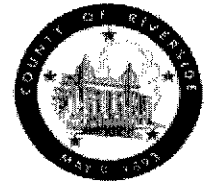


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

416 B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
February 6, 2009

SUBJECT: GENERAL PLAN AMENDMENT NO. 1012 – (Foundation-Regular) – Applicant: John Demirjian – Engineer/Representative: Engineering Solutions - Fifth Supervisorial District - Pass and Desert Zoning District - The Pass Area Plan: Rural: Rural Residential (RUR-RR) (5 Acre Minimum), and Rural: Rural Mountainous (RUR-RM) (10 Ac. Min.) – Location: Northeasterly of San Timoteo Canyon Road., southerly of Live Oak Canyon Road, and westerly of the City of Calimesa - 41.11 Gross Acres - Zoning: Light Agriculture - 2 1/2 Acre Minimum (A-1-2 1/2) - **REQUEST:** The General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural (RUR) to Rural Community (RC) and to amend the General Plan Land Use designation of the subject site from Rural Residential (RR) (5 Ac. Min.) and Rural Mountainous (RM) (10 Ac. Min.) to Estate Density Residential (2 Ac. Min.) - APN(s): 473-330-017, 473-320-014, 473-320-015.

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors tentatively decline to 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

Ron Goldman
Planning Director

RG:th

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE

DATE 2/9/09
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Fifth

Agenda Number:

15.7

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.: 7.12
Area Plan: The Pass
Zoning District: Pass and Desert District
Supervisory District: Fifth
Project Planner: Tamara Harrison
Planning Commission: December 3, 2008
Continued from August 12, 2008

General Plan Amendment No. 1012
Applicant: John Demirjian
Engineer/Representative: Eng. Solutions

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 1012 from Rural: Rural Mountainous and Rural: Rural Residential to Rural Community: Estate Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend to tentatively decline to adopt an order initiating proceedings. 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: Stated that the majority surrounding parcels fall between 3-5 acre lots which are common in the area. He also pointed out that there is a 6 acre parcel and a 13 acre parcel in the vicinity. He expressed concern related to the topography of the site and suggested that a slope analysis be completed to identify the ridge if the case is to move forward. Commissioner Roth also noted that a watercourse transects the northern portion of the site and may cause major access issues. Agreed with staff that initiation would not be appropriate.

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: Agreed with staff that initiation would not be appropriate.

Agenda Item No.: 7.12
Area Plan: The Pass
Zoning District: Pass and Desert District
Supervisory District: Fifth
Project Planner: Tamara Harrison
Planning Commission: December 3, 2008
Continued from August 12, 2008

General Plan Amendment No. 1012
E.A. Number 41843
Applicant: John Demirjian
Engineer/Rep.: Eng. Solutions

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 Mountainous" (RUR:RM) (10 acre min.) and "Rural: Rural Residential" (RUR:RR) (5 acre min.) to "Rural Community: Estate Density Residential" (RC:EDR) (2 acre min.) for an approximately 41.11-acre parcel. The project is located northeasterly of San Timoteo Canyon Road and southerly of Live Oak Canyon Road.

FURTHER PLANNING CONSIDERATIONS:

November 3, 2008

The proposal was discussed at the August 12, 2008 Planning Commission meeting where the Commission directed staff and the applicant to meet so that any additional information the applicant could provide would be considered. Subsequently, a meeting was held September 24, 2008 between the applicant and the Planning Department to discuss the proposal further.

The subject parcel is located in the "San Timoteo" community within the Pass area plan and is also located within the City of Calimesa Sphere of Influence. According to the General Plan, much of the Pass is subject to a "high risk" of fire hazards including the parcels in question. The Safety element of the General Plan addresses these 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. Primary access to the site is taken via Live Oak Canyon Road; however, the site currently lacks secondary access. The applicant has indicated that secondary access will be provided via a parcel to the northeast that is under common ownership. Increasing the density for the site would increase the number of potential dwelling units subject to potential fire hazard in the area and create an inconsistency between the land use map/element and the safety element of the General plan.

The Pass Area Plan is surrounded by severe slopes due to the vicinity of the San Bernardino and the San Jacinto mountains. The terrain is a fundamental feature of the character of the Pass and the visual aspects should be preserved. The parcels in question possess slopes that may range from 15%-30% and potentially greater which can create an increase in potential public safety issues by exposing additional dwelling units to potential slope failures and landslides when developing or grading at a greater density. The proposed change would again create an internal inconsistency between the Land Use map/element and the Safety element.

