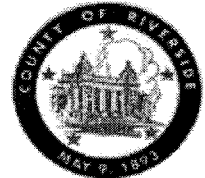


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

714B



FROM: TLMA – Planning Department

SUBMITTAL DATE:

May 5, 2009

SUBJECT: GENERAL PLAN AMENDMENT NO. 935 – Foundation-Regular – Applicant: Jones Bros. – Engineer/Representative: Phillip Fomotor - Fourth Supervisorial District - Lower Berdoo Canyon Zoning District - Western Coachella Valley Area Plan: Open Space-Rural (OS-RUR) – Location: Northerly of 42nd Avenue, easterly of Dillon Road / Tyler Street, westerly of Polk Street, and southerly of 40th Avenue - 10 Gross Acres - Zoning: Watercourse, Watershed & Conservation Area (W-1) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Open Space (OS) to Community Development (CD) and to amend General Plan Land Use designation of the subject site from Rural (RUR) (20 Ac. Min.) to Light Industrial (LI) (0.25 to 0.60 floor area ratio) - APN: 601-220-007, 601-220-008

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for 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

REVIEWED BY EXECUTIVE OFFICE

DATE 5/12/09mmg

Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

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

Prev. Agn. Ref.

District: Fourth

Agenda Number:

15.1

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: Lower Berdoo Canyon District
Supervisorial District: Fourth
Project Planner: Tamara Harrison
Planning Commission: March 4, 2009

General Plan Amendment No. 935
Applicant: Jones Bros. Construction
Engineer/Representative: Fomotor Eng.

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 935 from Open Space: Rural to Community Development: Light Industrial and the Planning Commission made the comments below. The Planning Director continues to recommend the initiation of proceedings for the GPA. 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: No Comment

Commissioner John Snell: No Comment

Commissioner John Petty: No Comment

Commissioner Jim Porras: Commissioner Porras agreed with staff's recommendation to initiate GPA00935. He also made it clear to the applicant that the subject parcel is within the City of Indio's Sphere of Influence and therefore the applicant should consult the City regarding the proposal. The applicant spoke before the Planning Commission and indicated that he has already spoken with the City of Indio regarding his proposal and the City is in favor of the proposal.

Commissioner Jan Zuppardo: No Comment

Agenda Item No.: 6.1
Area Plan: Western Coachella Valley
Zoning District: Lower Berdoo Canyon Dist.
Supervisory District: Fourth
Project Planner: Tamara Harrison
Planning Commission: March 4, 2009
Continued from July 9, 2008

General Plan Amendment No. 935
Applicant: Jones Bros. Construction
Engineer/Representative: Fomotor Eng.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component and Land Use designations from "Open Space: Rural" (OS: RUR) (20 acre min.) to "Community Development: Light Industrial" (CD: LI) (0.20-0.60 FAR) for an approximately 10-acre site. The project is located northerly of 42nd Avenue, easterly of Dillon Road/ Tyler Street, westerly of Polk Street and Southerly of 40th Avenue.

FURTHER PLANNING CONSIDERATIONS:

February 3, 2009

The proposal was discussed at the July 9, 2008 Planning Commission meeting where a continuance was requested by the applicant. Subsequently, a meeting was held December 2, 2008 between the applicant and the Planning Department to discuss the proposal further.

The proposed site is located in the "Chuckwalla" community within the "Western Coachella Valley Area Plan." The parcels surrounding the subject site are also designated as Open Space: Rural. The site lies to the east and northeast of the City of Indio. The site lies outside of the conservation areas established by the Coachella Valley Multiple Species Habitat Plan and to the east of the "East Indio Hills Conservation Area" and to the west of the "Desert Tortoise and Linkage Conservation Area." Existing uses in the area, some permitted and others that permits haven't been identified for include surface mining, storage yards and batch plants which can be found to the north, east and west of the site. Surface Mining Permit No 200 (SMP00200) is a 29 acre surface mine that lies directly adjacent to the east of the subject site. SMP00200 Revision No. 1 (SMP00200R1) is currently under review with the Planning Department for the addition of 33 parcels and 168 acres to the existing operation. The proposal to Community Development: Light Industrial would be consistent with the existing character and intensity of uses in the area.

The subject site also falls within the City of Indio's Sphere of Influence, being identified as a logical expansion of the City's boundary. Although the parcel is within the City's sphere, the City of Indio's current General Plan does not cover the site under its land use designations as of yet.

The site currently lacks sewer.

RECOMMENDATIONS:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 935 from Open Space: Rural to Community Development: Light Industrial **would be appropriate**. The adoption of such an order does not imply that the proposed GPA will be approved.

Agenda Item No.: 6.3
Area Plan: Western Coachella Valley
Zoning District: Lower Berdoo Canyon Dist
Supervisorial District: Fourth
Project Planner: Mike Harrod
Planning Commission: July 9, 2008

General Plan Amendment No. 935
(Foundation – Regular)
E.A. Number: 41762
Applicant: Jones Bros. Construction
Engineer/Rep.: Fomotor Engineering

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan from “Open Space: Rural” (OS:RUR) to “Community Development: Light Industrial” (CD:LI) for an approximately 10-acre property. The project is located northerly of 42nd Avenue, easterly of Dillon Road / Tyler Street, westerly of Polk Street, and southerly of 40th Avenue.

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. 935 is considered a Regular GPA as described in Section 2.5 of that ordinance.

Proposed GPA No. 935 is not associated with any other cases.

The comment should be not to initiate this general plan amendment. There is surface mining in the area. This is allowed in both Open-Space Mineral Resources and Rural Residential with a Surface Mining Permit. Coachella Valley Aggregates has two surface mining operations in the area. The first, Surface Mining Permit No. 200 (they are now seeking an expansion SMP00200R1), is located just over 1000 feet to the northwest of GPA No. 935 and is designated Open Space Mineral Resource. Their second operation, Surface Mining Permit No. 193 (this permit was recently expanded by SMP00193R1) is located approximately one mile to the east at the northwest corner of Fillmore Street and 42nd Avenue and is also designated Open-Space Mineral Resources. Although these mining operations could be considered industrial in nature, when the mining is complete, the site will be reclaimed to habitat similar to the surrounding area. This is not the case with Light Industrial.

The only Light Industrial designation in the area is 1.5 miles to the northwest. This light industrial use is a citrus packing facility associated with groves surrounding the packing plant. These groves are designated Open Space Conservation. If the groves and the area where the packing plant is located were designated and zoned for agriculture, which is the land use on the site, the packing plant would not have need a designation of Light Industrial, because this type of use is allowed in conjunction with agricultural zoning and land use designation. This is more an agricultural use than a light industrial one.

The East Indio Hills Conservation area is approximately 1/2 mile to the west along 42nd Avenue and the Desert Tortoise and Linkage Conservation Area is 1.4 miles to the east. Again, the existing designation is more in keeping with surrounding designations and land uses than Light Industrial.

The proposed General Plan Amendment may result in the development of incompatible uses within an area characterized by open space land uses.

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

SUMMARY OF FINDINGS:

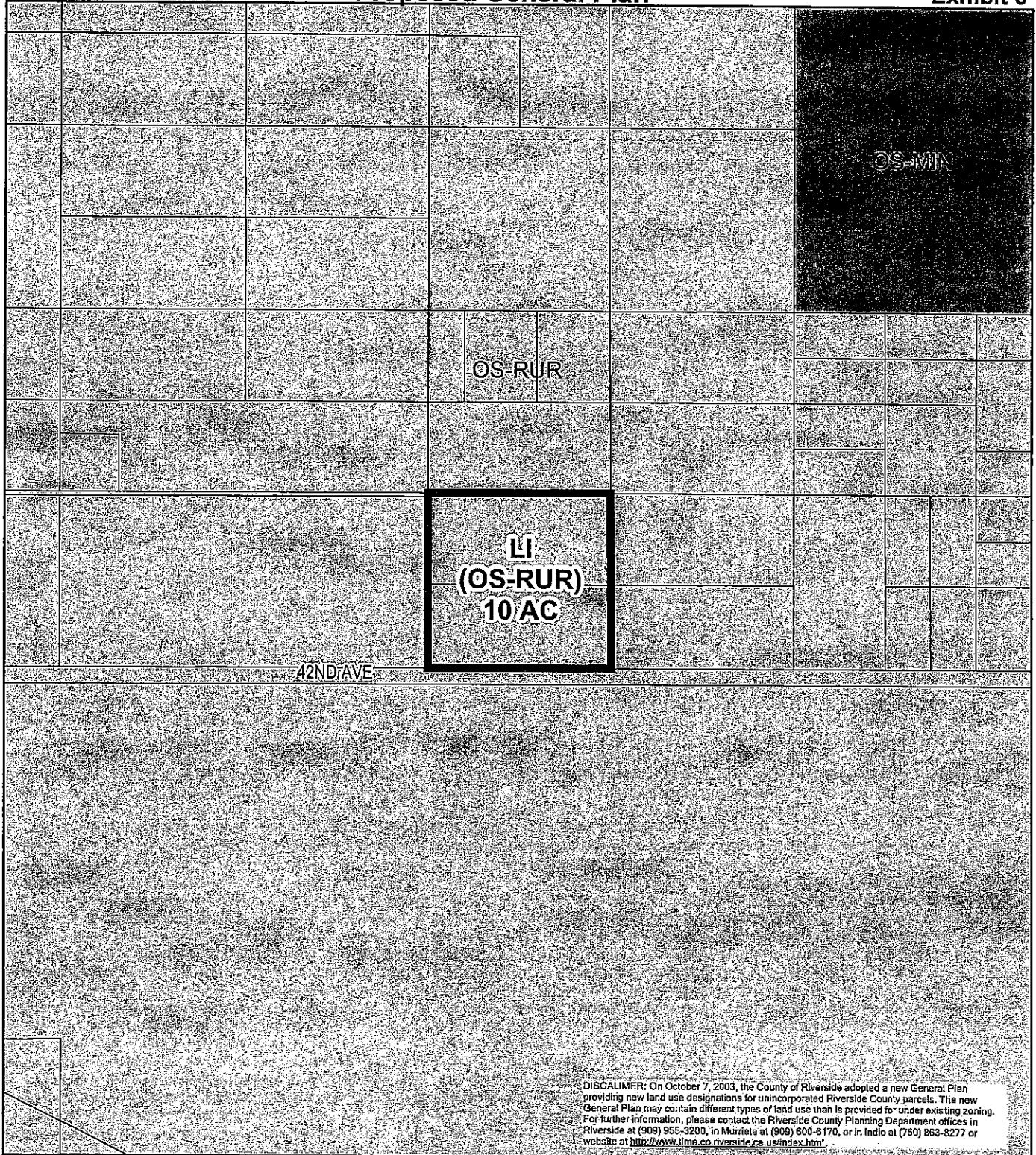
- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Vacant to the north, east, south, and west. |
| 3. Existing Zoning (Ex. #3): | W-1 |
| 4. Surrounding Zoning (Ex. #3): | W-1 to the north, east, south, and west. Properties south of 42 nd Street are designed W-2-10. |
| 5. Riverside County General Plan | Land Use: Open Space:Rural (OS-RUR) (20 Ac. Min.) |
| 6. Project Data: | Total Acreage: 10 |
| 7. Environmental Concerns: | N/A |

RECOMMENDATIONS:

Comment that adoption of an order initiating proceedings for General Plan Amendment No. 935 would not be appropriate.

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(n):
 - a. Conservation area
 - b. Sand source or FTL preserve
 - c. Redevelopment area
3. The project site is located within:
 - a. ½ mile of Alquist-Priolo Fault, Riverside County Fault, Berdoo Canyon Fault, Indio Hills Fault, and San Andreas Fault
 - b. An area that sustains moderate liquefaction potential and an active subsidence level
 - c. Desert Sand Unified School District
4. The project site is currently designated as Assessor's Parcel Number 601-220-007, 601-220-008



DISCALIMER: 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) 853-8277 or website at <http://www.tlma.co.riverside.ca.us/index.html>.

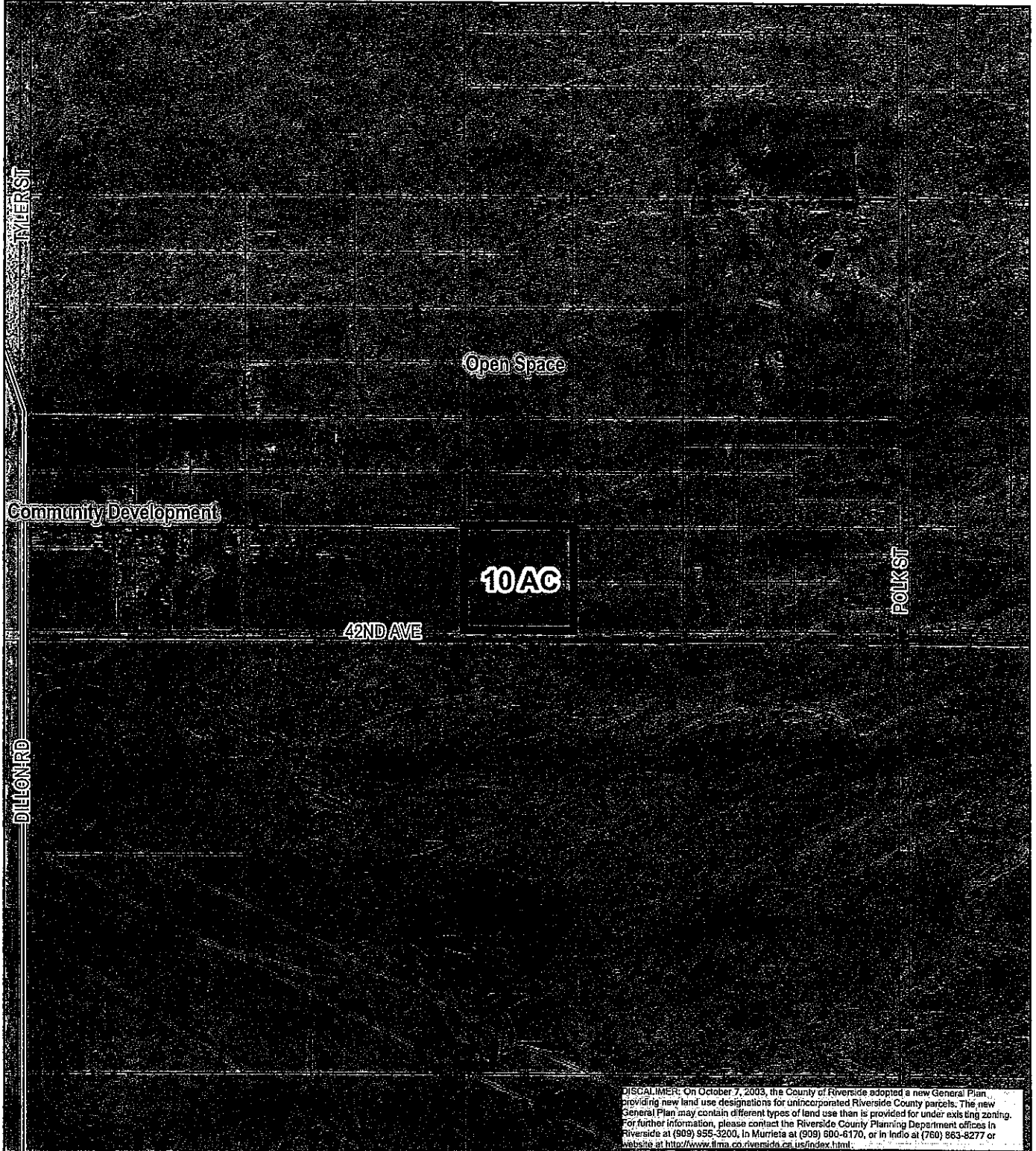
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Lower Berdoo Canyon
Township/Range: T5SR8E
Section: 9



