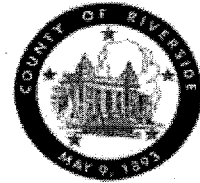


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

728B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 6, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 1014 – Foundation-Regular – Applicant: David Ernst/The Garrett Group – Engineer/Representative: Scott Vinton/ Nolte Engineering - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Mountainous (RUR:RM) (10 Acre Minimum Lot Size) – Location: Northerly of Thompson Road, southerly of Jean Nicholas Road, westerly of Viva Lane and easterly of Washington Street - 55.14 Gross Acres - Zoning: Rural Residential - 5 Acre Minimum Lot Size (R-R-5) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Rural Community and to amend the Land Use designation of the subject site from Rural Mountainous (RUR:RM) (10 Acre Minimum Lot Size) to Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size) and to be removed from the North Skinner Policy Area - APN: 472-200-002

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 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


Ron Goldman
Planning Director

Initials:
RG:th

(continued on attached page)

☒ Policy

☐ Consent

Dep't R...
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

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.: 7.3
Area Plan: Southwest
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: March 3, 2010

General Plan Amendment No. 1014
Applicant: David Ernst/Will Rogers
Engineer/Representative: Nolte Engineering

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. 1014 as modified by staff from Rural: Rural Mountainous to Rural Community: Very Low Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board 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 San Diego Canal has been the line of demarcation between higher and lower densities in the area for some time now. Mr. Roth stated that once you cross the canal with any type of urban density the area changes into a Community Development type setting and the sense of rural community is lost. Mr. Roth also commented that the rural community should be preserved and any development east of the canal must have a rural density characterization. Furthermore, Mr. Roth stated that a ½ acre density of a 1 acre density may work but that he is in favor of 1 acre for the site. The applicant stated that he was not opposed to staff's recommendation of Rural Community: Very Low Density Residential.

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty stated that he was glad that the applicant revised the original proposal from Community Development: Medium Density Residential which he was not in favor of and is now proposing Rural Community: Low Density Residential for the site. Mr. Petty reiterated to the applicant that the General Plan Amendment Initiation of Proceedings process is just the beginning and that the formal General Plan Amendment process is still to come; therefore, there are no guarantees at this time. Mr. Petty also commented that clustering may not be appropriate for the site and that much of the clustering development potential for the site would be driven by the topography. The applicant indicated that the site is relatively level but does possess some gentle slopes. Finally, Mr. Petty commented that the applicant's revised proposal to Rural Community: Low Density Residential should move forward although he is somewhat hesitant.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

**PLANNING COMMISSION
MINUTE ORDER MARCH 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. **AGENDA ITEM 7.3: GENERAL PLAN AMENDMENT NO. 1014** - Foundation / Regular - Applicant: David Ernst/The Garrett Group - Engineer/Representative: Scott Vinton/ Nolte Engineering - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Mountainous (RUR:RM) (10 Acre Minimum Lot Size) - Location: Northerly of Thompson Road, southerly of Jean Nicholas Road, westerly of Viva Lane and easterly of Washington Street - 55.14 Gross Acres - Zoning: Rural Residential - 5 Acre Minimum Lot Size (R-R-5)
- 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 Mountainous (RUR:RM) (10 Acre Minimum Lot Size) to Medium Density Residential (CD:MDR) (2-5 Dwelling Units per Acre) and to be removed from the North Skinner Policy Area.
- III. **MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Tamara Harrison, Ph: (951) 955-9721 or E-mail tharriso@rctlma.org

The following spoke in favor of the subject proposal:
Will Rogers, Applicant, One Better World Circle, Suite 300, Temecula, CA 92590

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 commented on the General Plan Amendment. If you wish to listen to the entire discussion, see Section VI below. Additionally, the comments of individual Commissioners are summarized in the Planning Director's Report and Recommendation to the Board of Supervisors.
- 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.: 7.3
Area Plan: Southwest
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: March 3, 2010

General Plan Amendment No. 1014
Applicant: David Ernst
Engineer/Rep.: Nolte Engineering

