SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA 420B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 23, 2010

REVIEWED BY EXECUTIVE OFFICE
DATE 3/25/2010
Tina Grande
Departmental Concurrence

SUBJECT:
GENERAL PLAN AMENDMENT NO. 975 – Foundation-Regular – Applicant: David Jeffers Consultling, Inc. – Engineer/Representative: Dave Jeffers Consulting, Inc. - Third Supervisorial District - Rancho California Zoning District - Southwest Area Plan: Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) – Location: Southerly of Auld Road, easterly of Pourroy Road, northerly of Buena Ventura Road, and westerly of Washington Street. - 88.56 Acres - Zoning: Light Agriculture with 5 and 10 acre minimum lot sizes (A-1-5 & A-1-10) - **REQUEST:** This General Plan Amendment proposes to amend General Plan Foundation Component of the subject site from Rural to Community Development and the General Plan Land Use Designation of the subject site from Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) to Medium Denisty Residential (CD-MDR) (2-5 dwelling units per acre) and Commercial Retail (CD-CR) (0.20-0.35 FAR) – APN(s) 964-050-005, 964-050-007, 964-050-010, 964-050-011, 964-050-012, 964-050-013, 964-050-015, 964-050-016, 964-050-017, 964-050-018, 964-050-019, 964-050-020, 964-050-021, 964-050-037, 964-050-038, 964-050-043, and 964-050-044.

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

Dep't Recomm.: ☐ Consent ☒ Policy
Per Exec. Ofc.: ☐ Consent ☒ Policy

Prev. Agn. Ref.	District: Third	Agenda Number: 15.6

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 FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. **AGENDA ITEM 6.5: GENERAL PLAN AMENDMENT NO. 975** - Foundation / Regular - Applicant: David Jeffers Consulting, Inc. - Engineer/Representative: Dave Jeffers - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size) - Location: Southerly of Auld Road, westerly of Pourroy Road, northerly of Buena Ventura Road, and easterly of Washington Street - 78.89 Acres - Zoning: Rural Residential (R-R)

II. **PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend General Plan Foundation Component of the subject site from Rural to Community Development and the General Plan Land Use Designation from Rural Residential (RR) (5 Acre Minimum Lot Size) to Medium Density Residential (MDR) (2-5 Dwelling Units per Acre) and Commercial Retail (CR).

III. **MEETING SUMMARY**

The following staff presented the subject proposal:
Project Planner: Mike Harrod, Ph: (951) 955-1881 or E-mail mharrod@rctlma.org

The following spoke in favor of the subject proposal:
Dave Jeffers, Applicant's Representative
Mary Etta Bollman, Applicant
Nancy Bennett, Applicant

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

IV. **CONTROVERSIAL ISSUES**

Public opposition, concerns with traffic, safety, and noise.

V. **PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

TO 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.: 6.5
Area Plan: Southwest Area
Zoning District: Rancho California
Supervisorial District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 975
Applicant: David Jeffers Consulting, Inc.
Engineer/Representative: Dave Jeffers Consulting, Inc.

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 GPA00975 from Rural: Rural 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: Commissioner Roth commented that the subject site looks like a gerrymandered political district. He indicated that the site is not cohesive and that the assemblage does not make any sense. Mr. Roth also stated that the way the site is situated, it seems like someone gathered a group of property owners that may be interested in selling their property and got them to agree on the proposal and the end result looks like a gerrymandered district.

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty inquired as to whether staff's recommendation would be any different if the Commercial Retail component of the proposal was left out. Mike Harrod and Ron Goldman indicated that staff's position would remain the same even if the Commercial Retail component was not a part of the proposal. Commissioner Petty went on to say that he is not completely comfortable with the proposed Commercial Retail but that the proposed Medium Density Residential meets the low threshold requirement that has been placed on General Plan Initiation Proceedings. Commissioner Petty did not feel that staff's Highway 79 or dam inundation arguments were persuasive enough to not recommend initiation. Commissioner Petty also agreed with public comments that Washington Street/ Borel Road along with Tucalota Creek can easily be seen as a natural demarcation line. Commissioner Petty also agreed with public comments that many of the issues mentioned in the staff report may become moot points with the re-alignment of Butterfield Stage Road which is a major transportation route.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Additionally, the State of California Government Code Section 65302 (g) requires local governments to assess the potential impact that flooding, and failure of dams or other water retention structures, might have on their jurisdiction. According to the General Plan, a review of records maintained at the California Office of Emergency Services provided potential failure inundation maps for 23 dams affecting Riverside County, including the Lake Skinner Facility. These maps are intended to be used by state and local officials for the development and approval of dam failure emergency procedures as described in Section 8589.5 of the California Government code. The maps are also used to provide information needed to make natural hazard disclosure statements required under existing legislation (AB 1195 Chapter 65, June 9, 1998; Natural Hazard Disclosure Statement).

