

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



FROM: TLMA – Planning Department

SUBMITTAL DATE:
June 29, 2009

SUBJECT: GENERAL PLAN AMENDMENT NO. 896 – Foundation-Regular – Applicant: Greg Tonkinson– Engineer/Representative: LSA Associates, Inc/ Maria Lum - First Supervisorial District – Glen Ivy Zoning Area – Temescal Canyon Area Plan: Open Space: Water (OS:W) – Location: northerly of Dawson Creek, easterly of Temescal Wash, southerly of Dawson Canyon, and westerly of Park Canyon Drive– 2.6 +/- Gross Acres – Zoning: Mineral Resources & Related Manufacturing (M-R-A) **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Open Space to Community Development and to amend the land use designation of the subject site from Water (OS:W) to Light Industrial (CD:LI) within the Serrano Policy Area and the Temescal Wash Policy Area - APNs: 283-190-043

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for the above referenced general plan amendment as modified by staff and as shown in Exhibit #7 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

Ron Goldman
Planning Director

RG:th
[initials]

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.

Agenda Item No.: 9.1
Area Plan: Temescal Canyon
Zoning District: Glen Ivy
Supervisory District: First
Project Planner: Mike Harrod
Planning Commission: June 24, 2009

General Plan Amendment No. 896
Applicant: Greg Tonkinson
Engineer/Representative: Maria Lum

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends to adopt an order initiating proceedings for General Plan Amendment No. 896 from Open Space: Water to Community Development: Light Industrial on the northern approximately 2.6 acres of the subject site and the Planning Commission made the comments below. The Planning Director continues to recommend to adopt an order initiating proceedings. For additional information regarding this case, see the attached Planning Department Staff Report(s).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: Commissioner Roth agreed with staff that the proposal is appropriate to move forward on the northern approximately 2.6 acres of the site. Mr. Roth also commented that the wash that transects the site must not be contaminated if any development takes place.

Commissioner John Snell: Commissioner Snell agreed with staff that the proposal is appropriate to move forward on the northern approximately 2.6 acres of the site. Mr. Snell also commented that the original acreage of 2.57 that was proposed by staff should be rounded up to 2.6 +/- acres.

Commissioner John Petty: No Comments

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 9.1
Area Plan: Temescal Canyon
Zoning District: Glen Ivy
Supervisorial District: First
Project Planner: Tamara Harrison
Planning Commission: June 24, 2009

General Plan Amendment No. 896
Applicant: Greg Tokinson
Engineer/Rep.: Maria Lum

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 "Open Space: Water" (OS:W) to "Community Development: Light Industrial" (CD:LI) (0.25 – 0.60 FAR) for an approximately 2.8-acre property. The project is located easterly of the Temescal Wash, southerly of Clay Canyon Drive, and westerly of Park Canyon Drive.

POTENTIAL ISSUES OF CONCERN:

The subject parcel is located in the community of Spanish Hills within the Temescal Canyon Area Plan, and is also within the sphere of influence for the City of Corona. The surrounding land uses include Open Space - Mineral Resources to the north and east, Open Space – Water to the east and south, and Public Facilities as well as Light Industrial to the south and west. Although the proposed site is within the sphere of influence for the City of Corona, the site is not within an area where land use designations have been given by the City. The proposed site is also located within the Temescal Wash Policy Area and within a flood zone that requires Flood Management Review. The Temescal Wash has a major influence on the character of the area and traverses the length of the subject site from northwest to southeast. Staff from the county's Flood Control District office advised that if the fill material for new development was armored to protect the site from erosive flows then the northern half of the property could be developed. However, District staff does not recommend the southern half of the property be developed. Based upon this information, staff recommends modifying the original proposal to reflect Community Development: Light Industrial proposed on the northern portion of the parcel out of flood hazard areas while maintaining the Open Space: Water designation on the southern portion of the site.

Specific Plan 353, "Serrano," currently under review with County Planning and westerly of the subject site, proposes to develop approximately 487 acres into an industrial park along with commercial office and community center uses. The balance of the project acreage will consist of roads, parkways, and flood control facilities. In addition, Temescal Canyon Road would be realigned as a result of the project. Conditional Use Permit 2865 which was approved on the subject site as well as the site directly to the north (APN 283-190-042) approved a pre-cast concrete manufacturing facility and was set to expire in December 2001. CUP02865 Revision No. 1 (CUP02865R1) was filed in November of 2001 in order to extend the life of the permit; however, the revision was only approved on the northern parcel and not the subject site. A number of concrete manufacturing/ batch plants currently exist in the area as well, therefore the proposed change would not be out of character with or inconsistent with the land use pattern that currently exists in the area. Pre-Application Review No. 812 (PAR00812) is currently under review with the Planning Department for a possible industrial project (batch plant) at the subject site.

The proposed site lies within several MSHCP cell groups and is associated with the Temescal Wash among other sensitive habitat. The site has been reviewed under the Habitat Assessment and Negotiation Strategy (HANS), HANS No. 1294 (see attached). Through the HANS process it was determined that 3.7 acres within the southern portion of the lot will be conserved and dedicated to the Regional Conservation Authority. The remaining 2.57 acres in the northern portion of the site was not identified for conservation.