No substantial evidence has been provided to show that new conditions or circumstances are present in the area to justify the proposed change. The surrounding area remains rural in character in keeping with the General Plan's vision for the Pass Area Plan and the unique settings and features of the San Timoteo Community. The proposed change conflicts with the vision for the area and is incompatible with the existing character of the area as well.

RECOMMENDATION:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 1012 from Rural: Rural Mountainous and Rural: Rural Residential to Rural Community: Estate Density Residential **would not be appropriate.**

Agenda Item No.: 5.19
Area Plan: The Pass
Zoning District: Pass and Desert District
Supervisory District: Fifth
Project Planner: Tamara Harrison
Planning Commission: August 12, 2008

General Plan Amendment No. 1012
E.A. Number 41843
Applicant: John Demirjian
Engineer/Rep.: Eng. Solutions

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 Mountainous" (RUR:RM) (10 acre min.) and "Rural: Rural Residential" (RUR:RR) (5 acre min.) to "Rural Community: Estate Density Residential" (RC:EDR) (2 acre min.) for an approximately 41.11-acre parcel. The project is located northeasterly of San Timoteo Canyon Road and southerly of Live Oak Canyon Road.

POTENTIAL ISSUES:

The subject parcel is located in the "San Timoteo" community within the Pass area plan. According to the General Plan, much of the Pass is subject to a "high risk" of fire hazards including the parcels in question. The Safety element of the General Plan addresses these 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. Currently, the subject site lacks both primary and secondary public access, increasing the chance of potential hazard. Increasing the density for the site would create an inconsistency between the land use map/element and the safety element of the General plan.

The Pass area plan is surrounded by severe slopes due to the vicinity of the San Bernardino and the San Jacinto mountains. The terrain is a fundamental feature of the character of the Pass and the visual aspects should be preserved. The parcels in question possess slopes that may range from 15%-30% and potentially greater which can create an increase in potential public safety issues (i.e. slope failures and landslides) when developing and or grading the area at a higher density. The proposed change would again create an internal inconsistency between the Land Use map/element and the Safety element.

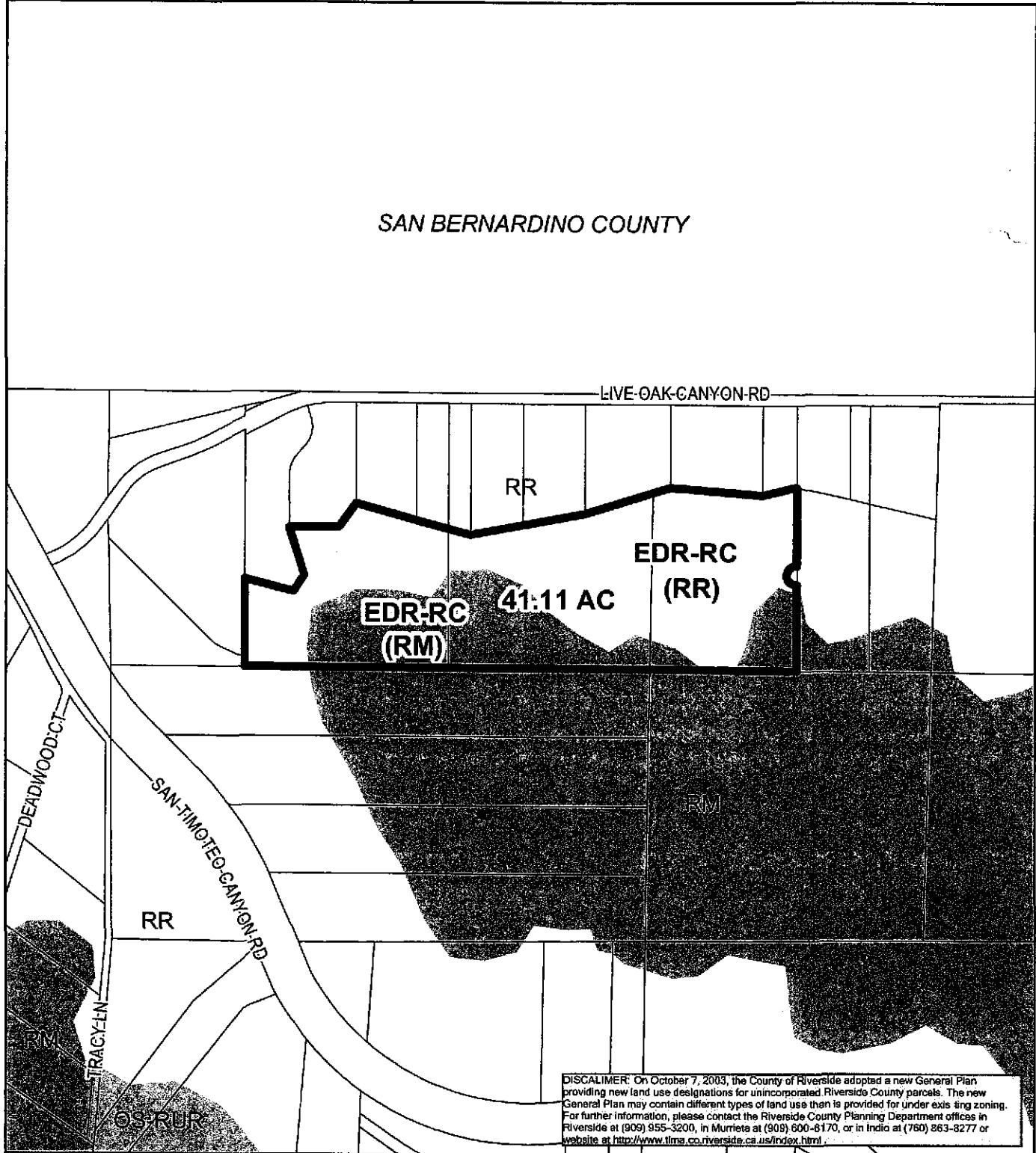
No substantial evidence has been provided to show that new conditions or circumstances are present in the area to justify the proposed change, neither sewer nor water are available at the site. The surrounding area remains rural in character as identified by the vision and setting for the Pass area plan and the unique features of the San Timoteo Community. The proposed change conflicts with the vision for the area and is incompatible with the character of the area as well.

