

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

423B



SUBMITTAL DATE:
March 23, 2010

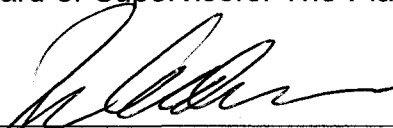
FROM: TLMA - Planning Department

SUBJECT:

GENERAL PLAN AMENDMENT NO. 943- Foundation-Regular - Applicant: Carl Rheingans - Engineer/Representative: Cozad & Fox, Inc. - Third Supervisorial District - Winchester Area Zoning District - Harvest Valley/Winchester Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum Lot Size) - Location: Easterly of Highway 79, westerly of Richmond Road, southerly of Stetson Avenue and northerly of Stowe Road - 56.84 Gross Acres - Zoning: Light Agriculture - 10 Acre Minimum Lot Size (A-1-10) - 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 general plan land use designation of the subject site from Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) to Medium Density Residential (CD:MDR) (2-5 DU/AC) and Commercial Retail (CD:CR) (0.20-0.35 FAR) - APN: 465-060-004.

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


Ron Goldman
Planning Director

Initials:
th


Continued on attached page

REVIEWED BY EXECUTIVE OFFICE

DATE 3/25/10
Tina Grande

Departmental Concurrence

Policy
 Policy

Consent
 Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

15.4

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 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 JANUARY 13, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. AGENDA ITEM 5.3: GENERAL PLAN AMENDMENT NO. 943 – Foundation / Regular – Applicant: Carl Rheingans – Engineer/Representative: Cozad & Fox, Inc. - Third Supervisorial District - Winchester Area Zoning District - Harvest Valley/Winchester Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum) – Location: Easterly of HWY 79, westerly of Richmond Road, southerly of Stetson Avenue and northerly of Stowe Road - 56.84 Gross Acres - Zoning: Light Agriculture - 10 Acre Minimum (A-1-10) - APN: 465-060-004. (Continued from 1/7/09 and 12/2/09).

II. PROJECT DESCRIPTION

This General Plan Amendment proposes to amend the General Plan Foundation Component from Rural Community to Community Development and to amend the general plan land use designation from Estate Density Residential (RC:EDR) (2 ac. min.) to Medium Density Residential (CD:MDR) (2-5 Dwelling Units per Acre) and Community Development: 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:

Sam Alhadeff, Applicant's Representative, 41607 Margarita Rd., #103, Temecula, California 92591
Dennis Stafford, Other Interested Party

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;

TO TENTATIVELY DECLINE TO INITIATE 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.: 5.3
Area Plan: Harvest Valley/Winchester
Zoning District: Winchester
Supervisorial District: Third
Project Planner: Tamara Harrison
Planning Commission: January 13, 2010

General Plan Amendment No. 943
Applicant: Carl Rheingans
Engineer/Representative: Cozad & Fox Inc.

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors **tentatively decline** to adopt an order initiating proceedings for GPA00943 from Rural Community: Estate Density Residential to Community Development: Medium Density Residential and Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board tentatively decline to adopt an order initiating proceedings for the General Plan Amendment. 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: Mr. Petty indicated that the subject site is located within an area that is undergoing transition given development that has taken place in the area and the proposed re-alignment of Highway 79. Due to these factors, Commissioner Petty commented that things are likely to change significantly in the area. Mr. Petty also commented that the area experienced flood control improvements with the development of Tract Map No. 30351 (Osborne Development) to the North of the subject site. The presence of an existing commercial use on the southern portion of the site was also noted by Commissioner Petty.

Commissioner Jim Porras: No Comment

Commissioner Jan Zuppardo: No Comment

Agenda Item No.: 5.3
Area Plan: Harvest Valley/ Winchester
Zoning District: Winchester Area
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: January 13, 2010
Continued from: January 7, 2009 and December 2, 2009

General Plan Amendment No. 943
E.A. Number 41771
Applicant: Carl Rheingans
Engineer/Rep.: Cozad and Fox Inc

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component of the subject site from Rural Community (RC) to Community Development (CD) and to amend the land use designation of the subject site from Estate Density Residential (RC:EDR) (2 acre minimum lot size) to Medium Density Residential (CD:MDR) (2-5 du/ac) and Commercial Retail (CD:CR) (0.25-0.35 FAR) for an approximately 56.84-acre parcel. The project is located northerly of Stowe Road, southerly of Stetson Avenue, easterly of Highway 79 and westerly of Richmond Road.

POTENTIAL ISSUES:

The subject parcel is located in the "Winchester" community within the Harvest Valley/ Winchester area plan. The site is currently surrounded by lots that are a minimum of 2 acres and larger with the majority of those lots falling within the Rural and Rural Community foundation components. No significant change has occurred in the area since the adoption of the general plan in October of 2003 that would substantiate the request. Tract Map 30351, located to the northwest of the subject site approved 218 single-family lots (20 with a 20,000 square foot minimum lot size and 198 with a 7,200 square foot minimum lot size); however the case was approved by the Board of Supervisors in January of 2003 prior to the adoption of the general plan. Tract Map 33117, located directly north of the subject site across Stetson Avenue is a proposal for 469 single-family lots and is currently under review with the Planning Department. Stetson Avenue currently serves as a demarcation line between Community Development designations and non-Community Development designations in the vicinity. Existing Community Development designations can also be found to the far south of the subject site and serve to reinforce the area's commercial core and also serves as a transition/buffer from the commercial core to lower density designations.

The proposal includes a request for approximately 43 acres of Medium Density Residential and approximately 14 acres of Commercial Retail on the southern portion of the property. The southern portion of the lot contains an existing commercial use, known as "Winchester Farms." At the time the staff report was written, entitlement for "Winchester Farms" had not been found. The commercial core for the "Winchester" community has been identified by the General Plan as the intersection of Winchester Road and Simpson Road. The subject site falls outside of the identified core and is not a reasonable extension of the Commercial Retail designation in the area.

The site is also subject to a "high risk" of fire hazards. The safety element of the General Plan addresses these risks in a number of ways including deterring building in those "high risk" areas and providing secondary public access for the areas that are proposing developments. The site has also been identified as falling within the 100-year flood plain, requiring flood plain management review. The proposal would potentially increase the number of structures that may be exposed to such hazards and therefore, creating an inconsistency between the land use element and the safety element of the General Plan.

The site is located within the boundaries of the Multiple Species Habitat Plan (MSHCP), however, the site does not fall within a criteria cell. The site will be required to conform to additional plan wide requirements of the MSHCP such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable.

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 regular 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 area. 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.