RECOMMENDATIONS:

The Planning Director's recommendation is to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 896 from Open Space- Water to Community Development- Light Industrial over the entire site as proposed by the applicant but to adopt an order initiating proceedings as modified by staff from Open Space-Water to Community Development- Light Industrial on the northern portion of the site, approximately 2.8 acres. The adoption of such an order does not imply that the proposed GPA will be approved.

INFORMATIONAL ITEMS:

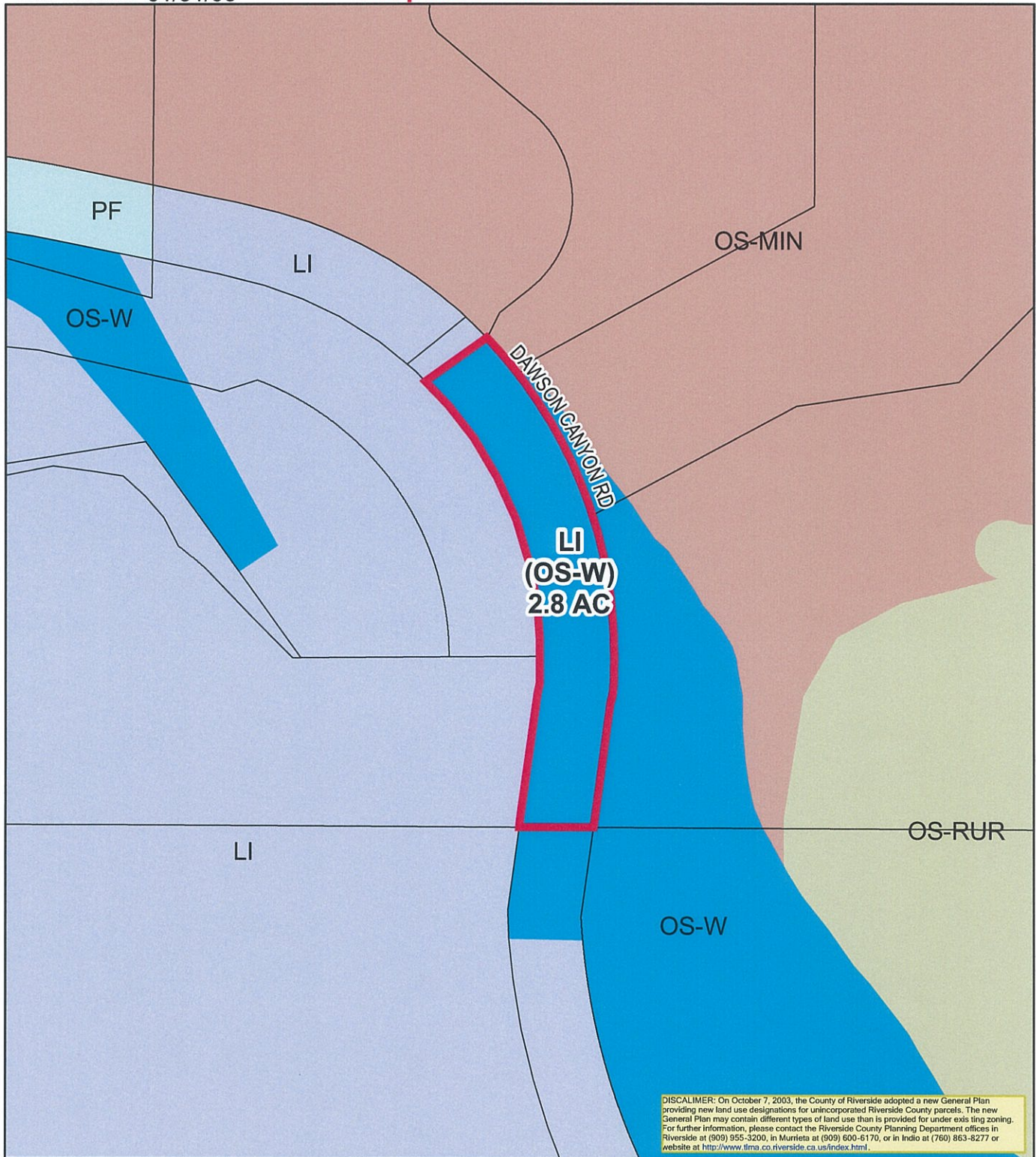
1. This project was filed with the Planning Department on January 2, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$4854.17.
3. The project site is currently designated as Assessor's Parcel Numbers 283-190-043.

