08
Exhibit 8



RESERVED: OCTOBER 17, 2008. The County of Riverside Adopts a Plan for 2008. The map is prepared for use in conjunction with the Riverside County Planning Department's 2008 Annual Report and is intended for informational purposes only. The map is not intended to be used for any other purpose. For more information, please contact the Riverside County Planning Department at (951) 261-1000 or Riverside County Planning Department, 1000 N. Orange Ave., Riverside, CA 92507.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section : 24

Assessors
Bk. Pg. 669-15
Thomas
Bros. Pg. 726 H6

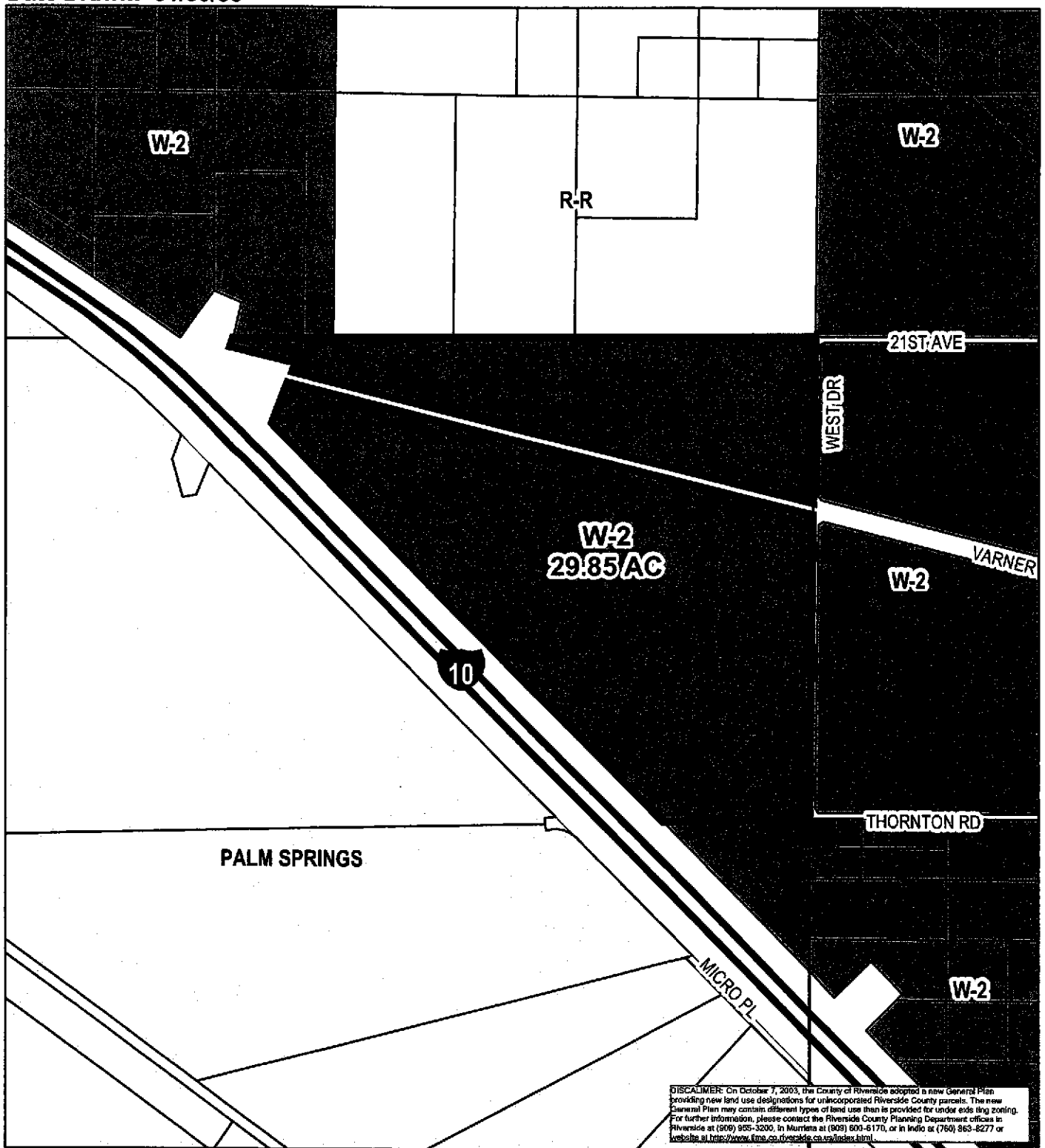


Supervisor Ashley
District 5
Date Drawn: 01/30/08

GPA00894

EXISTING ZONING

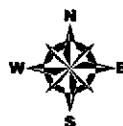
Planner: Amy Aldana
Date: 02/05/08
Exhibit 2



