

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

118B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
August 31, 2009

SUBJECT: GENERAL PLAN AMENDMENT NO. 936 – Foundation-Regular – Applicant: Ramuni Inc. – Engineer/Representative: Shade - First Supervisorial District – Mead Valley Zoning District – Mead Valley Area Plan: Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum) – Location: Southerly Bonham Street, westerly side of Carroll Street, northerly side of Markham Street and easterly of Clark Street – 2.24 Net Acres – Zoning: Rural Residential-One Half Acre Minimum Lot Size (R-R-1/2) **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Low Density Residential (RC:LDR) (1/2 Acre Minimum Lot Size) to Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio) - APNs: 315-172-010, 315-172-011, 315-172-012, 315-172-013.

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

Jerry Jolliffe, Deputy Director for,

Ron Goldman
Planning Director

RG:th

(CONTINUED ON ATTACHED PAGE)

REVIEWED BY EXECUTIVE OFFICE

DATE

9/18/09
Tina Grande
Departmental Concurrence

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

0022 2 11 1:08

Prev. Agn. Ref.

District: First

Agenda Number:

15.2

the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation 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.

**PLANNING COMMISSION
MINUTE ORDER AUGUST 19, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. **AGENDA ITEM 8.5: GENERAL PLAN AMENDMENT NO. 936** – Foundation / Regular – Applicant: Ramuni Inc. – Engineer/Representative: Shade - First Supervisorial District – Mead Valley Zoning District – Mead Valley Area Plan: Rural Community: Low Density Residential (RC:LDR) (1/2 Acre Minimum) – Location: Southerly Bonham Street, westerly side of Carroll Street, northerly side of Markham Street and easterly of Clark Street – 2.24 Net Acres – Zoning: Rural Residential-One Acre Minimum (R-R-1/2) – APN(s): 315-172-010, 315-172-011, 315-172-012, 315-172-013.

II. **PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Low Density Residential (RC:LDR) (1/2 Acre Minimum) to Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio).

III. **MEETING SUMMARY**

The following staff presented the subject proposal:
Project Planner, Tamara Harrison at 951-955-9721 or e-mail tharriso@rctlma.org.

The following spoke in favor of the subject proposal:
Shade Awad, Applicant, 21700 Markham St., Perris, California 92570

The following did not wish to speak but want to be recorded as in opposition of the subject proposal:

Cynthia L. Ferry, Other Interested Party, 16115 Rocky Bluff Rd., Gavilan Hills, California 92570
Laurie Taylor, Other Interested Person, 14679 Descanso Dr., Lake Mathews, California 92570

No one spoke in a neutral position of the subject proposal.

IV. **CONTROVERSIAL ISSUES**

NONE

V. **PLANNING COMMISSION ACTION**

The Planning Commission recommended to the Board of Supervisors;

INITIATION of the General Plan Amendment.

VI. **CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 8.5
Area Plan: Mead Valley
Zoning District: Mead Valley
Supervisorial District: First
Project Planner: Tamara Harrison
Planning Commission: August 19, 2009

General Plan Amendment No. 936
Applicant: Ramuni, Inc.
Engineer/Representative: Shade Awad

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 936 from Rural Community: Low Density Residential to Community Development: Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend adoption of an order initiating proceedings for GPA 936. 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: Commissioner Roth felt that since the market has been in existence for some time now that it only made sense to let the case move forward. Commissioner Roth also felt that recommending the case for initiation would allow the applicant to move forward in the entitlement process and ultimately make improvements to and clean up the site.

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 8.5
Area Plan: Mead Valley
Zoning District: Mead Valley
Supervisory District: First
Project Planner: Tamara Harrison
Planning Commission: August 19, 2009

General Plan Amendment No. 936
Applicant: Ramuni Inc.
Engineer/Rep.: Awad Shade

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component and land use designation from "Rural Community: Low Density Residential" (RC: LDR), to "Community Development: Commercial Retail" (CD: CR) for an approximately 2.12-acre property. The project is located northerly of Markham Street, easterly of Clark Street, southerly of Bonham Street, and westerly of Carroll Street.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "Mead Valley" community within the Mead Valley area plan. The site is also located within the City of Perris's Sphere of Influence. The area is characterized by ½ acre lots with scattered single-family dwellings. The Rural Community: Low Density Residential designation can be found adjacent to the subject site in all directions. The site currently has frontage on three County maintained roads that have been classified as Secondary right-of-ways by the Circulation Element of the General Plan.