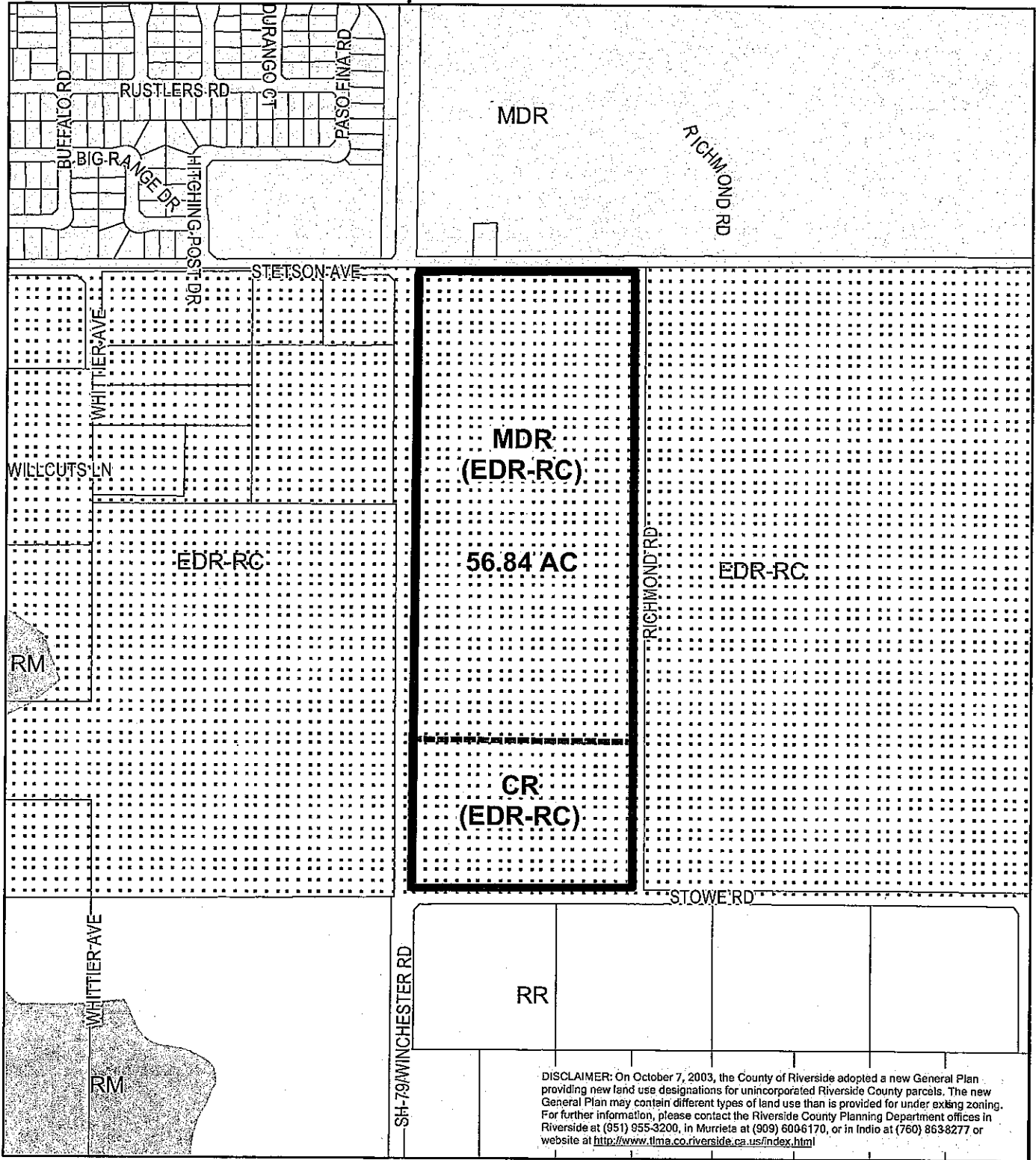
RECOMMENDATION:

The Planning Director recommends that the Board of Supervisors **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 943 from Rural Community: Estate Density Residential to Community Development: Medium Density Residential and Commercial Retail.

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 \$6,643.76.
3. The project site is currently designated as Assessor's Parcel Numbers 465-060-004.

Proposed General Plan



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 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

