

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



FROM: TLMA – Planning Department

SUBMITTAL DATE:
November 9, 2009


SUBJECT: GENERAL PLAN AMENDMENT NO. 907 – Foundation-Regular – Applicant: Tony & Jack Amer – Engineer/Representative: Cozad & Fox, Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) – Location: Northerly of Thompson Road, easterly of Pourroy Road, southerly of Jubilee Road, and westerly of Sunny Hills Drive. - 4.13 Gross Acres - Zoning: Residential Agriculture - 2 1/2 Acre Minimum Lot Size (R-A-2 1/2) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the Land Use designation of the subject site from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) within the Highway 79 Policy Area to Medium Density Residential (CD: MDR) (2-5 du/ac) - APN: 476-290-005

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

BG:mn


REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande
Departmental Concurrence

Policy

Policy

Consent

Consent

Dept Re. :

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

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 OCTOBER 28, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. AGENDA ITEM 8.9: GENERAL PLAN AMENDMENT NO. 907 – Foundation-Regular – Applicant: Tony & Jack Amer – Engineer/Representative: Cozad & Fox, Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) – Location: Northerly of Thompson Road, easterly of Pourroy Road, southerly of Jubilee Road, and westerly of Sunny Hills Drive. - 4.13 Gross Acres - Zoning: Residential Agriculture - 2 1/2 Acre Minimum Lot Size (R-A-2 1/2) - APN: 476-290-005.

II. PROJECT DESCRIPTION

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the Land Use designation of the subject site from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) within the Highway 79 Policy Area to Medium Density Residential (CD: MDR) (2-5 du/ac).

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:

Kelly Alhadeff-Black, Applicant's Representative, 41607 Margarita Road, Ste. 103, Temecula, California

No one spoke in a neutral position or in opposition 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.: 8.9
Area Plan: Southwest
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: October 28, 2009

General Plan Amendment No. 907
Applicant: Tony and Jack Amer
Engineer/Representative: Cozad & Fox, Inc.

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. 907 from Rural: Rural Residential to Community Development: Medium Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend the adoption of 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: No Comments

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty recommended initiation of the proposal without hesitation. Mr. Petty also inquired as to where the City of Temecula's Sphere of Influence boundaries were located. Staff has since determined that the City of Temecula's Sphere of Influence boundary is at Washington Street to the east of the subject site, Murrieta Hot Springs to the south of the subject site, Highway 79 to the west of the subject site and Keller Road to the north of the subject site.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 8.9
Area Plan: Southwest
Zoning District: Rancho California Area
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: October 28, 2009

General Plan Amendment No. 907
Applicant: Tony & Jack Amer
Engineer/Representative: Cozad & Fox, Inc.

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 of the subject site from Rural: Rural Residential (RUR:RR) (5 acre minimum lot size) to Community Development: Medium Density Residential (CD:MDR) (2-5 du/ac) for an approximately 4.13 acre site. The site is located southerly of Jubilee Road, northerly of Thompson Road, easterly of Bordeaux Place and westerly of Sunny Hills Drive.

ISSUES OF POTENTIAL CONCERN:

The subject site is located in the "French Valley" community within the Southwest Area Plan and is also located within the City of Temecula's Sphere of Influence and is also located within the General Plan's Highway 79 Policy Area. The site is immediately surrounded by the Community Development: Medium Density Residential (MDR) designation in all directions. The proposal would eliminate the subject site from being an island of Rural: Rural Residential amongst the MDR designation and would continue the land use pattern and overall vision that currently exists in the area. Specific Plan #286, "Winchester 1800," also surrounds the subject site in all directions; however, the proposed site is not a part of the specific plan.

The site is also directly adjacent to Tract Map (TR) No. 29789 which lies to the west of the subject site and was approved for 34-7,200 square foot minimum lots in 2001. Tract Map No. 33307 which lies north of the subject site across Jubilee Road was approved for 41-7,200 square foot minimum lots in 2006. To the south of the site, across Thompson Road lies Tract Map No. 35161 which is currently under review with the County Planning Department and is proposing 54-7,200 square foot minimum lots. There are a number of additional tracts in the surrounding area that have been approved and/or are currently under review bringing additional development to the area. The aforementioned circumstances present a substantial amount of change in the area that justifies the proposal.