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" (RUR) to "Community Development" (CD) and the General Plan Land Use designation of the subject site from "Rural Mountainous" (RM) (10 acre minimum lot size) to "Medium Density Residential" (MDR) (2-5 du/ac) for an approximately 55.14 acre site. The project is located northerly of Thompson Road, southerly of Jean Nicholas Road, westerly of Viva Lane and easterly of Washington Street.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "French Valley" community within the Southwest Area Plan. The site is also located within the County's "Highway 79" and "North Skinner" policy areas. The site is directly adjacent to Rural Mountainous to the north, south and east and is adjacent to the Public Facilities designation to the west. The adjacent area that has been designated as Public Facilities represents the San Diego Canal and extends south to Lake Skinner. The Community Development: Medium Density Residential designation can be found to the west of the site just beyond the San Diego Canal as well as to the northwest of the site. Much of the development in the area has taken place west of the subject site, near Highway 79. The existing parcels that are designated Medium Density Residential (MDR) within the general vicinity of the subject site remains vacant at this time. Efficient Land Use Planning would see these vacant MDR areas develop before additional higher density designations are brought to the area.

Tract Map No. 30837 which lies west of the subject site just across the canal approved 320 single-family residential lots in 2004; however, the canal serves as a demarcation line between those higher densities and those more rural designations in the immediate vicinity of the subject site. Tract Map No. 29883 which proposes 491 single-family residential lots lies northwest of the proposed site and is currently under review with the Planning Department.

The proposed site has been designated as a State Responsibility Area for fire hazards. The Safety Element of the General Plan addresses such risks in a number of ways including deterring building in these "high risk" areas and providing secondary access to the site. Currently, no access is available to the site via County maintained roads. High fire risk coupled with the lack of access could expose potential dwellings to a number of safety hazards. 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.

The site has been identified as being a part of Cell Group "S" under the County's Multiple Species Habitat Conservation Plan (MSHCP). According to the plan, Cell Group "S" will contribute to the assembly of the Proposed Extension of Existing Core 7, Proposed Constrained Linkage 17 and Proposed Constrained Linkage 18. The plan also identifies a range of 65%-75% for conservation with the majority of the conservation occurring within the eastern portion of the Cell Group. The subject site lies within the eastern portion of the Cell Group and may require conservation. In addition to any conservation which may be required at the south end of the site, the site will also 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. Conserved portions of the site, if any, will be identified as part of the Habitat Acquisition and Negotiation Strategy (HANS) process.

According to the General Plan, the North Skinner Policy Area "encompasses an expanse of rolling hills, mountainous terrain, agricultural uses and rural residences. The Policy Area was developed in order to maintain the rural, large lot character of the area within its boundaries by requiring parcels to maintain a 10 acre minimum lot size regardless of the underlying General Plan designation. The requested designation is inconsistent with this General Plan policy. No change in circumstances has occurred in the vicinity of the site since the adoption of the General Plan that would warrant the boundaries of the North Skinner policy area to be adjusted.

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.

No substantial evidence has been provided to show that new conditions or circumstances are present in the area to justify the proposed change. The surrounding area remains rural in character which is in keeping with the General Plan's vision for the area. Furthermore, the proposal's incompatibility with General Plan policies, the existing land use pattern, MSHCP and fire issues may create internal inconsistencies amongst the elements of the General Plan

RECOMMENDATION:

The Planning Director's recommendation is to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 1014 from Rural: Rural Mountainous 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 February 15, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$3,970.36.
3. The project site is currently designated as Assessor's Parcel Numbers: 472-200-002