Zone
Area: Winchester
Township/Range: T5SR2W
Section: 22

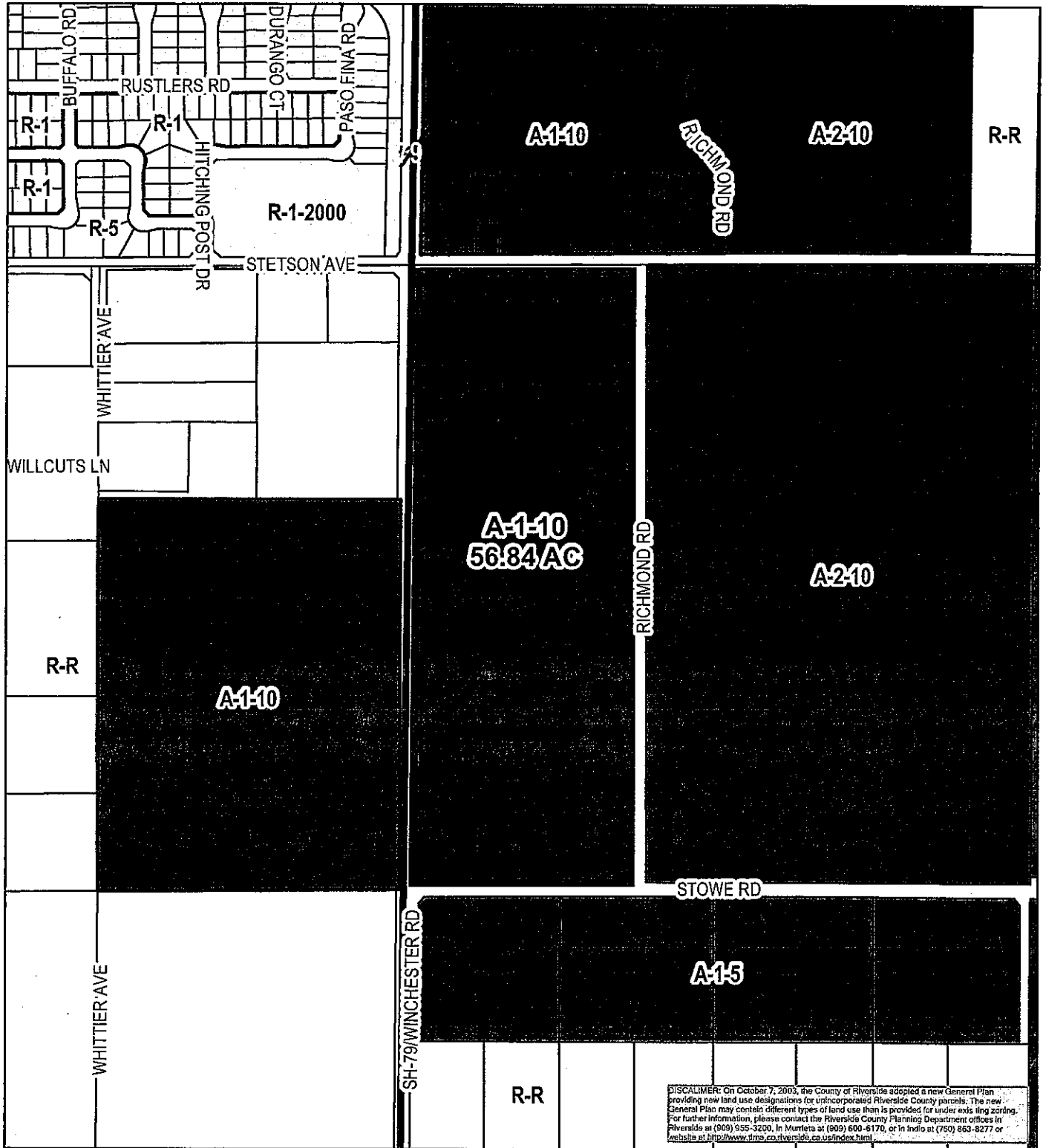


Assessors
Bk. Pg. 465-06
Thomas
Bros. Pg. 839 4G

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

GPA00943
EXISTING ZONING

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

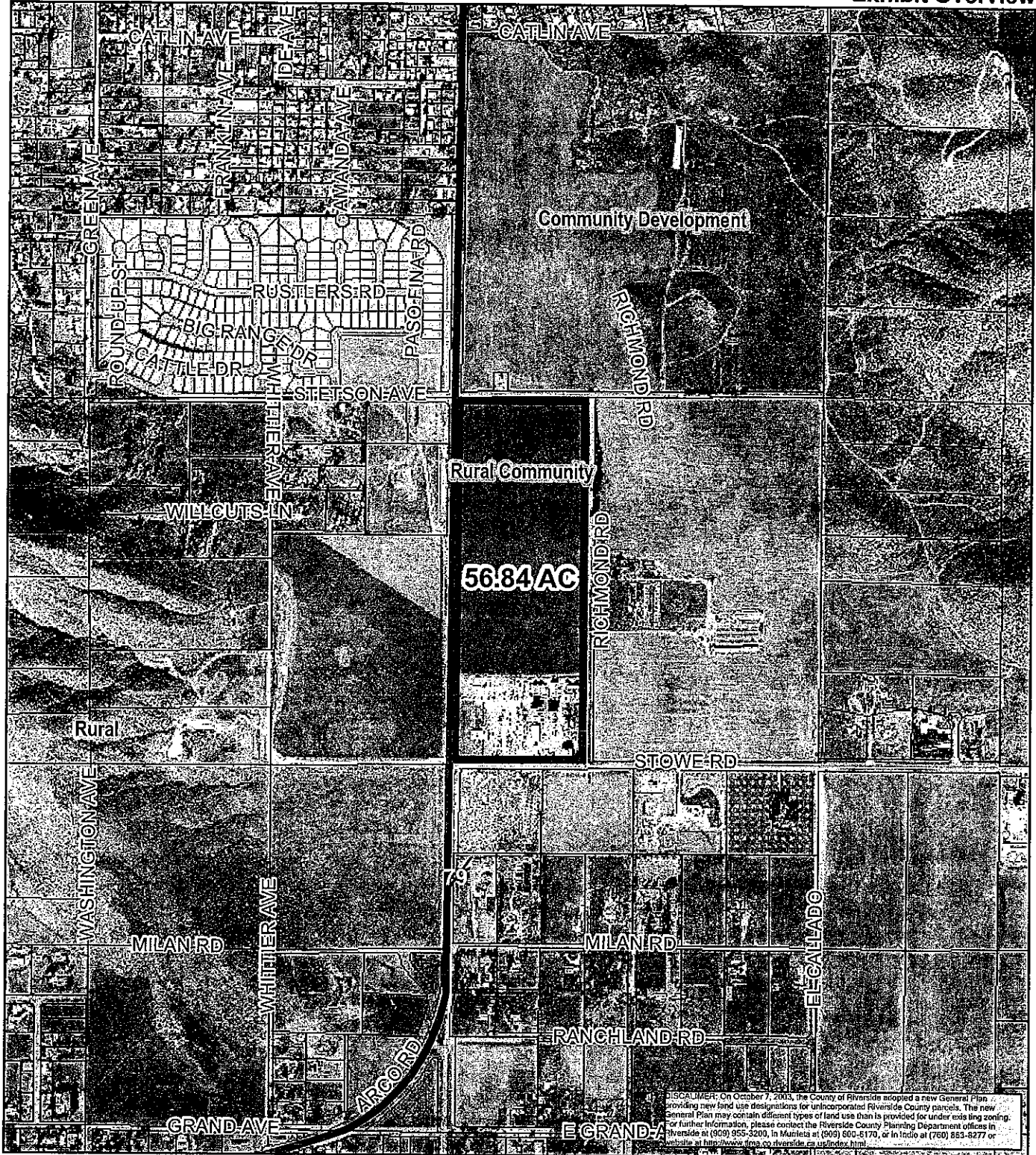


Zone
 Area: Winchester
 Township/Range: T5SR2W
 Section : 22

RIVERSIDE COUNTY PLANNING DEPARTMENT

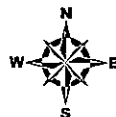
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DEVELOPMENT OPPORTUNITY