The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

RECOMMENDATION:

The Planning Director recommends to adopt an order initiating proceedings for General Plan Amendment No. 907 from Rural: Rural Residential to Community Development: Medium Density Residential. 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:

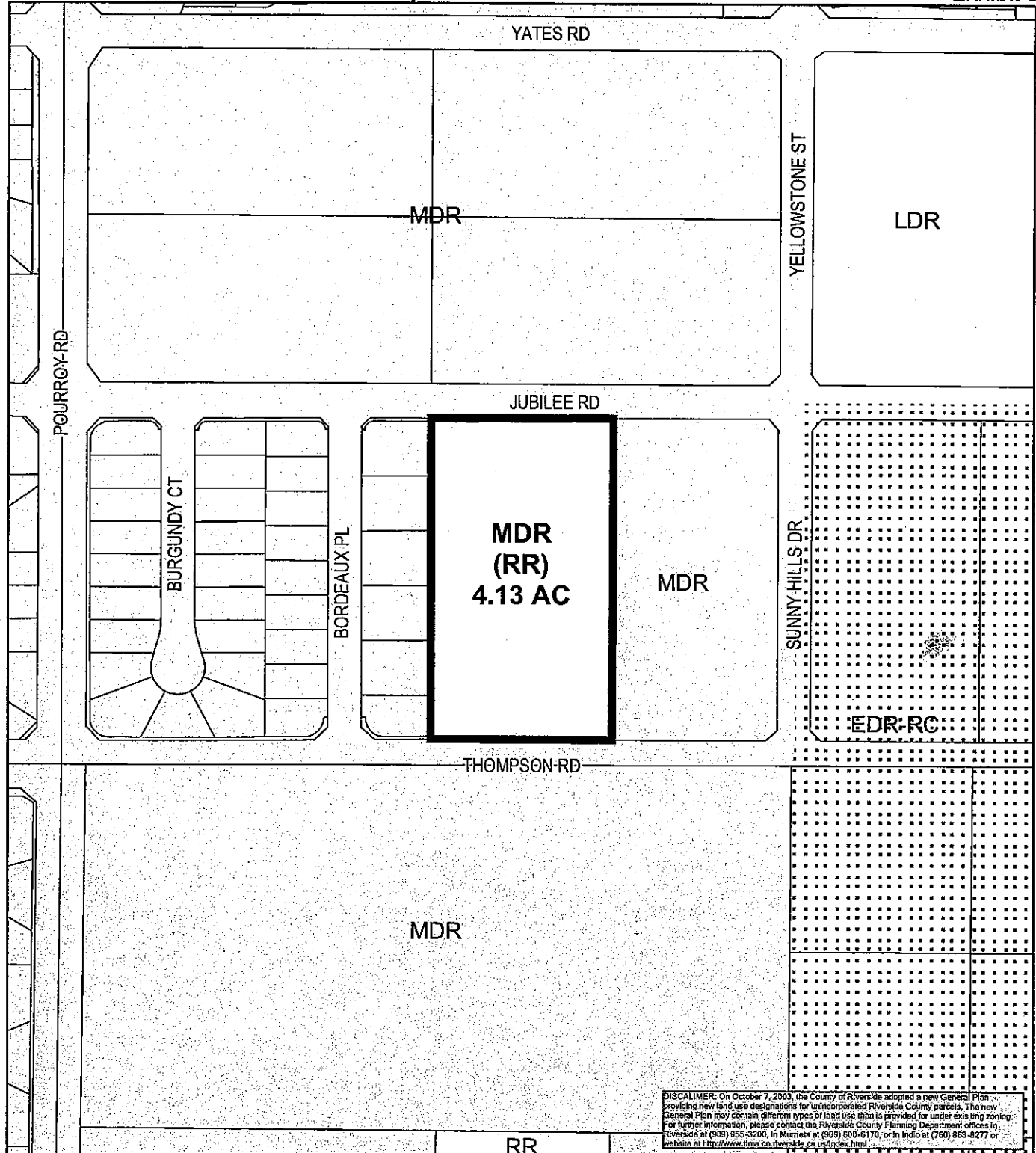
1. This project was filed with the Planning Department on January 18, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$3791.08.
3. The project site is currently designated as Assessor's Parcel Number: 476-290-005.