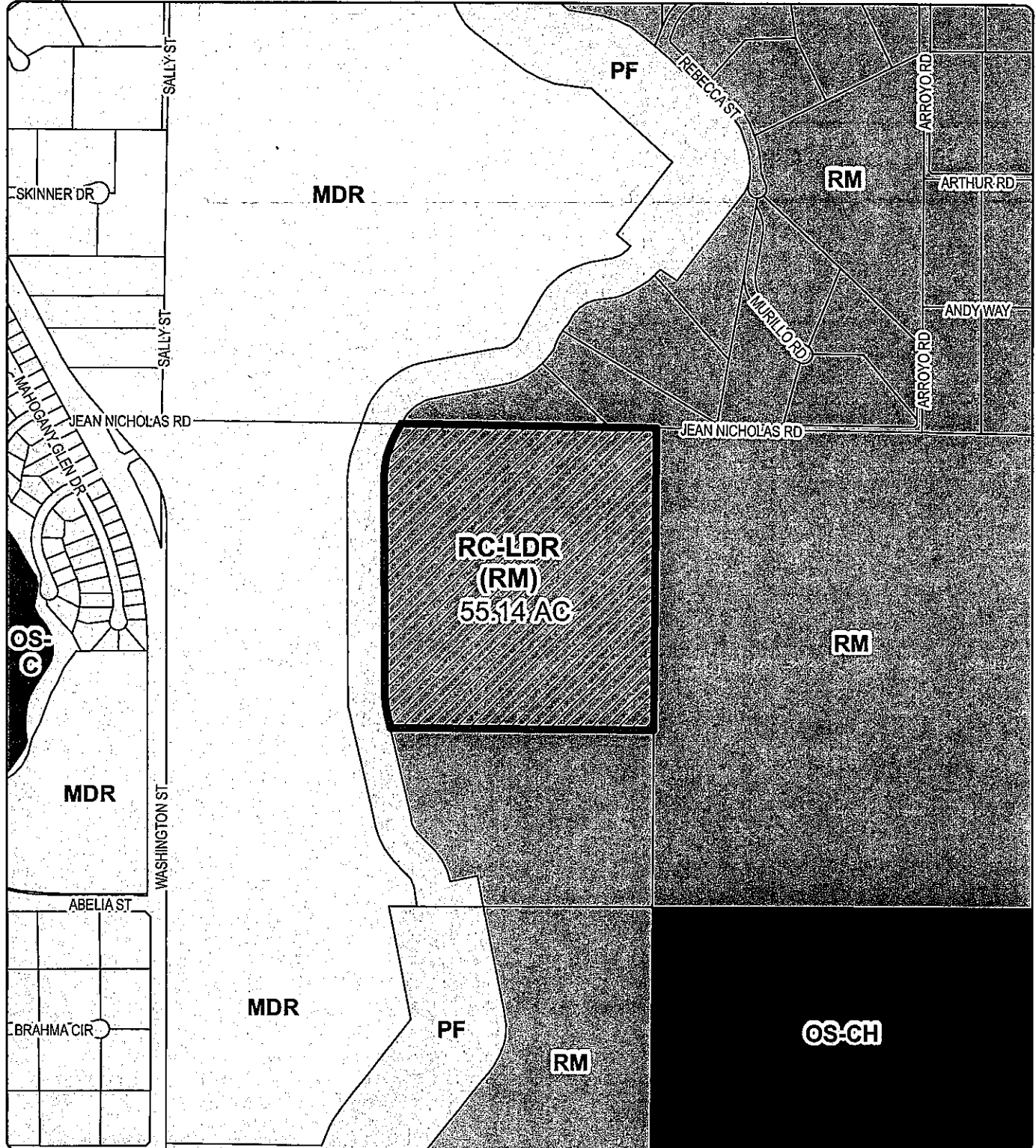
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01014