Policy 7.10 of the Safety Element of the General Plan, discourages development of critical facilities that are proposed in dam failure inundation areas, and requires application of hazardous materials safety guidelines within these zones, although it does not specifically discourage residential development. However, failure of the 43,000-acre-foot Lake Skinner Facility could result in flooding along Tucalota Creek. Given this possibility, maintaining low density residential uses may be a more appropriate planning option for this area, than increasing residential densities or potentially adding additional commercial uses.

In addition to flooding, the site is susceptible to subsidence and a low to moderate potential for liquefaction.

The proposed amendment includes an additional 15 acres of land designated Commercial Retail. There is already approximately 20 acres of vacant Commercial Retail land located at the southeast corner of the intersection of Pourroy Road and Auld Road. Ten acres of the proposed Commercial Retail would be south of the existing commercial at the southeast corner of the intersection of Mazoe Street and Pourroy Road. The other five acres of proposed commercial would be located on the south side of Auld Road, two lots to the east of this existing commercial land.

In addition, there is almost 60 acres of vacant Commercial Tourist (40 acres) and vacant Commercial Retail (18 acres) at the intersection of Benton Road and Washington Street.

According to the General Plan's Vision Statement, "Earlier problems clearly associated with leapfrog development (development that "skips over" developable land and establishes inefficient development patterns) have virtually disappeared." This suggests that vacant areas identified for Commercial Retail in the area should be developed before new areas are added as in this case.

The proposed change does not support the County's vision of using land efficiently with the addition of 15 acres of commercial. The proposed change would "skip over" 20 acres of developable land already designated Commercial Retail near the site as well as almost 60 acres within 2/3 of a mile from the site. An efficient development pattern would see these areas developed before new areas are added.

The site is not located in a Criteria Cell of the Multiple Species Habitat Conservation Plan (MSHCP). However, there are large areas of conserved land to the east and south,

including areas designated Open Space Conservation Habitat. The existing land use pattern is more compatible with these nearby areas than Medium Density Residential and Commercial Retail. Although the site is not located within a Criteria Cell, it would have to comply with plan wide requirements 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).

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.

The area of the site located west of Maddalena Road is located in Compatibility Zone E of the French Valley Airport. The proposed change is generally compatible with the land use compatibility plan for the airport. Nevertheless, it will require review by the Airport Land Use Commission.

RECOMMENDATION:

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 975 from Rural: Rural Residential to Community Development: Medium Density Residential and Community Development: Commercial Retail. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