An existing small-scale grocery store that has served the surrounding community for approximately 38 years is currently located at the subject site. Entitlement for the grocery store had not been found at the time that the staff report was written although three building permits were found that reference a fruit store and a restaurant that date back to the early 1970's.

It is a goal of the General Plan to accommodate commercial demand and ensure that new or rehabilitated commercial structures enhance the character of the area and are integrated into the community they are intended to serve. The applicant, with the assistance of the Riverside County Economic Development Agency (EDA), would like to entitle the existing business as well as make upgrades to the existing building; however, the current General Plan designation would not allow them to do so. The proposal would bring the current use of the property into compliance with the General Plan designation and would allow the applicant to move forward in the entitlement process and making any necessary improvements for the structure and ultimately maintain the vision set forth for the community.

The site does not fall within a hazard area for flood, fire or faulting, and is not within a sensitive habitat area identified by the County's Multiple Species Habitat Conservation Plan. There are no inconsistencies between the elements of the General Plan with respect to the proposed change.

RECOMMENDATIONS:

The Planning Director recommends the adoption of an order initiating proceedings for General Plan Amendment No. 936 from Rural Community: Low Density Residential to Community Development: Commercial Retail. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

1. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$5945.66.
3. The project site is currently designated as Assessor's Parcel Numbers 315-172-010, 315-172-011, 315-170-012 and 315-172-013.