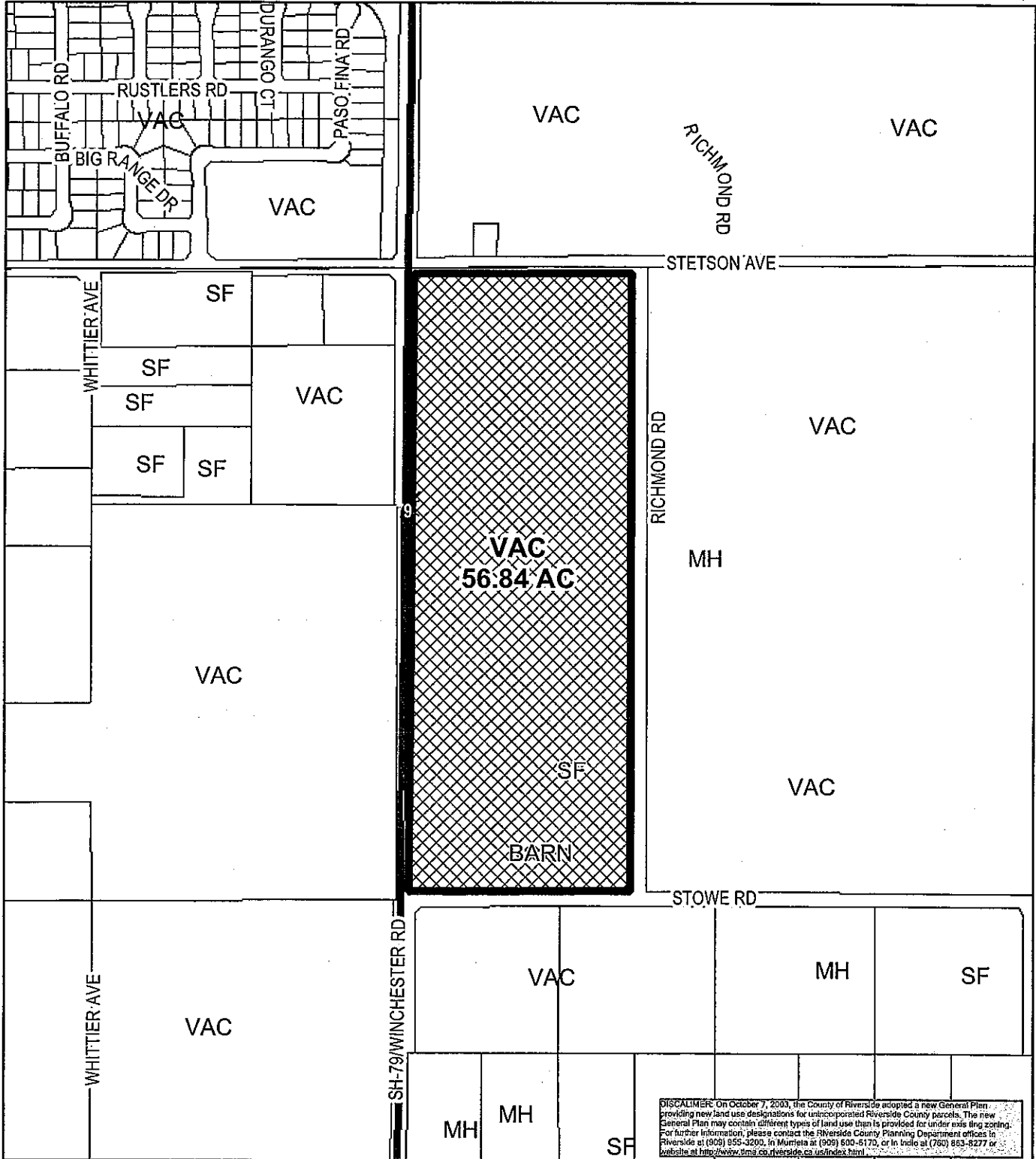


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
 Plan: Winchester
 Township/Range: T5SR2W
 Section: 22



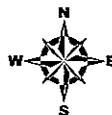
Assessors
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 Area: Winchester
 Township/Range: T5SR2W
 Section : 22



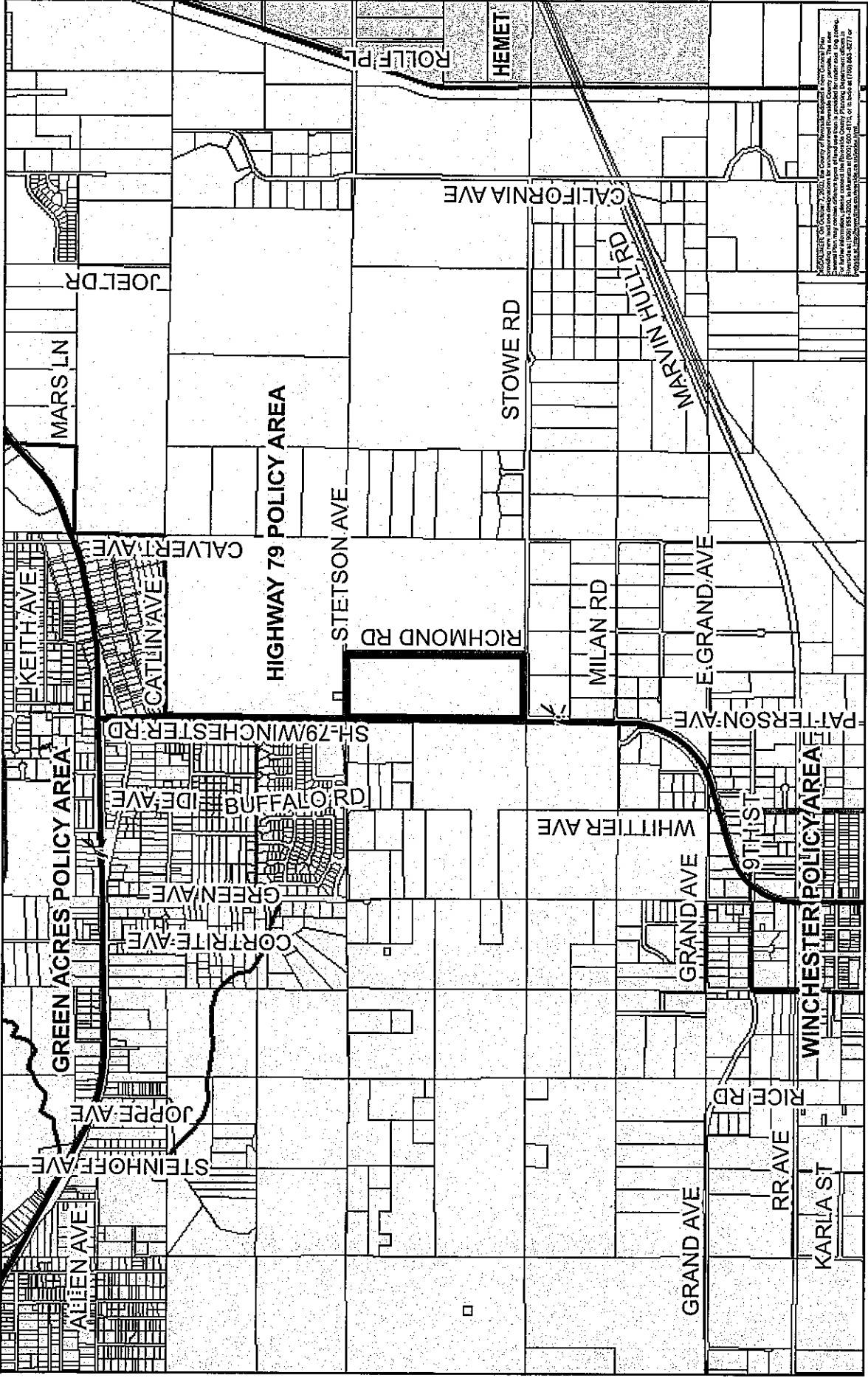
Assessors
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 Bros. Pg. 839 4G

Supervisor Stone
District 3

GPA00943

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

Date Drawn: 3/05/08



Zone Winchester
Area:
Township/Range: T5SR2W
Section : 22

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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Bros. Pg. 839 4G



