

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



FROM: TLMA – Planning Department

SUBMITTAL DATE:
August 20, 2009

SUBJECT: GENERAL PLAN AMENDMENT NO. 929 – Foundation-Regular – Applicant: Jose Mercado – Engineer/Representative: Leonard Urquiza - First Supervisorial District - North Perris Zoning Area - Mead Valley Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Ac. Min.) – Location: Northerly of Cajalco Road, easterly of Decker Road, southerly of Marquez Road, and westerly of Seaton Avenue - 2.07 Gross Acres - Zoning: Light Agriculture (A-1) - **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 Very Low Density Residential (RC-VLDR) (1 Acre Min.) to Commercial Retail (CD-CR) (0.20-0.35 FAR) - APN: 317-050-045

RECOMMENDED MOTION:

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

Jerry Jolliffe, Deputy Director for,

Ron Goldman
Planning Director

(CONTINUED ON ATTACHED PAGE)

RG:th

REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande
Departmental Concurrence

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: First

Agenda Number:

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 8.6: GENERAL PLAN AMENDMENT NO. 929 – Foundation / Regular – Applicant: Jose Mercado – Engineer/Representative: Leonard Urquiza - First Supervisorial District - North Perris Zoning Area - Mead Valley Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Location: Northerly of Cajalco Road, easterly of Decker Road, southerly of Marquez Road, and westerly of Seaton Avenue - 2.07 Gross Acres - Zoning: Light Agriculture (A-1) - APN: 317-050-045.

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 Very Low Density Residential (RC-VLDR) (1 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:

Leonard Urquiza, Applicant's Representative, 28780 Old Town Front St., Ste. D-7, Temecula, California 92590

The following did not wish to speak but gave time to Leonard Urquiza:

Jose Sandoval, Other Interested Party, 3096 Kerry St., San Bernardino, California 92407

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;

NO 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.: 8.6
Area Plan: Mead Valley
Zoning District: North Perris
Supervisory District: First
Project Planner: Tamara Harrison
Planning Commission: August 19, 2009

General Plan Amendment No. 929
Applicant: Jose Mercado/Jose Sandoval
Engineer/Representative: Leonard Urquiza

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. 929 from Rural Community: Very Low Density Residential to Community Development: Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend to tentatively decline to adopt an order initiating proceedings for GPA 929. 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 commented that Seaton Avenue should have served as a dividing line between Community Development uses and Rural Community uses. Commissioner Roth also commented that he is not happy with the existing Commercial Retail designation found directly west of Seaton and that he sees no need to extend the Commercial Retail designation any further to the west.

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

Commissioner Jim Porras: Commissioner Porras commented that it seems as if the applicant is willing to develop something at the site.

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 8.6
Area Plan: Mead Valley
Zoning Area: North Perris
Supervisorial District: First
Project Planner: Tamara Harrison
Planning Commission: August 19, 2009

General Plan Amendment No. 929
Applicant: Jose Mercado
Engineer/Rep.: Leonard Urquiza

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation and land use designation from "Rural Community: Very Low Density Residential" (RC: VLDR) (1 Acre Minimum), to "Community Development: Commercial Retail" (CD-CR) (0.20-0.35 Floor Area Ratio) for an approximately 2.07-acre property. The project is located northerly of Cajalco Rd., easterly of Day Street, southerly of Marquez Road, and westerly of Seaton Avenue.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the community of "Mead Valley" within the "Mead Valley" area plan. The site is also located within the City of Perris's Sphere of Influence. According to the General Plan, Cajalco Road has been identified as the "anchor" of the "Mead Valley" community, providing the primary connection between Interstates 15 and 215 for the area and also allowing commercial uses along the road to play a more noticeable role for the future. The subject site's current designation, Rural Community: Very Low Density Residential dominates the immediate surrounding areas with the exception of some of the Community Development: Commercial Retail designation to the east of the site. Other Community Development Foundation designations such as Light Industrial can also be found to the east of the site across Seaton Avenue.