PROPOSED GENERAL PLAN

Supervisor Stone
District: 3

Date Drawn: 3/11/2010
Exhibit 6



Zoning Area: Rancho California
Township/Range: T6SR2W
Section: 34

Assessors Bk. Pg. 472-20
Thomas Bros. Pg. 899 G5
Edition 2009

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

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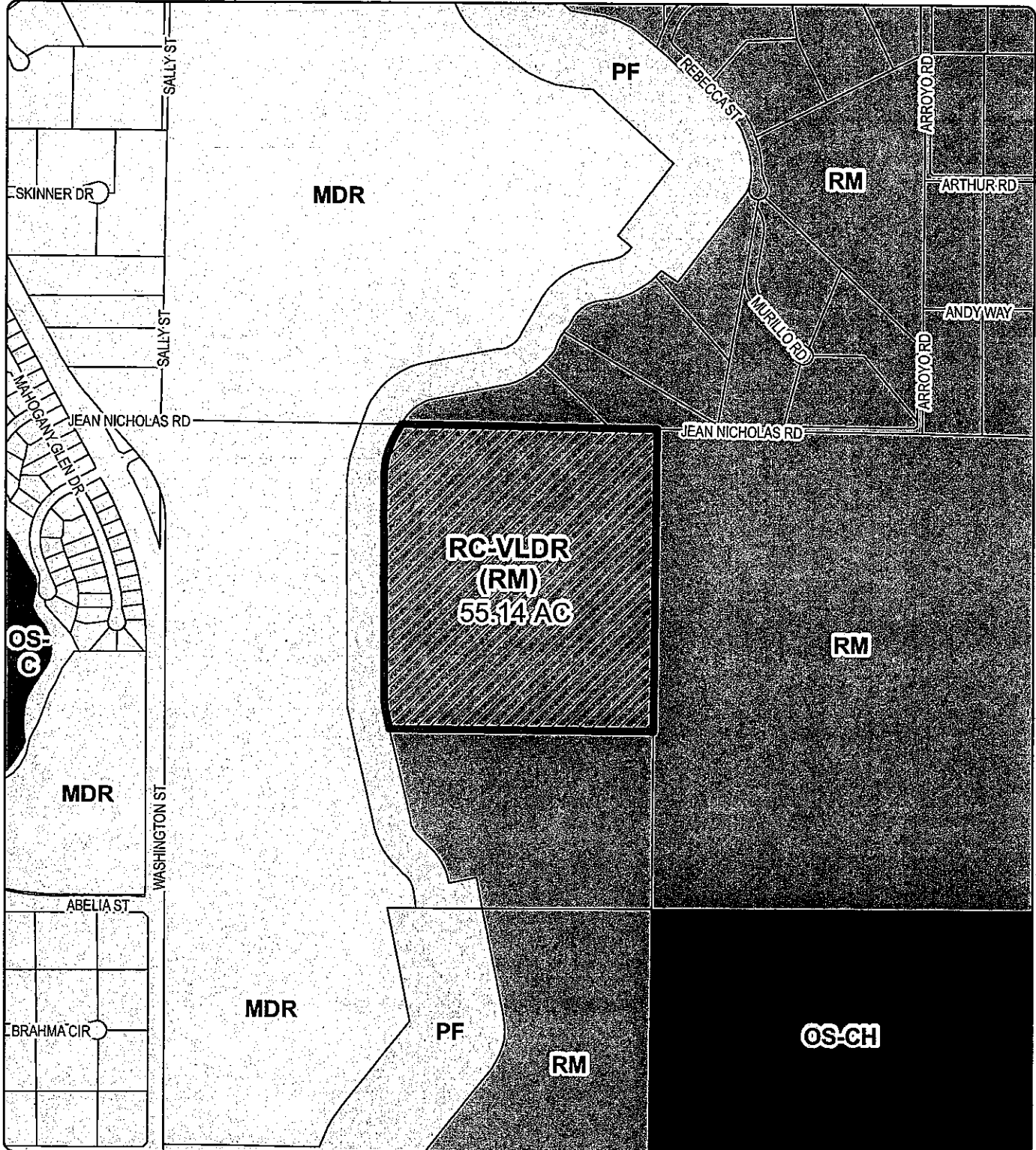
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01014