Supervisor Buster
District 1
Date Drawn: 01/31/08

GPA00896

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

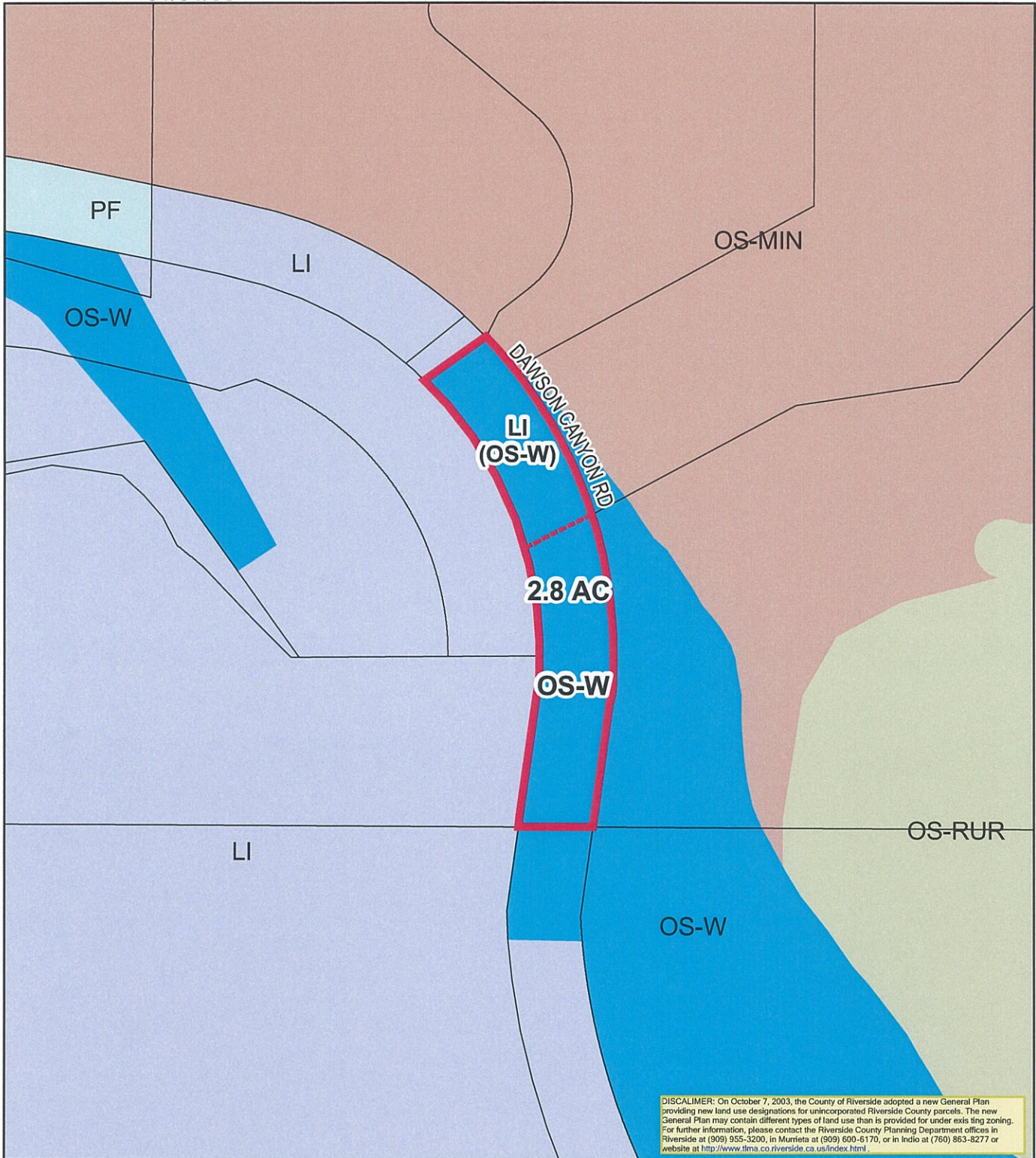
Zone
Area: Glen Ivy
Township/Range: T4SR6W
Section : 35

RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors
Bk.Pg. 283-19
Thomas
Bros. Pg. 804 F4

Recommended General Plan



Zone
Area: Glen Ivy
Township/Range: T4SR6W
Section : 35

RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors
Bk.Pg. 283-19
Thomas
Bros. Pg. 804 F4

DEVELOPMENT OPPORTUNITY



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.tmap.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: Glen Ivy
Township/Range: T4SR6W
Section: 35