RECOMMENDATION:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 1012 from Rural: Rural Mountainous and Rural: Rural Residential to Rural Community: Estate Density Residential **would not be appropriate.**

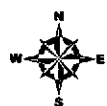
GPA01012

Proposed General Plan



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Pass & Desert
Township/Range: T2SR3W
Section : 13 & 14



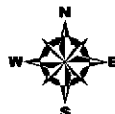
Assessors
Bk.Pg. 473-33
Thomas
Bros. Pg. 688 E1





RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Pass & Desert
Township/Range: T2SR3W
Section: 13 & 14



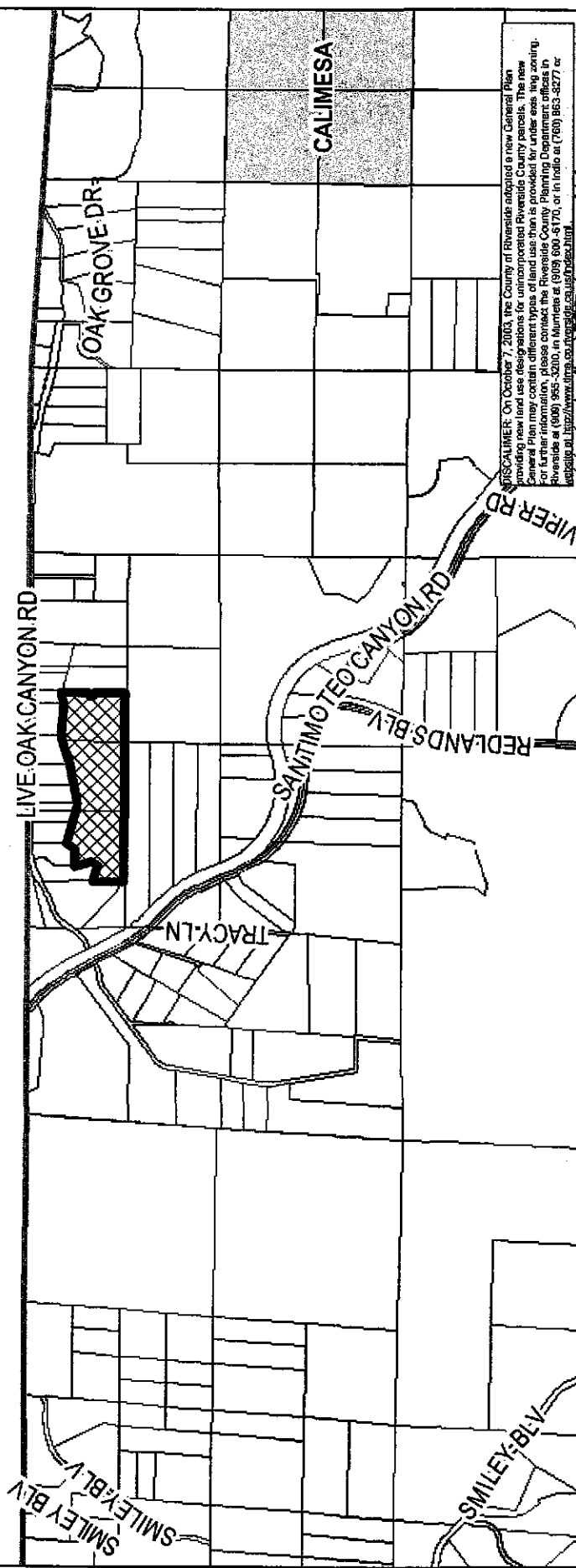
Assessors
Bk. Pg. 473-33
Thomas
Bros. Pg. 688 E1