RECOMMENDED GENERAL PLAN

Supervisor Stone
District: 3

Date Drawn: 3/11/2010
Exhibit 7



Zoning Area: Rancho California
Township/Range: T6SR2W
Section: 34

Assessors Bk. Pg. 472-20
Thomas Bros. Pg. 899 G5
Edition 2009

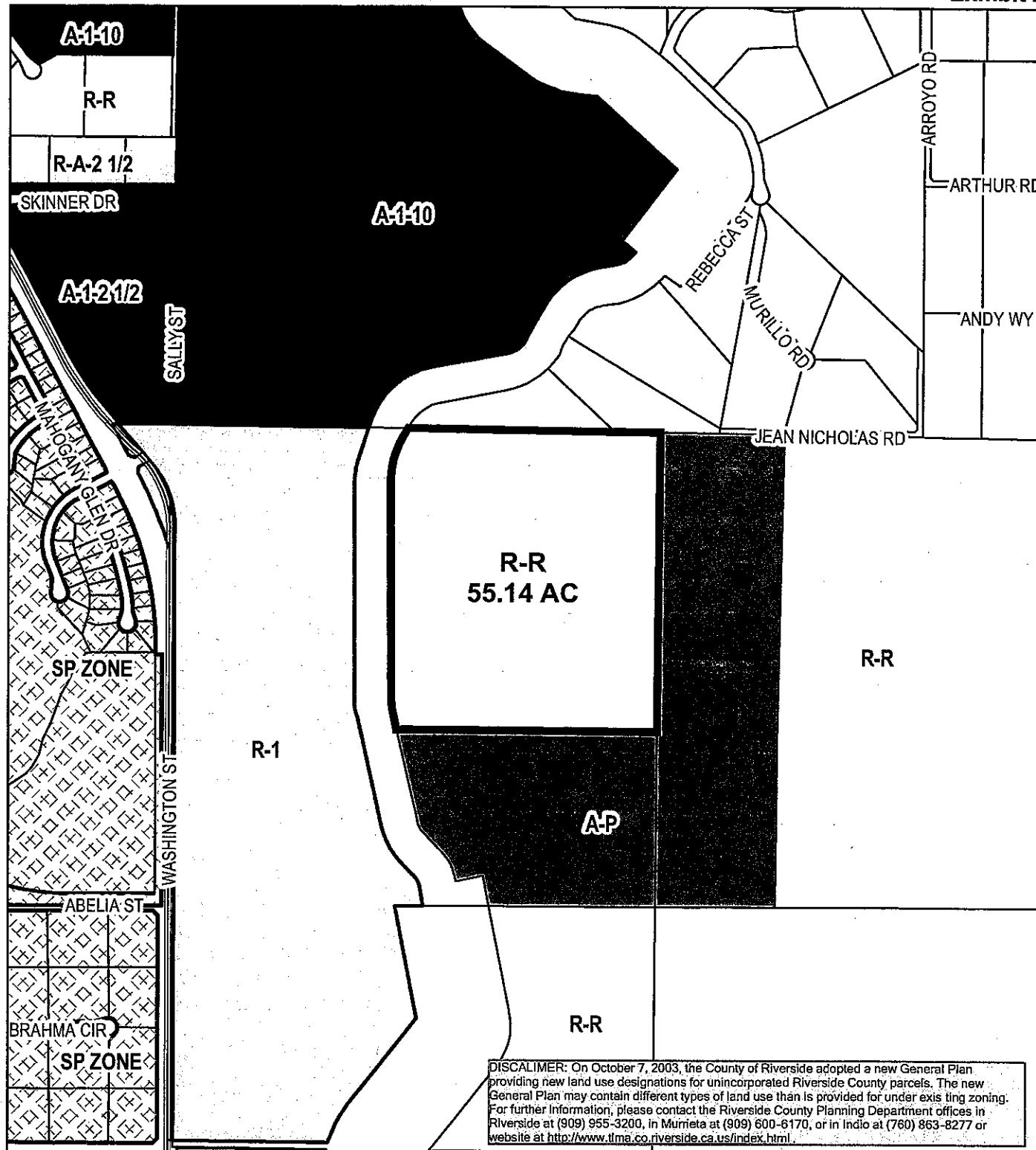
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please 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.lima.co.riverside.ca.us/index.html>