Seaton Avenue serves as a demarcation line between Rural Community designations and uses and Community Development designations and uses for the area. The majority of Rural Community designations and uses can be found to the west of Seaton and the majority of Community Development designations and uses being found to the east of Seaton. The Community Development: Commercial Retail designation is planned to the west of Seaton Avenue, just east of the subject site at the intersection of Cajalco Road and Seaton Avenue and is currently vacant. Cajalco Road has been identified by the Circulation Element of the General Plan as an Expressway and Seaton Avenue has been identified by the Circulation Element as a Secondary road. Efficient land use, would see the Commercial Retail lots at Cajalco and Seaton develop first, as planned, before adding additional Commercial Retail in the area. Due to the location of the subject site, the proposal would be inconsistent with the existing land use pattern found in the area and would be contrary to the goals of the current plan.

A number of warehousing/manufacturing type businesses have been approved in the area since the adoption of the General Plan in 2003 including Specific Plan No. 341, "Majestic Freeway Business Center." However, those uses are located to the east of Seaton Avenue given the proximity to Interstate 215 and the more intense uses to the east of Seaton. No commercial approvals have been identified in the area immediately west of Seaton Avenue since the adoption of the General Plan. No substantial evidence of change or circumstances have been identified that would justify the proposal.

The recently approved "Majestic Freeway Business Center" is located within County Facilities District No. 88.8 (CFD 88.8) and was approved as a County effort to recover monies owed from delinquent tax bonds. The delinquent taxes are a result of bonds that were issued in order to finance the installation of infrastructure that would support industrial development in the area. The infrastructure has since been installed and the hope is that revenue from the development within CFD 88.8 will bring the delinquent tax bonds current. Again, efficient land use practices would see this area develop first, maintaining consistency with the current land use pattern and the County's vision for the area.

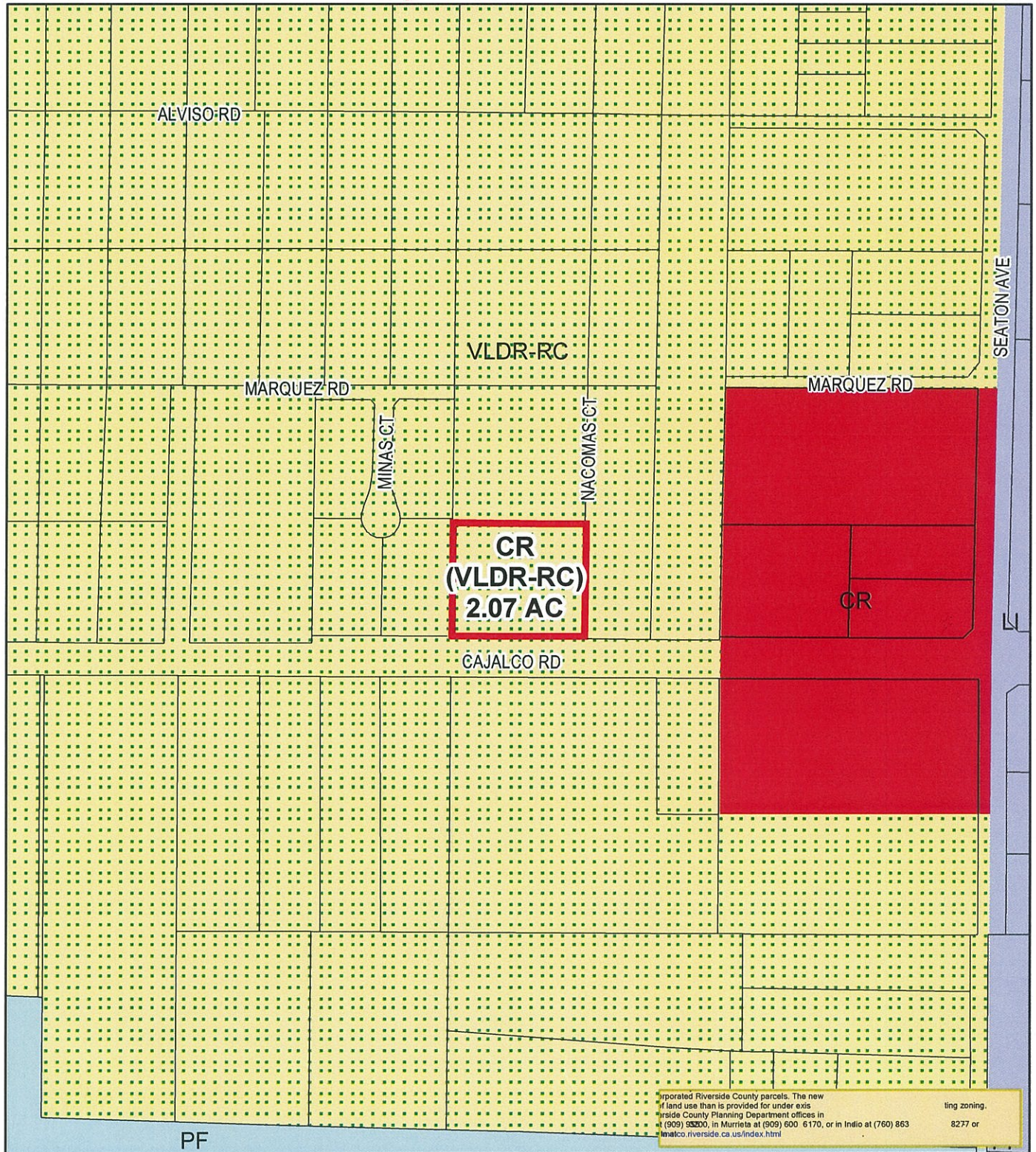
RECOMMENDATIONS:

The Planning Director recommends to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 929 from Rural Community: Very Low Density Residential to Community Development: Commercial Retail.

INFORMATIONAL ITEMS:

1. This project was filed with the Planning Department on February 7, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$2495.66.
3. The project site is currently designated as Assessor's Parcel Numbers 317-050-045.

Proposed General Plan



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: North Perris
Township/Range: T4SR4W
Section: 11



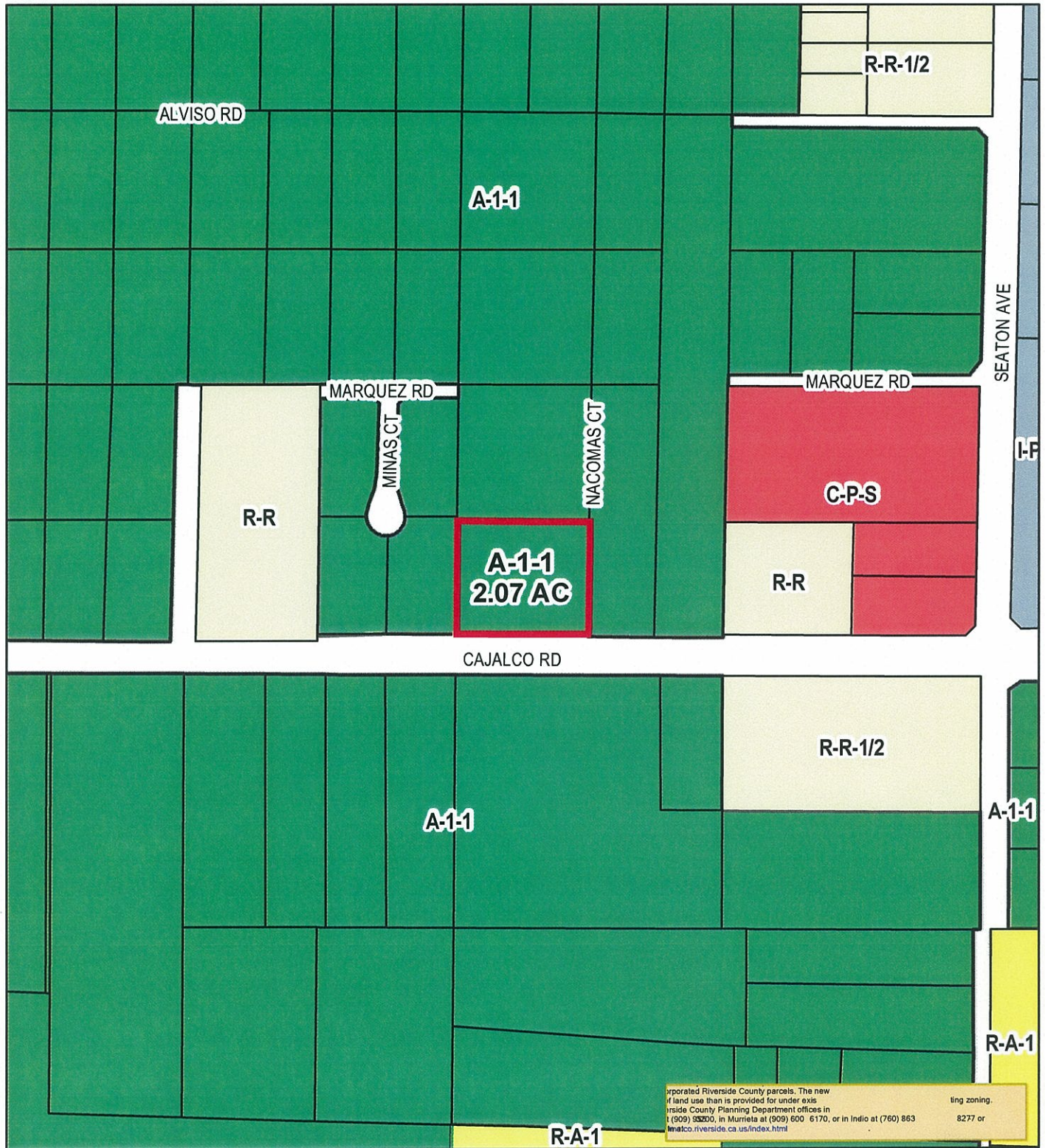
Assessors
Bk. Pg. 317-05
Thomas
Bros. Pg. 777 C2