Supervisor Buster

District 1

Date Drawn: 3/11/08

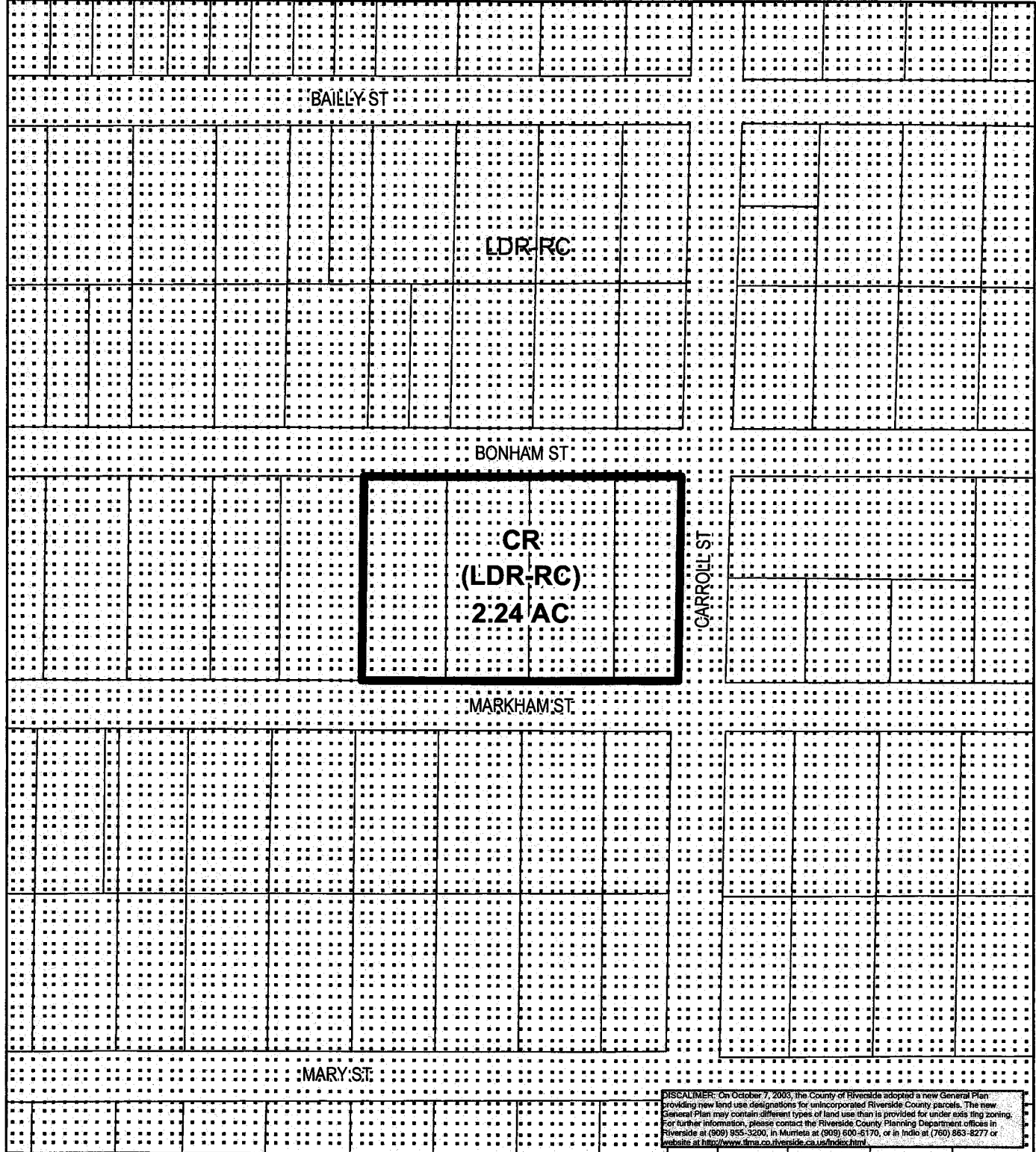
GPA00936

Proposed General Plan

Planner: Amy Aldana

Date: 3/11/08

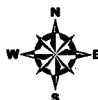
Exhibit 6



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) 500-6170, or in Indio at (760) 863-8277 or website at <http://www.tirsa.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Mead Valley
Township/Range: T4SR4W
Section : 3



Assessors
Bk.Pg. 315-17
Thomas
Bros. Pg. 776 J1



Supervisor Buster
District 1
Date Drawn: 3/11/08

GPA00936
DEVELOPMENT OPPORTUNITY

Planner: Amy Aldana
Date: 3/11/08
Exhibit Overview



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 (909) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lima.co.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: Mead Valley
Township/Range: T4SR4W
Section: 3