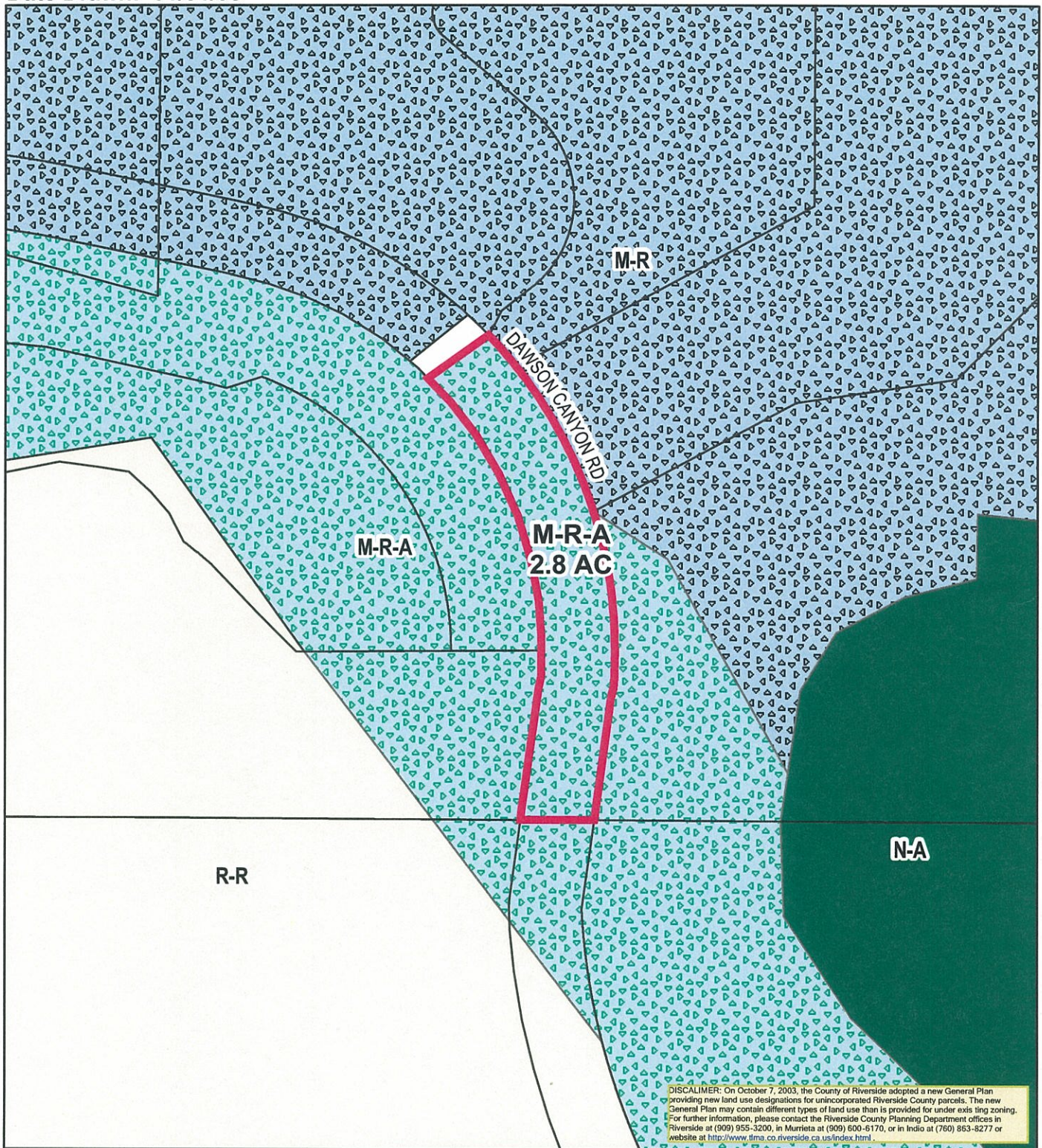


Assessors
Bk. Pg. 283-19
Thomas
Bros. Pg. 804 F4

Supervisor Buster
District 1
Date Drawn: 01/31/08

GPA00896
EXISTING ZONING

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

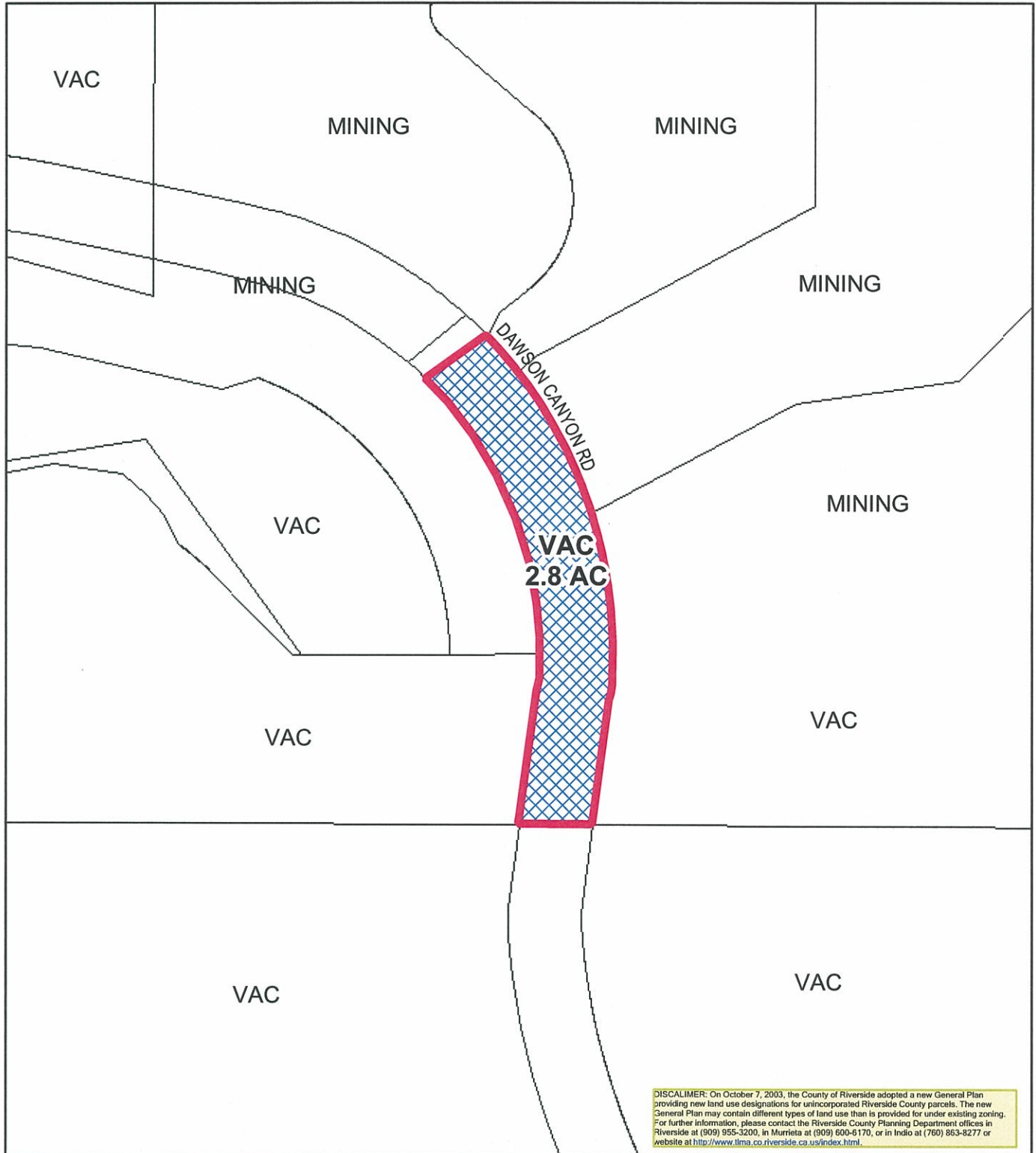


Zone
Area: Glen Ivy
Township/Range: T4SR6W
Section : 35