Supervisor Buster
District 1
Date Drawn: 2/22/08

GPA00929
EXISTING ZONING

Planner: Amy Aldana
Date: 2/29/08
Exhibit 2

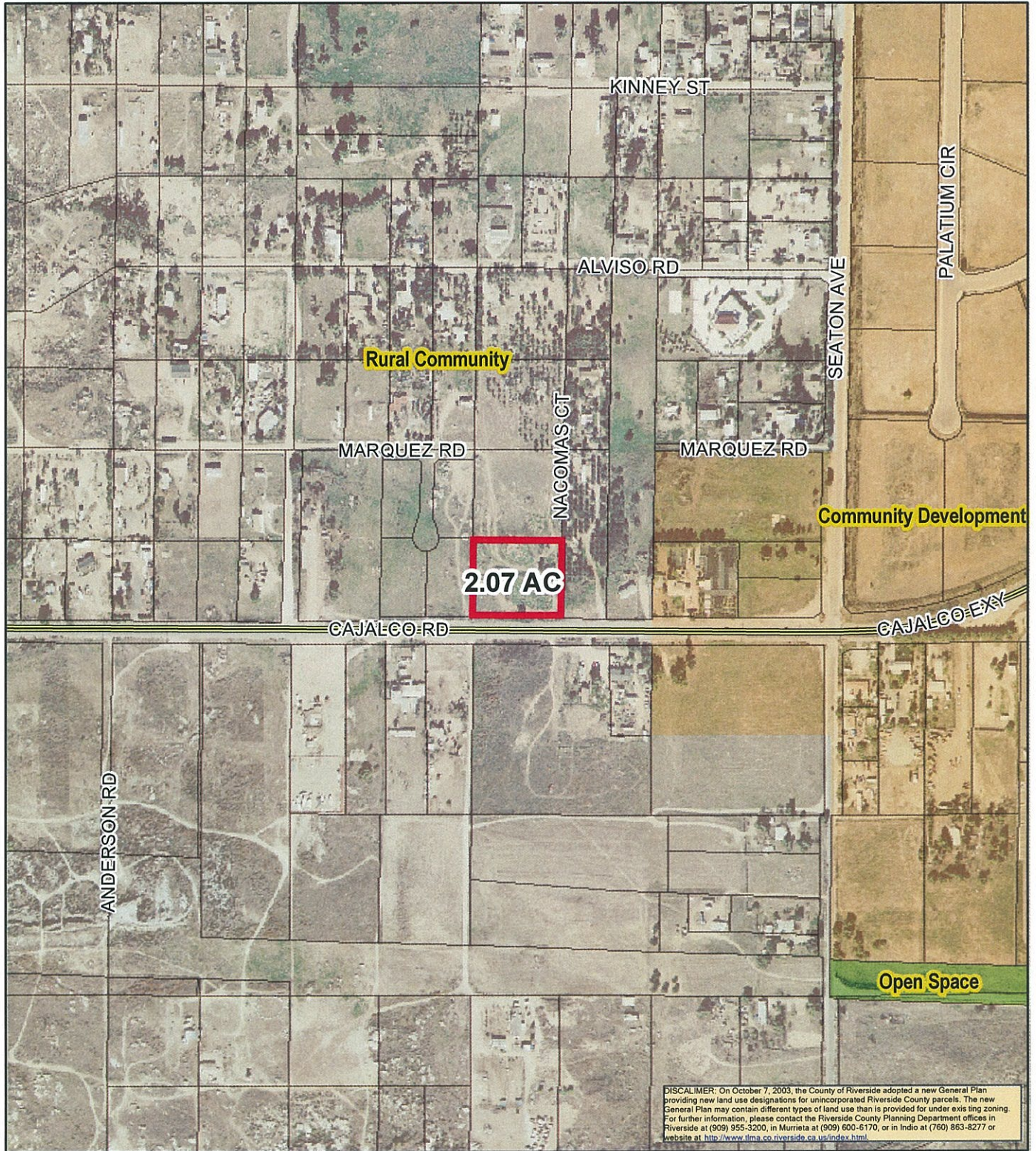


RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: North Perris
Township/Range: T4SR4W
Section: 11



Assessors
Bk. Pg. 317-05
Thomas
Bros. Pg. 777 C2