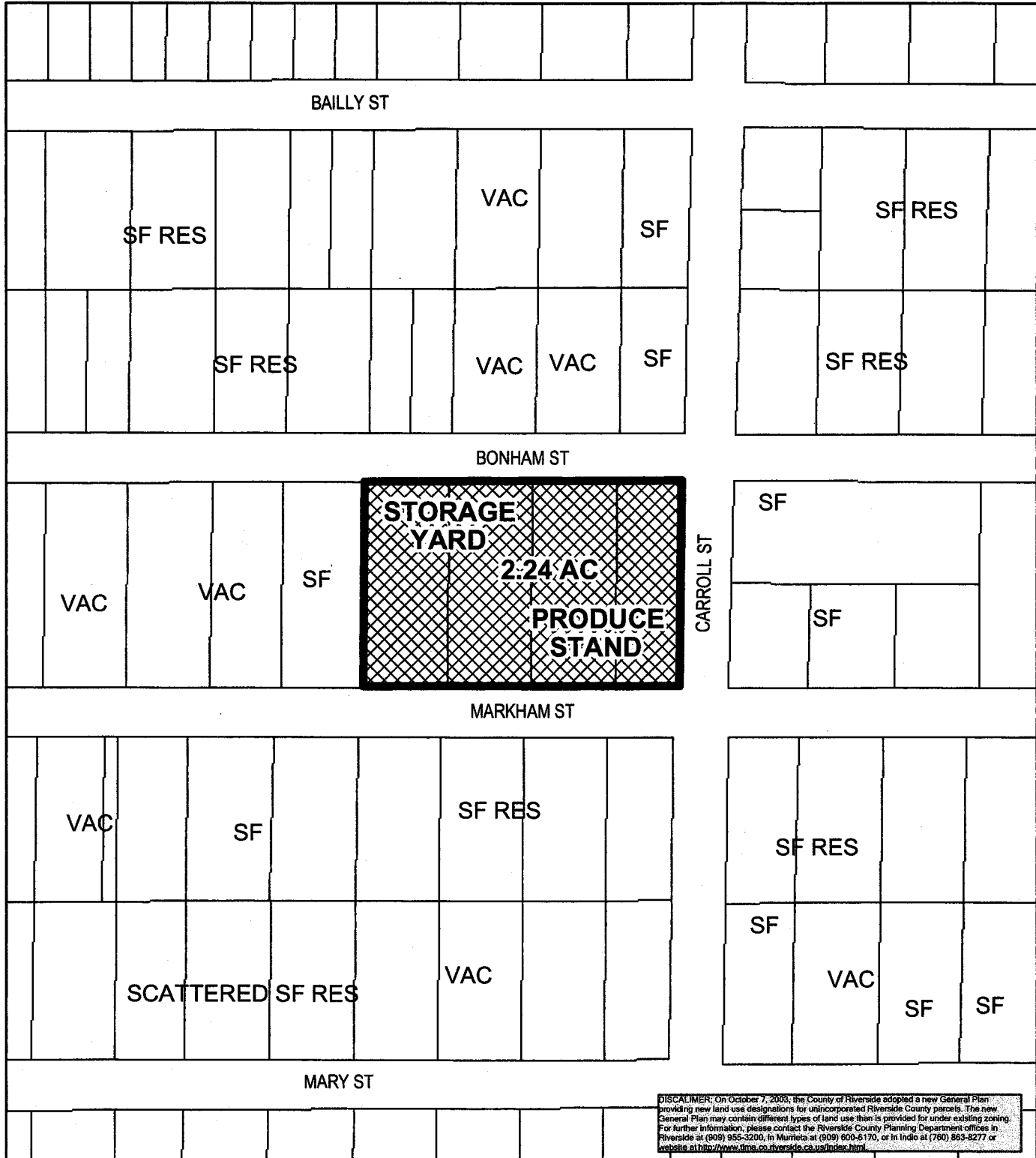
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Supervisor Buster
 District 1
 Date Drawn: 3/11/08

GPA00936
 Land Use

Planner: Amy Aldana
 Date: 3/11/08
 Exhibit 1



DISCLAIMER: On October 7, 2008, 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) 955-2200, in Murrieta at (951) 600-6170, or in Indio at (760) 965-9277 or website at <http://www.dpsr.co.riverside.ca.us/index.html>.