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 283-19
Thomas
Bros. Pg. 804 F4





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.lmsa.co.riverside.ca.us/index.html>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Glen Ivy
Township/Range: T4SR6W
Section : 35



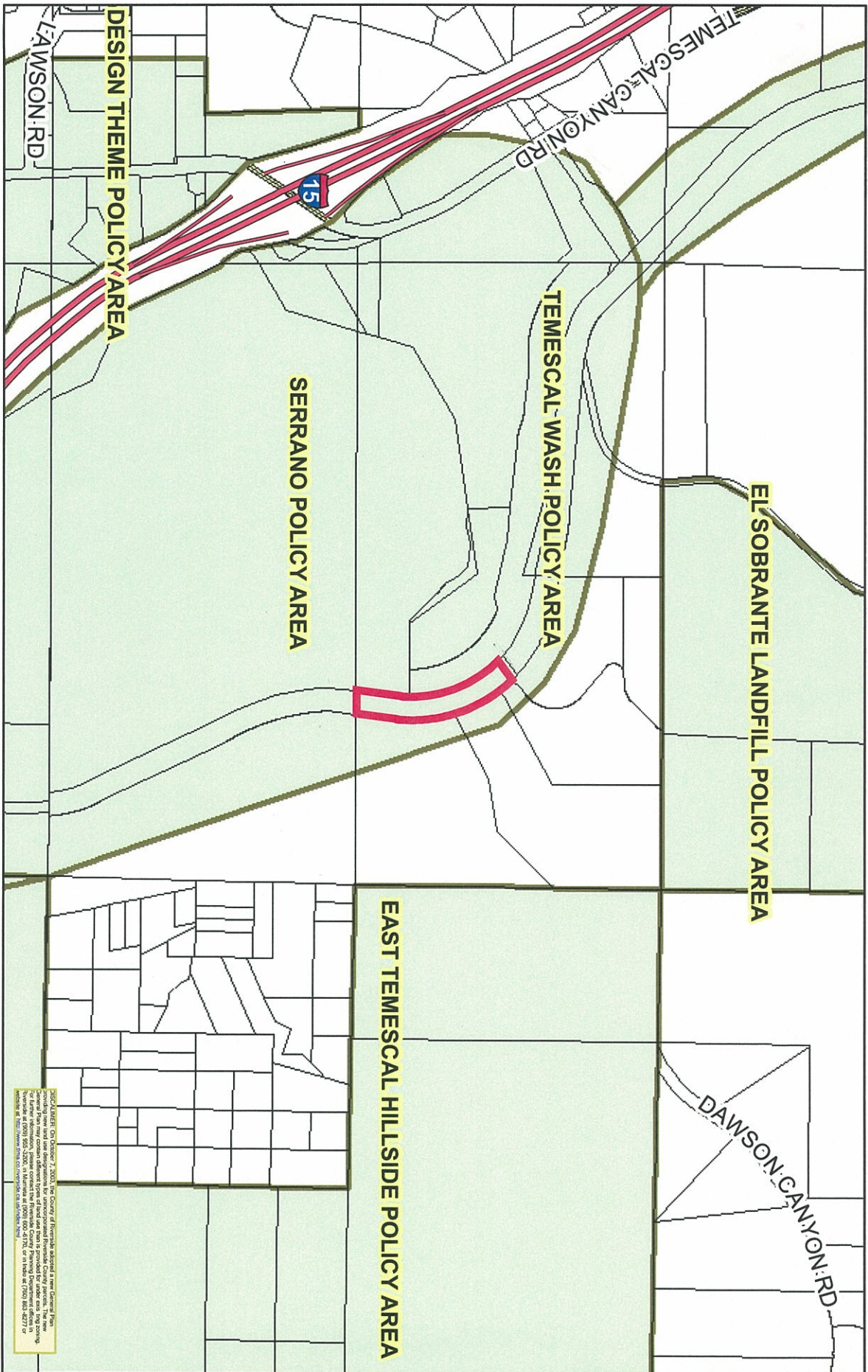
Assessors
Bk. Pg. 283-19
Thomas
Bros. Pg. 804 F4