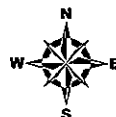
Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 E4





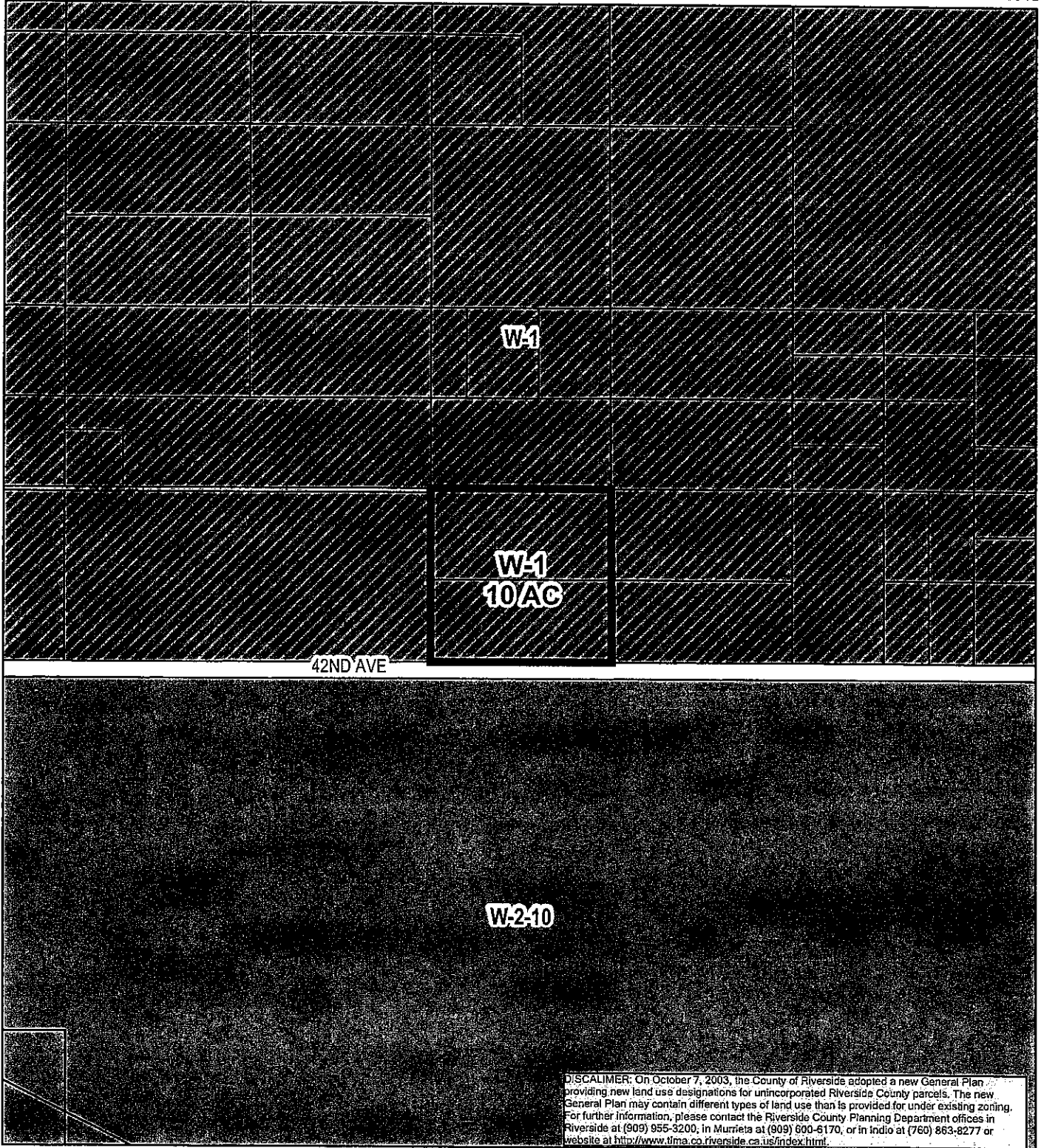
RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Lower Berdoo Canyon
Township/Range: T5SR8E
Section: 9



Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 E4

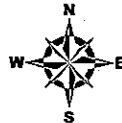




Zone
District: Lower Berdoo Canyon
Township/Range: T5SR8E
Section: 9

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 E4

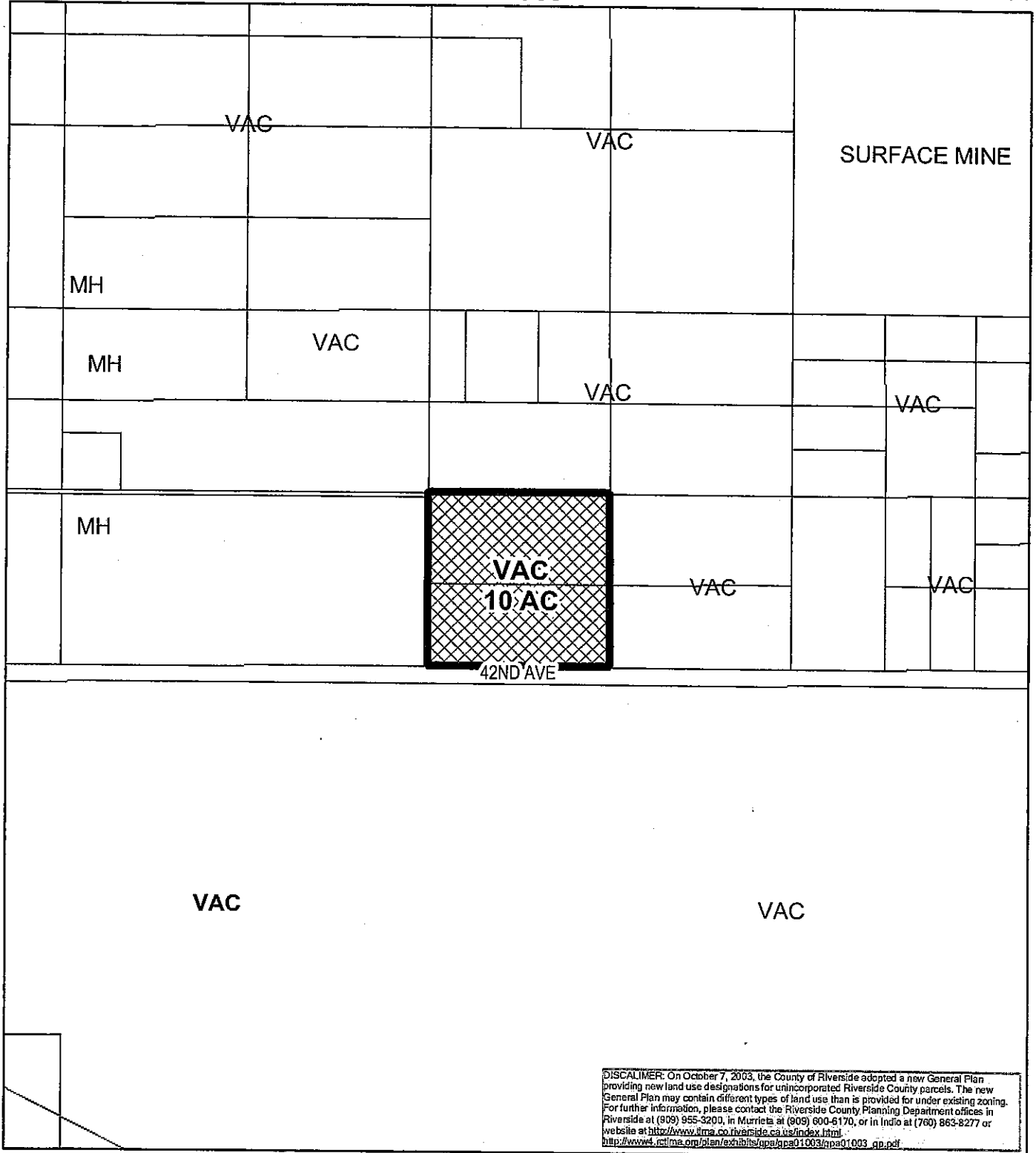


Supervisor Wilson
District 4
Date Drawn: 4/17/08

GPA00935

Land Use

Planner: Amy Aldana
Date: 3/17/08
Exhibit 1



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Lower Berdoo Canyon
Township/Range: T5SR8E
Section: 9



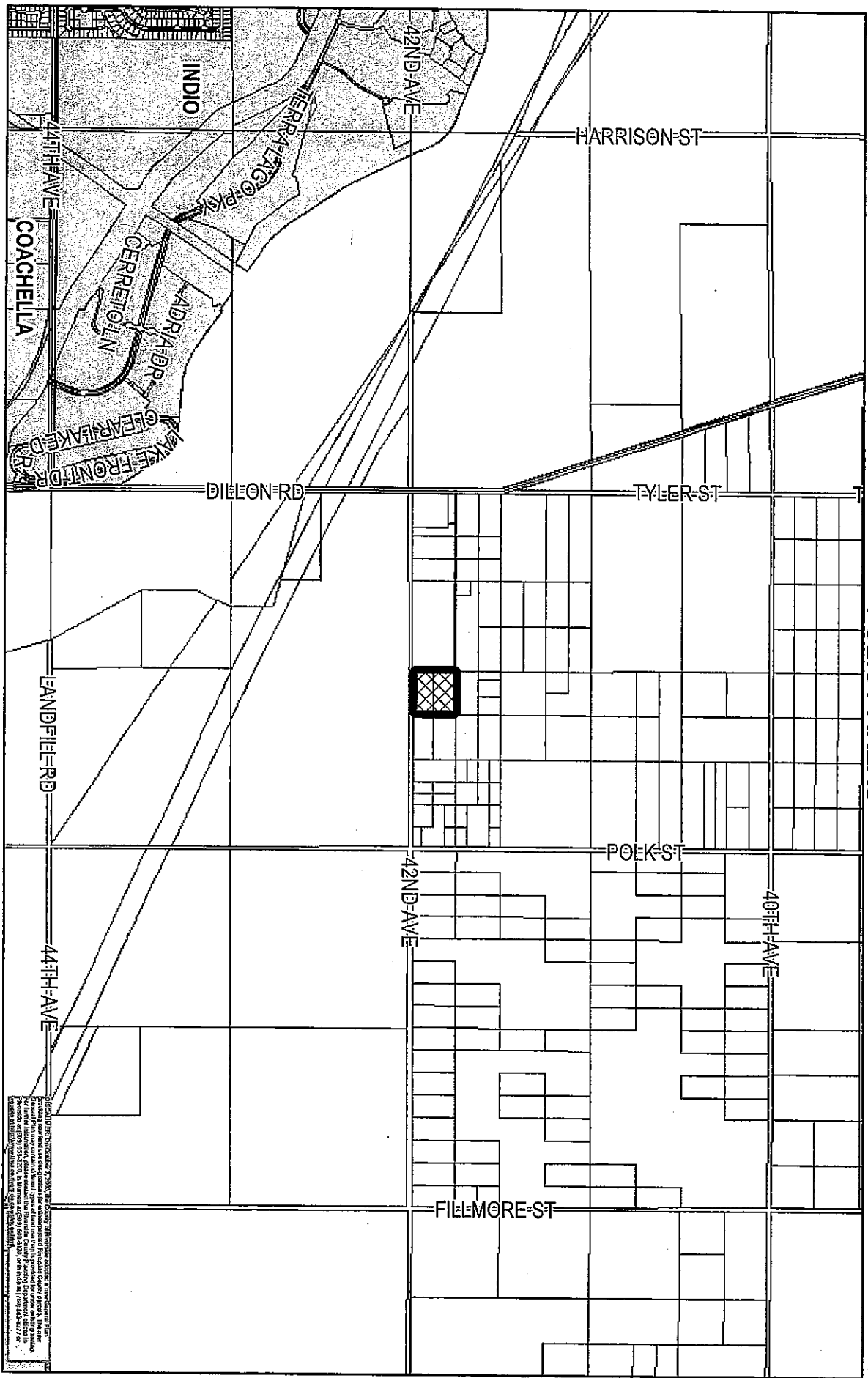
Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 E4



Supervisor Wilson
District 4
Date Drawn: 4/17/08

GPA00935 POLICY AREAS

Planner: Amy Aldana
Date: 3/17/08
Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Lower Berdoo Canyon
Township/Range: T5SR8E
Section: 9



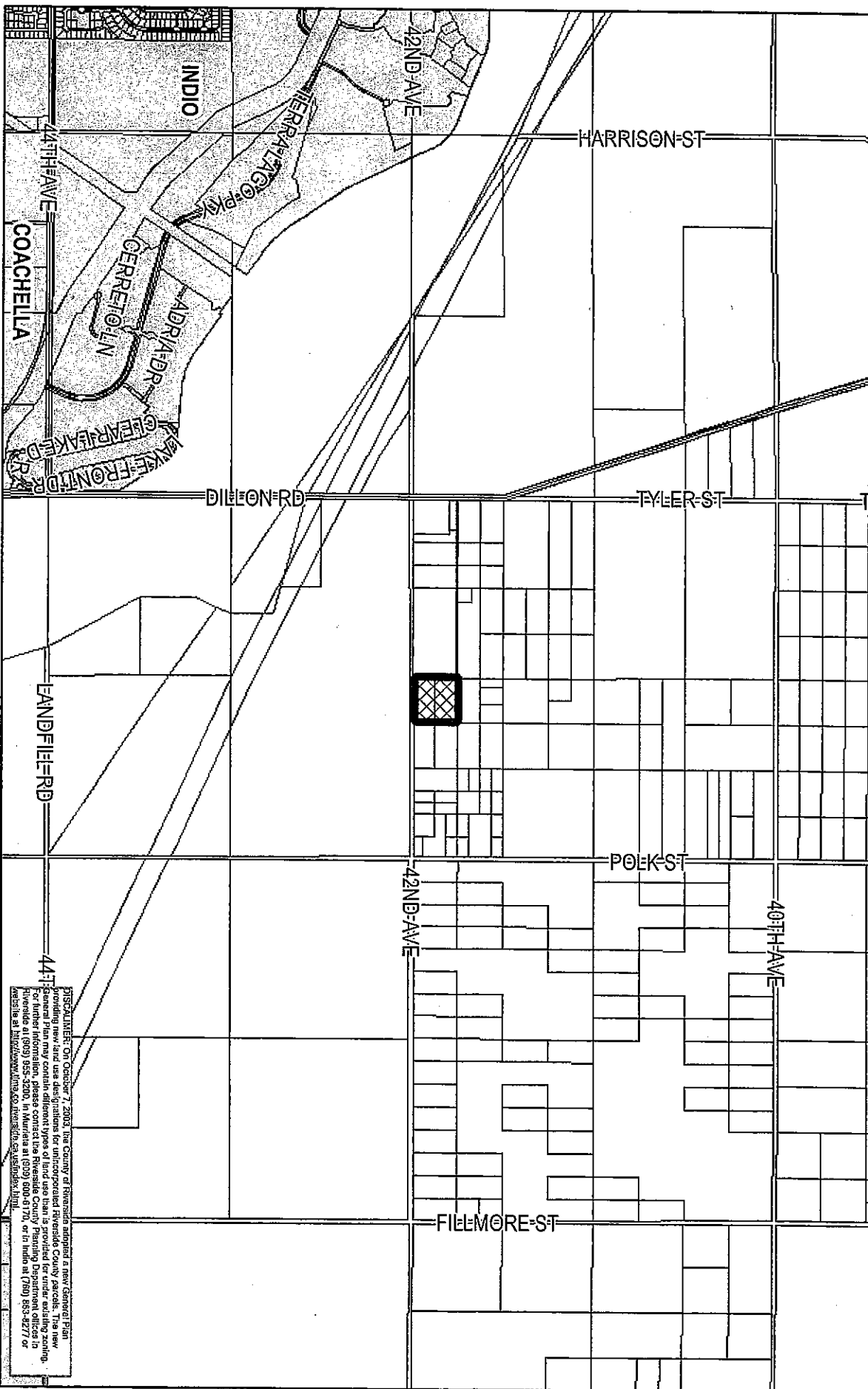
Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 E4

THIS MAP OR INFORMATION THEREON IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION. THE RIVERSIDE COUNTY PLANNING DEPARTMENT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION. THE RIVERSIDE COUNTY PLANNING DEPARTMENT SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP OR INFORMATION THEREON.