Zone
 District: Mead Valley
 Township/Range: T4SR4W
 Section : 3

RIVERSIDE COUNTY PLANNING DEPARTMENT

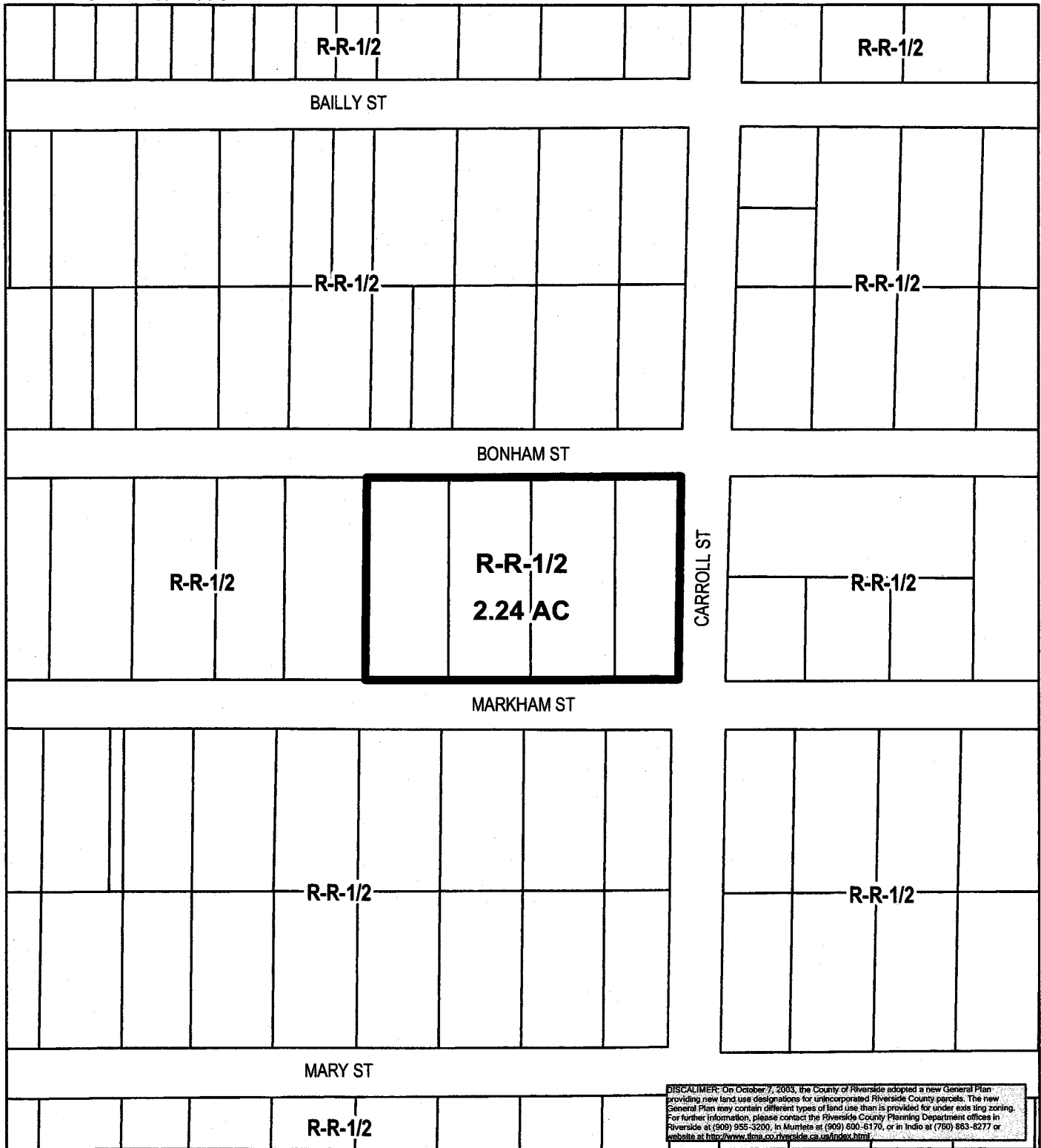
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Supervisor Buster
District 1
Date Drawn: 3/11/08

GPA00936
EXISTING ZONING

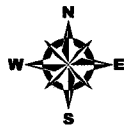
Planner: Amy Aldana
Date: 3/11/08
Exhibit 2



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 (909) 955-3200; in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.tlma.co.riverside.ca.us/index.html>