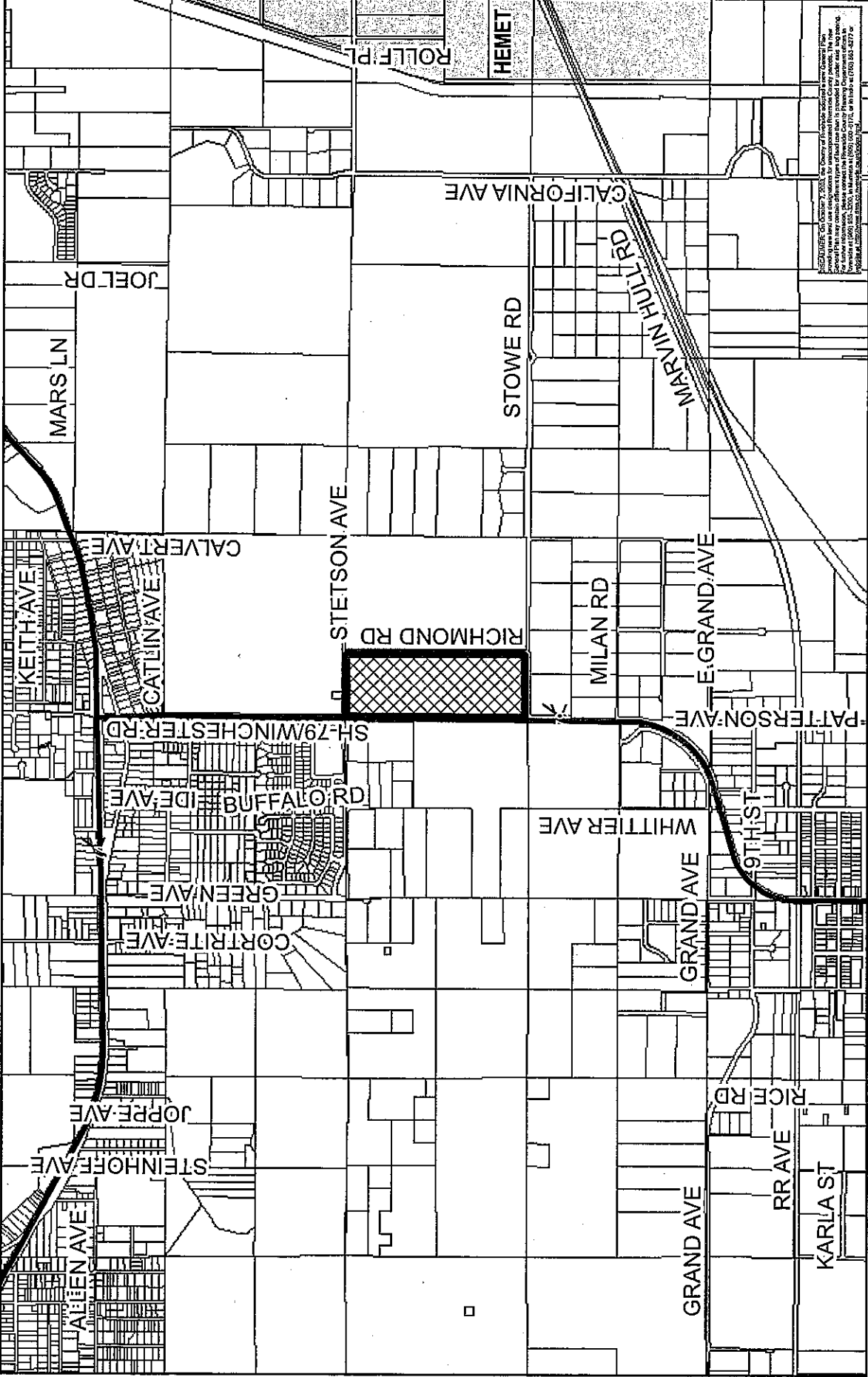
Supervisor Stone
District 3

GPA00943

Planner: Amy Aldana
Date: 3/11/08
VICINITY MAP

Date Drawn: 3/05/08

VICINITY MAP

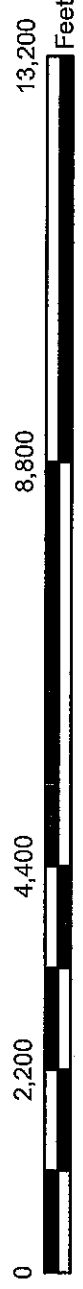


RECORDS: On October 7, 2003, the County of Riverside adopted a new General Plan. General Plan maps may contain different types of land use than is provided by zoning laws. No warranty is made by the County of Riverside as to the accuracy of the information shown on this map. Version 1.0 (2003) E.S. 2003, as amended 1/2004 1/2004 1/2004. All rights reserved. © 2003 Riverside County Planning Department. All rights reserved.

Zone Winchester
Area:
Township/Range: T5SR2W
Section : 22

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 465-06
Thomas
Bros. Pg. 839 4G



APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

Commercial Retail

A fruit stand is currently operating on the property. To make this business operate economically the zoning needs to be Commercial Retail. With the rapid development taking place in the area we see a demand for businesses which fit the rural commercial zoning designation, therefore we are requesting Commercial Retail on 13.7 acres north of Stowe Rd.

Residential

The cost to sewer Estate Density Residential lots is prohibitive consequently making our property undevelopable. The City of Hemet has designated the land north of Station Ave. at 2-5 units which is our northern boundary. The land at the northwest corner is zoned R-1 and is currently being built to single family hoo.

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): _____

WHAT IS THE PROJECT SCHEDULE?

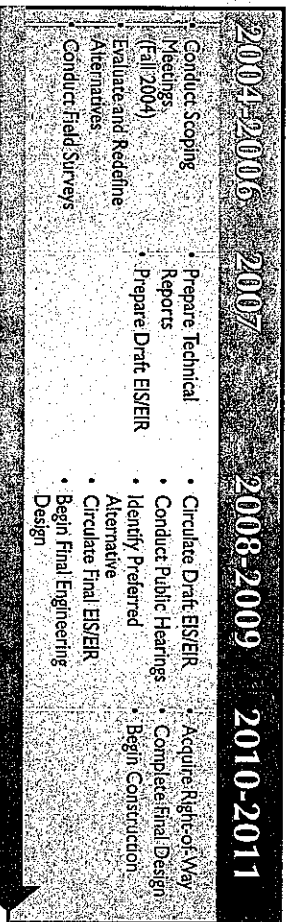
The Project is currently in the phase of preparing the environmental technical reports and developing the Draft Project Report for preliminary engineering design. The Draft EIS/EIR will be prepared during this phase of the Project as well. The Draft EIS/EIR will be released for public and agency review, and then the preferred alternative for the Project will be identified once public comments to the Draft EIS/EIR are received and analyzed. Following this, the Final Project Report and the EIS/EIR will be circulated. The final engineering design can be completed and Project construction can begin once the Final EIS/EIR is approved and all permits are attained.

WHO ARE THE PROJECT PARTNERS?

The Riverside County Transportation Commission (RCTC), in cooperation with the California Department of Transportation (Caltrans), the Federal Highway Administration (FHWA), the County of Riverside, and the Cities of Hemet and San Jacinto are all partners in this Project.

WHAT IS NEW IN THE PROJECT LIBRARY?

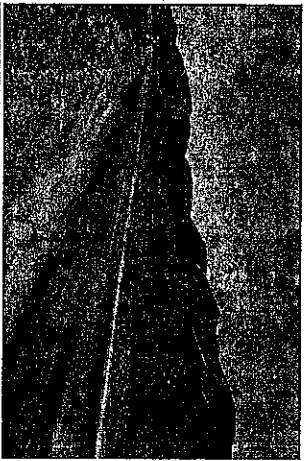
The Scoping Summary Report is available on the Project web site. Go to www.sr79project.info and click on "Final Scoping Summary Report - September 2005." This and other SR-79 Realignment Project documents are available on the Project web site. The Hemet Public Information Meeting Summary Report is anticipated to be available on the Project web site in December 2006.



HOW CAN YOU PARTICIPATE IN THE PROCESS?

