

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

422B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 26, 2009

SUBJECT: ALLOCATION OF ADDITIONAL "TAKE" PURSUANT TO BOARD POLICY A-61 (PAR01205) – Applicant: Jonathan Laura – Engineer/Representative: Hacker Engineering – Fourth Supervisorial District – Cathedral City-Palm Desert Zoning District – Western Coachella Valley Area Plan: Rural: Rural Desert (RD) (10 Acre Minimum) – Location: Easterly of Long Canyon Road, southerly of Moon Ranch Road - 5.0 Gross Acres - Zoning: Controlled Development Areas (W-2) Zone - 20,000 Sq. Ft. Minimum - **REQUEST:** Allocation of additional "take" pursuant to Board Policy A-61 and the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) for a proposed single-family dwelling.

BACKGROUND:

The landowner for APN 659-130-003 proposes to construct a single-family dwelling on a five acre parcel. The property contains several overlapping habitat types as part of the Coachella Valley Multiple Species Habitat Conservation Plan. The purpose of this request is to grant extra "take" greater than the 1/2 acre allowance for a residential use pursuant to Board Policy A-61.

RECOMMENDED MOTION:

APPROVAL of additional "take" greater than 1/2 acre for a single family dwelling within APN 659-130-003 pursuant to Board Policy A-61 and the recommendations and findings in the attached staff report. This allocation of additional "take" shall be valid until July 1, 2011.

Ron Goldman
Planning Director

RG.jo

REVIEWED BY EXECUTIVE OFFICE
DATE 2/9/09
Tina Grande
Departmental Concurrence

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

3.49

Agenda Item No.:
Area Plan: Western Coachella Valley
Zoning District: Cathedral City—Palm Desert
Supervisorial District: Fourth
Project Planner: Jay Olivas

PRE-APPLICATION REVIEW NO. 1205
E.A. Number: Not applicable
Applicant: Jonathan Laura
Representative: Hacker Engineering

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Allocation request for extra "take" greater than ½ acre pursuant to Board Policy A-61, as part of a proposed single-family dwelling located within APN 659-130-003, also located within the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). To facilitate processing and staff review, an application for Pre-Application Review (PAR01205) was submitted by the applicant.

The subject property of five acres is located easterly of Long Canyon Road, westerly of Mountain View Road and southerly of Moon Ranch Road at 69125 Moon Ranch Road.

ISSUES OF POTENTIAL CONCERN:

The landowner for APN 659-130-003 proposes to construct a single-family dwelling on a five acre lot. Conceptual grading plans submitted by the applicant indicate the development will move about 5,000 cubic yards of earth on approximately 1.3 acres of the five acre parcel. This parcel presents unusual problems for habitat allocation. The parcel is long and narrow, and is bisected by streambeds and flood areas with the most logical developable area located on the southerly topographically rising portion of the property, opposite from the existing legal access point. In addition, the subject parcel contains several, sometimes overlapping, habitat types found in the CVMSHCP. This request seeks extra "take" greater than the ½ acre allowance for a new single family residence pursuant to Board Policy A-61. Due to the fairly unique pattern of habitats and the development constraints of this parcel, the allocation is merited. The allocation is proposed to be tied to specific habitat areas, which may be used in the future for grading and construction permits on a "not to exceed" basis. No exact location for development or specific grading or other plans are approved by this Board action. The "take" allocation shall be valid for approximately two years.

SUMMARY OF FINDINGS:

- | | |
|------------------------------------|---|
| 1. General Plan Land Use (Ex. #5): | Rural: Rural Desert (RD) |
| 2. Existing Zoning (Ex. #2): | Controlled Development Areas (W-2) |
| 3. Surrounding Zoning (Ex. #2): | Controlled Development Areas (W-2) |
| 4. Existing Land Use (Ex. #1): | Vacant, prior brush removal |
| 5. Surrounding Land Use (Ex. #1): | Vacant and scattered single family dwellings |
| 6. Project Data: | Total Acreage: 5.0 Acres
Conservation Area: Edom Hill |
| 7. Environmental Concerns: | Coachella Valley Multiple Species Habitat
Conservation Plan; flood and drainage. |

RECOMMENDATION:

APPROVAL of additional "take" greater than ½ acre pursuant to Board Policy A-61 for a single family dwelling within APN 659-130-003; total "take" on the property will be allocated among the various habitats within the property as follows: 1.0 acres of take within Habitat for Coachella Valley Milk Vetch, .93 acres of take within the Habitat for Le Conte's Thrasher, .95 acres of take within the Habitat for the Coachella Valley Round Tailed Ground Squirrel, .66 acres of take within the Habitat for the Palm Springs Pocket Mouse, 1.4

acres of take within the Conserve Sand Source Areas, and .11 acres of take within the Fluvial Sand Transport Areas. Future applications for grading and construction permits shall utilize this "take" authorization on a "not to exceed" basis. This allocation of additional "take" shall be valid until July 1, 2011.

FINDINGS:

1. The property known as APN 659-130-003 is within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and is within the Edom Hill Conservation Area of that plan.
2. The County of Riverside approved the CVMSHCP on October 2, 2007. State and Federal permits for the plan were obtained in October 2008. In order to implement the CVMSHCP and provide for an orderly and fair allocation of "take" within conservation areas, the Board adopted Policy A-61 on February 26, 2008.
3. This allocation of "take" is for a single family dwelling within APN 659-130-003, and the "take" will be allocated among habitat types as follows: 1.0 acres of take within Habitat for Coachella Valley Milk Vetch, .93 acres of take within the Habitat for Le Conte's Thrasher, .95 acres of take within the Habitat for the Coachella Valley Round Tailed Ground Squirrel, .66 acres of take within the Habitat for the Palm Springs Pocket Mouse, 1.4 acres of take within the Conserve Sand Source Areas, and .11 acres of take within the Fluvial Sand Transport Areas. The "take" allocation is provided in specific increments per habitat on a "not to exceed" basis.
4. The validity of the allocation of "take" shall be until July 1, 2011, approximately two years, within which time the land owner shall be required to obtain grading permits and begin site disturbance activities. If the allocation of "take" expires without being utilized, the land owner shall have the opportunity to return to the Board through Planning Department procedures for a re-evaluation of the project at that time.
5. This allocation of "take" was reviewed through the PAR process (PAR01205) and included comments from a range of county departments, with the Environmental Programs Department providing a conservation area take analysis for the Edom Hill Conservation Area and the proposed allocation of take within APN 659-130-003, which is attached to this staff report and incorporated herein by this reference. The evaluation found that the additional "take" is not in excess of that amount currently available in the unallocated reserve pool for all habitat types in this conservation area.
6. The subject property is currently vacant, desert brush covered land, narrow and long in shape, transected by stream courses, flood areas, with a topographically sloping area located in the southerly portion of the parcel, opposite from the existing legal access. A number of small roadways or driveways exist with some portions of this representing disturbance prior to 1996.
7. The subject property is designated Rural: Rural Desert (RD) (10 Acre Minimum) on the Western Coachella Valley Area Plan.
8. The subject property is zoned Controlled Development Areas (W-2).

Edom Hill Conservation Area Box Score DRAFT

(A) Conservation Objective	(B) Land in Private Ownership 1996	(C) Land Currently in Private Ownership	(D) Acres of Disturbance Authorized by Plan	(E) Public Project Reserve Take	(F) Single Family Reserve Take (up to 0.5 acres per parcel)	(G) Private Development Reserve Take (% of remaining private ownership)	(H) Total Reserved Take (E+F+G)	(I) Total Available Take	(J) Unreserved Take - "Bonus Bucket"	(K) "Bonus Bucket" Requested Take	(L) Approved Accrued Take	(M) Acres of Take Since 1996 (Take Code 1)
Conserve Other Cons. Habitat for CV Milkweetch	1339	665	134	13	7	46	67	134	67			0
Conserve Other Cons. Habitat for CV Gland Sand- Treader Cricket	45	34	5	0	0	3	3	5	2			0
Conserve Other Cons. Habitat for CV Fringe-Toed Lizard	45	34	5	0	0	3	3	5	2			0
Conserve Other Cons. Habitat for Le Conte's Thrasher	1939	1254	194	19	19	81	120	193	73			1
Conserve Other Cons. Habitat for CV Round-Tailed Ground Squirrel	1447	694	145	14	9	47	70	145	75			0
Conserve Other Cons. Habitat for Palm Springs Pocket Mouse	1039	522	104	10	6	36	52	104	52			0
Conserve Active Desert Sand Fields	41	0	4	0	0	0	0	4	4			0
Conserve Stabilized & Partially Stabilized Desert Sand Fields	4	34	1	0	0	3	3	1	-2			0
Conserve Sand Source Areas Conserve Fluvial Sand Transport Areas	1967	842	197	20	17	50	87	197	110			0
	628	583	63	6	16	31	53	62	9			1
Estimated Number of Parcels in Private Ownership												79