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>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: North Perris
Township/Range: T4SR4W
Section: 11



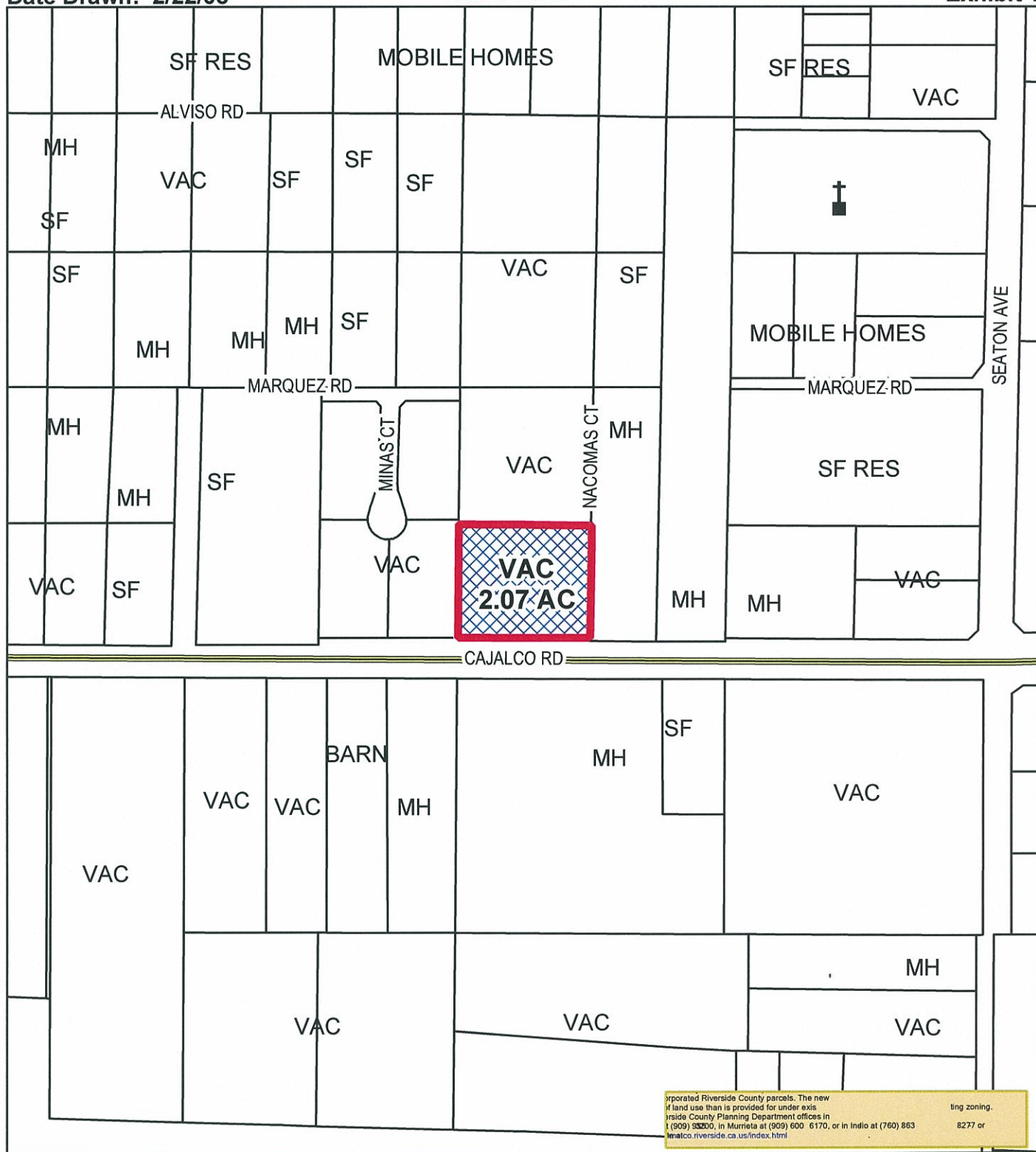
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Supervisor Buster
District 1
Date Drawn: 2/22/08