Supervisor Wilson
District 4
Date Drawn: 4/17/08

GPA00935 VICINITY MAP

Planner: Amy Aldana
Date: 3/17/08
VICINITY MAP



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Lower Berdoo Canyon
Township/Range: T55SR8E
Section: 9

Assessors
Bk. Pg. 601-22
Thomas
Bros. Pg. 5411 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. This 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 Murietta at (909) 600-6170, or in Indio at (760) 853-8277 or e-mail at info@www.planning.ca.gov.

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

JUSTIFICATION FOR AMENDMENT (Please be specific. Attach more pages if needed.)

Amend Western Coachella Valley Area Plan from OS-RUR (Open space Rural) to (CD-LI) Community Development Light Industrial on 10.08 Gross (9.58 Net) Acres. Proposed use is for construction business purposes, including equipment storage and maintenance, fabrication of construction materials, office uses; also possible future light industrial facilities and/or warehousing. Proposed uses are permitted under CD-LI designation without requiring additional approvals. Proposed uses are in keeping with the surrounding community which include gravel pits and light industrial/commercial uses. Total Number of parcels affected is 2.

III. AMENDMENTS TO POLICIES:

(Note: A conference with Planning Department staff is required before application can be filed. Additional information may be required.)

A. LOCATION IN TEXT OF THE GENERAL PLAN WHERE AMENDMENT WOULD OCCUR:

Element: _____ Area Plan: _____

B. EXISTING POLICY (If none, write "none." (Attach more pages if needed): _____

C. PROPOSED POLICY (Attach more pages if needed): _____

From: Mike Harrod
To: Southard, Tacy
Date: 7/8/2008 4:24:41 PM
Subject: Re: General Plan Amendment No. 935

Hi Tacy:

I will pass on the developer's request, however, staff will not be recommending that the Planning Commission continue this item. I suggest that you or the developer appear to make this request in person so that the Planning Commission may discuss the developer's concerns. Despite this request, please be advised that the Planning Commission may decide not to continue this item and may act upon it. If you have any additional questions, please let me know.

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Tacy Southard" <tacy@fomotor.com> 7/8/2008 3:27 PM >>>

Good afternoon, Mike: The developer for the above referenced project has asked me to direct you to request the Planning Commission to continue the project to a future meeting. Please contact me if you have any questions. Best regards, Tacy Southard
Fomotor Engineering 225 S. Civic Drive, Suite 1-5 Palm Springs, CA 92262 Ph: (760) 323-1842 Fax: (760) 323-1742

From: Mike Harrod
To: Wilkinson, Robert
Date: 7/8/2008 4:40:33 PM
Subject: RE: General Plan Amendment No. 935

Dear Mr. Wilkinson:

I cannot simply have it pulled from the agenda, that decision rests with the Planning Commission and not Planning staff. I will convey your request, but the Planning Commission may choose not to continue this item.

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Robert Wilkinson " <Robertww55@aol.com> 7/8/2008 4:29 PM >>>

Then have it pulled from the Agenda. Robert From: Tacy Southard [<mailto:tacy@fomotor.com>]
Sent: Tuesday, July 08, 2008 4:27 PM
To: 'Mike Harrod'
Cc: 'Robert Wilkinson '
Subject: RE: General Plan Amendment No. 935

Thanks for the response, Mike. I am forwarding your comments to the developer. Best regards, Tacy Southard
Fomotor Engineering 225 S. Civic Drive, Suite 1-5 Palm Springs, CA 92262 Ph: (760) 323-1842 Fax: (760) 323-1742

From: Mike Harrod [<mailto:mharrod@rctlma.org>]
Sent: Tuesday, July 08, 2008 4:25 PM
To: Southard, Tacy
Subject: Re: General Plan Amendment No. 935
Hi Tacy:

I will pass on the developer's request, however, staff will not be recommending that the Planning Commission continue this item. I suggest that you or the developer appear to make this request in person so that the Planning Commission may discuss the developer's concerns. Despite this request, please be advised that the Planning Commission may decide not to continue this item and may act upon it. If you have any additional questions, please let me know.

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Tacy Southard" <tacy@fomotor.com> 7/8/2008 3:27 PM >>>

Good afternoon, Mike: The developer for the above referenced project has asked me to direct you to request the Planning Commission to continue the project to a future meeting. Please contact me if you have any questions. Best regards, Tacy Southard
Fomotor Engineering 225 S. Civic Drive, Suite 1-5 Palm Springs, CA 92262 Ph: (760) 323-1842 Fax: (760) 323-1742

From: Mike Harrod
To: Wilkinson, Robert
Date: 7/9/2008 7:28:58 AM
Subject: Re: FW: Fargo Canyon Property

Dear Mr. Wilkinson:

This is not a public hearing and so the City of Indio was not notified. The agenda has been posted as required by law. If your general plan amendment is allowed to move forward by the Board of Supervisors, it will go through the public hearing process and the City of Indio will be notified of any hearings.

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Robert Wilkinson " <Robertww55@aol.com> 7/9/2008 6:53 AM >>>

This zone change is something I have discussed with the City of Indio since it is in there Sphere and base on preliminary comments they think our request for a change in the zoning could be compatible with the City's future zoning plans for that area, see email. I would have thought that the County would have noticed the City of Indio for comment on any public hearing issues inside the City's Sphere of Influence. Base on this email from Indio they have not be notified regarding any changes. Sean's desk at the City of Indio is were any notices of this type would go for comments. Robert From: Sean Moore
[\[mailto:smoore@indio.org\]](mailto:smoore@indio.org)

Sent: Wednesday, July 09, 2008 6:13 AM
To: robertww55@aol.com
Cc: Steve Walker; Joe Lim
Subject: RE: Fargo Canyon Property

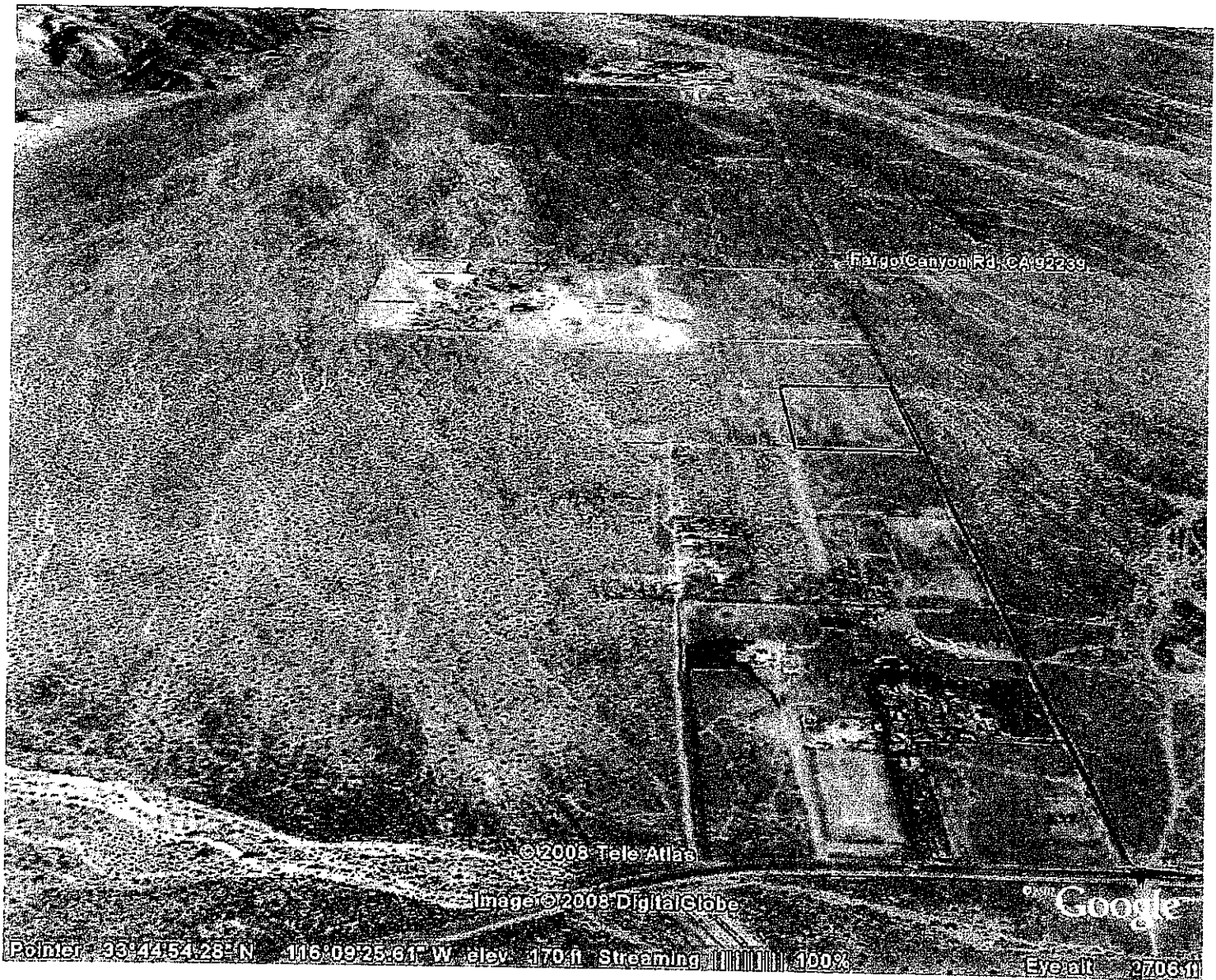
Robert, When the County sends over the project for "Request for Comments" I will have more definitive comments; however, I remember the project being very small around 7 to 10 acres in size with some outdoor storage. The surrounding land uses in the area include mining operations with are very intensive land uses. The project which we have discussed was far less intensive which "could be" compatible with the City's proposed zoning out on Dillon Road. However, until the County of Riverside sends over the project for "Request for Comments" with a full project description, I cannot provide a clear answer.
Thanks, Sean

From: robertww55@aol.com [<mailto:robertww55@aol.com>]
Sent: Monday, July 07, 2008 4:26 PM
To: Sean Moore
Subject: Fargo Canyon Property
Re: APNs 601-220-007 and 601-220-008
located north of 42nd east of Dillion rd
10 acres Jones Bros Construction

Can you give me an opinion for the County Planning Commission meeting, stating that the proposed use for the Jones Bros.10 acres on Fargo Canyon is compatible with the City of Indio's future Zoning in that area. Please let me know.

Thanks
Robert
760-861-6666

The Famous, the infamous, the lame - in your browser. Get the TMZ Toolbar Now!



Jones Bros Construction

Application for GPA00935, CFG 0511, EA41762

APN: 601-220-007 & 601-220-008

SUNTECH Companies, Consulting

760-861-6666

Please see the information gathered in this note book as an effort to clear up the facts regarding the General Plan Amendment #935-Applicant, Jones Bros. Construction.

Section 1: Planning Commission Agenda July 9th 2008, Item 6.3.

Section 2: Copy of the original application showing fees paid and the current land use designation.

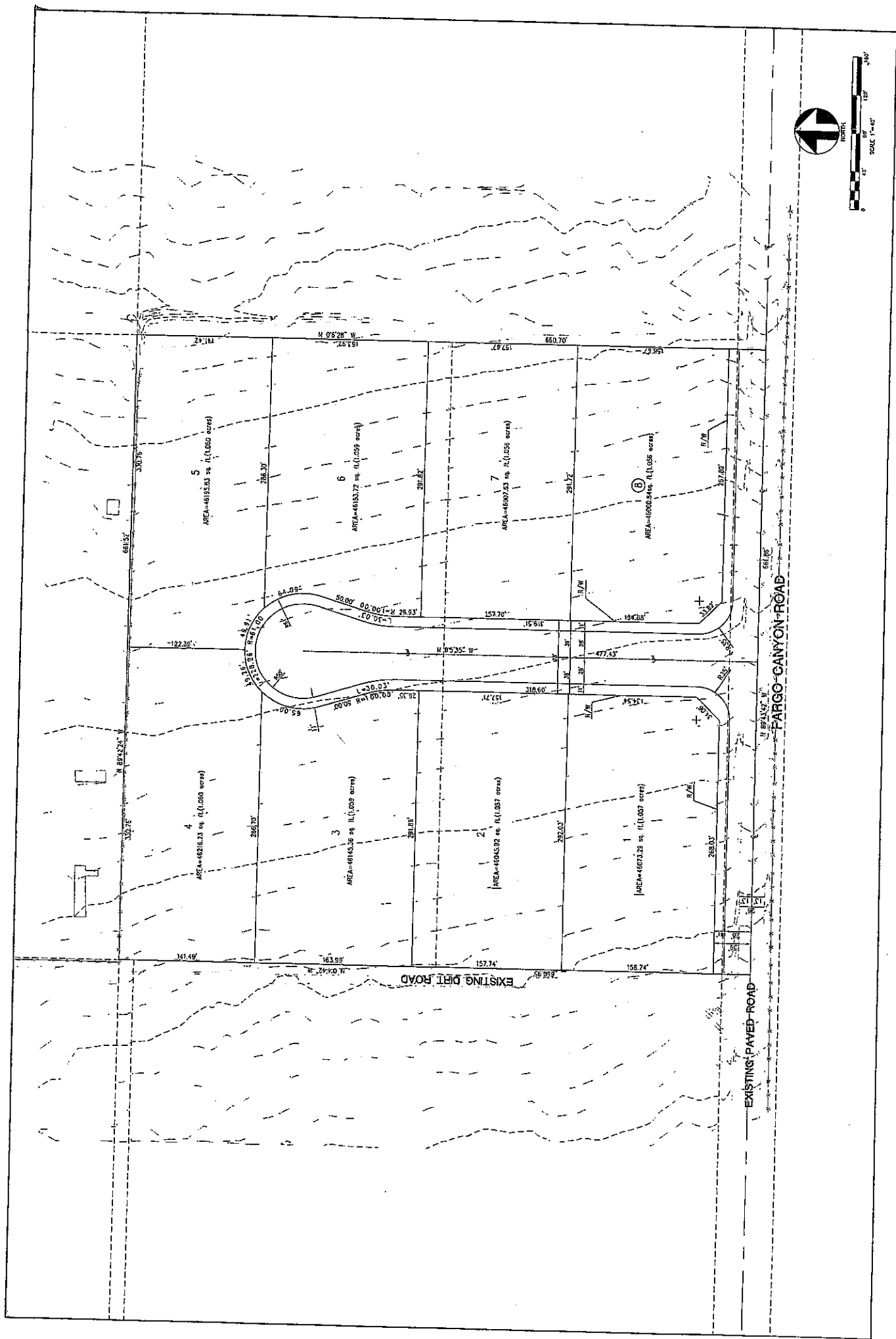
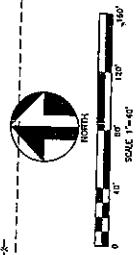
Section 3: Aerial of the Jones Bros. property and surrounding area, plus individual photos of the current use starting to the west of the property and moving uphill to the east.