All measurements are in acres

9/8/2008

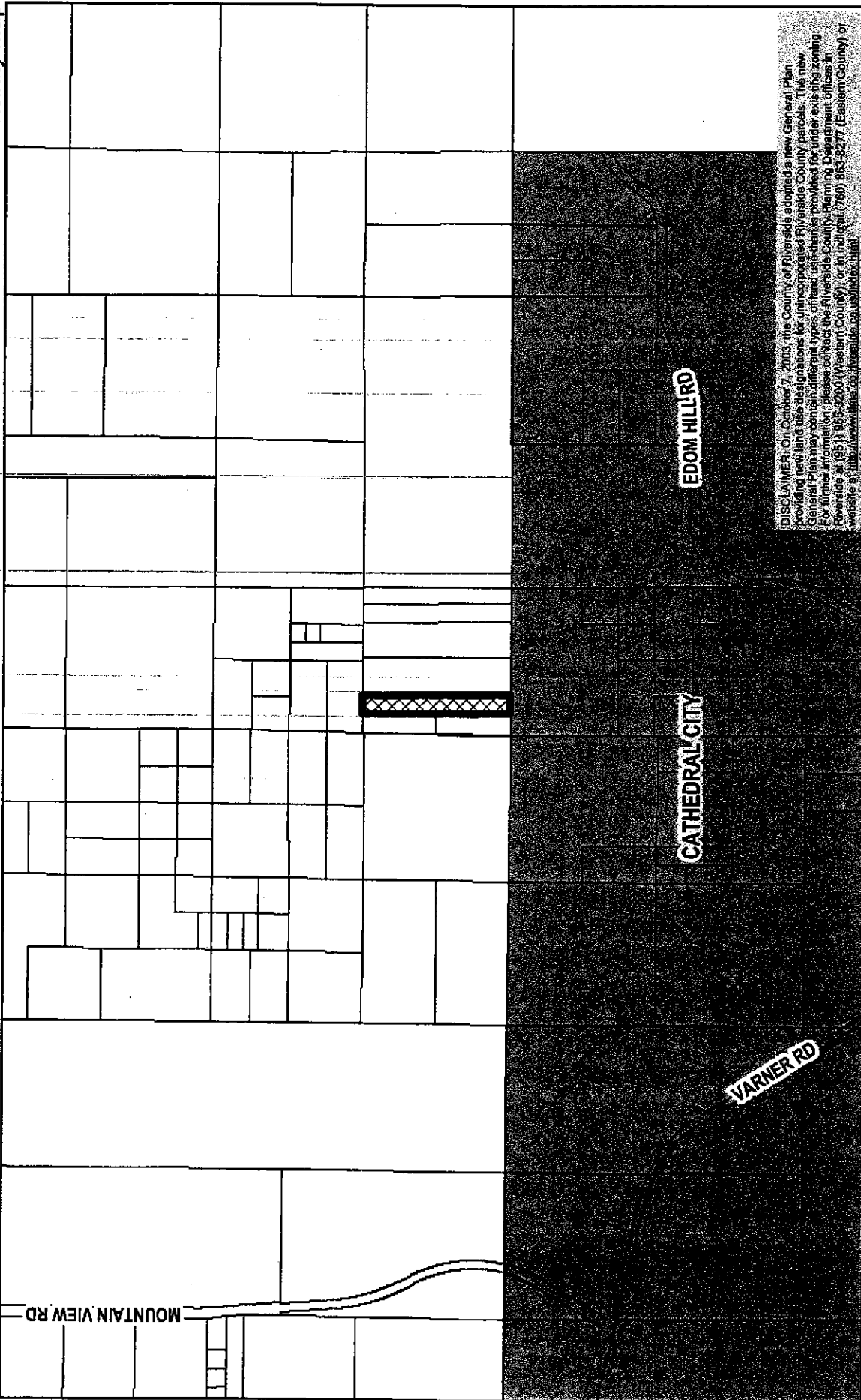
Conservation Area Take Analysis

Environmental Programs Department

Supervisor Wilson
District 4
Date Drawn: 1/9/09

PAR01205 VICINITY MAP

Planner: Jay Olivas
Date: 1/21/09
Vicinity Map



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 designations provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-4200 (Western County) or in Indio at (760) 965-4277 (Eastern County) or visit us at <http://www.riverside.ca.us/planning.html>.

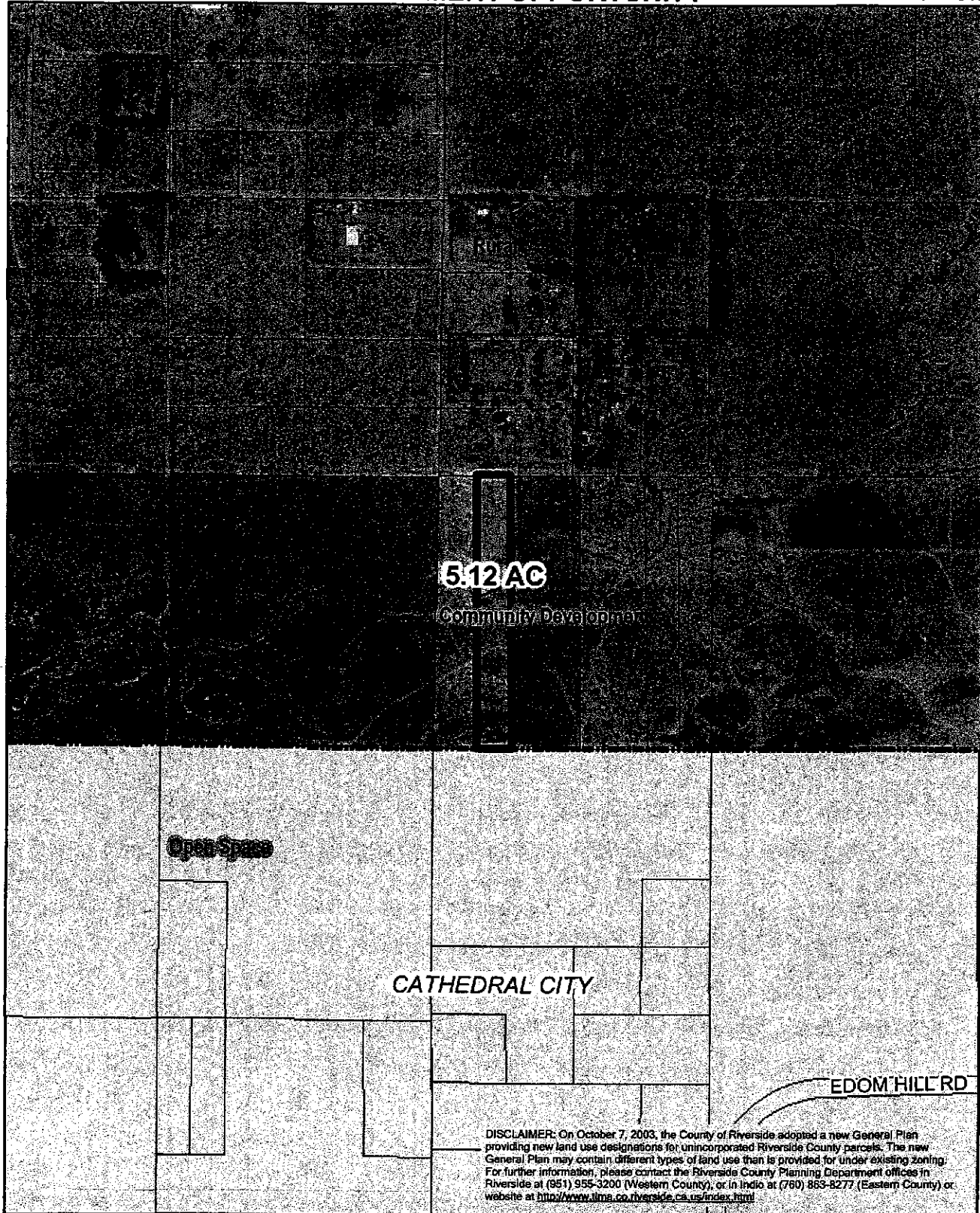
RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Cathedral City/Palm Desert
Township/Range: T3SR5E
Section : 22