Zone
District: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section : 24

RIVERSIDE COUNTY PLANNING DEPARTMENT

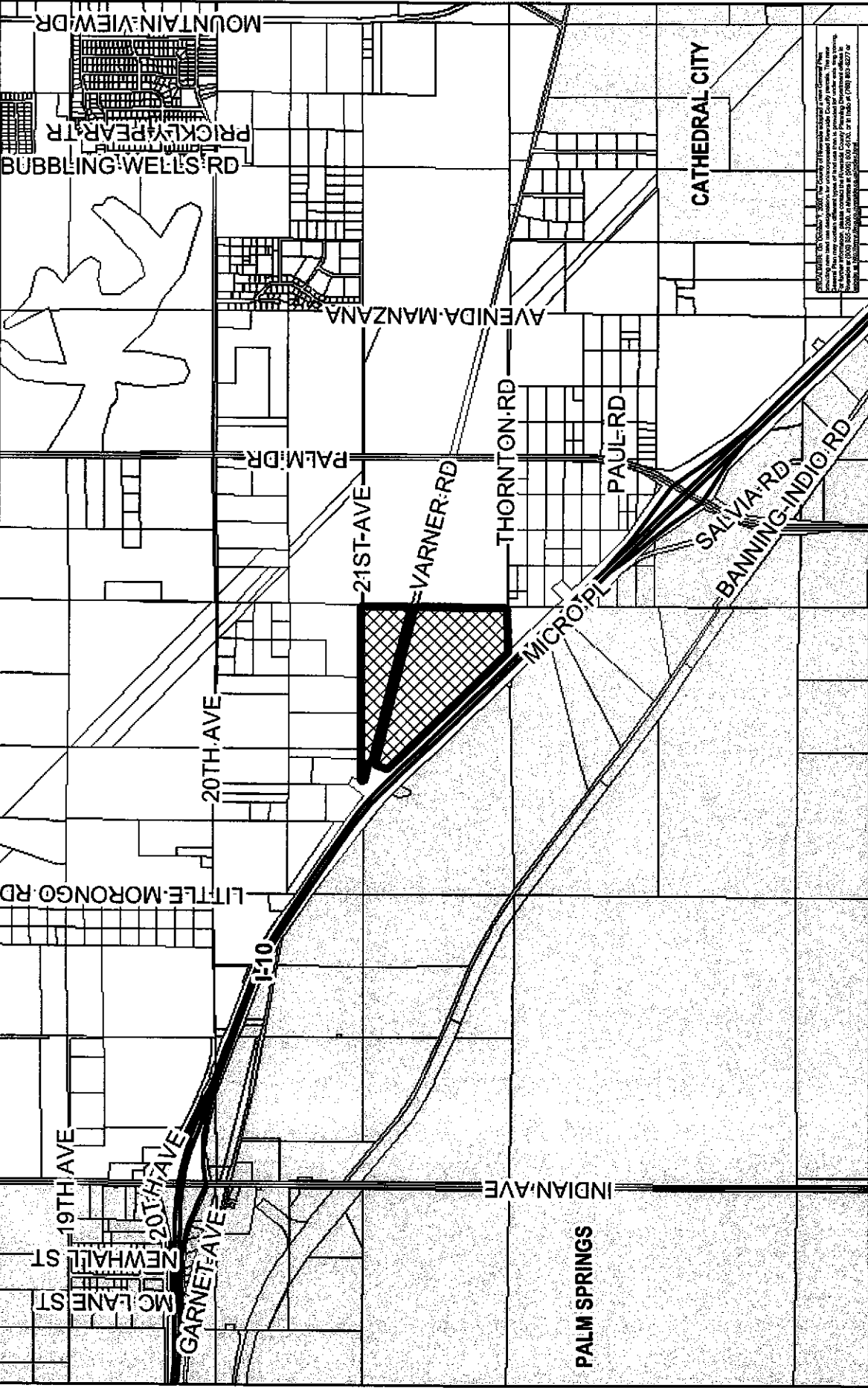
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Thomas
Bros. Pg. 726 H6



Supervisor Ashley
District 5
Date Drawn: 01/30/08

GPA00894
VICINITY MAP

Planner: Amy Aldana
Date: 02/05/08
VICINITY MAP



Zone
District: Cathedral City-Palm Desert
Township/Range: T3SR4E
Section : 24

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 669-15
Thomas
Bros. Pg. 726 H6



RESOLUTION: 05/05/2008 The County of Riverside adopted a new General Plan. Planning uses the same standards for unincorporated Riverside County parcels. The new standards apply to all parcels within the County Planning Department's jurisdiction. For more information, please contact the Riverside County Planning Department at (951) 261-2200 or Riverside County Planning Department, 2000 N. 2nd Street, Riverside, CA 92507.