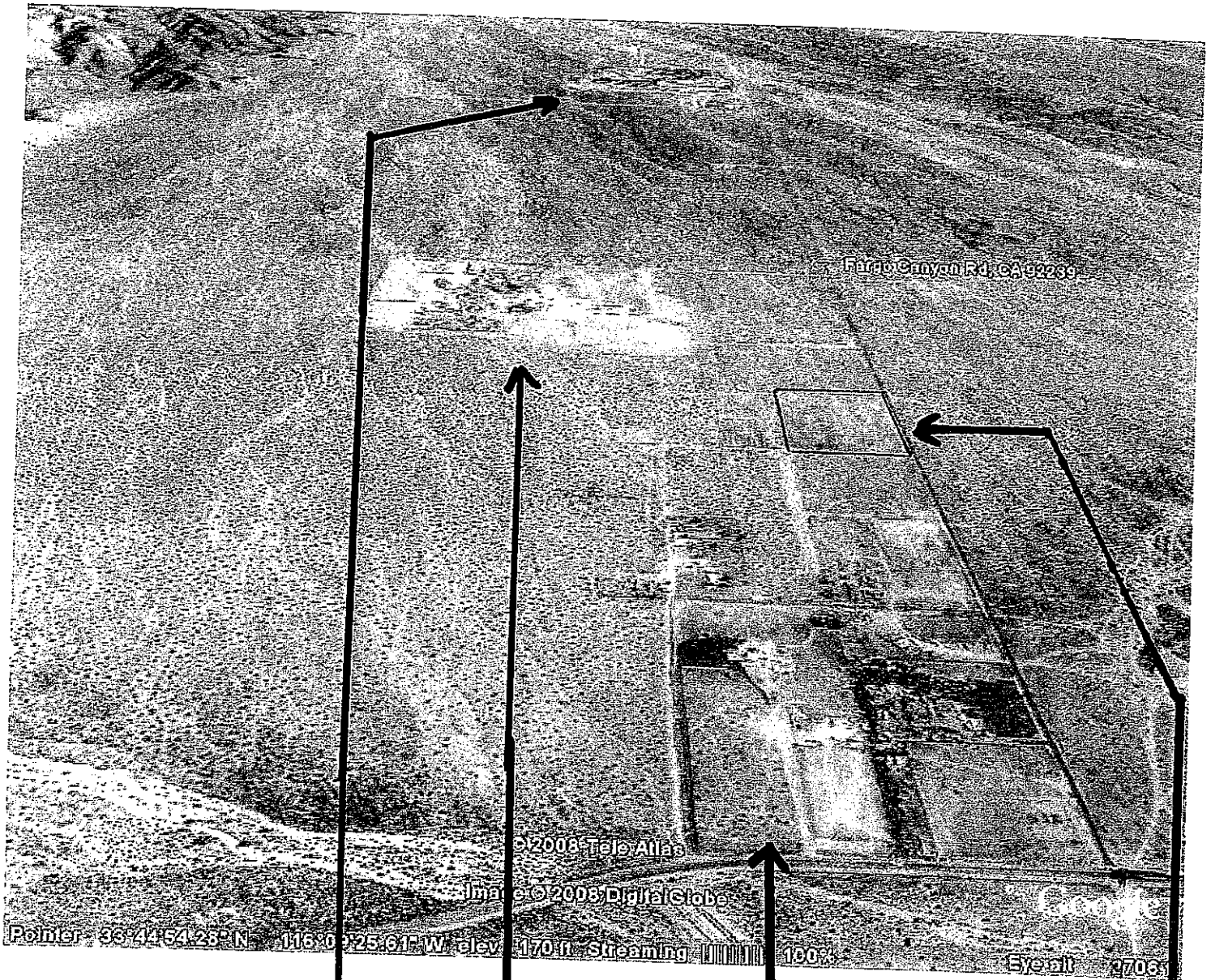
Section 4: Sphere of influence (SOI) amendment map and LAFCO approval date 9/27/2007, plus County Geographic Info System (GIS) showing previous SOI, areas do not match because dates do not match.

Section 5: Email correspondence showing Both Mike Harrod of Riverside County and Sean Moore of the City of Indio requesting SOI clarification about the same APNs and getting different answers from the same source during the same period of time, 16th and 17th.

**Respectfully requesting a new review of General Plan Amendment #935 to Light Industrial (LI) APN 601-220-007, 601-220-008. Mike Harrod , Phone 951-955-1881 or email; mharrod@rctlma.org

Please contact: SunTech Consulting; Robert Wilkinson at 760-861-6666 or email: robertww55@aol.com