Assessors
Blk. Pg. 659-13
Thomas
Bros. Pg. 727 F6

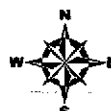


DEVELOPMENT OPPORTUNITY

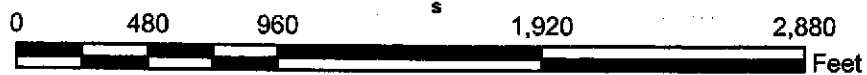


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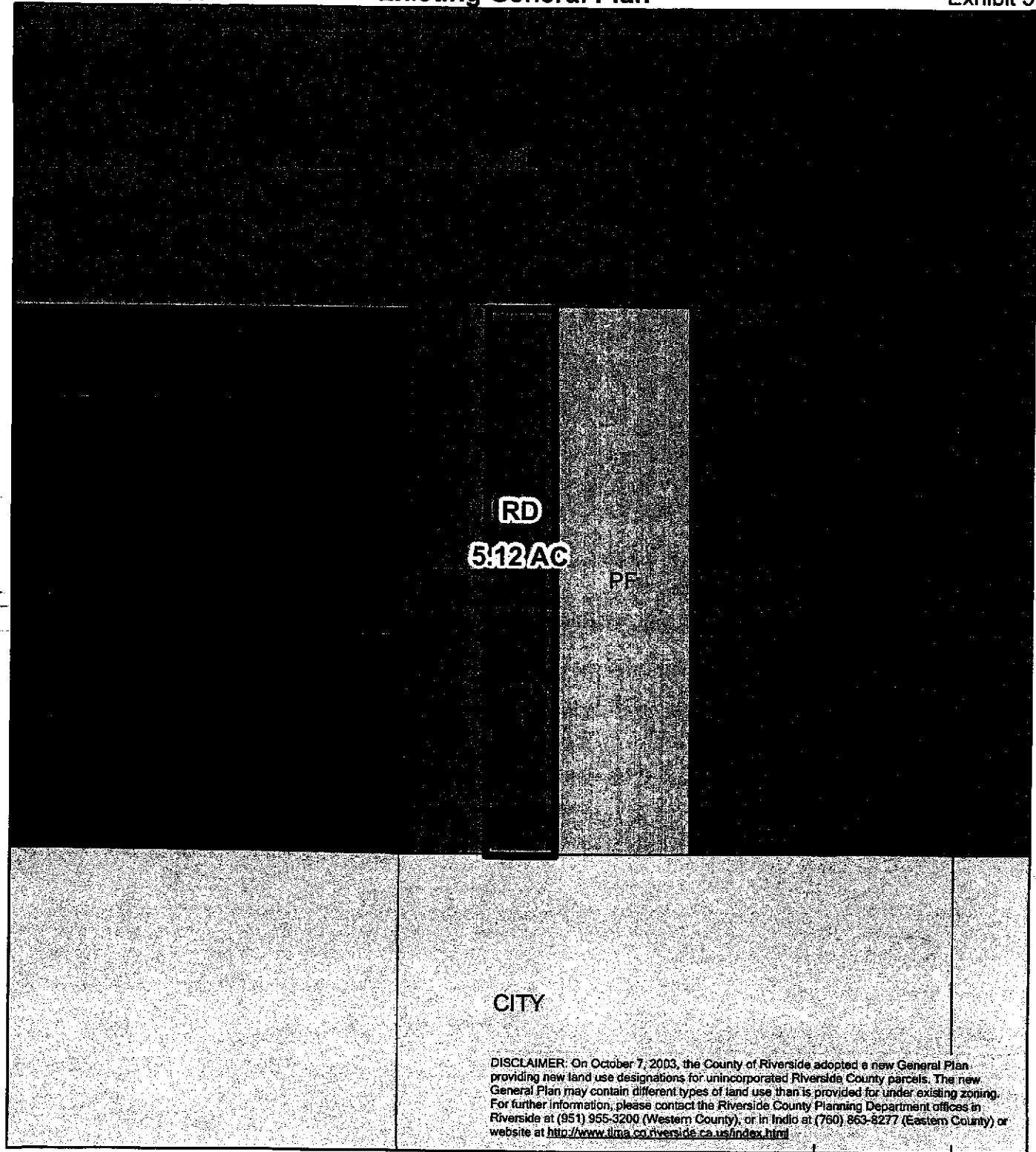