Zone
District: Mead Valley
Township/Range: T4SR4W
Section : 3

RIVERSIDE COUNTY PLANNING DEPARTMENT



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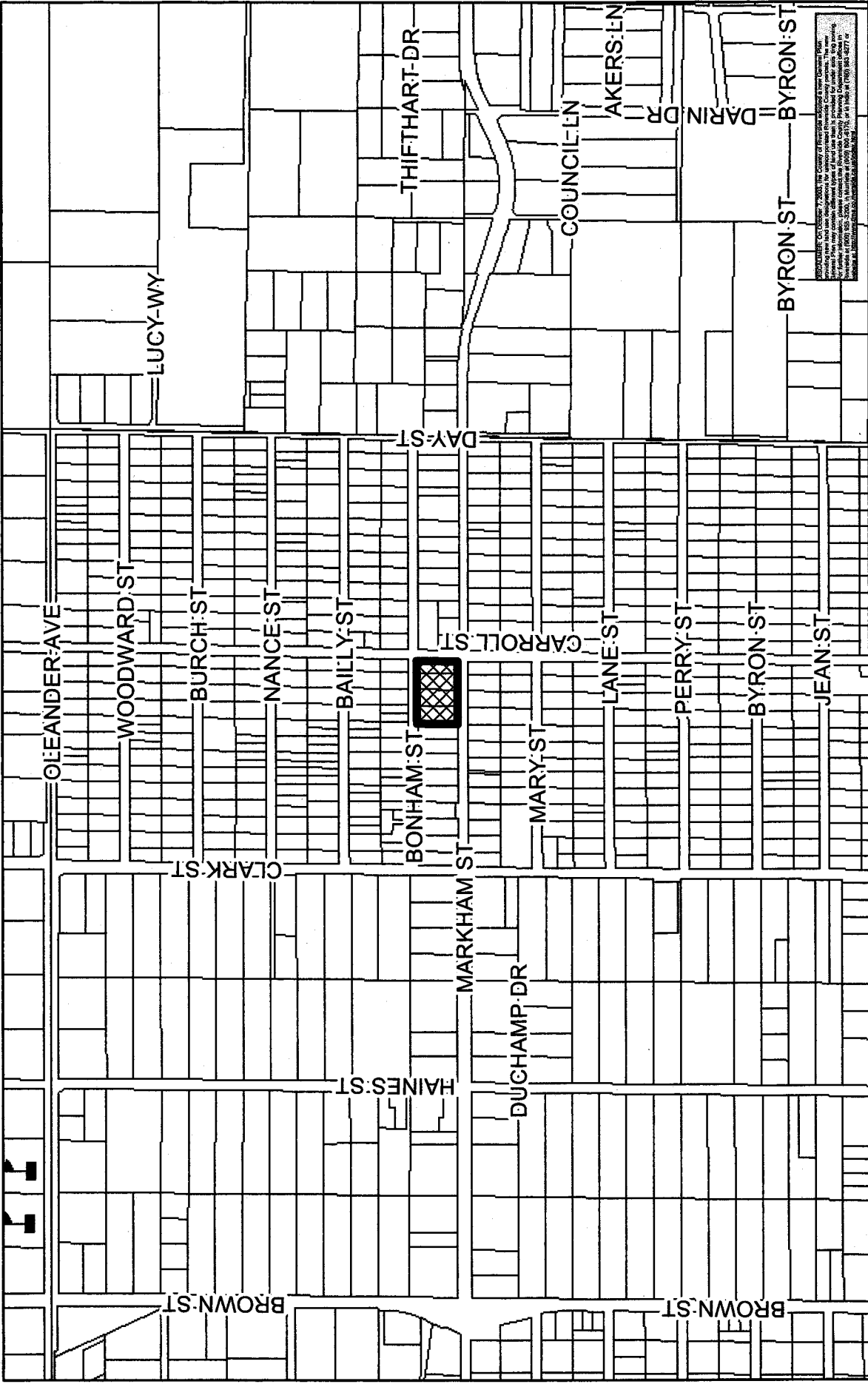
Supervisor Buster
District 1

Date Drawn: 3/11/08

GPA00936

POLICY AREAS

Planner: Amy Aldana
Date: 3/11/08
Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Mead Valley
Township/Range: T4SR4W
Section : 3

Assessors
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Thomas
Bros. Pg. 776 J1



NOTICE: This map was prepared by the County of Riverside Planning Department. It is not intended to be used for any purpose other than that for which it was prepared. The County of Riverside Planning Department is not responsible for any errors or omissions on this map. For further information, please contact the Riverside County Planning Department at (951) 251-1234.