Supervisor Buster
District 1
Date Drawn: 01/31/08

GPA00896 POLICY AREAS

Planner: Amy Aldana
Date: 02/05/08
Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Glen Ivy
Area: T4SR6W
Township/Range: T4SR6W
Section: 35



NOT A LEGAL INSTRUMENT. On October 7, 2002, the County of Riverside adopted a new General Plan. The General Plan is a long-term policy statement that guides the County's future development. The General Plan is divided into five main elements: land use, transportation, natural resources, housing, and public services. The General Plan is subject to periodic updates and amendments. For more information, please contact the County of Riverside Planning Department at (951) 852-1200 or visit our website at www.riversideca.gov.

Assessors
Bk. Pg. 283-19
Thomas
Bros. Pg. 804 F4

January 2, 2007

Mr. Ron Goldman
Advanced Planning, 9th Floor
County of Riverside Transportation and Land Management Agency
Riverside, CA 92501

Subject: Application for General Plan Amendment
Tonkinson Industrial Project Site on a portion of APN 283-190-043
PAR00812/HANS1294 (LSA Project No. TKI0601)

Dear Mr. Goldman:

LSA Associates, Inc. has been conducting the technical studies required by the Environmental Programs Department and the Planning Department for Mr. Greg Tonkinson over the past year. Mr. Tonkinson is proposing a batch plant facility on a northern portion of APN 283-190-043. While reviewing the project history, it was discovered that the parcel was included in Conditional Use Permit (CUP02865R1) for a batch plant currently in operation on APN 283-190-042 and that the subject parcel was zoned M-R-A with an inconsistent land use designation of OS-W.

The purpose of this letter is to justify an amendment to the Riverside County General Plan. The amendment request is to change the Land Use Designation from Open Space-Water (OS-W) to Light Industrial (LI) on 2.8 acres zoned as Mineral Resources & Related Manufacturing (M-R-A) in the Temescal Canyon Area Plan.

This is a reasonable request due to the following facts:

- 1) The land use designations adjacent to the 2.8-acre project area are Light Industrial (LI) and Open Space-Mineral Resources (OS-MIN). The site is bounded by Park Canyon Road, Dawson Canyon Road, and Dawson Canyon wash. Changing the land use to LI on the northern portion of APN 283-190-043 would have all the land at the intersection of Dawson Canyon Road and Park Canyon Road as the same land use designation. Refer to Figure 5 and to the site plan map.
- 2) The zoning of the subject parcel and the adjacent parcels is Mineral Resources & Related Manufacturing (M-R-A) and Mineral Resources (M-R). The current land use designation of OS-W is not consistent with the zoning of the area. Changing the land use designation to LI would be consistent with M-R-A and M-R zoning.
- 3) The site is currently a vacant graded area in an easily accessible location adjacent to similar light industrial operations. The 2.8-acre project site is intended to be used for a proposed cement mixing batch plant. The proposed use of the site would be compatible with the existing land use since the road intersection is already used by haul trucks and other commercial vehicles.
- 4) The amendment would only apply to an upland area and would not apply to land in the 100-year flood zone, in Dawson Canyon, or in Temescal Wash. The project would be limited to an upland area void of waters of the U.S. or state, and lacking in sensitive habitat, and without the presence

- of plant or wildlife species of concern. The remaining area of APN 283-190-043, designated as OS-W, would be adjacent to LI and OS-W.
- 5) The boundary of the OS-W land use designation in Temescal Canyon Area Plan generally follows the FEMA 100-year flood plain and Riverside County flood zone maps. See attached flood plain maps.
 - 6) The land use designation of OS-W on the majority of APN 283-190-043 is inappropriate, since the parcel is outside the 100-year flood plain. The only area within the 100-year flood plain is Temescal Wash. The wash is located within the southern end of the subject parcel. Note, that the flood plain is very narrow at this location because of the in-fill for the railroad trestle.
 - 7) Temescal Wash no longer used as an aggregate source is considered an important wildlife corridor and habitat area under the Western Riverside County Multiple Species Habitat Mitigation Plan. With this conservation goal in mind, note that there is break in the land use designation of Temescal Wash west of the subject parcel. Changing just the northern half of the subject parcel would not add to this disconnect in the OS-W designation along Temescal Wash.

Please feel free to contact me by phone at (951) 781-9310 or by email at maria.lum@lsa-assoc.com for additional information or comments on the general plan amendment application materials.

Sincerely,

LSA ASSOCIATES, INC.