You can attend the next public meeting, provide comments, ask questions, request to be added to the mailing list, or review Project documents. Please go to www.sr79project.info or call (951) 787-7141. You may also write to:

Hideo Sugita—Deputy Executive Director or
Cathy Becetta—Project Delivery Director
Riverside County Transportation Commission
P.O. Box 12008 • Riverside, CA 92505-2208



QA SR-79 REALIGNMENT PROJECT

A project of the Riverside County Transportation Commission

WHAT IS THE SR-79 REALIGNMENT PROJECT?

This SR-79 Realignment Project (Project) proposes to realign SR-79 between Domenigoni Parkway and Gilman Springs Road. Currently, the highway follows a circuitous north-south route through the downtown areas of Hemet and San Jacinto and needs improvements in efficiency, safety and capacity. The Project would realign the highway to provide a more direct route within the San Jacinto Valley. Regional motorists will be able to use a direct, north-south route while residents of Hemet and San Jacinto will enjoy better mobility on local streets.

WHAT IS HAPPENING WITH THE SR-79 REALIGNMENT PROJECT?

In October 2005, the public participated in a Project status meeting held in the City of Hemet to present updates about the Project. During that meeting, members of the public reviewed maps of the current Project alternatives and participated in a discussion about the Project. The Project alternative maps identified that the Eastern Study Area (along Sanderson Avenue) was eliminated and the proposed "New Study Area"/Mid-Western alignment (between California Avenue and Patterson Avenue) was to be included as a proposed alternative for the Project. The Western and Central Study Areas also were included and discussed at this public meeting.

In general, comments about the Project included:

- Pick the straightest, most direct route
- Avoid impacting neighborhood areas and relocating families and seniors
- Maintain the quality of life in the area
- Design SR-79 to have access points in appropriate locations

Since the meeting in October 2005, the SR-79 Realignment Project Team has been meeting on a regular basis with the California Department of Transportation (Caltrans), and the cities of Hemet and San Jacinto, and the County of Riverside. As part of this coordination effort, the engineers have further refined the Central, Western, and New Study Area/Mid-Western alignments and have been working to narrow their respective study areas. In addition, the alignments have been retrained to identify them more easily. These alignments will now be referred to as Alternative Corridors 1, 2, and 3. These corridors can be reviewed on the inside map.



Extended Gummy Interconnection Commission
www.rctc.org
www.sr79project.info

Q&A Sheet #3
November 2006



SR-79 REALIGNMENT PROJECT

A project of the Riverside County Transportation Commission

WHAT ARE THE CURRENT PROJECT ALTERNATIVES?

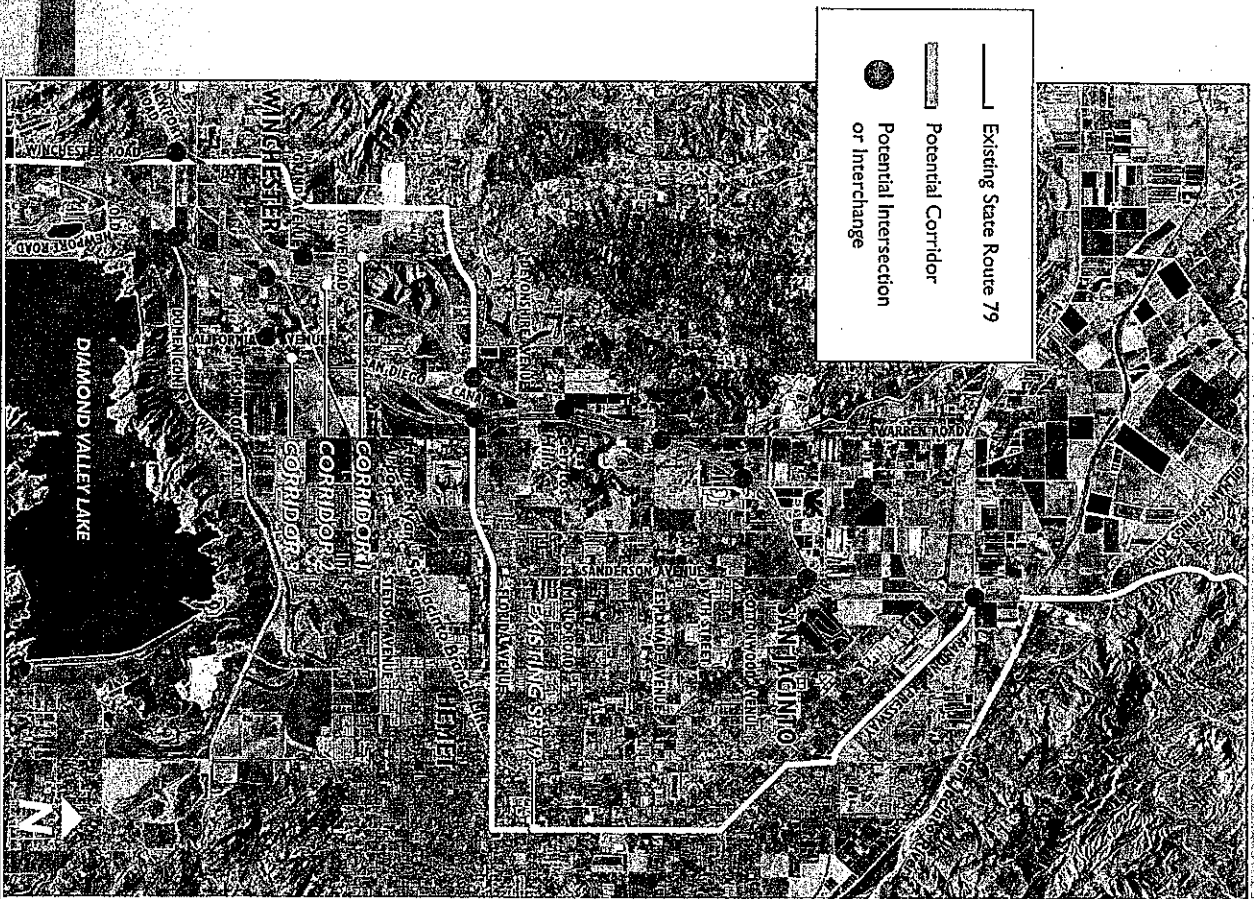
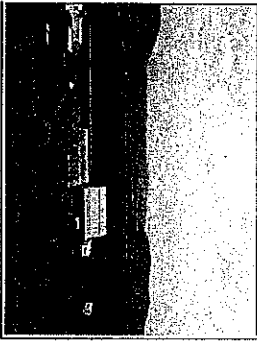
The current Project alternatives consist of three Alternative corridors. All of the Project alternatives begin south of Dominguez Parkway and end immediately south of the San Jacinto River on Sanderson Avenue, San Jacinto. The Alternative corridors overlap in some areas, but the main difference among them is located in the area south of Florida Avenue in the City of Hemet and the County of Riverside. In addition, there are two different alignment options in the City of San Jacinto. The locations of potential inter-sections/interchanges on the three Alternative corridors are shown on the adjacent map. The potential Intersections/interchanges identify the only areas where drivers would be able to enter or exit the realigned SR-79 once constructed. This map is also posted on the Project web site: go to www.sr79projectinfo.com and click on "Location Map."