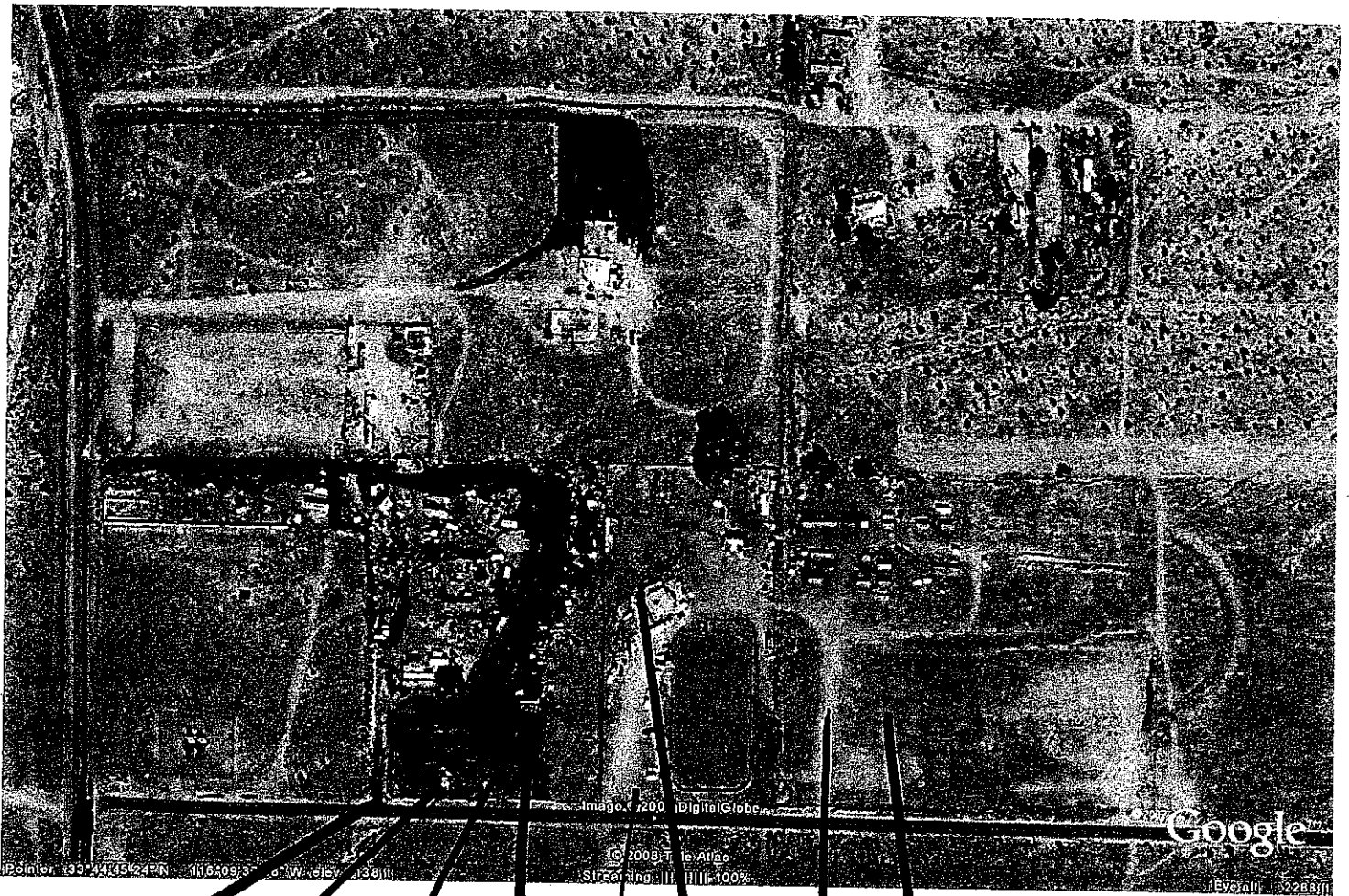


AREA 1

AREA 2

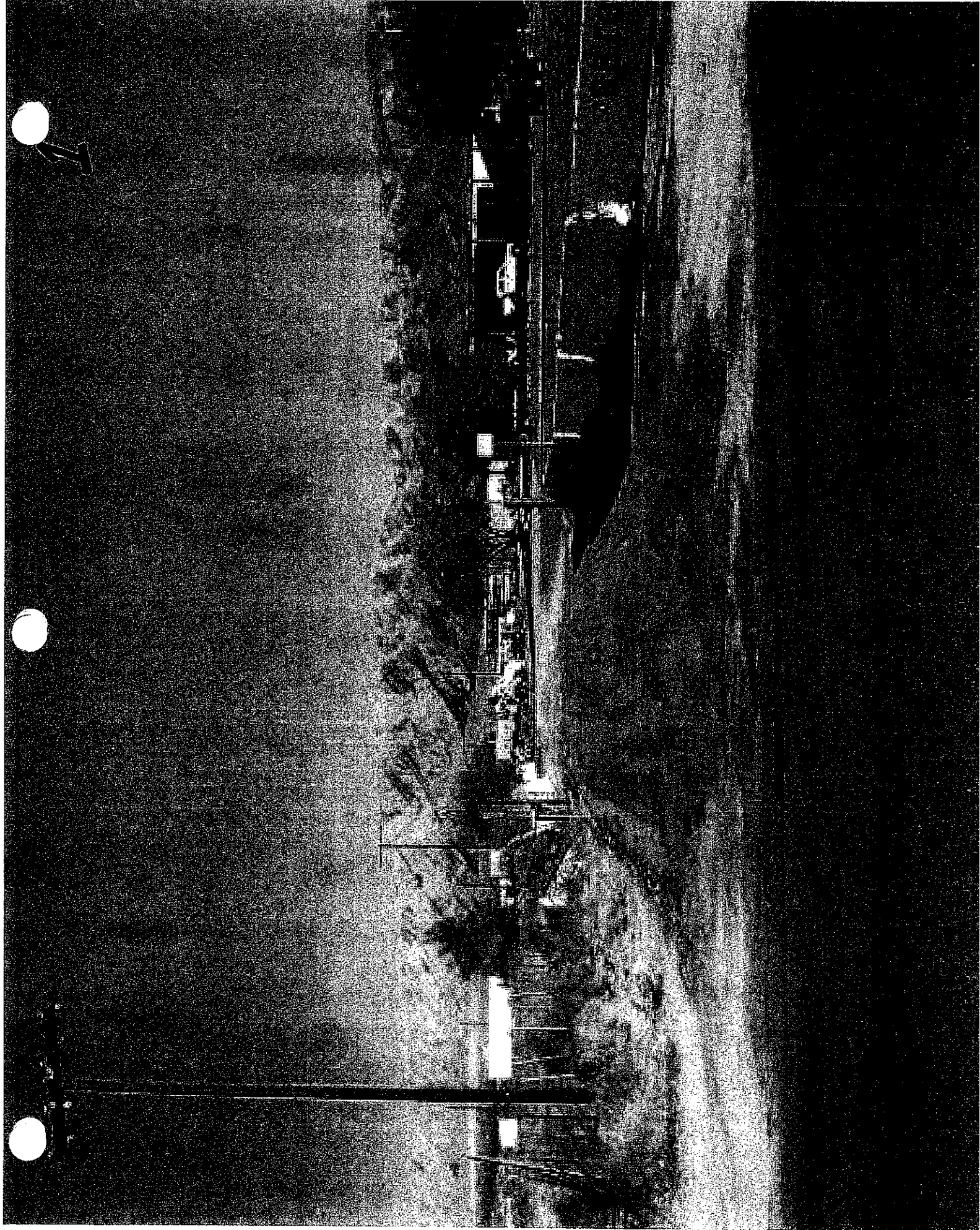
AREA 3

APPLICANT PARCEL

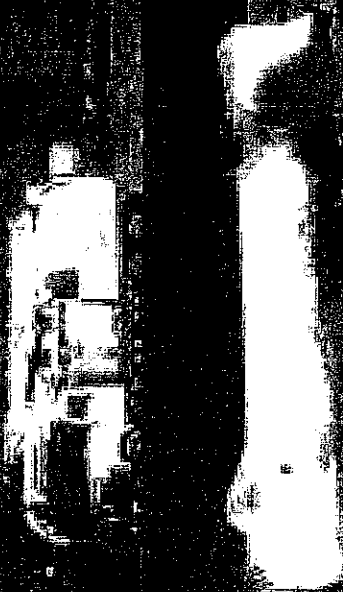


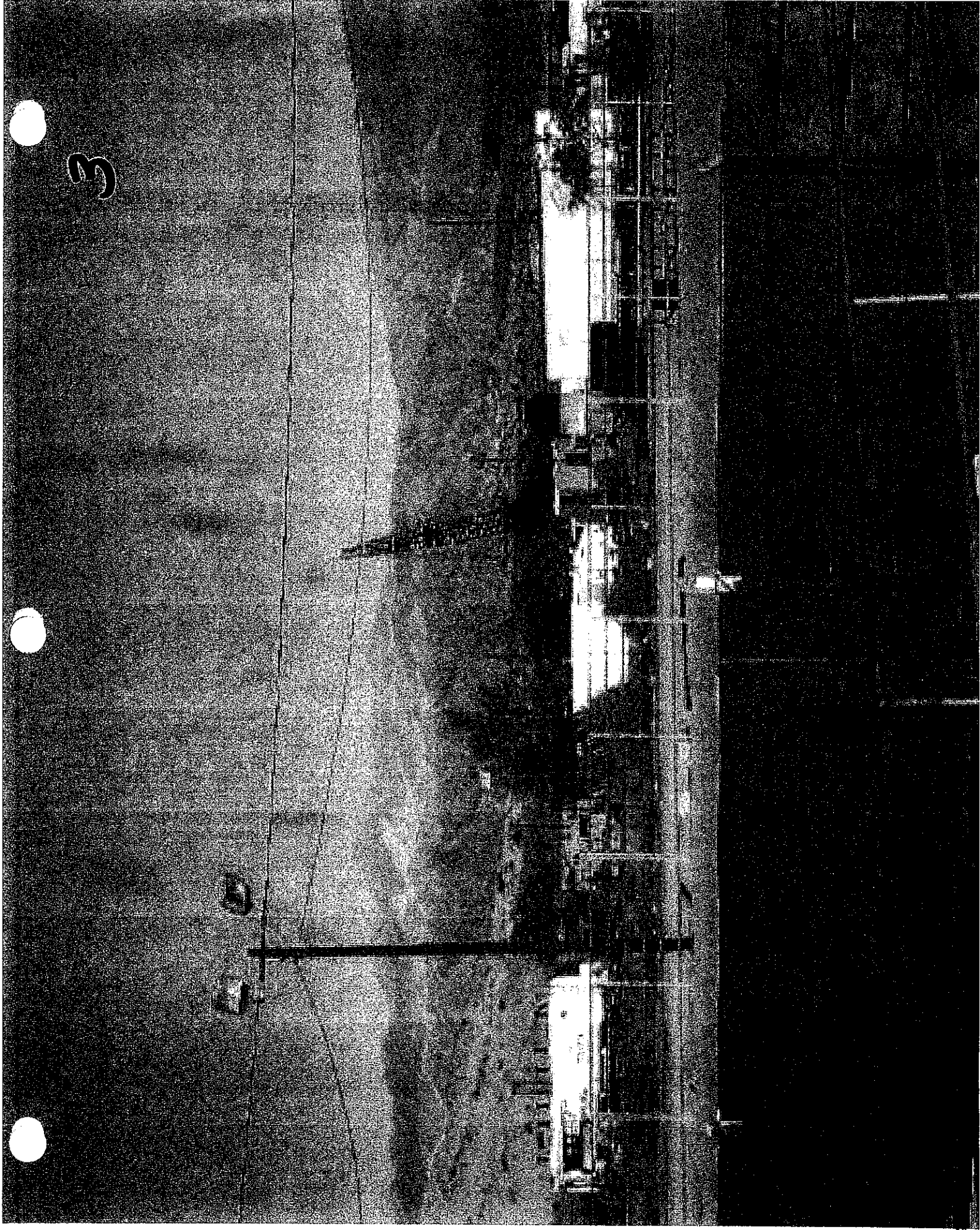
1 2 3 4 5 6 7 8

AREA 1



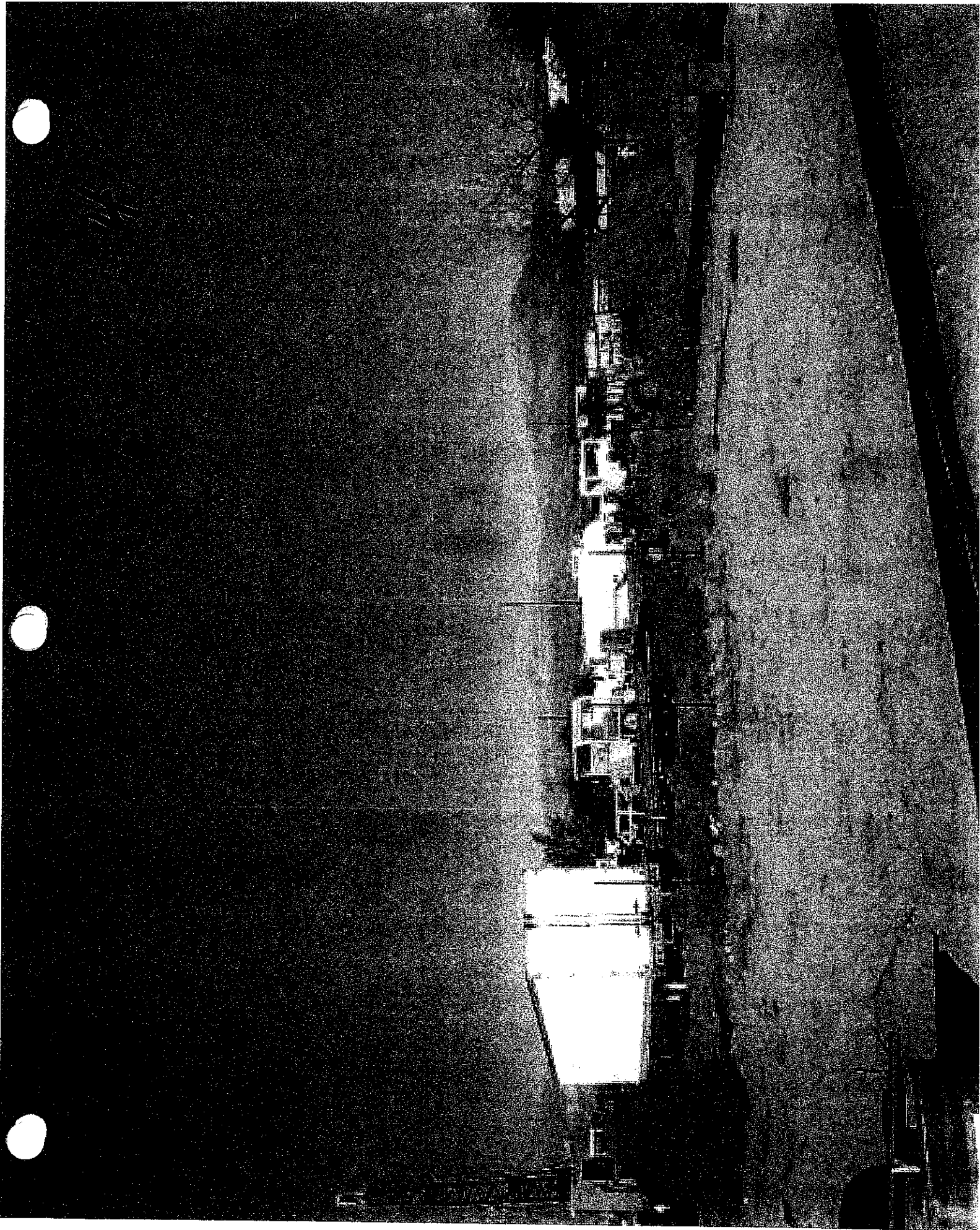
2

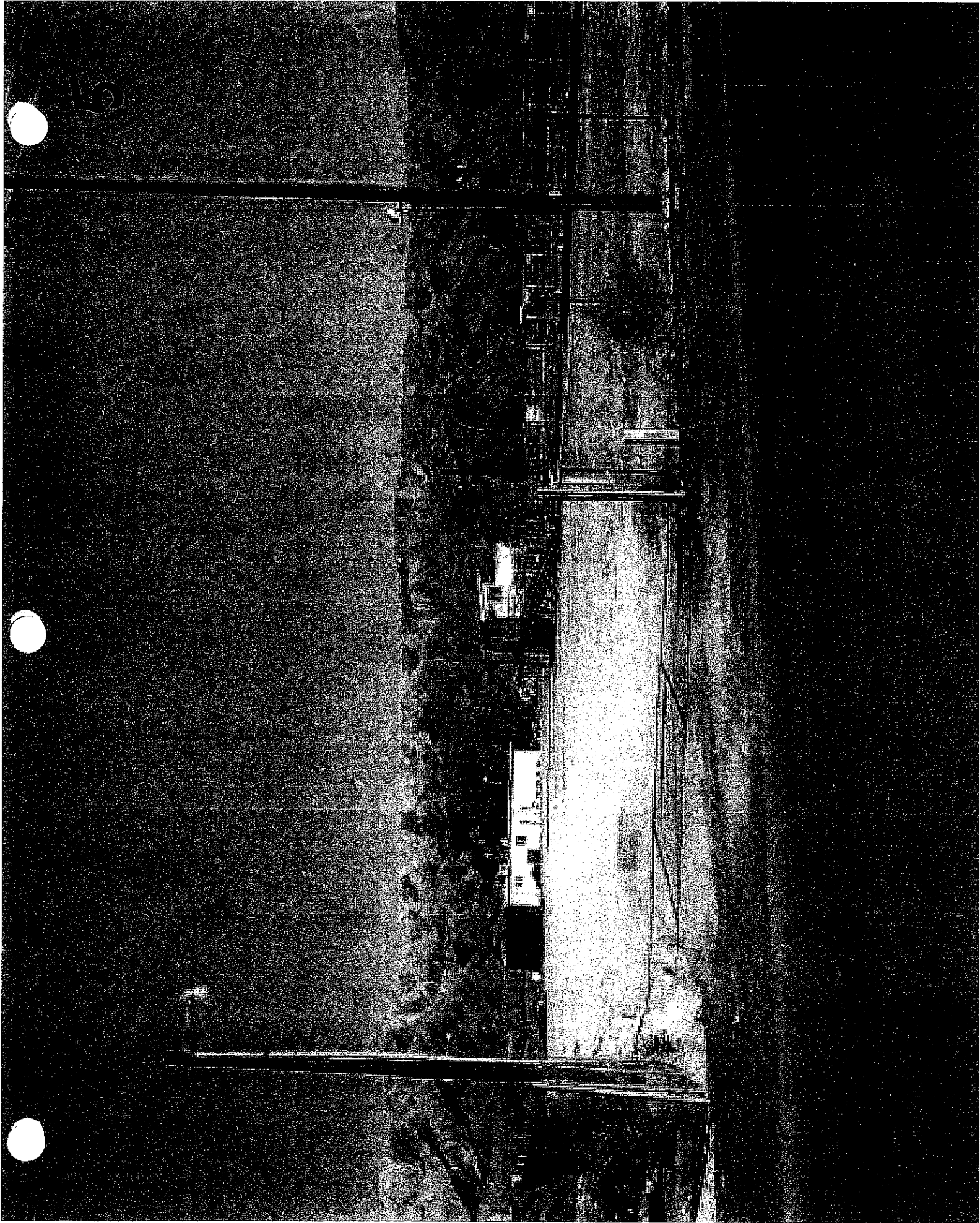


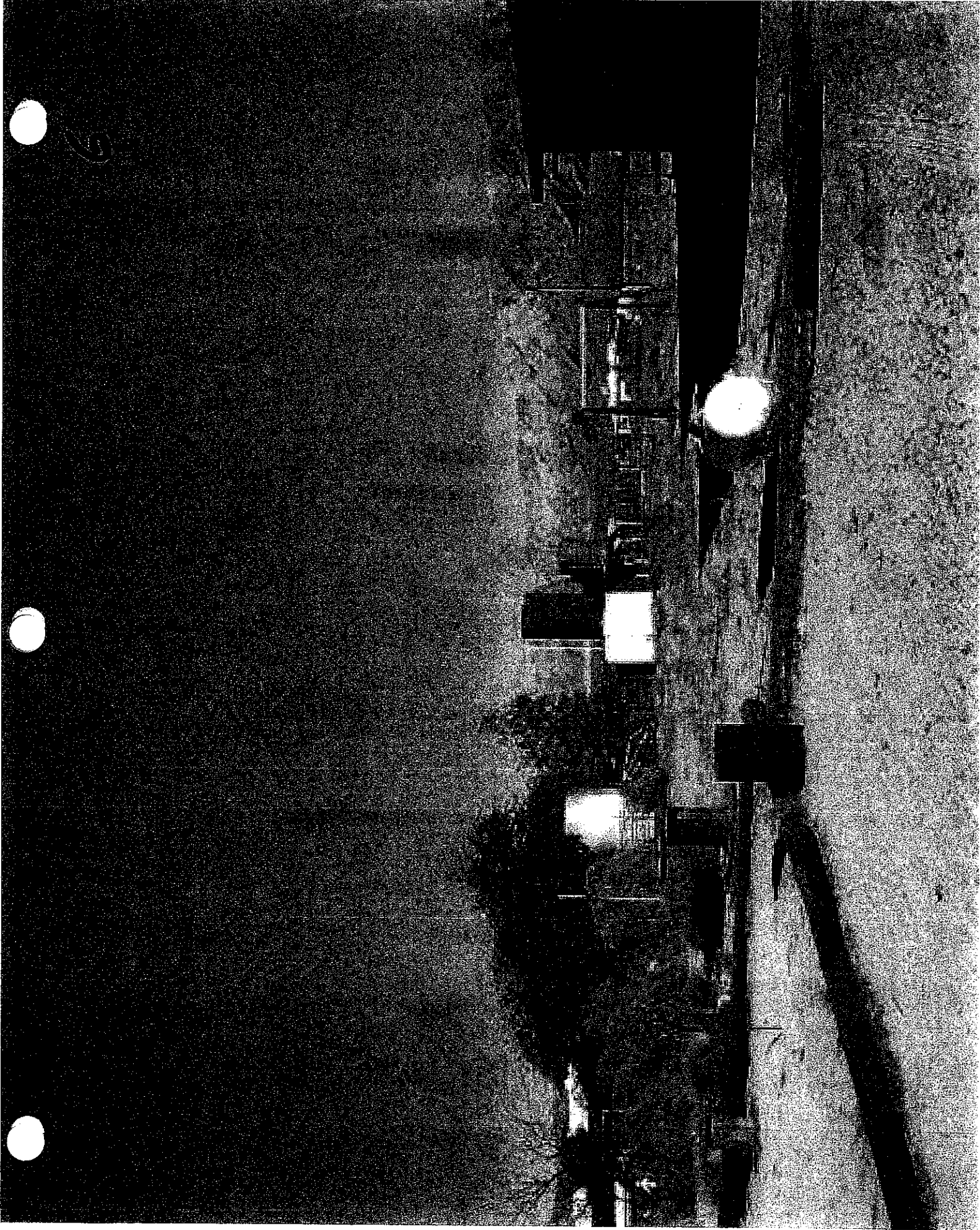


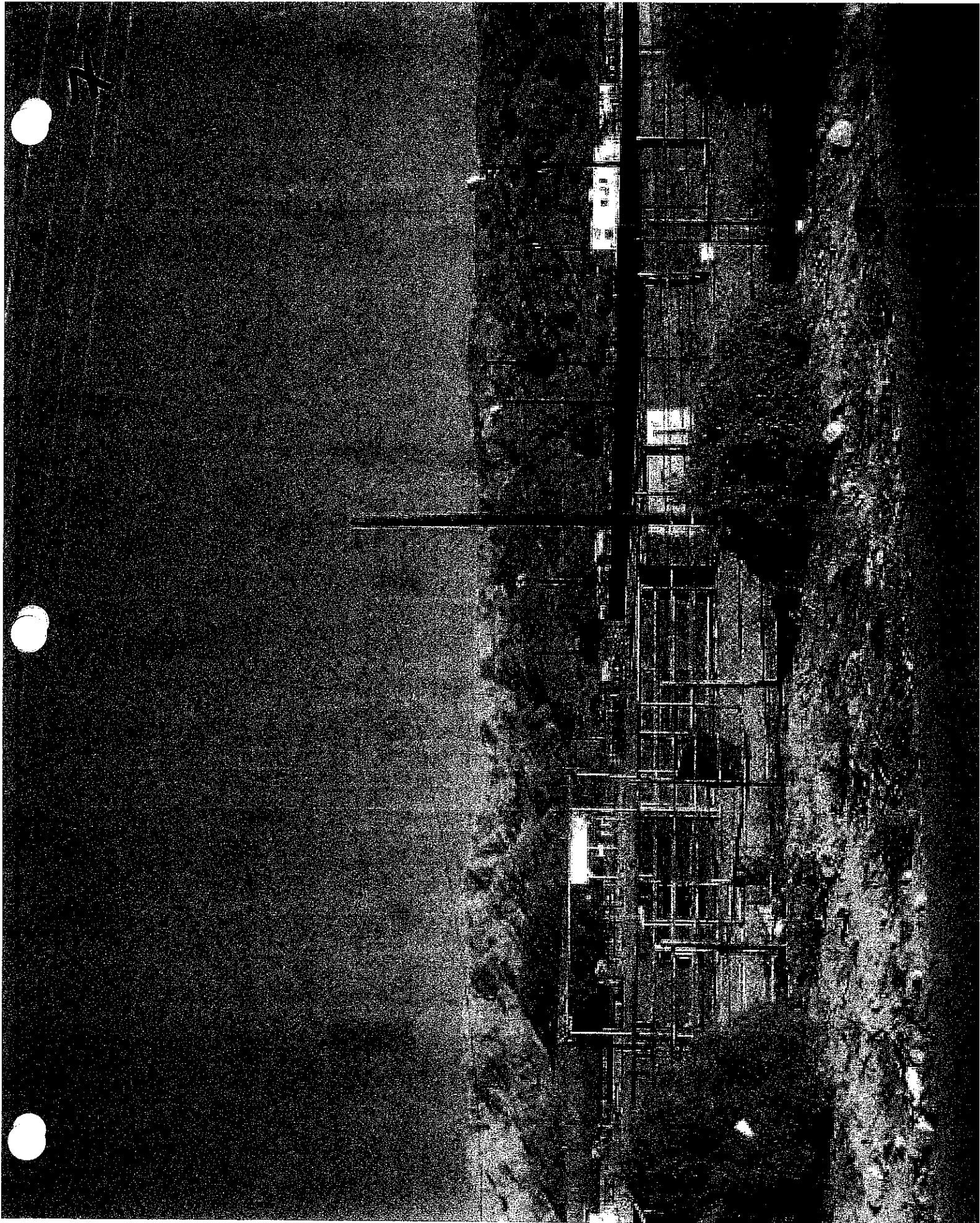
3



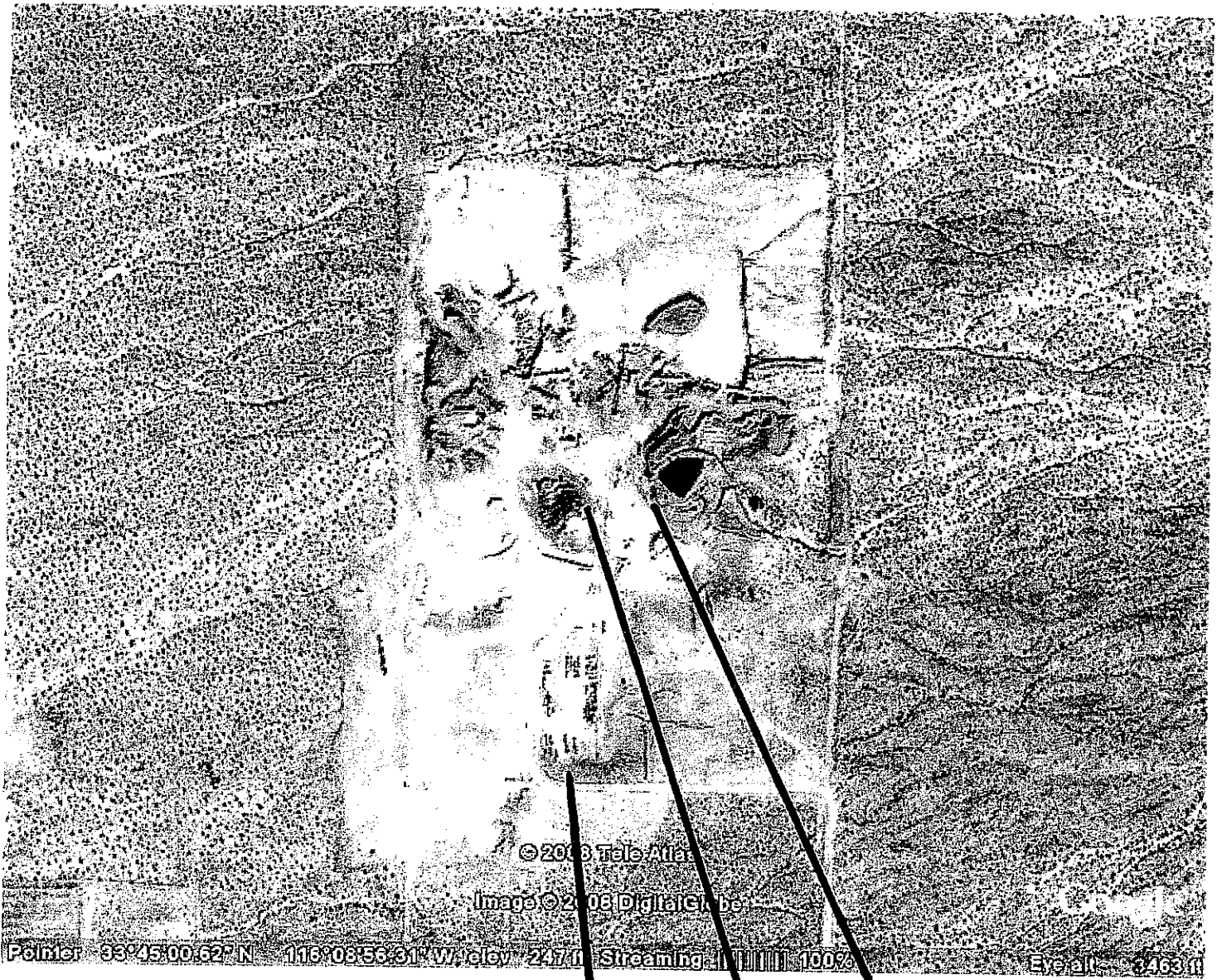










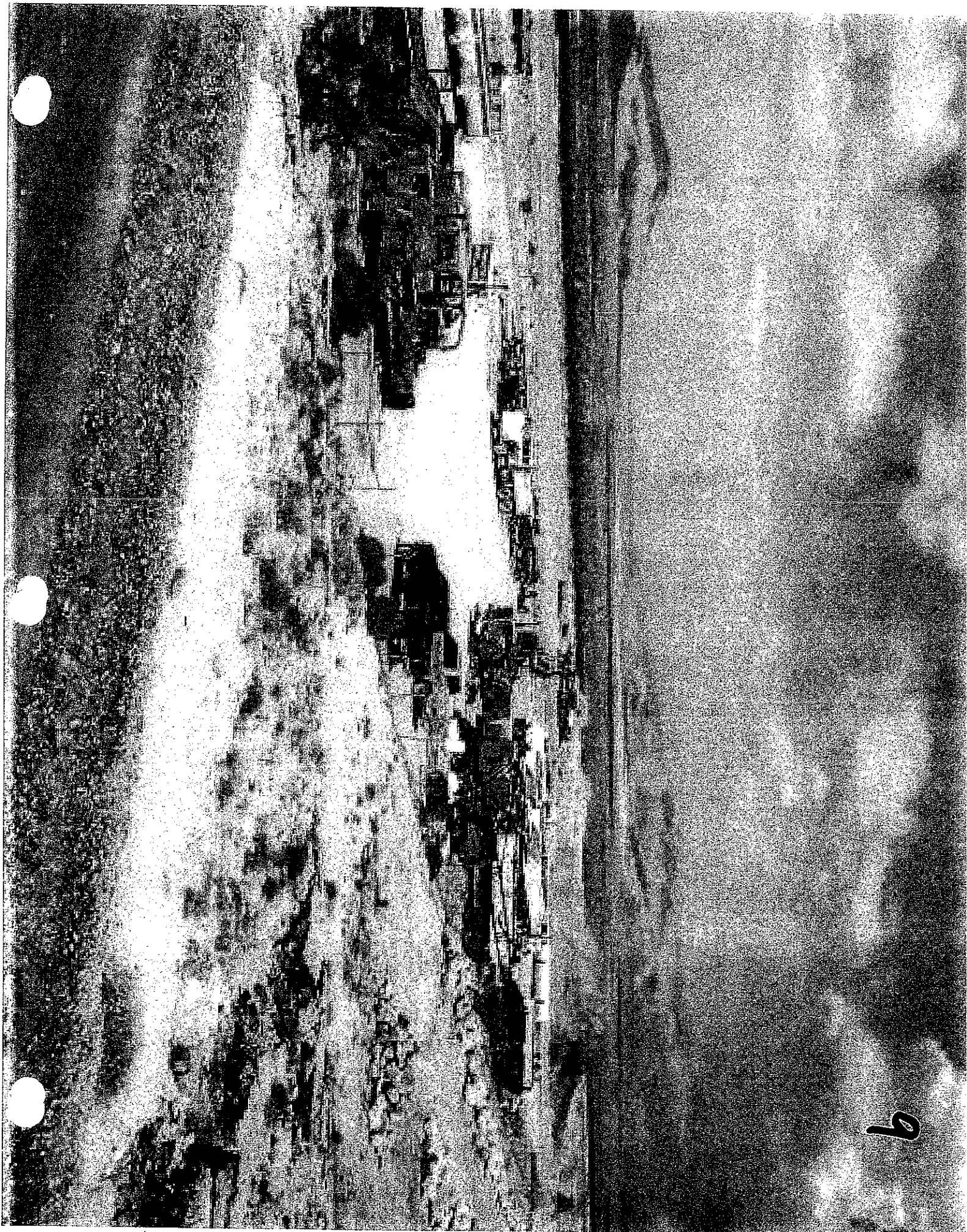


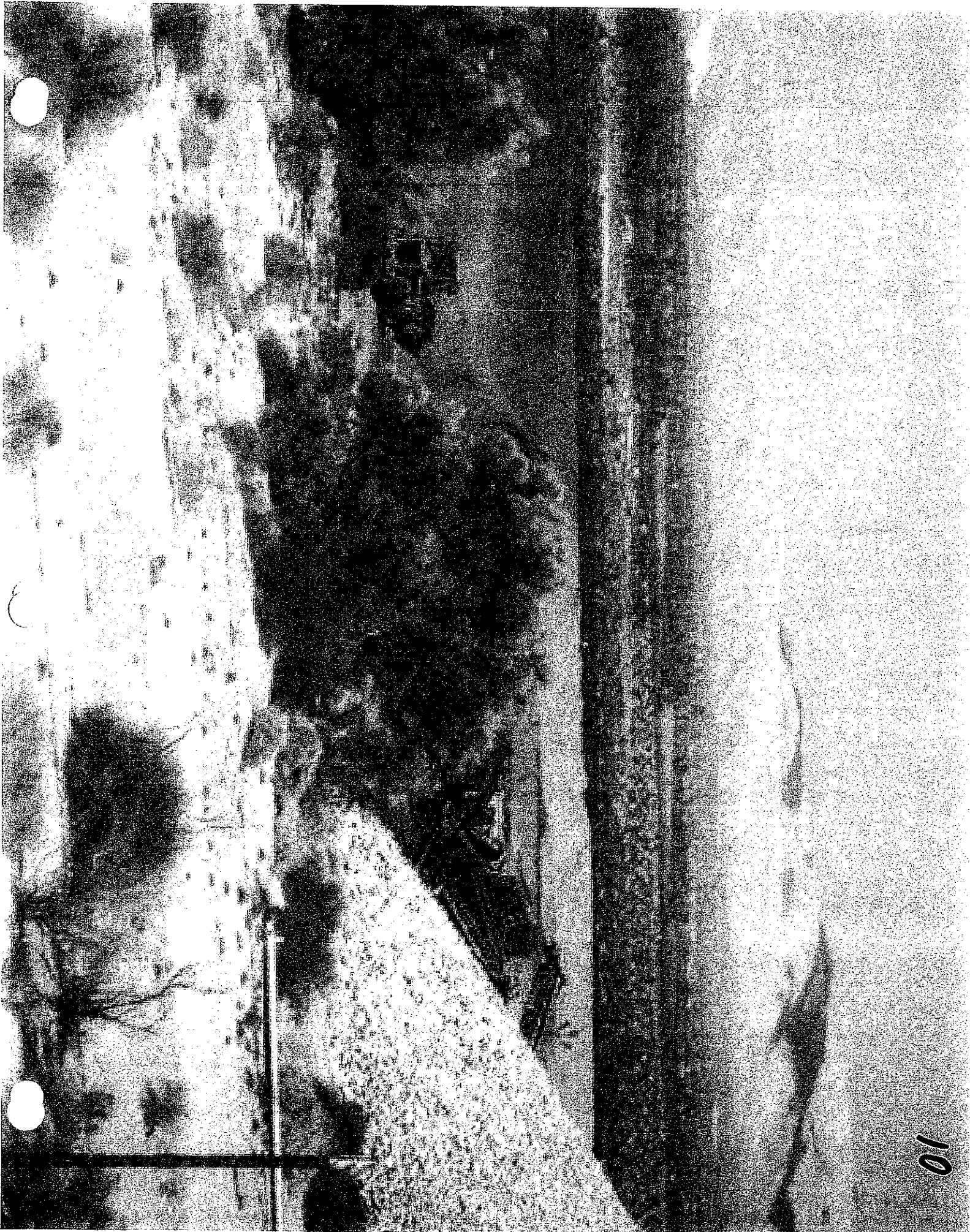
9

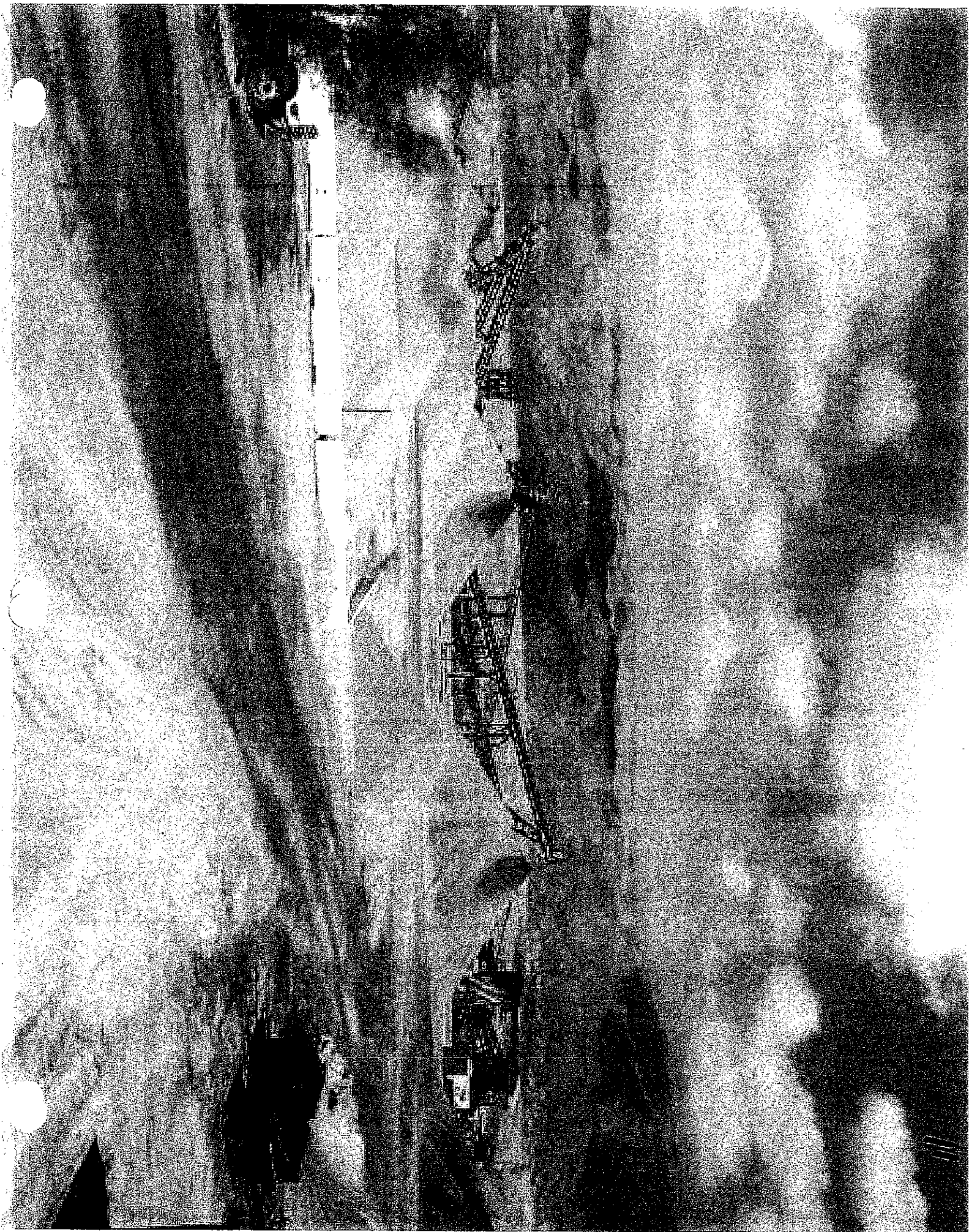
10

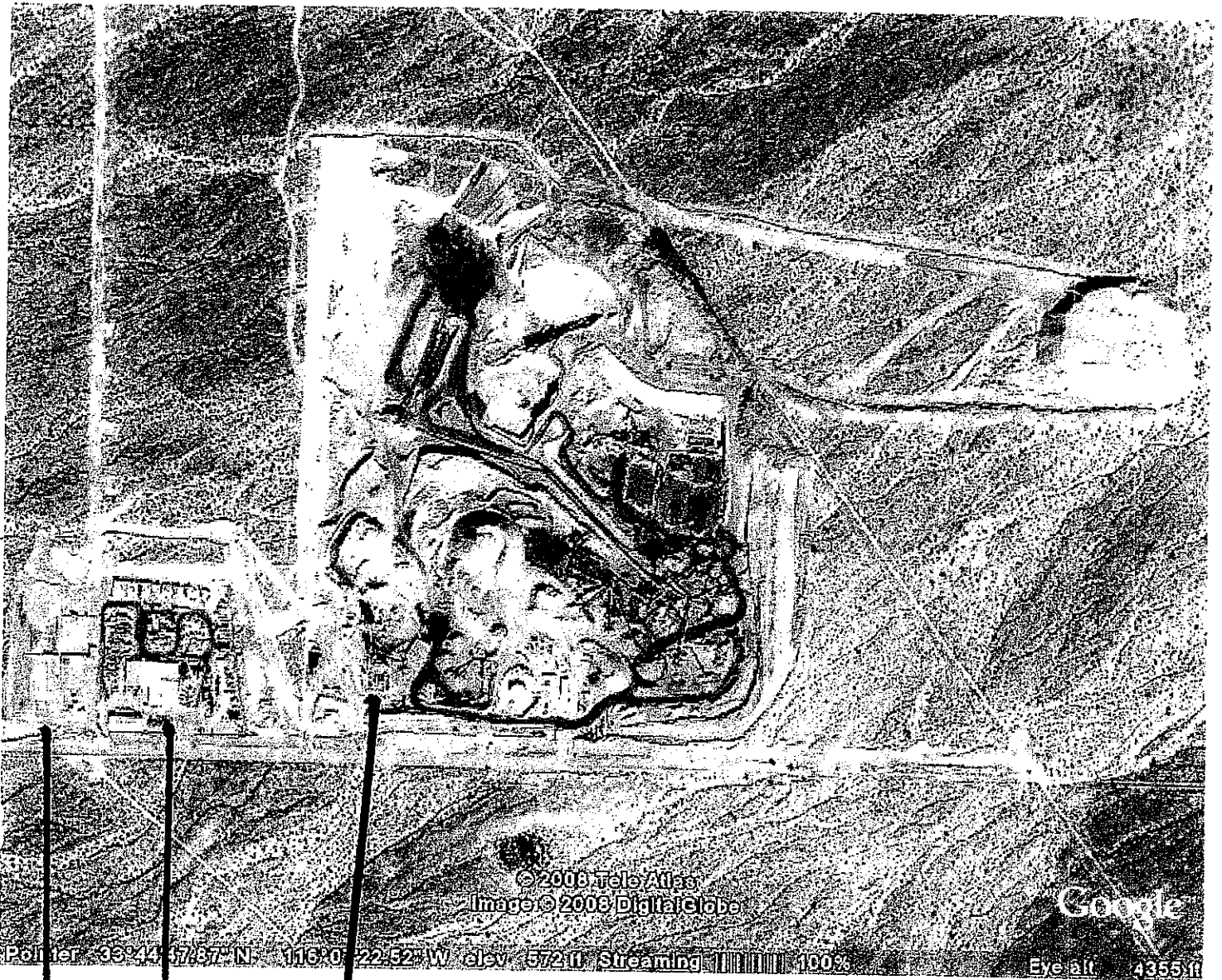
11

AREA 2







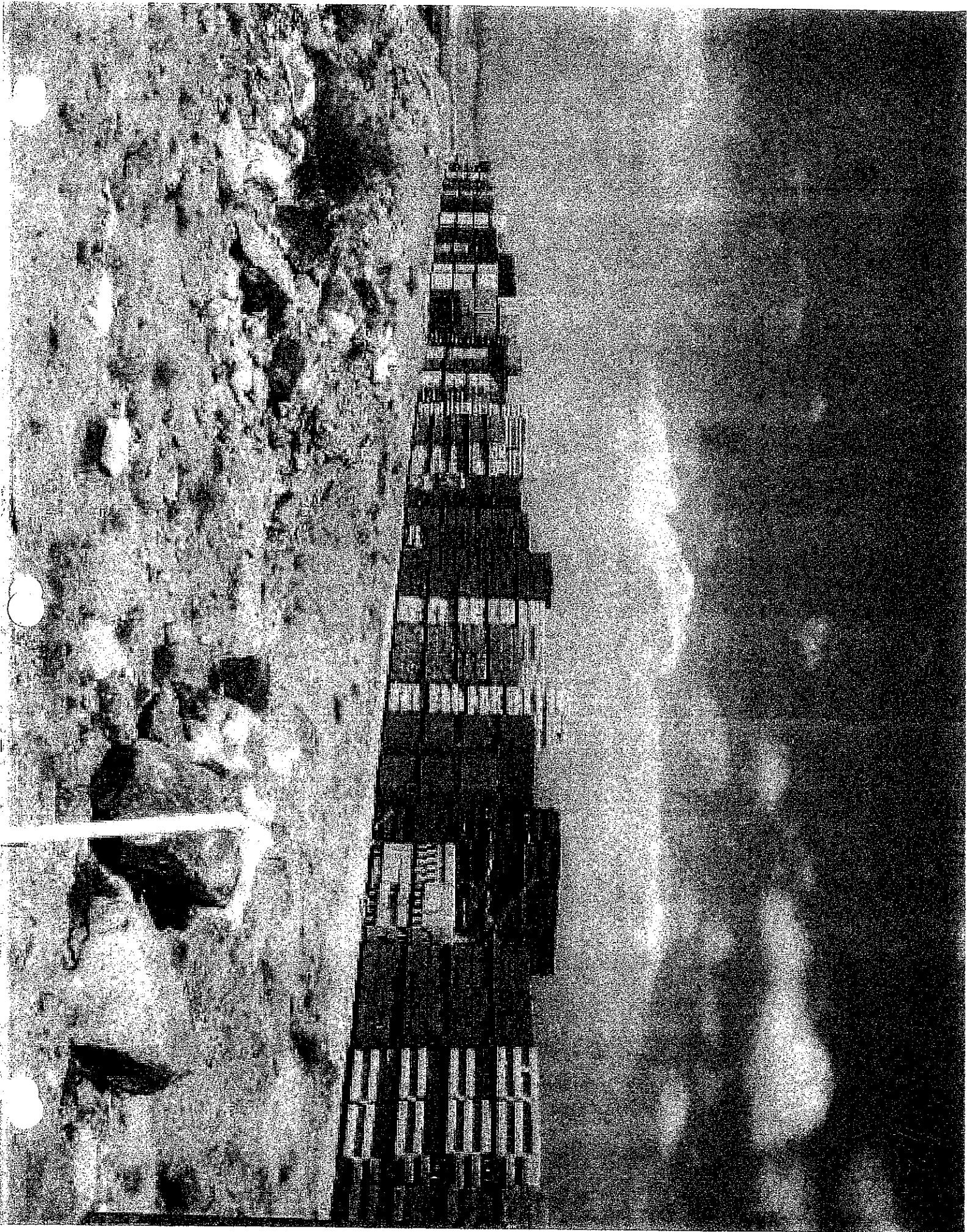


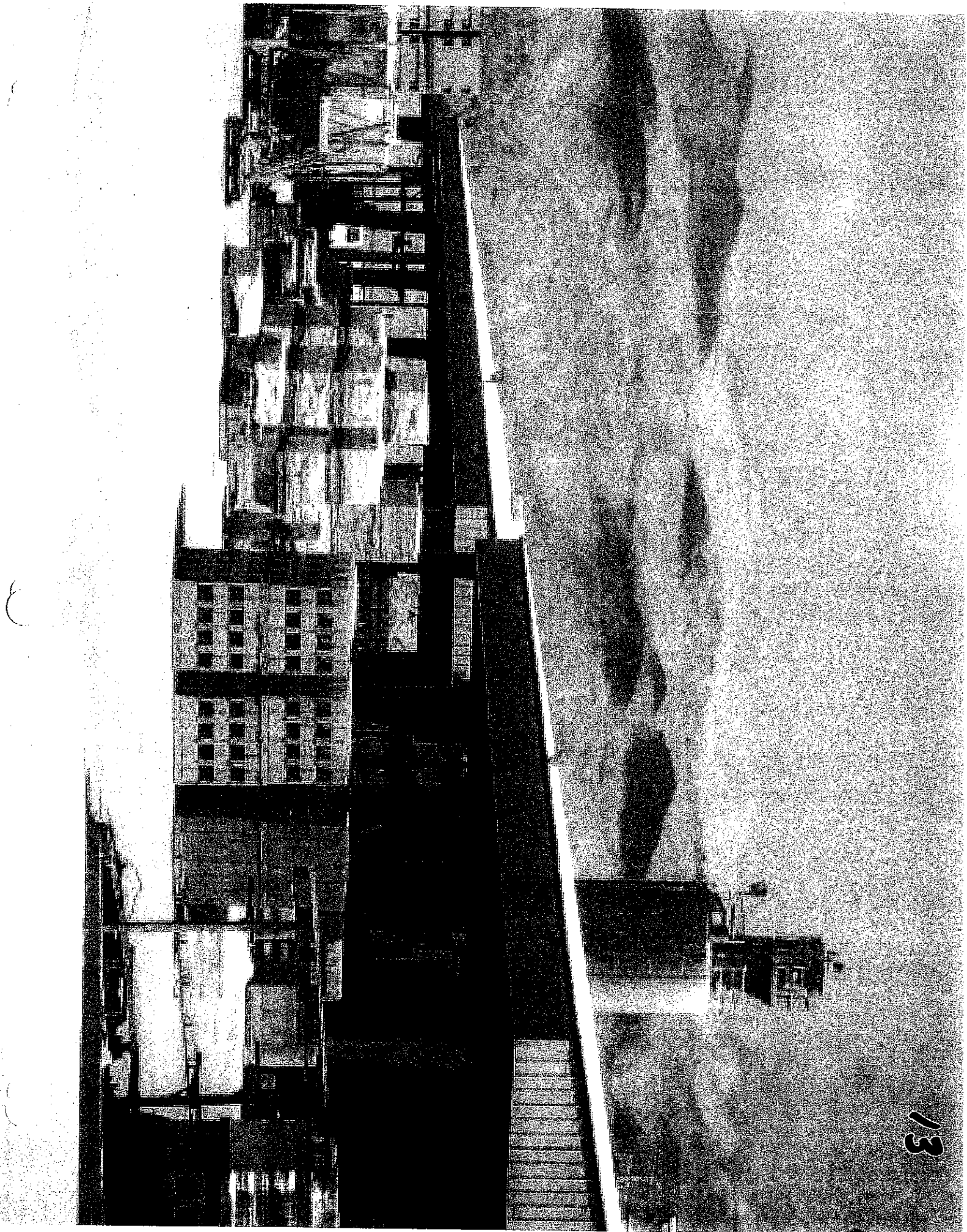
AREA 3

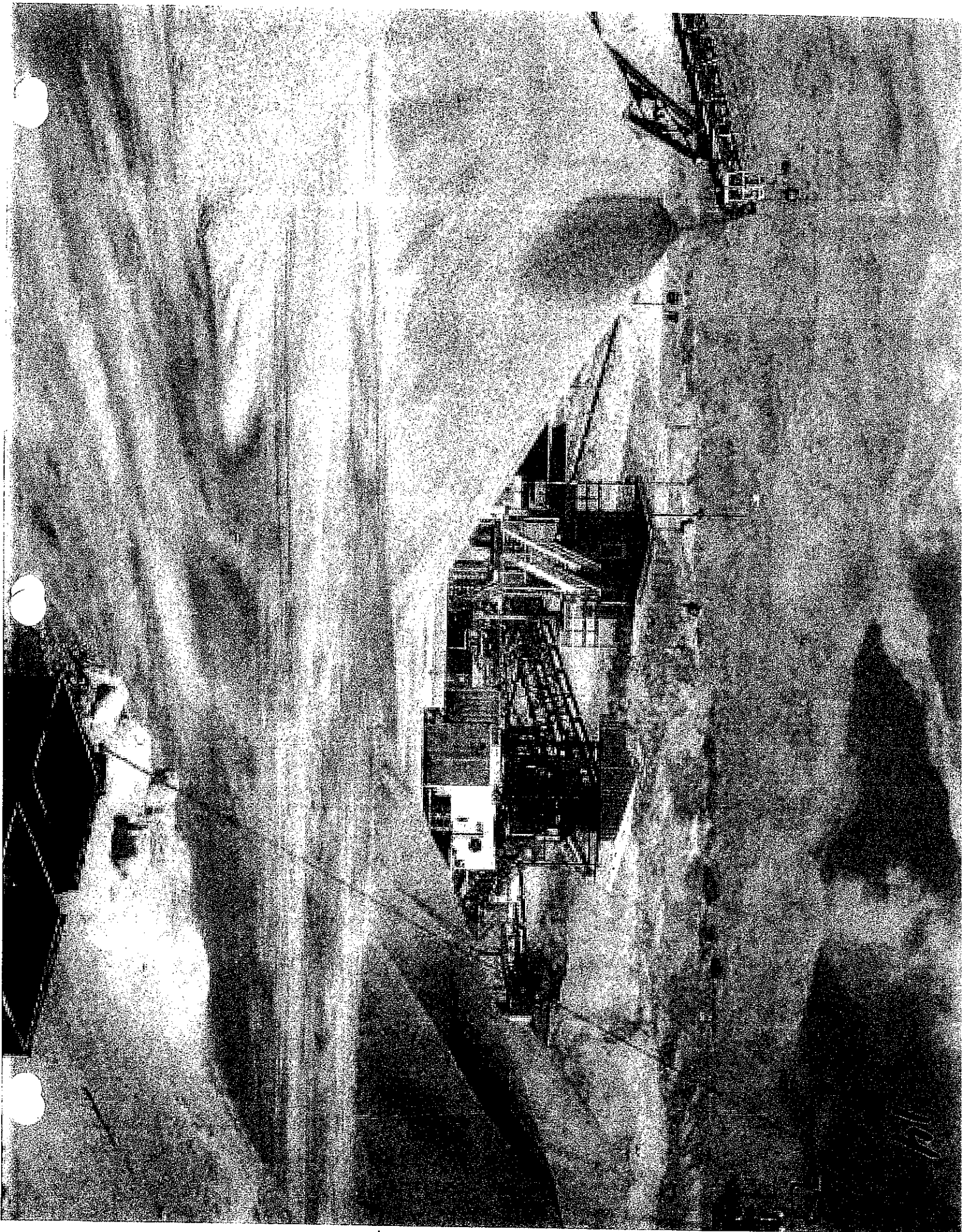
12

13

14

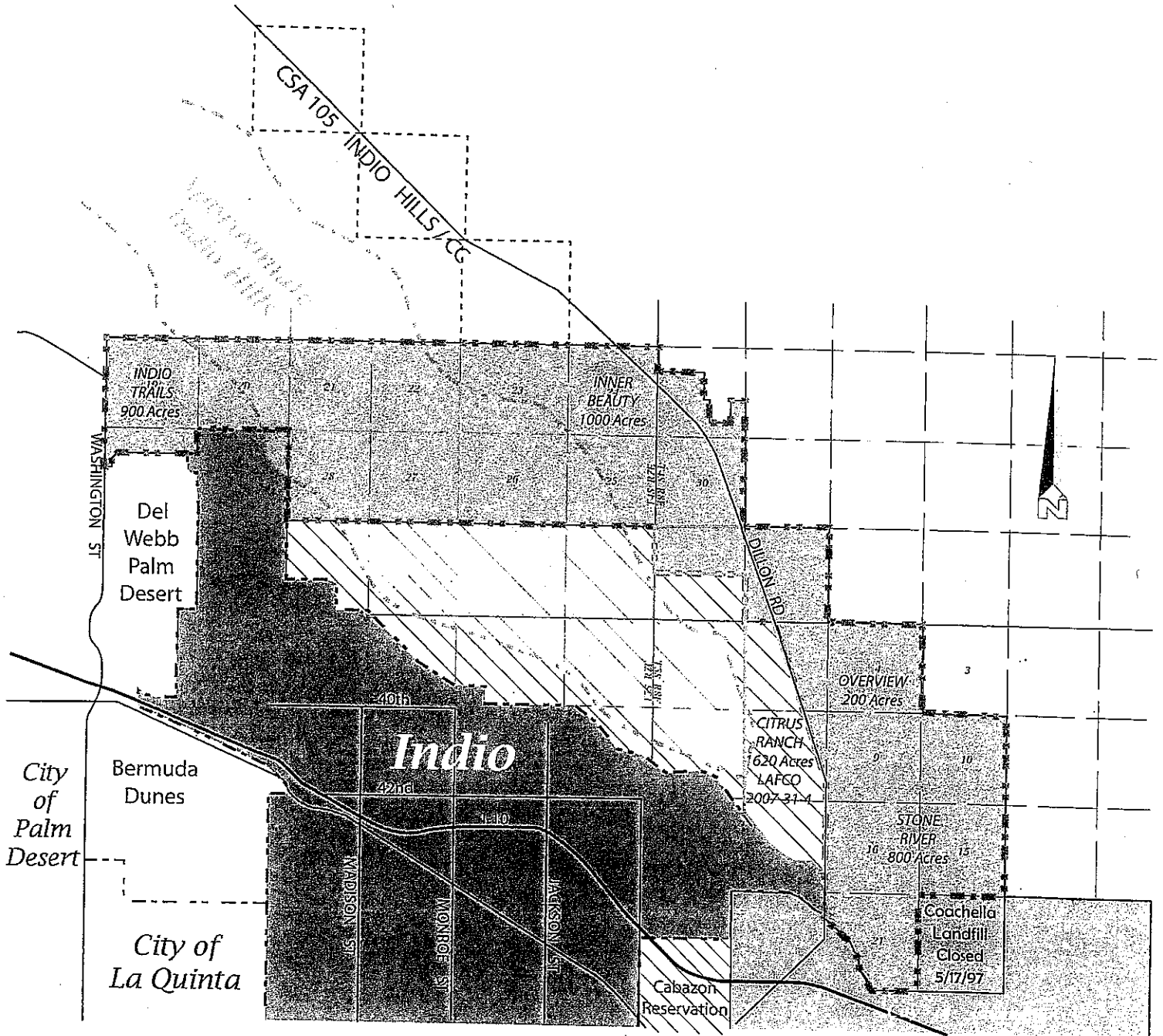










SPHERE OF INFLUENCE AMENDMENT (addition) to the CITY OF INDIO

LAFCO 2007-09-4



-  City of Indio
-  Existing Indio Sphere of Influence
-  LAFCO 2007-09-4 Proposed SOI
-  Staff Recommended SOI

0Approved by Commission on 9/27/2007

Robert Wilkinson

From: Sean Moore [smoore@indio.org]
Sent: Thursday, July 17, 2008 2:13 PM
To: Robert Wilkinson ; mharrod@rctlma.org
Subject: FW:
Attachments: 2007-09IndioSOI-rte_revised.pdf

Categories: Red Category

Robert and Mike,

See Crystal's email from LAFCO below.....

Thanks,

Sean

From: Crystal Craig [mailto:CCraig@lafco.org]
Sent: Thursday, July 17, 2008 11:57 AM
To: Sean Moore
Cc: Mike Harrod
Subject: RE:

Sean,
Here is the attached map to confirm yes that they are in. I had forgotten about the major SOI amendment after the study.
My apologies and hope I didn't cause you to panic :)
Crystal

From: Sean Moore [mailto:smoore@indio.org]
Sent: Thursday, July 17, 2008 10:39 AM
To: Crystal Craig
Subject: RE:

Ok because I checked it even with some private developer maps and they show both those properties within the SOI...☺

From: Crystal Craig [mailto:CCraig@lafco.org]
Sent: Thursday, July 17, 2008 10:27 AM
To: Sean Moore
Cc: Mike Harrod
Subject: RE:

Sean,
I was looking at the SOI Review Map not the SOI amendment map. You are probably right. I will confirm within the hour.
Just testing you LOL!
Crystal

From: Sean Moore [mailto:smoore@indio.org]
Sent: Thursday, July 17, 2008 10:23 AM
To: Crystal Craig
Subject:

Robert Wilkinson

From: Mike Harrod [mharrod@rctlma.org]
Sent: Wednesday, July 09, 2008 7:29 AM
To: Wilkinson, Robert
Subject: Re: FW: Fargo Canyon Property

Dear Mr. Wilkinson:

This is not a public hearing and so the City of Indio was not notified. The agenda has been posted as required by law. If your general plan amendment is allowed to move forward by the Board of Supervisors, it will go through the public hearing process and the City of Indio will be notified of any hearings.

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Robert Wilkinson " <Robertww55@aol.com> 7/9/2008 6:53 AM >>>

This zone change is something I have discussed with the City of Indio since it is in their Sphere and based on preliminary comments they think our request for a change in the zoning could be compatible with the City's future zoning plans for that area, see email. I would have thought that the County would have notified the City of Indio for comment on any public hearing issues inside the City's Sphere of Influence. Based on this email from Indio they have not been notified regarding any changes. Sean's desk at the City of Indio is where any notices of this type would go for comments.