Supervisor Stone
District 3
Date Drawn: 02/05/08

GPA00907

Proposed General Plan

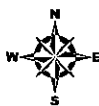
Planner: Amy Aldana
Date: 02/05/08
Exhibit 6



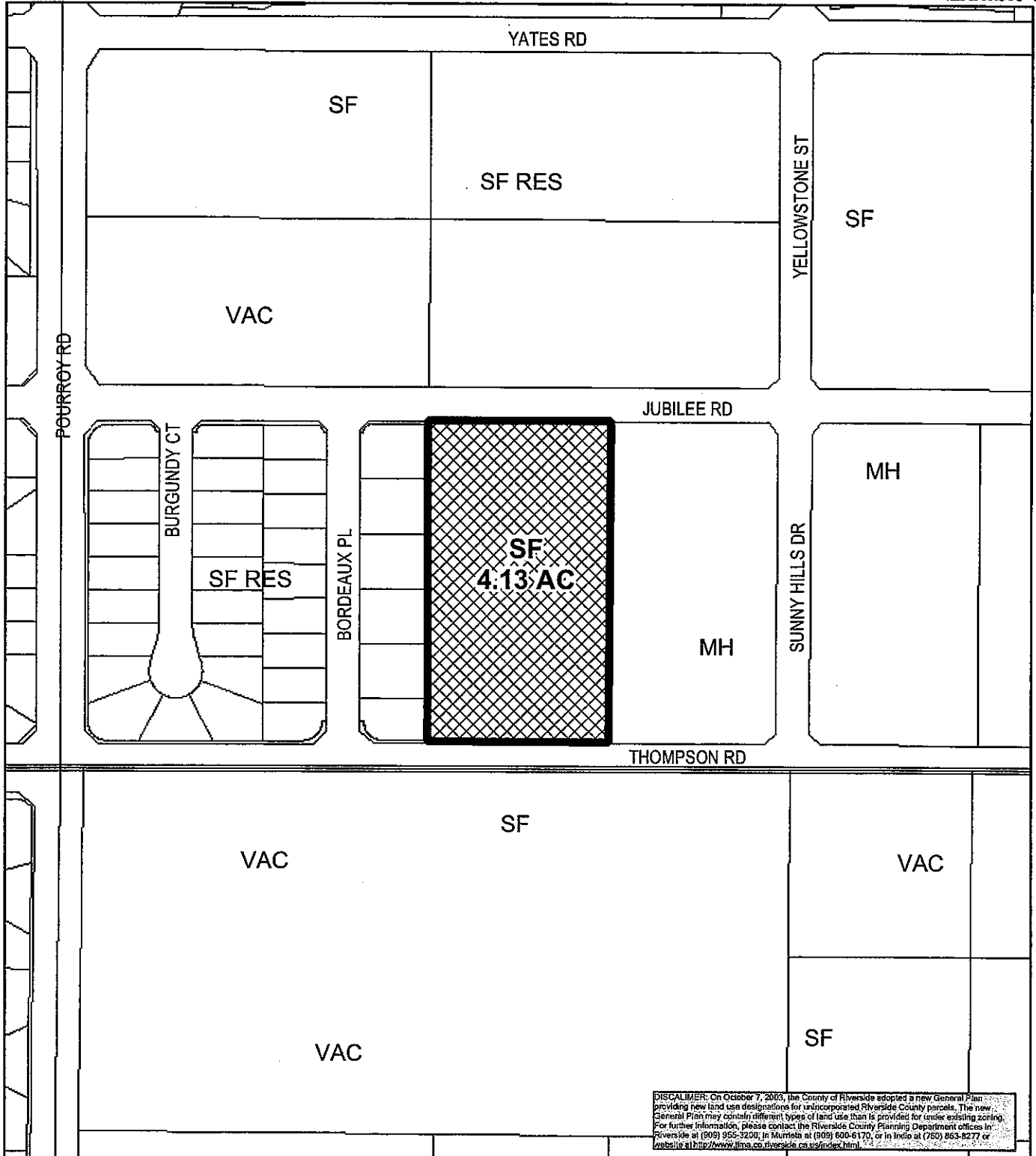
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 855-3200, in Murrieta at (909) 800-6170, or in Indio at (760) 863-8277 or visit us at <http://www.dms.co.riverside.ca.us/index.html>.