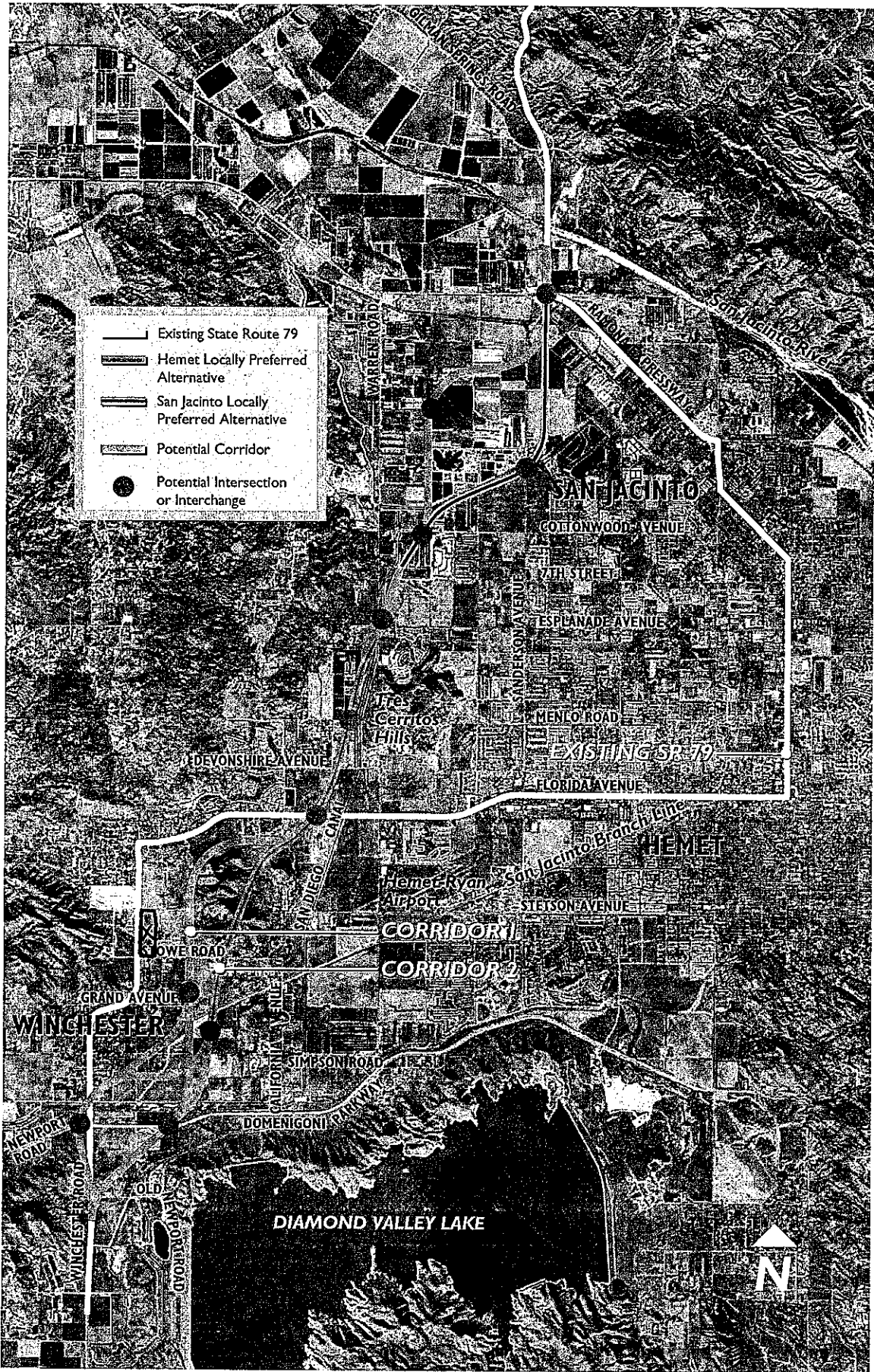
WHAT IS THE STATUS OF THE PROJECT SURVEYS?

Many of the landowners we contacted for surveys had questions about the duration of the survey period. Almost all of the Project field studies have been completed. The biological surveys that have been completed include:

- Amphibians
- Burrowing Owls
- Mammals
- Rare Plants
- Wetlands

Cultural resources, fairy shrimp and noise surveys are ongoing. These are expected to be completed by the end of 2006. The results of the surveys will be included in the Project technical reports and the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR). The SR-79 Realignment Project Team greatly appreciates your cooperation and patience to help us with this survey effort!





ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



January 4, 2009

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
4080 Lemon St.
Riverside, CA 92501

RE: Item 6.0, General Plan Amendment Initiation Proceedings (January 7, 2009)

Dear Chairperson and Commission Members:

The Endangered Habitats League (EHL) wishes to express some general concerns about the landowner-initiated GPA process and then comment about specific items on the January 7 agenda.

General concerns are as follows:

- Given the importance of the Five-Year Update Cycle, there should have been more outreach to interested stakeholders for both the landowner specific and for the County-initiated GPA 960 process.
- There is insufficient coordination between GPA 960 and landowner-initiated GPAs. For example, in the Coachella Valley, 13,000 acres of urban conversion is being initiated through the landowner process, with thousands more acres of such conversion being considered in GPA 960. Landowner initiation is proceeding absent an understanding of the "big picture" of what amount of additional Community Development land is actually needed or a meaningful discussion of where, from an infrastructure and services standpoint, it might best be sited. This non-comprehensive approach defeats the purpose of the Five-Year Cycle.
- The 140 landowner-initiated GPAs are not being presented to the public in a holistic manner, for example in workshops, even though they have the potential to erode the Foundation system.
- Some decisions to date reflect a lack of planning discipline, such as GPA 996 (600 acres of remote Rural land in the Pass/National Forest area, of high fire hazard, initiated as a conversion to Rural Community estates).

Comments on specific items are as follows, with our strongest concern over Item 6.7, GPA 914 (Lake Mathews/Gavilan), which has precedent-setting MSHCP implications.

Item 6.3, GPA 943 (Winchester)

Concur with the staff recommendation for non-initiation, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 6.4, GPA 973 (Winchester)

Disagree with the staff recommendation to change Rural Community to Community Development (Estates) prior to a coherent plan for urbanization. It appears premature.

Item 6.5, GPA 1001 (Winchester)

Concur with the staff recommendation for non-initiation, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 6.7, GPA 914 (Lake Mathews/Gavilan)

Strongly disagree with the staff recommendation to change 46 acres of unparcelized Rural land to 2-acre Rural Community. The property is surrounded on 2 sides by similarly unparcelized Rural land, and at the southeast corner touches a large area of Open Space: Conservation. As Rural, the parcel now forms a good edge for the existing Rural Community. There is no planning justification – such as correcting a “spot zone” – for any change. Borders are always needed between Rural Community and Rural, and this one isn’t “broken.” Fire hazard also argues strongly against change.