1. This project was filed with the Planning Department on February 14, 2008.

2. Deposit Based Fees charged for this project as of the time of staff report preparation, total $4,423.59.

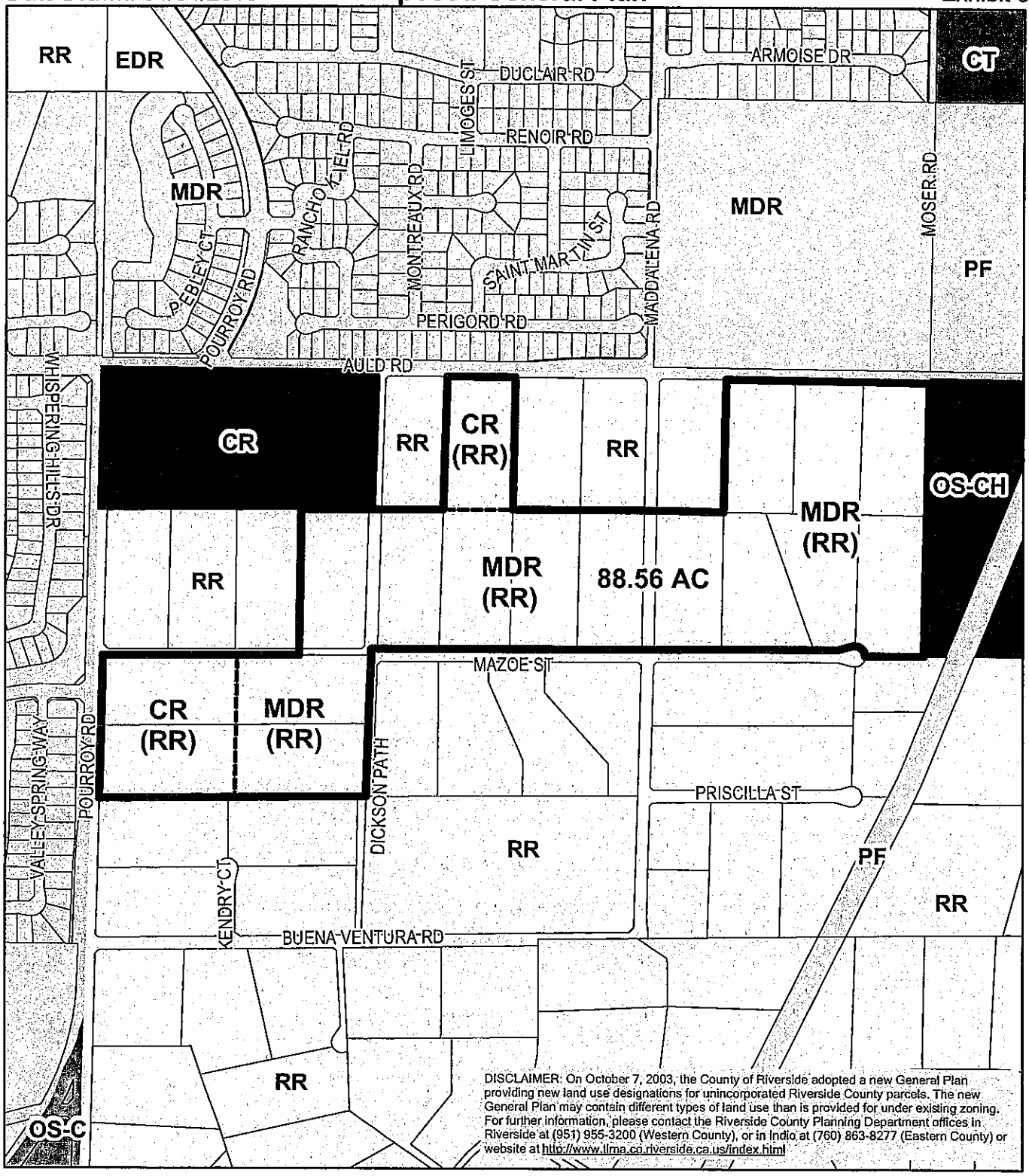
3. The project site is currently designated as Assessor's Parcel Number(s): 964-050-005, 964-050-007, 964-050-010, 964-050-011, 964-050-012, 964-050-013, 964-050-015, 964-050-016, 964-050-017, 964-050-018, 964-050-019, 964-050-020, 964-050-021, 964-050-037, 964-050-038, 964-050-043, and 964-050-044.

Supervisior: Stone
District 3
Date Drawn: 01/04/2010

GPA00975

Proposed General Plan

Planner: Tamara Harrison
Date: October-November
Exhibit 5



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 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR2W
Section: 9