0 385 770 1,540 2,310
Feet

Supervisor Stone
District 3
Date Drawn: 4/03/08

GPA01014
EXISTING ZONING

Planner: Amy Aldana
Date: 3/14/08
Exhibit 2



Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 34

RIVERSIDE COUNTY PLANNING DEPARTMENT

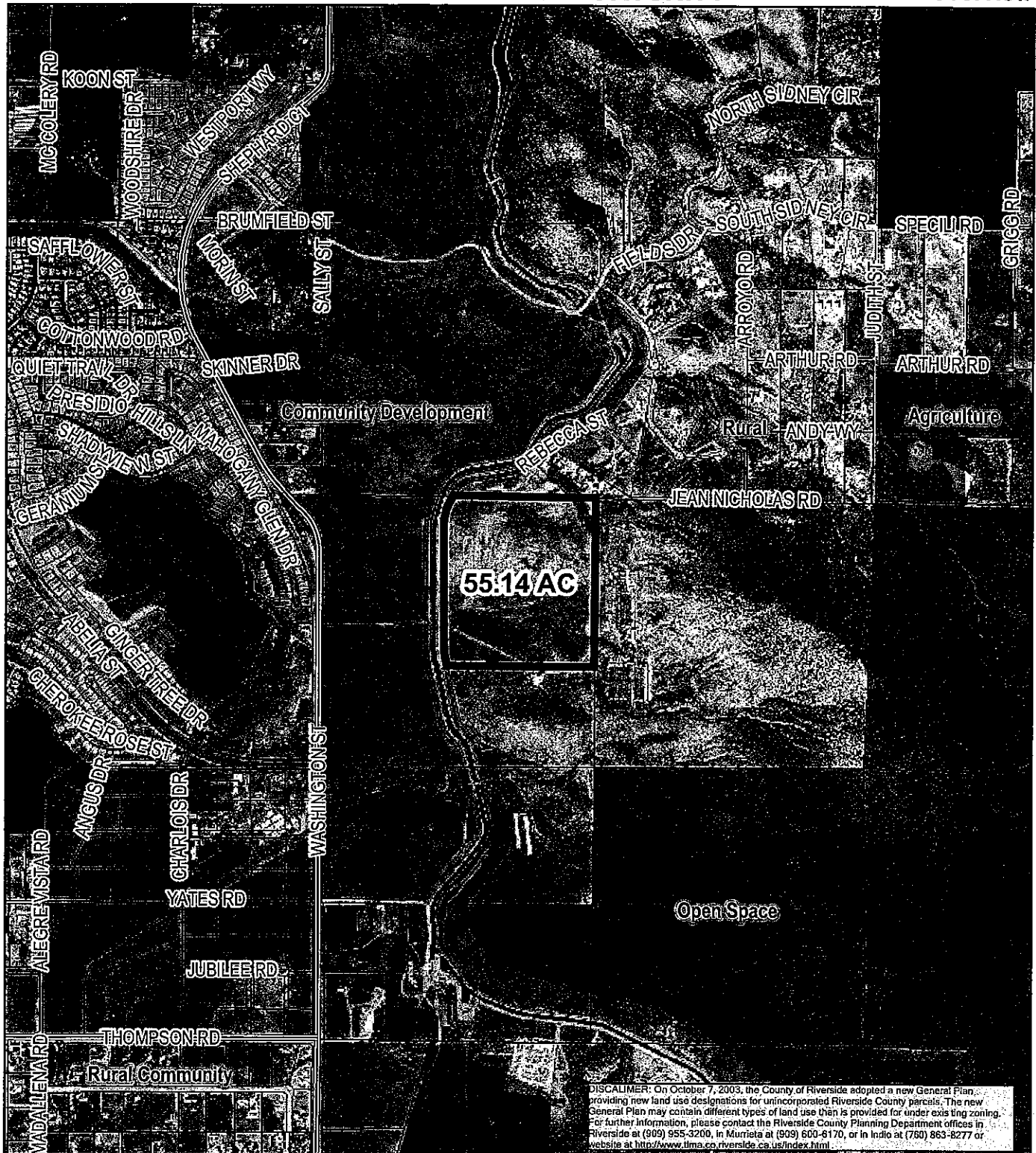
Assessors
Bk. Pg. 472-20
Thomas
Bros. Pg. 899 G5

Supervisor Stone
District 3
Date Drawn: 4/03/08

GPA01014

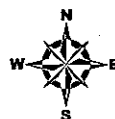
Planner: Amy Aldana
Date: 3/14/08
Exhibit Overview

DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: Rancho California
Township/Range: T6SR2W
Section: 34