Supervisor Wilson
District 4
Date Drawn: 1/9/09

PAR01205

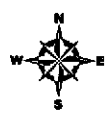
Existing General Plan

Planner: Jay Olivas
Date: 1/21/09
Exhibit 5



RIVERSIDE COUNTY PLANNING DEPARTMENT

District: Cathedral City/Palm Desert
Township/Range: T3SR5E
Section : 22



Assessors
Bk.Pg. 659-13
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Bros. Pg. 727 F6



GRADING NOTES

1. ALL EXISTING UTILITIES SHOWN ON THE SURVEY MAPS SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES.
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CUT/FILL

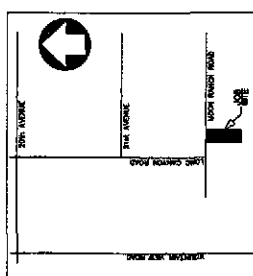
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DRAINAGE AND EROSION/DUST CONTROL

1. ALL EXISTING UTILITIES SHALL BE PROTECTED AND MAINTAINED AT ALL TIMES.
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COMPLETION OF WORK

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PM TO DUST MITIGATION NOTES

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LEGAL DESCRIPTION

LEGAL DESCRIPTION: [Detailed legal description of the property, including lot numbers and area measurements.]

AGREEMENT

AGREEMENT: [Statement regarding the agreement between the parties, including dates and signatures.]

AGREEMENT

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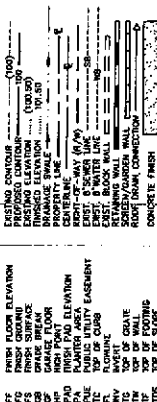
CONSERVATION COLLECTIVE	REMOVED DISTURBANCE TOTAL (SQ FEET)	POTENTIAL ADDITIONAL DISTURBANCE (SQ FEET) (AS APPLICABLE)	NET REMOVED DISTURBANCE (SQ FEET)
CONSERVATIVE CRATER CONSERVATION HABITAT FOR MARSH	0.05	0.15	
CONSERVATIVE CRATER CONSERVATION HABITAT FOR CLAY SAND-TERRACE CRACKS	0.00	0.00	
CONSERVATIVE CRATER CONSERVATION HABITAT FOR FRINGE TIED LOWLAND	0.00	0.00	
CONSERVATIVE CRATER CONSERVATION HABITAT LE DUNE'S THICKER	0.01	0.08	
CONSERVATIVE CRATER CONSERVATION HABITAT FOR SANDHILL	0.05	0.05	
CONSERVATIVE CRATER CONSERVATION HABITAT FOR PALM SPRINGS POCKET MOOSE	0.04	0.34	
CONSERVATIVE CRATER CONSERVATION HABITAT SAND PRIZER	0.00	0.00	
CONSERVATIVE CRATER CONSERVATION HABITAT STABILIZED & PARTIALLY STABILIZED DESERT SAND HILLS	0.00	0.00	
CONSERVATIVE CRATER CONSERVATION HABITAT SAND SOURCE AREAS	1.40	0.00	
CONSERVATIVE CRATER CONSERVATION HABITAT SAND TRANSPORT AREAS	0.11	0.00	

THE GRADING PLAN HAS BEEN CREATED BY CALCULATING THE ALLOWED TAKE IN ORDER FOR EACH CONSERVATION AREA PER THE ABOVE TABLE

TEMPORARY EROSION CONTROL NOTES

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LEGEND



Estimated Quantities

Estimated Quantities: [Table or list of estimated quantities for various materials and work items.]