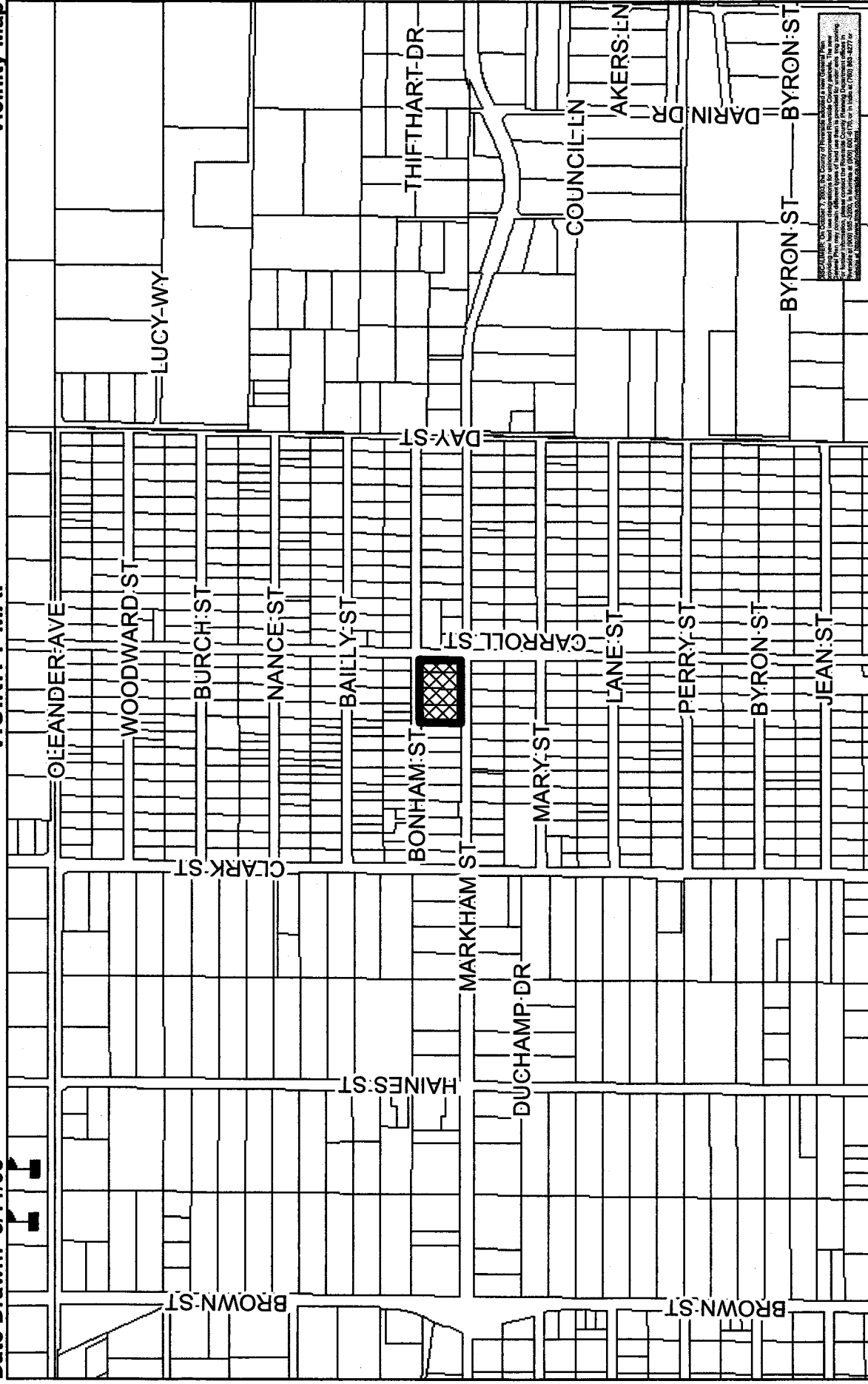
Supervisor Buster
District 1

Date Drawn: 3/11/08

GPA00936

VICINITY MAP

Planner: Amy Aldana
Date: 3/11/08
Vicinity Map



RECORDED: On October 7, 2003, the County of Riverside adopted a new General Plan. The General Plan is a long-term policy statement that provides a framework for future growth and development. The General Plan is a living document that is updated periodically. For more information, please contact the Planning Department at (951) 952-3000, or visit our website at www.riversideca.gov.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: Mead Valley
Township/Range: T4SR4W
Section : 3

Assessors
Bk. Pg. 315-17

Thomas

Bros. Pg. 776 J1



Justification for the proposed Foundation General Plan Amendment

The project site is located in the Mead Valley Area Plan, more specifically northerly of Markham Street and westerly of Carroll Street. The site is composed of four (4) parcels (APNs: 315-172-010, 315-172-011, 315-172-012, and 315-172-013). The site is 2.12 net acres (2.85 gross acres).