Robert

From: Sean Moore [mailto:smoore@indio.org]
Sent: Wednesday, July 09, 2008 6:13 AM
To: robertww55@aol.com
Cc: Steve Walker; Joe Lim
Subject: RE: Fargo Canyon Property

Robert,

When the County sends over the project for "Request for Comments" I will have more definitive comments; however, I remember the project being very small around 7 to 10 acres in size with some outdoor storage. The surrounding land uses in the area include mining operations which are very intensive land uses. The project which we have discussed was far less intensive which "could be" compatible with the City's proposed zoning out on Dillon Road. However, until the County of Riverside sends over the project for "Request for Comments" with a full project description, I cannot provide a clear answer.

Thanks,

Sean

Robert Wilkinson

From: Tacy Southard [tacy@fomotor.com]
Sent: Wednesday, July 09, 2008 9:05 AM.
To: 'Robert Wilkinson '
Subject: RE: Fargo Canyon Property

Robert,

When I spoke with Mike Harrod yesterday, he said he had checked to see if the project was within Indio's Sphere of Influence, and it is not. Either Indio has not yet extended its sphere that far, yet, or Mike's information source isn't up-to-date. I believe you should consider attending the Planning Commission meeting (unless you are certain the project has been pulled from the agenda), and plan to inform the commissioners that although Indio is positive toward the project, it cannot comment officially, since it has not received any notice from the County as of yesterday. That alone would be reason enough to be granted a continuance.

Sean says "The surrounding land uses in the area include mining operations with are very intensive land uses." I haven't been out to that area in at least 3 or 4 years, so don't remember precisely what the surrounding land uses are. I do remember similar uses (to what I do recall, and what appears on Google Earth) from decades ago. I'm betting that most of the uses were existing the last time the general plan designation and zoning for the area were updated. If so, they would probably have to be considered "grandfathered", and the uses themselves wouldn't be subject to County code enforcement to the same extent Mike Harrod implies.

Tacy Southard
Fomotor Engineering
225 S. Civic Drive, Suite 1-5
Palm Springs, CA 92262
Ph: (760) 323-1842
Fax: (760) 323-1742

From: Robert Wilkinson [mailto:Robertww55@aol.com]
Sent: Wednesday, July 09, 2008 6:53 AM
To: 'Tacy Southard'; 'Tim Patrick'; 'Mike Harrod'
Subject: FW: Fargo Canyon Property

This zone change is something I have discussed with the City of Indio since it is in there Sphere and base on preliminary comments they think our request for a change in the zoning could be compatible with the City's future zoning plans for that area, see email. I would have thought that the County would have noticed the City of Indio for comment on any public hearing issues inside the City's Sphere of Influence. Base on this email from Indio they have not be notified regarding any changes. Sean's desk at the City of Indio is were any notices of this type would go for comments.