UNINCORPORATED AREA OF RIVERSIDE COUNTY, CA

GRADING PLAN

APN 659-100-003

APPROVED BY: [Signature]

DATE: [Date]

REVISIONS

NO.	DATE	DESCRIPTION
1		

OWNER'S INFORMATION

OWNER NAME: [Name]

ADDRESS: [Address]

PHONE: [Phone]

ENGINEER'S INFORMATION

ENGINEER NAME: [Name]

ADDRESS: [Address]

PHONE: [Phone]

PROJECT INFORMATION

PROJECT NAME: [Name]

LOCATION: [Address]

APPROVALS

APPROVED BY: [Signature]

DATE: [Date]

DISCLAIMER

THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE LOCAL AGENCIES.

CONTACT INFORMATION

FOR MORE INFORMATION, CONTACT: [Name]

PHONE: [Phone]

DIG ALERT

CALL 811 FOR FREE

1-800-227-8800

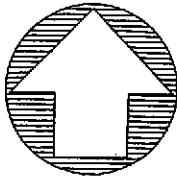
HACKER ENGINEERING, INC.

CIVIL ENGINEERING - LAND SURVEYING - PLANNING

10000 S. MICHIGAN AVE., SUITE 100

IRVINE, CA 92618

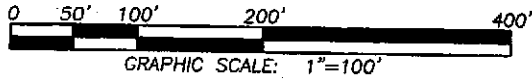
PHONE: (949) 261-0000



HACKER ENGINEERING, INC.
 CIVIL ENGINEERING - LAND SURVEYING - PLANNING
 77-530 Enfield Lane, Suite E-1 Phone: (760) 360-6900
 Palm Desert, California 92211 Fax: (760) 360-6999

PROJECT: APN 659-130-003
 69125 MOON RANCH DR.
 DESERT HOT SPRINGS, CA
 SHEET: 1 OF: 1
 CALCD: J.E. CHK'D: J.E.
 W.O.: JE070504 DATE: 06/13/08

OVERLAY EXISTING CONDITION / PROPOSED TAKE



Allocation table 10/1/09

*Coahuila Water
 Hal's 1st multiple
 Specter
 Cascardon
 Peltre*

ACREAGE:

TOTAL OWNER TAKE WITH PROPOSED PAD AND CLEARING THAT WAS DONE.
 5.00 AC. TOTAL
 2.5 AC DISTURBED

THE EXISTING TAKE AREA PRIOR TO CONSTRUCTION IS 1.35 AC.

TOTAL ADDITIONAL TAKE IS 1.15 AC.

TAKE ALLOWED BY COUNTY IS 0.50 AC.

TOTAL REQUESTED ADDITIONAL TAKE IS 0.65 AC.

OWNER/DEVELOPER:

JONATHAN LAURA
 66936 DESERT VIEW AVENUE
 DESERT HOT SPRINGS, CA 92240
 (760) 880-4988

ZONING:

W2

FLOOD ZONE:

ZONE A0

BASIS OF BEARING:

BASIS OF BEARING IS CL OF MOON RANCH ROAD BEING N 89°46'32"W

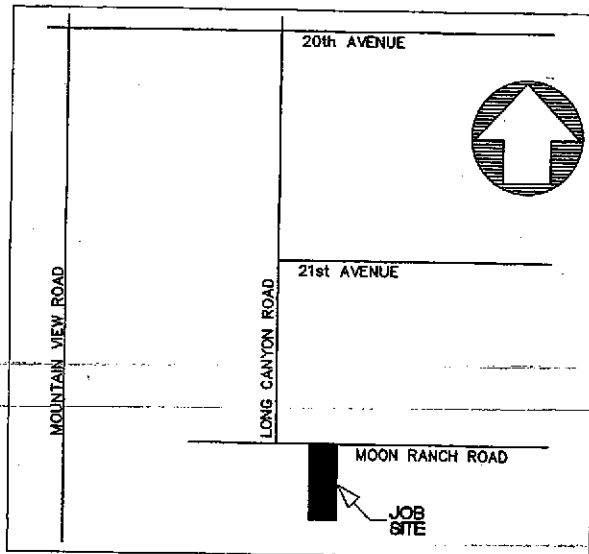
STRUCTURE:

PROPOSED SINGLE FAMILY DWELLING
 SLAB ON GRADE / WOOD FRAMED CONST.

ZONE W2

ZONE W2

APR 2005
 CASE NO. 1205
 P.P.P.



VICINITY MAP

NO SCALE