Maria A. Lum
Senior Biologist

Attachments

General Plan Amendment Form
Grant Deed with legal description
Recorded Easements shown on two survey plats
Tonkinson Industrial Site Plan (10 copies, more available upon request)
Figure 1. Project Location
Figure 2. Site Plan on Aerial Photograph
Figure 3. Site Photograph Key Map
Figure 3A-3D. Site Photographs
Figure 4. Flood Plain Map
Figure 5. Land Use Map
CD containing PDF of all figures and maps
Check No. _____ in amount of \$ _____ for GPA/EA fees.

cc. Greg Tonkinson

Time line of County Planning Meetings and other Correspondence regarding project on APN 283-190-043 in Temescal Canyon Area Plan, Riverside County.

People spoken to

Ebony J. McGee	Riv Co. Contract Planner
Lela Weiss	Riv. Co Senior Planner and lan use technician
Bob Linares	Riv. Co, Planner III
Becky Brewington	Riv. Co. Land Use Technician II
Orbin McDonald	Riv. Co. Building and Safety
Mike Lara	Regional office manager
William "Michael" Cornelius	Riv. County Flood Control
Ed Lotz	Riv. Co. Flood Control
Mike Lapaglia	Riv. Co. Flood Control
Kris Flanigan	Civil Engineer Ric Co. Flood Control
Ken Baez	Riv. Co. Environmental
Chad Young	Riv. Co. Environmental
Mark Dur ham	Army Corp of engineers
Phil Serpa	Army Corp of engineers
Gabby	State Fish and Game
Maxine	State Fish and Game
Jess Brandt	State Fish and Game
Eric Becker	State Regional Water quality control board
Michael Roth	Regional Water Quality Board Santa Ana Region

May 2005 met and discussed Land use and zoning with Bob Linares and Becky Brewington.

July and August, 2005 met, phoned or e-mailed her with Lela Weiss on the zoning and land uses for the corona property. During these conversations, I learned of the land use and zoning inconsistencies. I had asked about allowable uses on the property and what could be done to correct the problems.

September, 2005 Met with William M. Cornelius II , "Michael" with the Riverside county flood control and water conservation District. We talked about the flood zone on my property. It seemed to be inconsistent with from his point of view with the information that the county planners had provided. He was sure from his maps, that only a small portion of my lots is in a flood plain area and he suggested that I try to correct this with the county planning and that flood controls position on this area would reflect only a very small area of my parcel to be in a flood zone.

November 3, 2005 Started the HANS process with county.

Nov. 2005 Researched general laws and rules on lake and streambeds program with the State water quality control board, Army Corp. State Fish and Game, US fish and Wildlife, Riv Co. building and Safety.

Received faxed memo from Michael Roth or the regional water control board stating there doesn't seem to be a need for a 401 permit.

Dec, 2005 and Jan 2006, worked on HANS report information for the county. Tried to set up a HANS meeting with the county.

March 15, 2006 – had a HANS meeting with Riv. County. At this meeting, the HANS process was started and a direction was given to help with this process. It is now in HANS II and being considered for reconsideration. LSA is working on this.

May 2006 – Met with Riv. Co. Flood Control to further discuss flood zones and to get copies of maps showing flood zone. Also went to county to discuss how I could use this flood control info to help with the HANS.

June 8, 2006 – Met with Ed Lotz, Kris Flanigan and Mike Lapaglia on the Riv. Co. Flood Control to further confirm their position on the flood zone area as the County was shocked at the difference of opinion and they again concurred with their position.

2007 - Technical Studies by LSA authorized and completed.
Paleo and Cultural Resources
Biological Resources and Habitat Suitability Assessment
Waters and Wetlands Delineation and Mapping field work

May 11, 2007 - LSA Biologist Maria Lum communications with Lela Weiss regarding zoning, land use and existing CUP.

Aug. 1, 2007 – Greg Tonkinson meet with Ken Vaez regarding HANS process.

Sept. – Dec. 2007 – Ms. Lum questions about project review and planning department procedures with Jim Phithayanuk, Lisa Sheldon, Josh Lee, and Amy Aldana

Sept 28, 2007 – Traffic study exemption per Kevin Tsang

Dec. 26, 2007 - Mr. Tonkinson met with Josh Lee and Lisa Sheldon regarding GPA application.

Dec 28, 2007 – Mr. Tonkinson phone conversation with Chad Young, EPD regarding HANS II meeting.



Carolyn Syms Luna
Director

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

Environmental Programs Department

May 19, 2008

Mr. Greg Tonkinson
8252 E. Loftwood Lane
Orange County, CA 92867

Dear Mr. Tonkinson:

Re: JPR 08-03-27-04 Determination Letter – Partial Conservation/HANS II not required
HANS No. 1294
Case No. PAR00812
Assessor's Parcel Number(s): 283-190-043

This letter is to inform you that the HANS determination for the subject property was forwarded to the Regional Conservation Authority (RCA) for Joint Project Review (JPR) pursuant to Section 6.6.2 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). As stated on the attached "RCA JPR Review", the RCA has concurred with the County that partial conservation is described for this property (exhibit attached).

The applicant has agreed to conserve 3.7 acres of undevelopable land in the southern portion of the property. Conservation of the land will be achieved through a dedication or conservation easement in favor of the RCA. The Environmental Programs Department will support the proposal for a concrete batch plant on 2.57 acres in the northern half of the subject property. The project has completed the HANS process. You may proceed with the planning process for the developable portion of the property.

Please note that this determination does not preclude compliance with any conditions incorporated into your final project approval.