GPA00929

Land Use

Planner: Amy Aldana
Date: 2/29/08
Exhibit 1



Incorporated Riverside County parcels. The new
if land use than is provided for under exist-
ing zoning.
Riverside County Planning Department offices in
(951) 953-0300, in Murrieta at (951) 600-6170, or in Indio at (760) 863-8277 or
matco.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: North Perris
Township/Range: T4SR4W
Section: 11



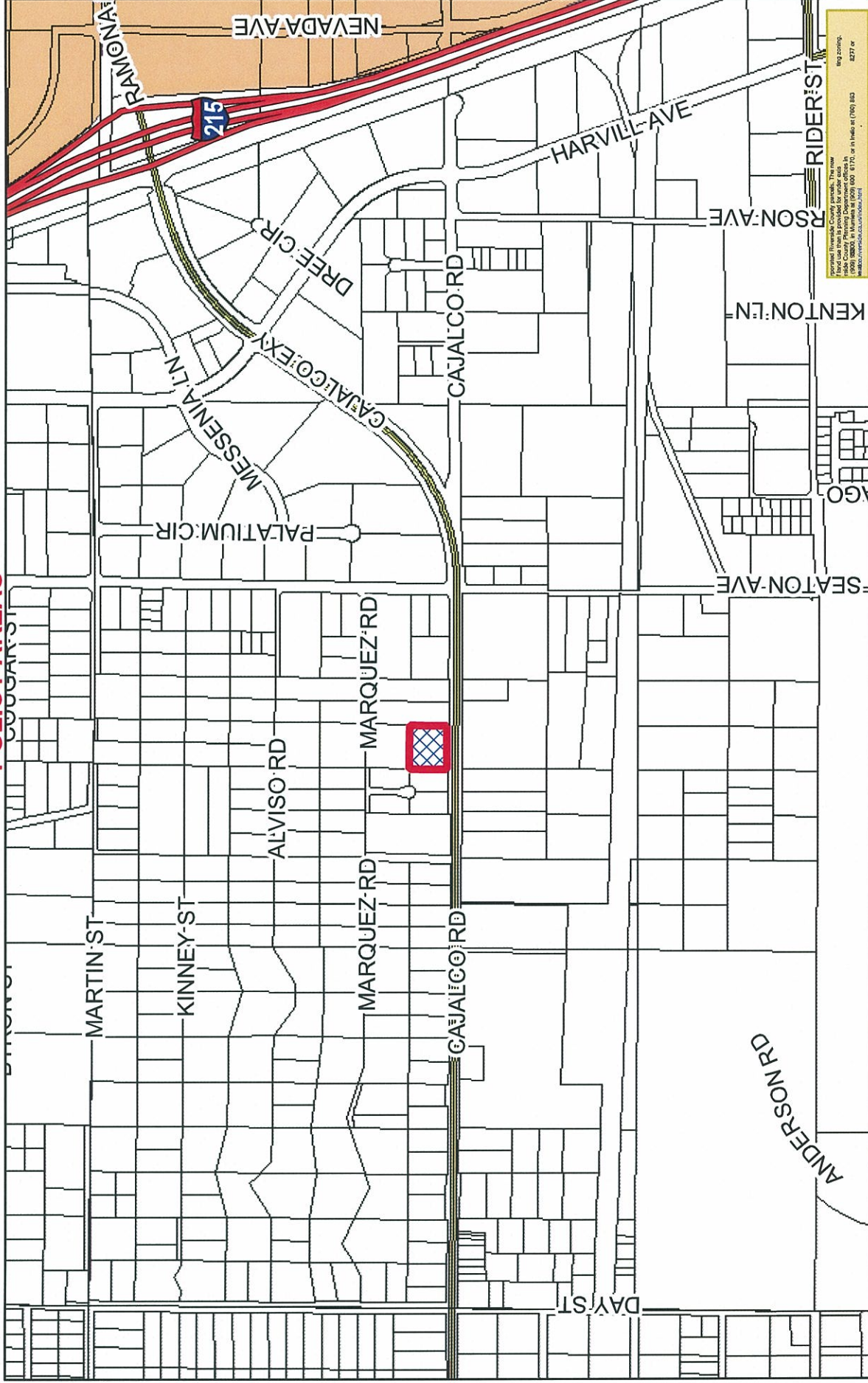
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Supervisor Buster
District 1
Date Drawn: 2/22/08