Zone
Area: Rancho California
Township/Range: T6SR2W
Section: 33

RIVERSIDE COUNTY PLANNING DEPARTMENT

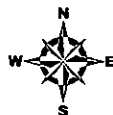


Assessors
Bk.Pg. 476-29
Thomas
Bros. Pg. 899 E7



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 33



Assessors
Bk. Pg. 476-29
Thomas
Bros. Pg. 899 E7



DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
 Plan: Rancho California
 Township/Range: T6SR2W
 Section: 33



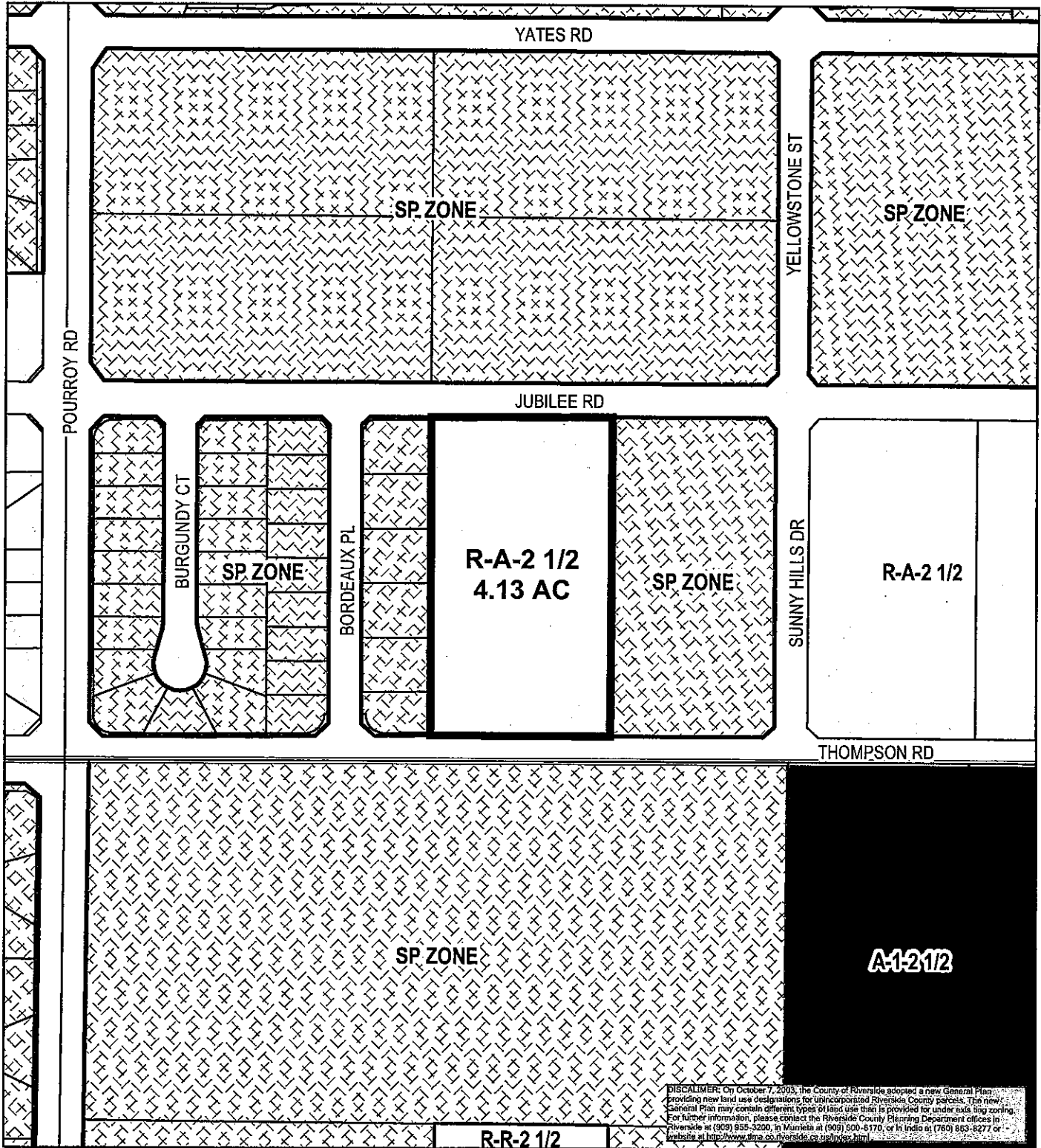
Assessors
 Bk. Pg. 476-29
 Thomas
 Bros. Pg. 899 E7