Supervisor Ashley
District 5
Date Drawn: 4/3/08

GPA01012
VICINITY MAP

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

SAN BERNARDINO COUNTY



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan for the County. The new General Plan is divided into several City parcels. The new General Plan may contain different uses of land than the current General Plan. 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) 963-8277, or visit us at <http://www.ctrpa.com/development>.

Zone
District: Pass & Desert
Township/Range: T2SR3W
Section : 13 & 14

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 473-33
Thomas
15,750 Bros. Pg. 688 E1



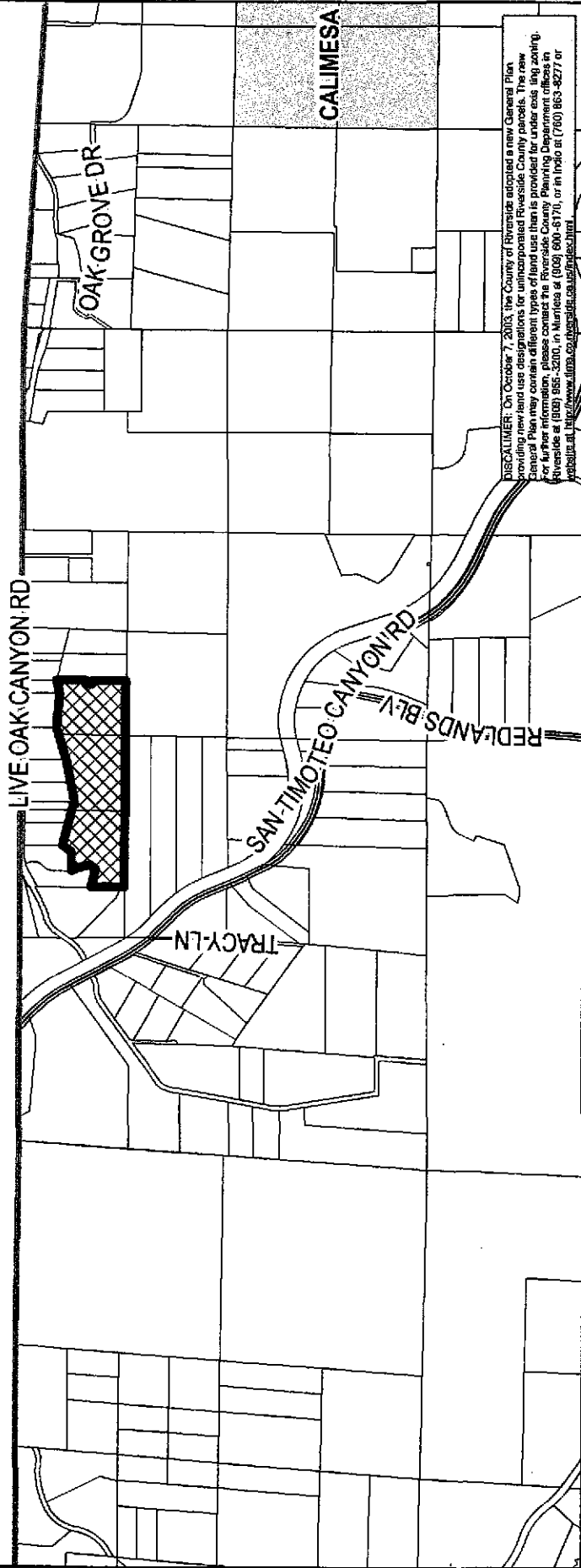
Supervisor Ashley
District 5
Date Drawn: 4/3/08