The project site's current general plan land use designation is Low Density Residential – Rural Community (LDR-RC) and surrounding general plan land use designations are Low Density Residential – Rural Community (LDR-RC) to the north, east, south, and west. The project site is zoned Rural Residential – 1/2-acre minimum (R-R-1/2) and surrounding zoning classifications are Rural Residential – 1/2-acre minimum (R-R-1/2) to the north, east, south, and west. The project site's existing use is commercial, an existing grocery store has been in operation since the early 1970's as noted on CUP1647-C, and surrounding uses are residential to the north, east, south, and west.

According to the Administration Chapter (Chapter 10) of the RCIP, "A Foundation Amendment may occur in two ways. The first would be as part of a regular five-year comprehensive review. The first finding is required for this type of amendment. The second means...". The proposed Foundation General Plan Amendment (GPA) falls within the first category as the five-year review period was opened by the Riverside County Planning Department on January 1, 2008 and it's schedule to close on February 15, 2008.

The project site is currently designated as Low Density Residential – Rural Community (LDR-RC) and the proposed land use designation is Commercial Retail – Community Development (CR-CD).

The following findings are made in support of the proposed General Plan Amendment:

"The foundation change is based on ample evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan." – RCIP, Chapter 10

1. New Conditions or Circumstances

Even though the project site is currently designated as LDR-RC, the existing use on the site is commercial in nature and has been commercial for over the last 38 years. The grocery store that is currently in operation at the site has been operating at this location serving the immediate community since the 1970's (the non-conforming use is set to expire on 1/1/10). During the 2003 General Plan update, not all parcels were analyzed in depth; therefore, not all parcels in Riverside County were properly designated, as was the case with the project site.

The project site's vicinity does exhibit a rural character; however, the existing use of the site has been and still is a compatible use with the present and future logical development of the area. The grocery store, currently operating at the project site, is a small-scale operation consistent with the surrounding community as it only serves the immediate vicinity; as such, the continue existence of this use will not be detrimental to the rural character of the community. Furthermore, there are no other commercial areas that could potentially serve this community as the closest commercial uses are located over 1.2 miles southwesterly of the project site and 2.2 miles southeasterly of the project site; therefore, the need for this use at the site is eminent.

2. Riverside County Vision

As noted above, the proposed land use designation would not conflict with the overall Riverside County Vision, as the proposed land use designation will further allow this rural community to preserve its character by allowing a small-scale commercial use to be located in close proximity. Furthermore, the existing commercial use has been in operation for the last 38 years and is well received by the existing community; as such, it has become part of the rural character of this community further enhancing the Riverside County Vision.

3. Internal Inconsistency

The proposed land use designation will not create an internal inconsistency among the various elements of the General Plan as the proposed change in land use designations is to allow the continued operation of an existing use; therefore, little to no impact will be created by the proposed amendment.

In summary, the proposed Commercial Retail (CR) general plan land use designation conforms to the fundamental values stated in the RCIP Vision Chapter, the proposed amendment will not change and it will not be in conflict with any of the General Plan's principles, and it will further contribute to the achievement of the purposes of the General Plan. Furthermore, the proposed project is consistent and compatible with the present and future logical development of the area given the fact that the commercial nature of the use currently operating at the project site, which has been in operation at the site over the last 38 years, has not caused any negative impacts on the rural community, on the contrary it has provided a convenient close commercial outlet, which the project proponent seeks to continue to operate and further improve.