Assessors Bk. Pg. 964-05
Thomas Bros. Pg. 929 F2

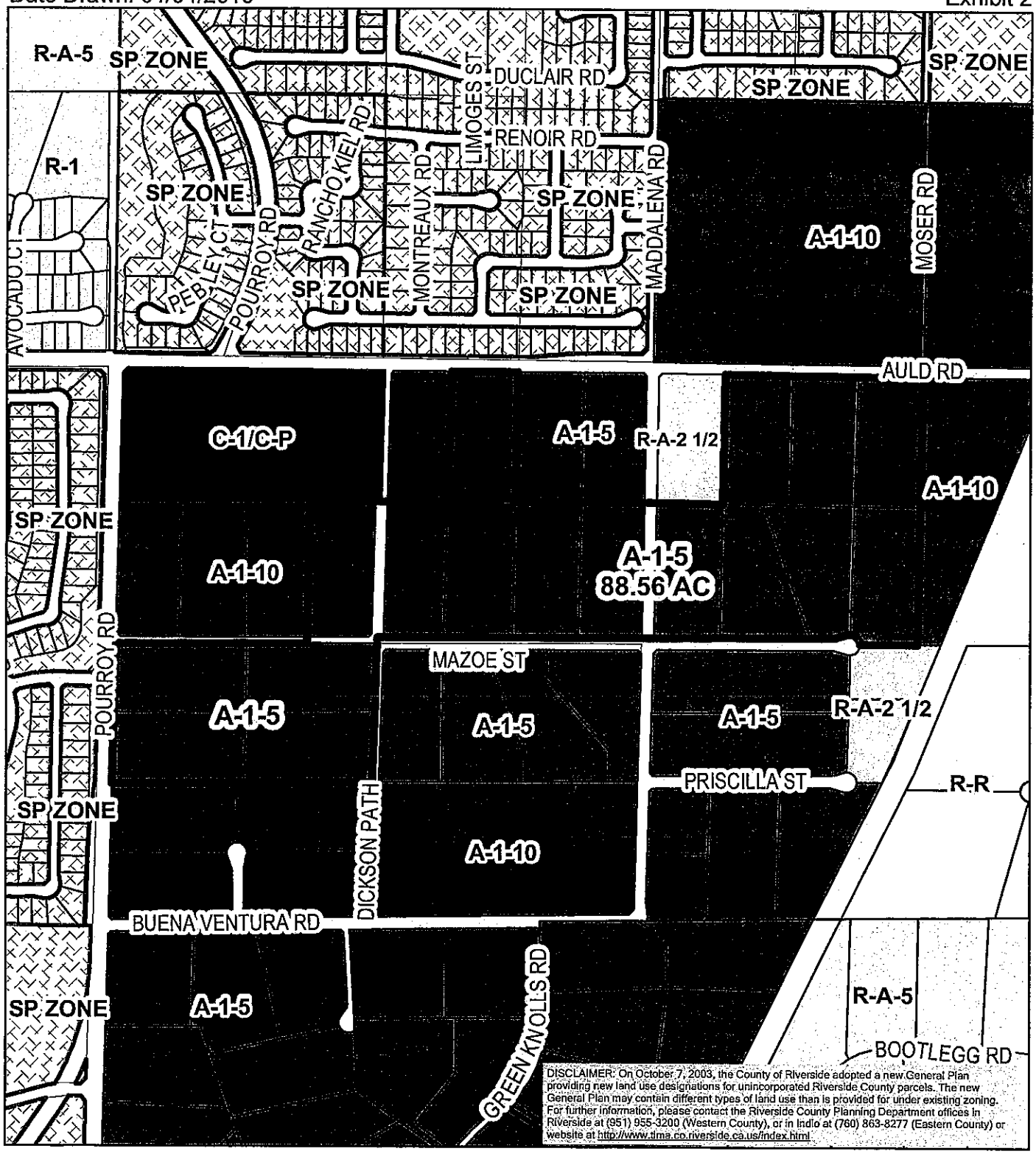
0 500 1,000 2,000 3,000 Feet

Supervisor Stone
District 3
Date Drawn: 01/04/2010

GPA00975

EXISTING ZONING

Planner: Tamara Harrison
Date: October-November
Exhibit 2



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR2W
Section : 9

0 420 840 1,680 2,520
Feet

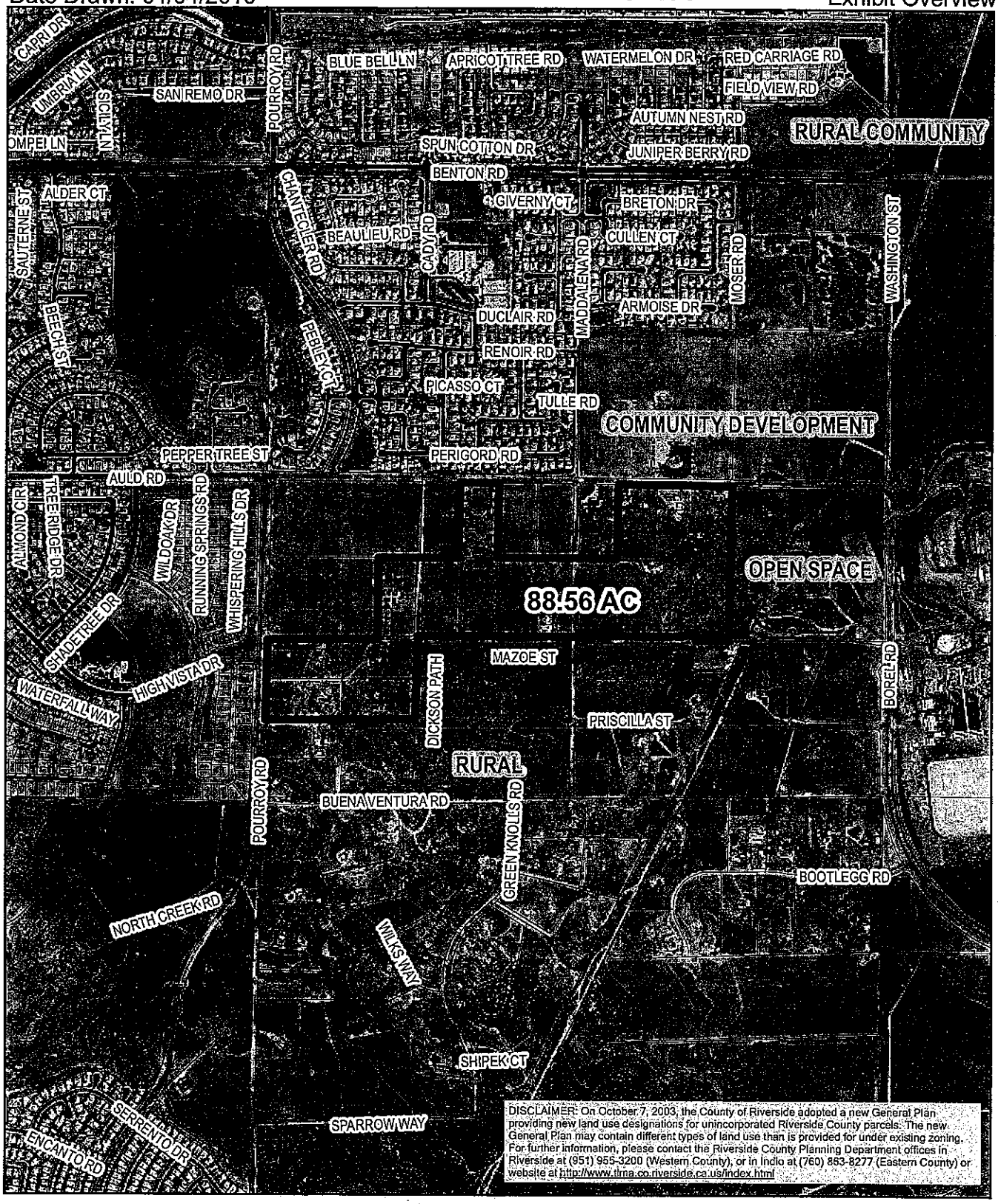
Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 F2