Robert

From: Sean Moore [mailto:smoore@indio.org]
Sent: Wednesday, July 09, 2008 6:13 AM
To: robertww55@aol.com
Cc: Steve Walker; Joe Lim
Subject: RE: Fargo Canyon Property

Robert,

When the County sends over the project for "Request for Comments" I will have more definitive comments; however, I remember the project being very small around 7 to 10 acres in size with some outdoor storage. The surrounding land uses in the area include mining operations with are very intensive land uses. The project which we have discussed was far less intensive which "could be" compatible with the City's proposed zoning out on Dillon Road. However, until the

From: robertww55@aol.com [mailto:robertww55@aol.com]

Sent: Monday, July 07, 2008 4:26 PM

To: Sean Moore

Subject: Fargo Canyon Property

Re: APNs 601-220-007 and 601-220-008

located north of 42nd east of Dillion rd

10 acres Jones Bros Construction

Can you give me an opinion for the County Planning Commission meeting, stating that the proposed use for the Jones Bros.10 acres on Fargo Canyon is compatible with the City of Indio's future Zoning in that area. Please let me know.

Thanks

Robert

760-861-6666

The Famous, the infamous, the lame - in your browser. [Get the TMZ Toolbar Now!](#)

From: Mike Harrod [mailto:mharrod@rctima.org]

Sent: Tuesday, July 15, 2008 1:22 PM

To: Crystal Craig

Subject: Are these parcels within the sphere of the City of Indio or any proposed annexation?

Hi Crystal:

I was nice speaking to you. The two parcels are 601-220-007 and 008. They are located north of 42nd Avenue, east of Tyler Street/Dillon Road and west of Polk Street. They are generally east of Indio and north of the City of Coachella but do not appear to be in the sphere of either one according to our map.

Thanks for any help you can provide on this.

Sincerely

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

Robert Wilkinson

From: Sean Moore [smoore@indio.org]
Sent: Thursday, July 17, 2008 2:15 PM
To: Robert Wilkinson ; mharrod@rctlma.org
Attachments: image001.jpg

I hope the last email provides the clarification you were looking for, if you have further questions give me a call.

Thanks,

Sean M. Moore, AICP
Principal Planner
City of Indio
100 Civic Center Mall
Indio, CA 92201
Direct Line 760-541-4257
Main Line 760-391-4120



this area. If the City of Indio has a different vision for this area and will be annexing it, I believe you have a better chance to accomplish what you want with the City.

Sincerely,

Mike

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Robert Wilkinson " <Robertww55@aol.com> 7/20/2008 9:37 AM >>>

This is the dated information that you are using for SOI referencing. The Indio information with the 9-27-2007 date for SOI is the most updated and accurate, I forwarded you a copy for your review. The situation is in fact different than you perceived and I do understand how fast these SOIs have been changing lately so the real question is. What do we do now? We still want the zoning change that was originally requested and Indio's position is the zoning we are requesting fits into their future plans. Please let me know where we go from here. Thanks Robert