Supervisor Stone
District 3
Date Drawn: 02/05/08

GPA00907

EXISTING ZONING

Planner: Amy Aldana
Date: 02/05/08
Exhibit 2



Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 33

RIVERSIDE COUNTY PLANNING DEPARTMENT



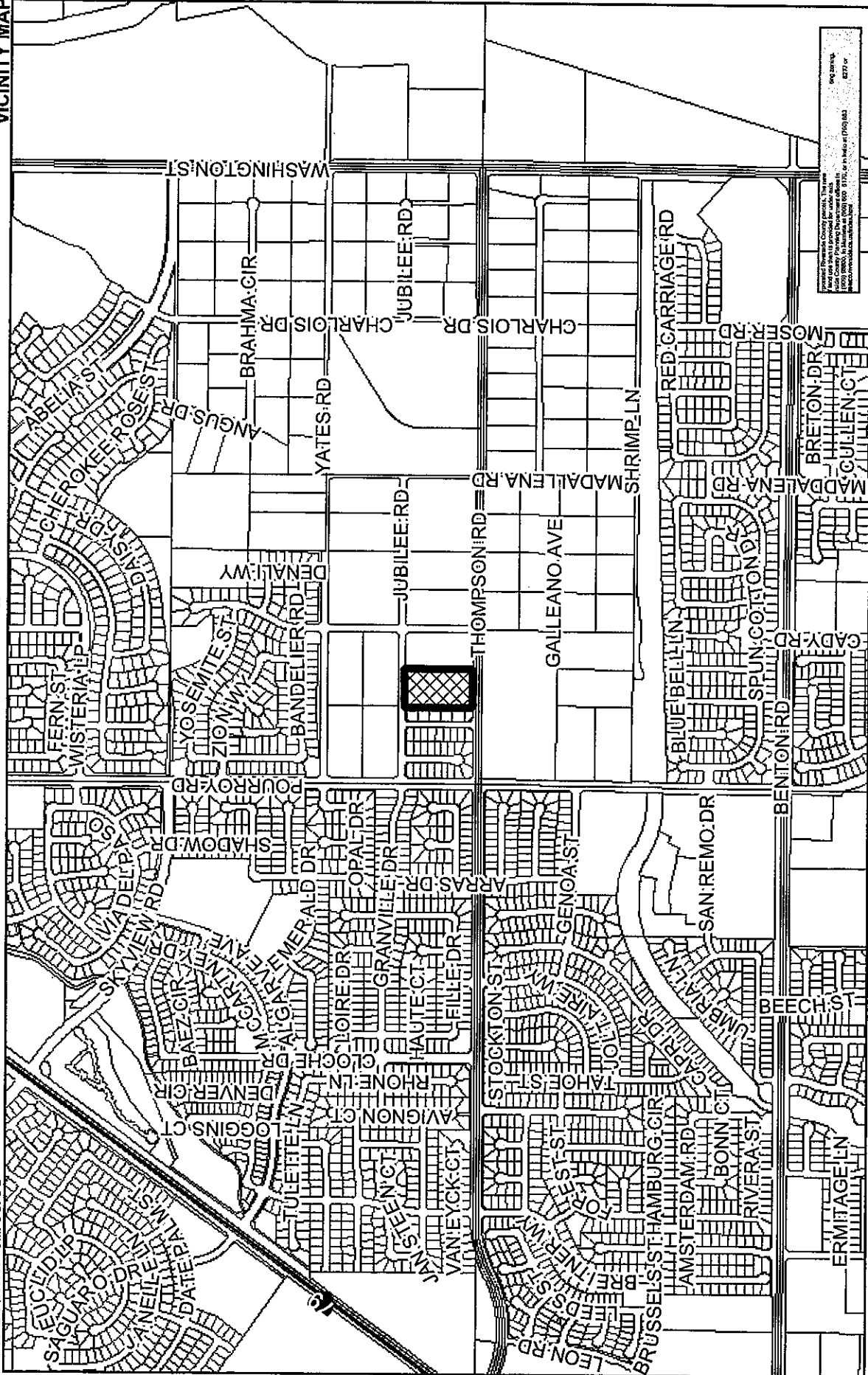
Assessors
Bk. Pg. 476-29
Thomas
Bros. Pg. 899 E7

Supervisor Stone
District 3

GPA00907 VICINITY MAP

Planner: Amy Aldana
Date: 02/05/08
VICINITY MAP

Date Drawn: 02/05/08



Assessor's Office
 4775 W. Stevens Blvd., Suite 200
 San Jose, CA 95128
 Phone: (408) 297-1000
 Fax: (408) 297-1001
 Website: www.sccassessor.com

Zone Rancho California
 Area: T6SR2W
 Section : 33

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
 Bk. Pg. 476-29
 Thomas
 899 E7

0 1,350 2,700 5,400 8,100

Feet

October 22, 2009

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
County of Riverside
4080 Lemon St., 9th Floor
Riverside, CA 92501

**RE: Item 8.0, General Plan Amendment Initiation Proceedings
(October 28, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals.