Supervisior: Stone
District: 3
Date Drawn: 01/04/2010

GPA00975

DEVELOPMENT OPPORTUNITY

Planner: Tamara Harrison
Date: October-November
Exhibit Overview



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR2W
Section: 9

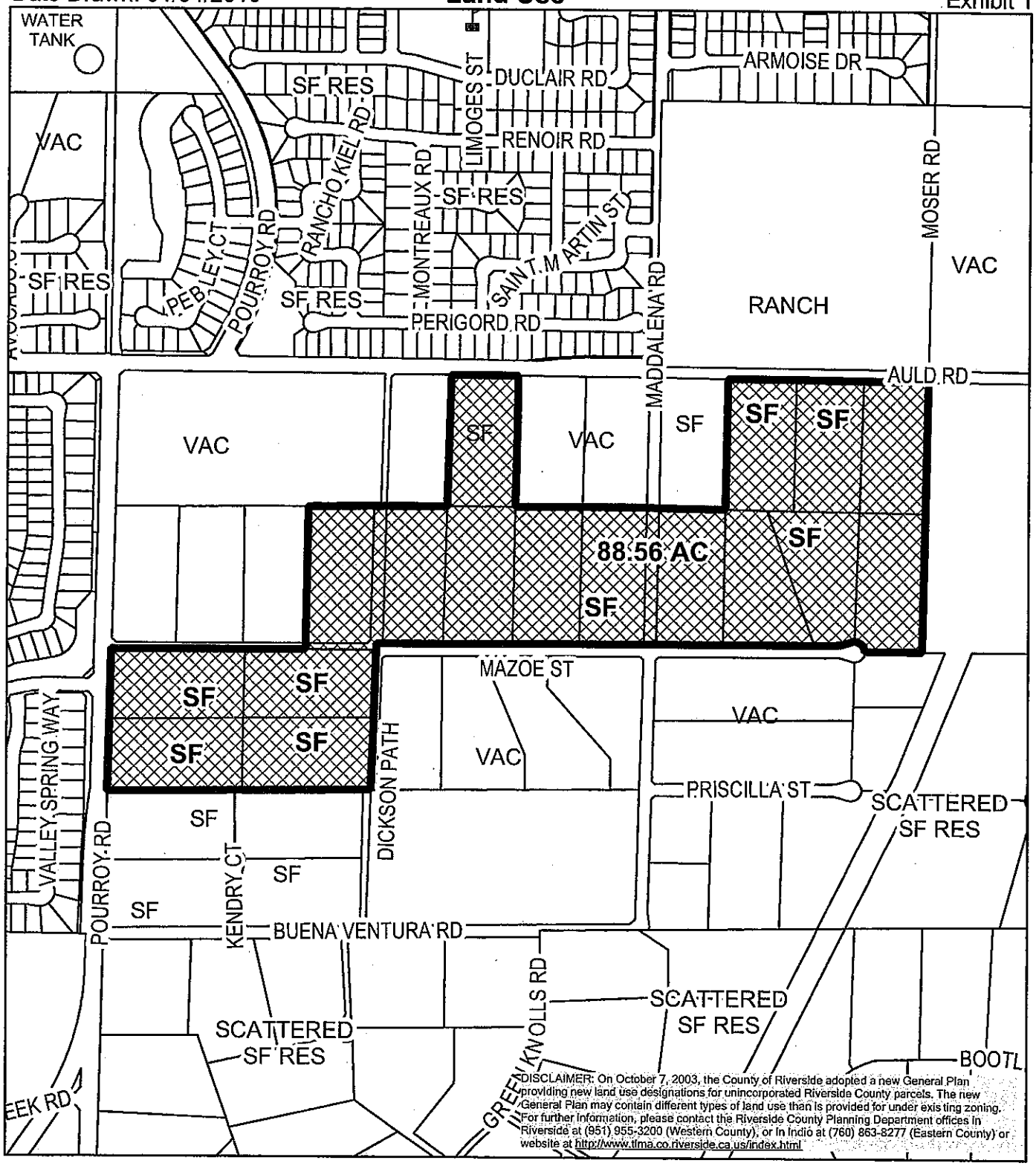
0 500 1,000 2,000 3,000 4,000 Feet

Assessors Bk. Pg. 964-05
Thomas Bros. Pg. 929 F2

Supervisor: Stone
District: 3
Date Drawn: 01/04/2010

GPA00975
Land Use

Planner: Tamara Harrison
Date: October-November
Exhibit 1



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 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR2W
Section: 9