From: Mike Harrod [mailto:mharrod@rctlma.org]
Sent: Wednesday, July 16, 2008 4:28 PM
To: robertww55@aol.com
Subject: Fwd: RE: Are these parcels within the sphere of the City of Indio or any proposed annexation?

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Crystal Craig" <CCraig@lafco.org> 7/16/2008 2:54 PM >>>
Hi Mike,

Thanks for your patience on getting back to you.

It looks like these two parcels are not part of any cities sphere. I have attached the City of Indio's SOI map when we did their sphere review study.

Please let me know if you have any other questions.

Crystal

Robert Wilkinson

From: Mike Harrod [mharrod@rctlma.org]
Sent: Monday, July 21, 2008 8:46 AM
To: Wilkinson, Robert
Cc: Meins, Damian
Subject: RE: RE: Are these parcels within the sphere of the City of Indio or anyproposed annexation?

Hi Robert:

The vision and reasoning for our recommendation are given in the staff report. See the link below. There was a lengthy planning and public hearing process when the general plan was revised in 2003. The public's elected officials, the Board of Supervisors, adopted the plan that is now in effect and our recommendations are based on the plan that came out of that public process. Although the plan calls for Light Industrial uses in many other areas, it does not include those uses in this area. Your property and the surrounding area are designated Open Space Rural and the zoning is Watercourse, Watershed & Conservation Areas (W-1). The Plan does not consider the conditions found in the area suitable for Light Industrial uses and directs such uses elsewhere. Additionally, there have been no infrastructure improvements or other changes in the area that would justify a change from Open Space Rural to Light Industrial. I hope this clarifies our conclusions regarding your request.

http://rctlma.org/planning/content/hearings/pc/2008/pc070908_agenda/pc070908.html#six3

Sincerely,

Mike Harrod

Michael Harrod, Principal Planner
Riverside County Planning Department
4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409
Tel. (951) 955-1881
Fax (951) 955-3157

>>> "Robert Wilkinson " <Robertww55@aol.com> 7/21/2008 8:10 AM >>>

So what exactly is the County's Vision for this area and why?

From: Mike Harrod [mailto:mharrod@rctlma.org]
Sent: Monday, July 21, 2008 7:16 AM
To: Wilkinson, Robert
Subject: FW: RE: Are these parcels within the sphere of the City of Indio or anyproposed annexation?

Hi Robert:

There was obviously some confusion even at LAFCO and the City representative was right.

My suggestion would be to seek/wait for annexation to the City of Indio. This new information would not change our recommendation regarding your request. Our recommendation is based on what the County's general plan envisions for

Those two parcels in question are currently in our SOI, they are just off Dillon Road and Fargo Cyn (601- 220-007 and 008). Are you sure? All of our maps indicate that those parcels are within our SOI, including our legal? Not sure how they could not be?

Sean M. Moore, AICP
Principal Planner
City of Indio
100 Civic Center Mall
Indio, CA 92201
Direct Line 760-541-4257
Main Line 760-391-4120