Item 8.1, GPA 1086 (Highgrove)

Concur with staff recommendation to initiate. This amendment will utilize Community Development land more efficiently and provide for a range of housing types.

Item 8.2, GPA 1087 (Highgrove)

No position.

Item 8.3, GPA 1081 (Lake Mathews)

Disagree with staff recommendation for initiation pending MSHCP analysis. The staff report notes that the project is within MSHCP Criteria Cell 2028 but does not evaluate the effect of the change in land use upon MSHCP assembly. If such effect is neutral or positive, EHL would have no position on the amendment.

Item 8.4, GPA 1017/ A/B (Jurupa)

No position.

Item 8.5, GPA 1043 (Rancho California)

Concur with staff recommendation to deny initiation. This 629-acre property in rugged terrain is remote from infrastructure and services and is at high fire risk. Uses should not be intensified here. Furthermore, the Riverside County Fire Hazard Reduction Task Force made the following recommendation:

Update the Riverside County General Plan and complete consistency zoning actions to limit residential growth within or adjacent to high fire hazard areas.

As staff notes, the proposal would be inconsistent with the General Plan vision for the area, create internal inconsistencies in the General Plan, and reflects no changed circumstances.

Item 8.6, GPA 1038 (Lake Mathews)

Disagree with staff recommendation to initiate, including as a modified project. This is a massive proposal to redesignate 365 acres of intact Rural land to highly inefficient, greenhouse gas-intensive 2-acre estate lots. The staff-recommended modification would convert a portion of the site to such lots. Mostly surrounded by other Rural lands, such conversion would not reflect a substantial change in circumstances, and thus *does not meet* the criteria for a Foundation change. Staff's recommendation demonstrates a lack of commitment to the integrity of the Rural designations, and as in the case above, would grant a special *exception* for one applicant and set a precedent that would lead to progressive loss of Rural lands. *Furthermore, the staff report is highly deficient in failing to indicate whether MSHCP Criteria Cells are affected. Whether or not MSHCP assembly would be prejudiced by intensified uses is critical information, and such an analysis should be provided prior to consideration.*

Item 8.7, GPA 988 (Elsinore)

Concur with staff recommendation to deny initiation. This proposal responds to no changed circumstances to justify conversion of OS-R to RR. It would intensify residential uses within a remote and very high fire hazard area, contrary to the recommendation of the Fire Hazard Reduction Task Force. The current designation correctly reflects the viewshed and buffer characteristics of the area, and should not be altered. According to staff, "Increasing the intensity of uses on the site could also potentially create inconsistencies amongst the Land Use element and the Safety element of the General Plan."

Item 8.8, GPA 916 (Winchester)

Concur with staff recommendation to deny initiation. The site is outside the existing commercial core and no changed circumstances justify the proposal. As staff notes, future "Rural Commercial Policies" may apply, however.

Item 8.9, GPA 907 (Rancho California)

NO CELLS

Disagree with staff recommendation for initiation pending MSHCP analysis. The French Valley is a complex location for MSHCP assembly. The staff report does not analyze whether MSHCP assembly would be affected.

Item 8.10, GPA 903 (Rancho California)

CELL 5275

Disagree with staff recommendation for initiation pending additional analysis.
There is no MSCHP analysis. There is also no evidence that additional commercial capacity is needed here or that this is the optimal location for new commercial that reduces vehicle miles traveled and consequent GHG emission for nearby communities.

In conclusion, we ask that you uphold the integrity of the Foundation System, the General Plan, and the MSHCP.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.

Carolyn Luna, EPD
Interested parties

GPA 907

Work that has been started or completed:	Date:	By:	S / C
Staff Report	10/7/09	J.H.	②
Directors Report	11/5/09	11	11
Form 11 Cover Sheet	11/5/09	11	11
Form 11	11/5/09	11	11
Strip	10/7/09	11	11
Labels	10/8/09	11	11
PC Power Point	10/7/09	J.H.	11
BOS Power Point			11
Sign over to Current Planning			
Letters (receive and copy for packet)			
Update information in LMS (L/H/N)			
Update General Information in LMS			
PC notices mailed	10/7/09	J.H.	②
Highway 79 Policy Area	YES		