GPA01012

POLICY AREAS

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

SAN BERNARDINO COUNTY



Zone
District: Pass & Desert
Township/Range: T2SR3W
Section : 13 & 14

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 473-33
Thomas
Bros. Pg. 688 E1



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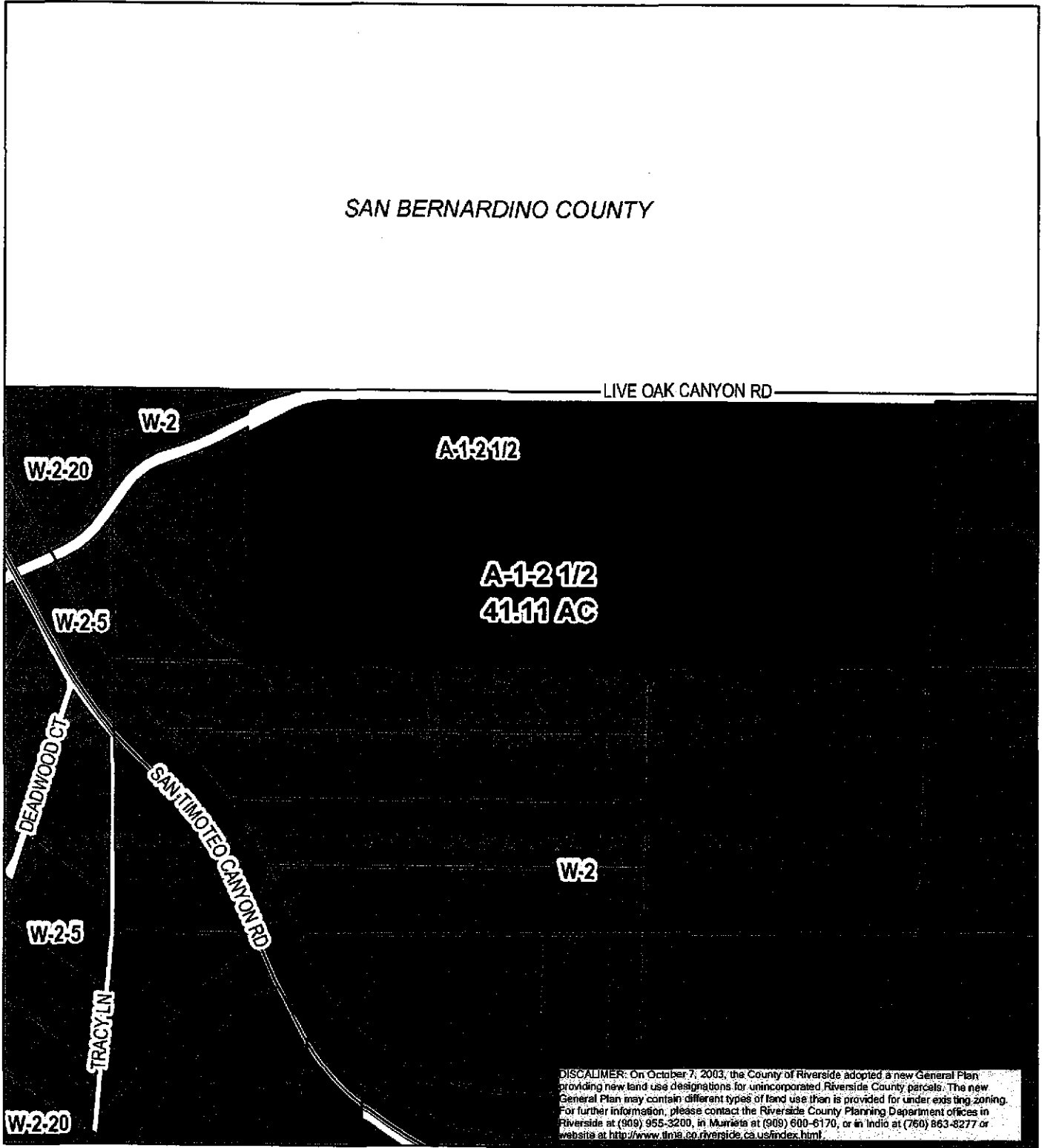
Feet

Supervisor Ashley
District 5
Date Drawn: 4/3/08

GPA01012

EXISTING ZONING

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



Zone
District: Pass & Desert
Township/Range: T2SR3W
Section : 13 & 14

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 473-33
Thomas
Bros. Pg. 688 E1