If you have questions concerning the attached comments, please contact the EPD at (951) 955-6892.

Sincerely,

ENVIRONMENTAL PROGRAMS DEPARTMENT


Chad Young
Ecological Resources Specialist

CY

xc: Karin Watts-Bazan, Deputy County Counsel
Greg Neal, EPD
Monica Thill, EPD
Ken Graff, RCA
Sarah Lozano, RCA
Stephanie Standerfer, RCA
Brian Beck, RCA



- Lake Matthews Quadrangle
- Parcel
- Roads
- HANS Designations
- Developments
- Proposed MSHCP Conservation Area
- Criteria Cells

REVISED FINAL

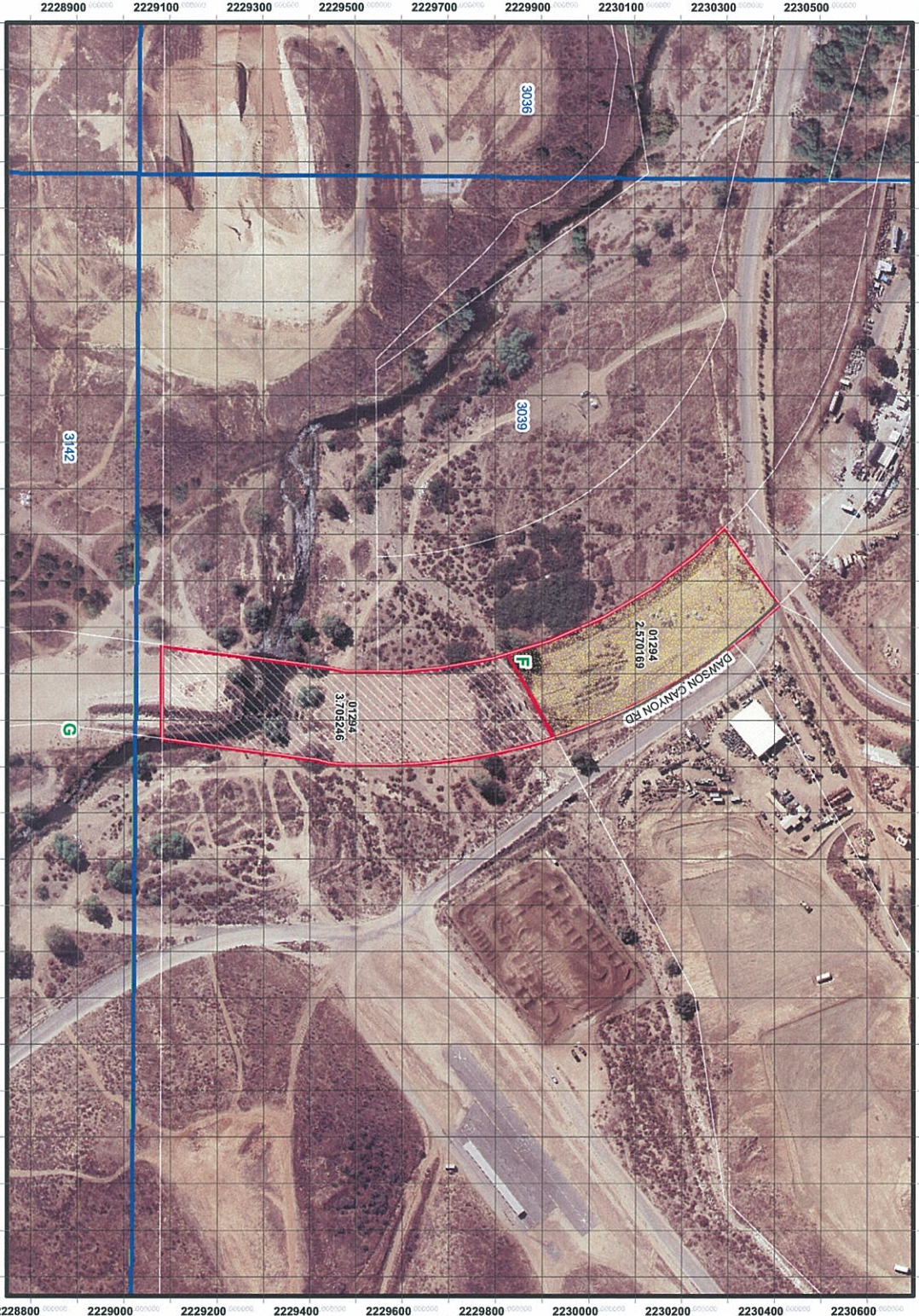
Date: 02-25-08



Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and the accuracy of the information is not warranted or guaranteed to the extent the source is other than third party. Accuracy, timeliness, or completeness of any of the data provided, and map, any use of this product, with respect to accuracy and precision shall be the sole responsibility of the user.

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MSHCP HANS - PAR00812 - Intake 1294



2228900 2229100 2229300 2229500 2229700 2229900 2230100 2230300 2230500

0.04 0.02 0 0.04 0.08 0.12 0.16 Miles

1 inch equals 200.7 feet

Scale Spreadsheets: S:\Environmental\HANS\Intake_1294\Intake1294\MSHCP\HANS_2005_1294.mxd