N
W E
S

Assessors Bk. Pg. 964-05
Thomas Bros. Pg. 929 F2

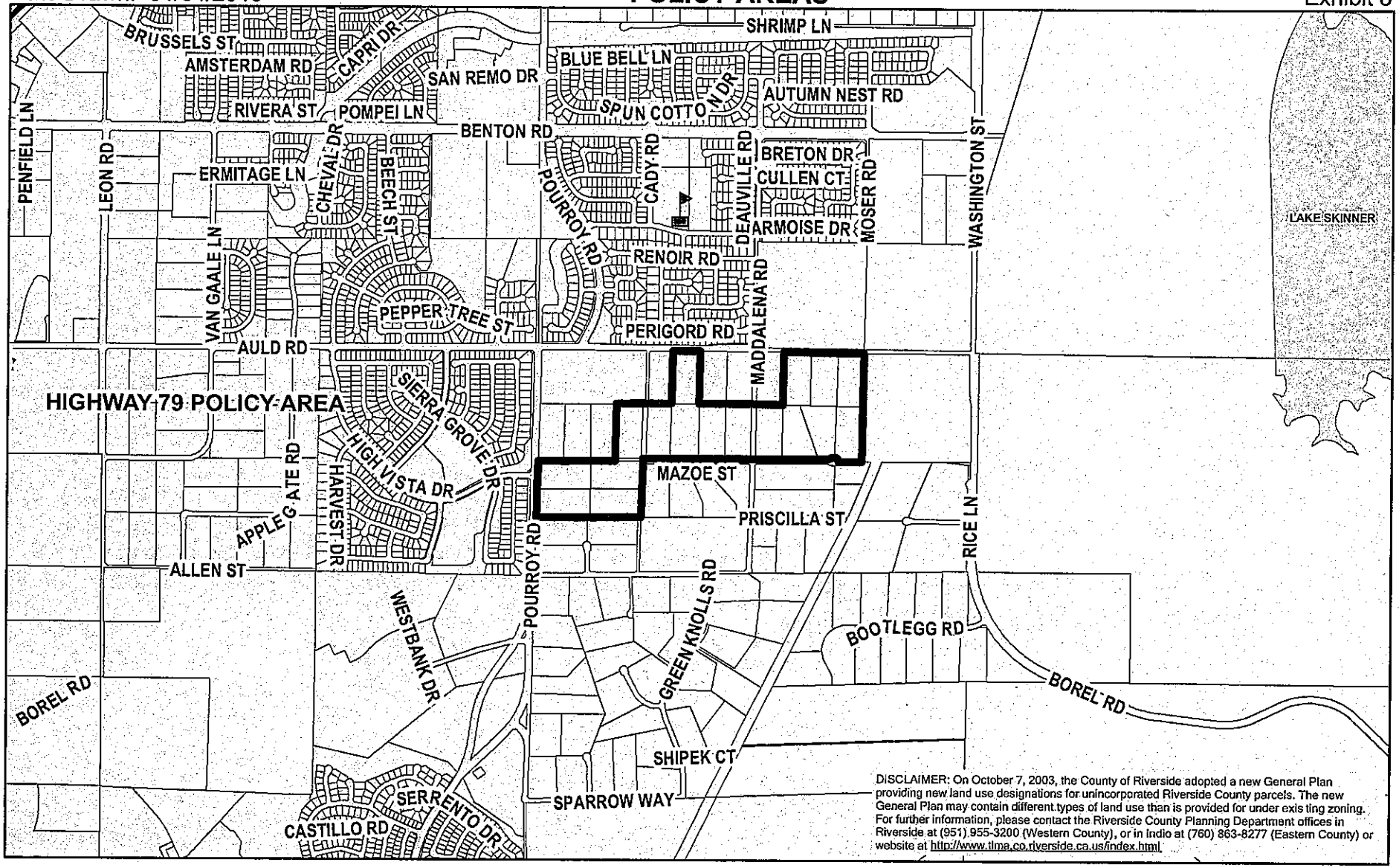
0 500 1,000 2,000 3,000
Feet

Supervisor Stone
District 3
Date Drawn: 01/04/2010

GPA00975

POLICY AREAS

Planner: Tamara Harrison
Date: October-November
Exhibit 8