GPA00929

POLICY AREAS

Planner: Amy Aldana
Date: 02/29/08
Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: North Perris
Area: Township/Range: T4SR4W
Section: 11

Assessors
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Thomas
Bros. Pg. 777 C2



APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

WE ARE PROPOSING THE CHANGE FROM VLDR-RC TO CR BY USING THE COUNTY WINDOW SUBMITAL BETWEEN JAN 02, 2008 TO FEBRUARY 15, 2008, ALSO THE PROPOSED LAND USE IS WITHIN AGREEMENT WITH TWO LOTS OVER TO THE EAST AND SOUTH EAST OF THE EXISTING LAND. WE ARE SUBMITTING FOR A ZONE CHANGE TO C-P-S IN CONJUNCTION WITH THIS PROPOSAL.

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: Mead Valley.

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

none

C. PROPOSED POLICY (Attach more pages if needed): n/a

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

D. JUSTIFICATION FOR CHANGE (Please be specific. Attach more pages if needed): _____

TO MAKE THE PROPOSED LOT MORE SITE SPECIFIC TO THE
DEVELOPMENT AND EXISTING ZONING OF SURROUNDING
LOTS.

IV. OTHER TYPES OF AMENDMENTS:

(Note: A conference with Planning Department and/or Transportation Department staff for amendments related to the circulation element is required before application can be filed. Additional information may be required.)

A. AMENDMENTS TO BOUNDARIES OF OVERLAYS OR POLICY AREAS:

Policy Area: N/A
(Please name)

Proposed Boundary Adjustment (Please describe clearly): _____

B. AMENDMENTS TO CIRCULATION DESIGNATIONS:

Area Plan (if applicable): NONE

Road Segment(s) _____

Existing Designation: _____

Proposed Designation: _____

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

USING THE SUBMITTAL WINDOW PROPOSED BY THE COUNTY
OF RIVERSIDE TO HAVE THE FOUNDATION TO COMMUNITY DEVELOPMENT
AND TO AMEND THE GENERAL PLAN TO BE CONSISTENT WITH THE COMMERCIAL
DEVELOPMENT OF SURROUNDING LAND.

V. CASE INFORMATION REQUIREMENTS FOR GENERAL PLAN AMENDMENT:

FILING INSTRUCTIONS FOR
GENERAL PLAN AMENDMENT APPLICATION

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Land Use application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

THE GENERAL PLAN AMENDMENT FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form.
2. One copy of the current legal description for each property involved as recorded in the Office of the County Recorder. Preferably a copy of a grant deed of each property involved, if available.
3. If any of the properties involved do not abut a public street, a copy of appropriate documentation of legal access (e.g. recorded easement) for said property shall be provided.
4. For applications to amend Area Plan Maps, forty (40) copies of Exhibit "A" (Site Plan). The exhibit must include the information described below. All exhibits must be folded no larger than 8½' x 14.'
5. One (1) recent (less than one-year old) aerial photograph of the entire Project Site with the boundary of the site delineated.
6. Two 8½" x 11" photocopies of a U. S. Geological Survey Quadrangle Map delineating the Site boundaries (Note: each photocopy must not have been enlarged or reduced, have a North arrow, scale, quadrangle name, and Section/Township/Range location of the site.)
7. A minimum of three (3) ground-level panoramic photographs (color prints) clearly showing the whole project site. Include a locational map identifying the position from which the photo was taken and the approximate area of coverage of each photograph.
8. Digital images of the aerial photograph, Exhibit A (Site Plan), the U.S.G.S. Map, and the panoramic photographs of the site in a format acceptable to the Planning Department (e.g. TIFF, GIF, JPEG, PDF)
9. Deposit-based fees for the General Plan Amendment, and Environmental Assessment deposit-