Furthermore, along with adjacent, unsubdivided properties to the south and east, this parcel is part of a *large block of high quality wildlife habitat*. From the aerial, it appears to be highly important Riversidean sage scrub. Indeed, this entire block of land, including the area of the proposed GPA, is *overlain with MSHCP criteria cells*. The analysis contained in the staff report is wholly inadequate from the perspective of the MSHCP, with little sense of preserve needs. For example, there is no discussion of the potential for clustering at different density levels to achieve MSHCP as well as community compatibility goals.

However, any increase in General Plan intensity from the current Rural will make it more difficult to achieve the vital public purposes and infrastructure mitigation obligations of the MSHCP. The County should not “shoot itself in the foot” with *unjustified* conversion of Rural land, and thus set a precedent for uncalled for undermining of the MSHCP.

Item 6.7, GPA 991 (San Jacinto Valley/Sage Rd)

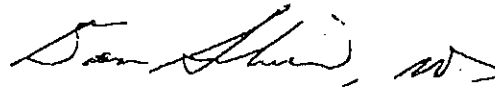
Disagree with the staff recommendation for replanning to partial Community Development but *agree* with placing the southern portion in Open Space: Conservation. Clearly, the designations on this 300-acre property need to be cleaned up, but it is unclear why the same benefits could not be achieved without introducing urbanization into an

area of intact Rural, Rural Community and Agriculture, and which now contains large expanses of unparcelized natural open space.

The property's southern half is overlain with an MSCP criteria cell and staff needs to be more definitive as to whether its modification of the proposed GPA will result in successful MSHCP assembly. If the Commission does accept the staff recommendation, it is crucial that development not create a "hole in the donut" in the southwest border, and that, as staff appropriately recommends, this portion is replaced with Open Space: Conservation. Consistency with on and off-site open space would thus be achieved.

Thank you for considering our views, and we look forward to working with you as the Fire-Year Update Cycle proceeds.

With best wishes for the New Year,

A handwritten signature in black ink, appearing to read "Dan Silver, MD". The signature is fluid and cursive, with a distinct "D" and "S".

Dan Silver, MD
Executive Director

Electronic cc: Ron Goldman
Carolyn Luna
Charles Landry

November 30, 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 5.0, General Plan Amendment Initiation Proceedings
(December 2, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals, which once again call for planning rigor and retaining the integrity of the Foundation system.

Item 5.1, GPA 1033 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. Important new information is contained in the staff report that adds to the many compelling reasons to deny initiation. Specifically, according to the Rancho California Water District, the new agricultural uses would face a water shortage (and presumably further stress existing farms and vineyards), polluted runoff would pose a threat to drinking water quality in the Vail Lake reservoir, and there is a shortage of sewer treatment capacity.

As noted previously, this proposal to extend the Citrus Vineyard Policy Area to Vail Lake is wholly unsuited for this locale. As shown in the thorough staff report, it would introduce a type and intensity of development far in excess of that anticipated by the General Plan's Vail Lake Policy Area and the policies of SWAP. The small farm and commercial development model of Citrus Vineyard has no relevance to the biological, watershed, and recreational imperatives of Vail Lake. No changed circumstances justify this wholesale change. A massive upzoning to 2-acre lots would introduce large scale residential uses into a high fire hazard area, decimate the biological resources needed for MSCHP assembly, and constitute a leapfrog pattern of development apart from services and infrastructure. Finally, according to the Planning Department, "The proposed amendment also creates an internal inconsistency among the Elements of the General Plan, particularly the Multipurpose Open Space Element and the Safety Element."

Item 5.2, GPA 985 (Elsinore)

Concur with staff recommendation to decline to initiate. This constrained site has serious and unresolved flood hazard issues, and the claim to provide needed

affordable housing does not stand up to scrutiny, as documented in the staff report. Furthermore, the change would likely interfere with MSCHP assembly and should not proceed unless and until facilitation of a reserve segment can be documented.

Item 5.3, GPA 1000 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. Conversion of this 379-acre rural location to Community Development/Specific Plan would defy all relevant planning principles. It would urbanize an intact rural area discontinuous from urban infrastructure and services, maximize greenhouse gas emissions, and, contrary to the recommendation of the Fire Hazard Reduction Task Force, place development in a rugged, high fire hazard location. No new circumstance justifies this Foundation change, which would thus conflict with the Administrative Element of the General Plan. According to the staff report, this increase in intensity "would be contrary to the existing character and land use pattern in the area."

Item 5.4, GPA 998 (French Valley)

Concur with staff recommendation to decline to initiate. The French Valley presents difficult challenges for MSHCP assembly, and this proposal to convert Rural land to Community Development within a Criteria Cell would prejudice preserve assembly. The steep slopes also present landslide hazards. For these reasons, the project could, according to staff, create General Plan inconsistencies involving the Land Use Multi-Purpose Open Space, and Safety Elements. Surrounding parcels are intact Rural, and no changed circumstances justify piecemeal urbanization of an area generally recognized as an important community separator.

Item 5.5, GPA 977 (Mead Valley/Elsinore)

Concur with staff recommendation to decline to initiate. This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. Discontinuous from infrastructure and services, and not responding to changed circumstances, the proposal utterly lacks planning merit. Indeed, due to public safety and MSHCP conflicts, staff concluded that:

This amendment would potentially create inconsistency between the Land Use Element and the Safety Element by increasing density in an area with steep slopes, high fire hazard and no nearby fire stations, limited access, and subject to flooding. Increasing the density/intensity of allowable land use on the site, as proposed by this amendment, would also exacerbate potential conflicts between such uses and the conservation requirements as set forth in the MSHCP, causing inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

Item 5.6, GPA 1043 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. 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 5.7. GPA 988 (Elsinore)

Concur with staff recommendation to decline to initiate. This proposal responds to no changed circumstances. It would intensify residential uses within a 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 5.8. GPA 943 (Winchester)

Concur with staff recommendation to decline to initiate, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.9. GPA 1001 (Winchester)

Concur with staff recommendation to decline to initiate, as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.10. GPA 921 (Menifee Valley/Sun City)

Disagree with staff recommendation for initiation. This 78-acre Rural property is in an area previously identified in the General Plan for its rural character and it may function as a "community separator." No significant new circumstances justify a foundation change to Community Development. *Indeed, with the incorporation of Menifee, any urbanization should proceed over time through an orderly process of annexation rather than through piecemeal approvals in the unincorporated area.* No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective.

Item 5.11 GPA 931 (French Valley)

Concur with staff recommendation to decline to initiate. The proposed density is inconsistent with the Riverside County Airport Land Use Commission's Basic Compatibility Criteria. The site forms a clear demarcation between Rural and

Community Development, and no changed circumstance is present to justify altering that boundary. No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective. Piecemeal urbanization should be rejected.

Thank you for considering our views, and we look forward to working with you as the Five-Year Update proceeds.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.
Katherine Lind, County Counsel

Carolyn Luna, EPD
Greg Neal, EPD
Interested parties

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