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 exis ting zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho Califonia
Township/Range: T7SR2W
Section : 9

0 1,200 2,400 4,800 7,200
Feet

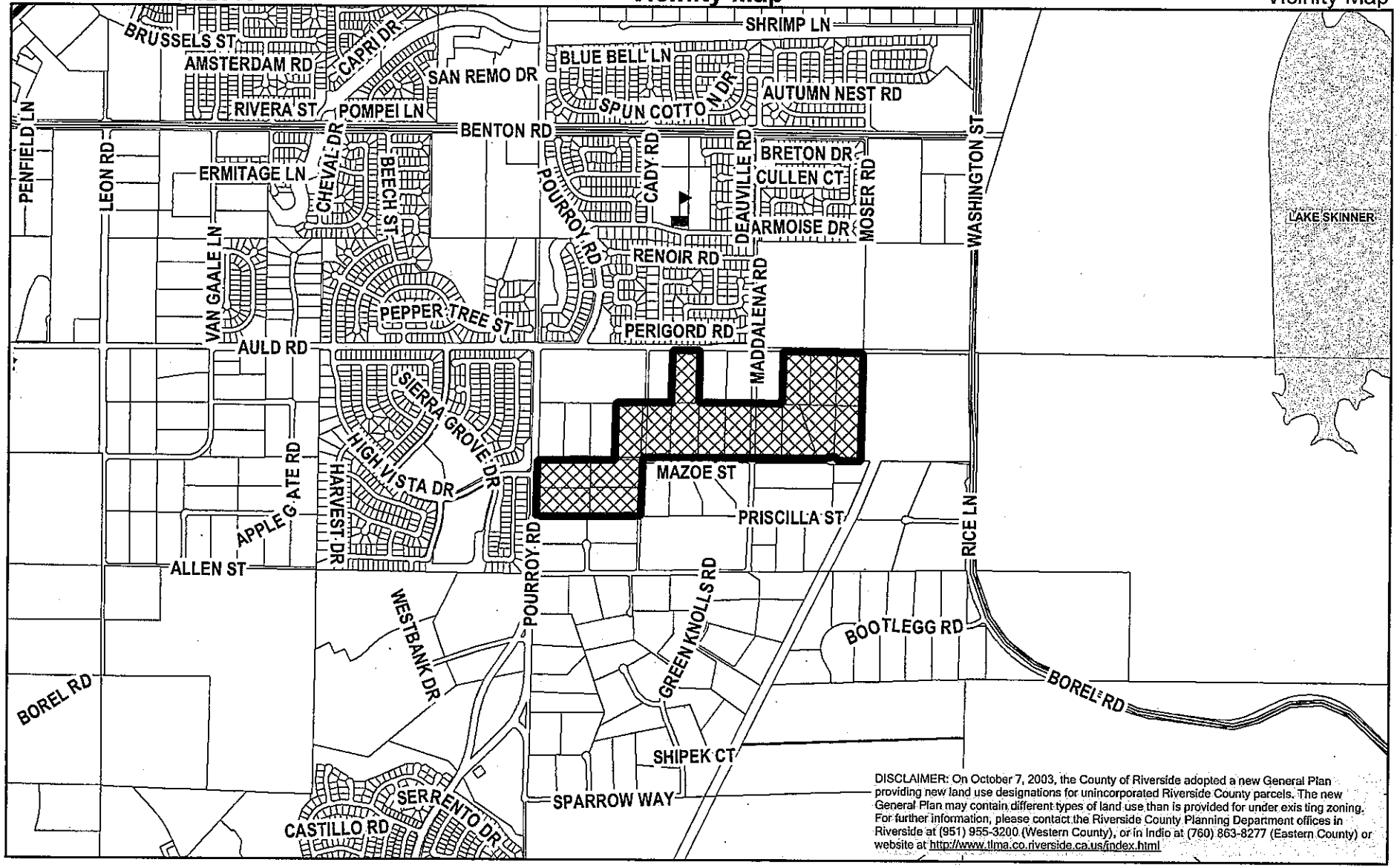
Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 F2

Supervisor Stone
District 3
Date Drawn: 01/04/2010

GPA00975

Vicinity Map

Planner: Tamara Harrison
Date: October-November
Vicinity Map



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 exis ting zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.tlma.co.riverside.ca.us/index.html

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho Califonia
Township/Range: T7SR2W
Section : 9

0 1,200 2,400 4,800 7,200
Feet

Assessors
Bk. Pg. 964-05
Thomas
Bros. Pg. 929 F2

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

Justification for Amendment: (attachment to page 5 of 8)
APNs: 964-050-005 & All

The subject property for this amendment request is an assemblage of many property owners covering approximately 93 acres that is generally bounded by Auld Road on the north, Pourroy Road on the west, Buena Ventura Road on the south and Maddalena Road on the east. More intense development has moved into the area as the property is surrounded by existing MDR development to the north and west and an existing rural residential subdivision to the south at Buena Ventura Road. It would be more appropriate for the MDR classification to end at Buena Ventura Road with the subject property being changed to MDR to be consistent with the MDR designations to the west and north. Also, a 20-acre commercial General Plan designation exists on the southeast corner of Auld Road and Pourroy Road which supports the idea of consistency for the requested Community Development classification. Infrastructure, including urban highway classifications, already exist in the area and at the subject site which also supports a Community Development Foundation.

David Jeffers Consulting, Inc.
19 Spectrum Pointe Dr. STE 609
Lake Forest, CA 92630
Applicant/ Enigneer- GPA 975

David and Mary Lisa Cherry
37362 Pourroy Road
Winchester CA 92596
Owner-GPA975

Craig Cawley
32624 Mazoe Street
Winchester CA 92596
Owner- GPA975

Kevin and Judy Farrington
32705 Auld Road
Winchester CA 92596
Owner-GPA975

John and Tonya Petchel
37245 Maddalena
Winchester CA 92596
Owner-GPA975

Londen Land Co. LLC
Fae Company 103, LLC
4343 East Camelback
Phoenix AZ 85018
Owner-GPA975

Jackie and Valentine Cenoz
37300 Pourroy Road
Winchester CA 92596
Owner- GPA975

James and Melanie Thomas
37312 Pourroy Road
Winchester CA 92596
Owner-GPA975

Jessie and Letticia Avila
13108 Gelding Court
Corona CA 92883
Owner- GPA975

Michael and Karen Smith
32625 Auld Road
Winchester CA 92596
Owner-GPA975

Stephen and Carlene Faucher
Daniel Brennan
10152 Holborn Street
Santee CA 92017
Owner-GPA975

Murrieta Hoskings Inc
George Smith
32343 Auld Road
Winchester CA 92596
Owner-GPA975

Randall and Nancy Bennett
37350 Pourroy Road
Winchester CA 92596
Owner-GPA975

Carvi Auto Body and Paint
Carlos and Cella Zuelma
18266 Santa Carlotta
Fountain Valley CA 92708
Owner-GPA975

Guillermo and Elvia Zapata
39738 Firethron Court
Murrieta CA 92563
Owner-GPA975

Wilmer and Mary Etta Bollman
32573 Auld Road
Winchester CA 92596
Owner-GPA975

Michael and Hendrika Monteleone
and Tony and Angie Perotta
35245 Briggs Road
Murrieta CA 92563
Owner-GPA975

Craig and Doralee Dickson
37245 Dickson Path
Winchester CA 92596
Owner-GPA975