Assessors
Bk. Pg. 472-20
Thomas
Bros. Pg. 899 G5

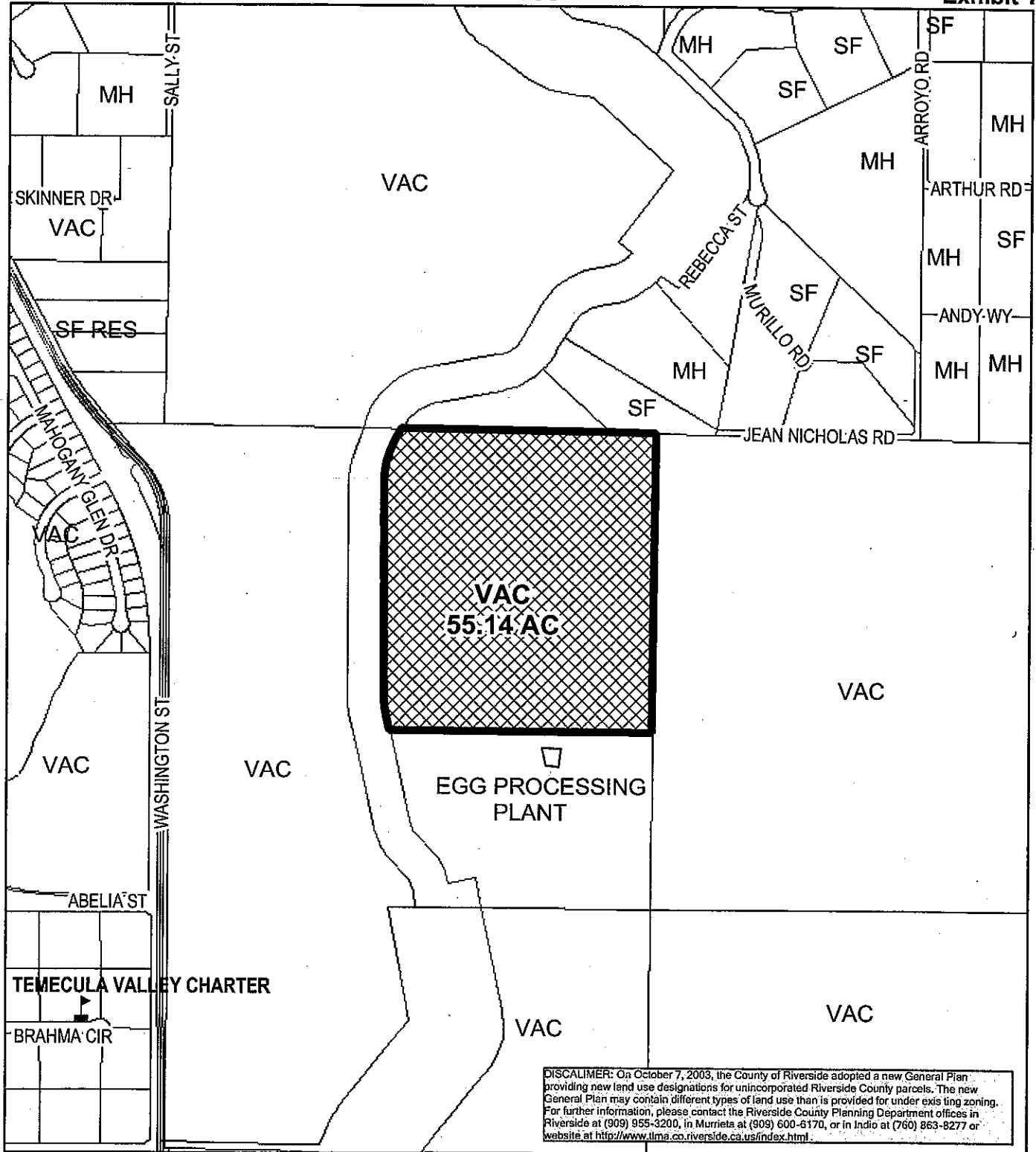


Supervisor Stone
District 3
Date Drawn: 4/03/08

GPA01014

Land Use

Planner: Amy Aldana
Date: 3/14/08
Exhibit 1



Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 34

RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors
Bk. Pg. 472-20
Thomas
Bros. Pg. 899 G5

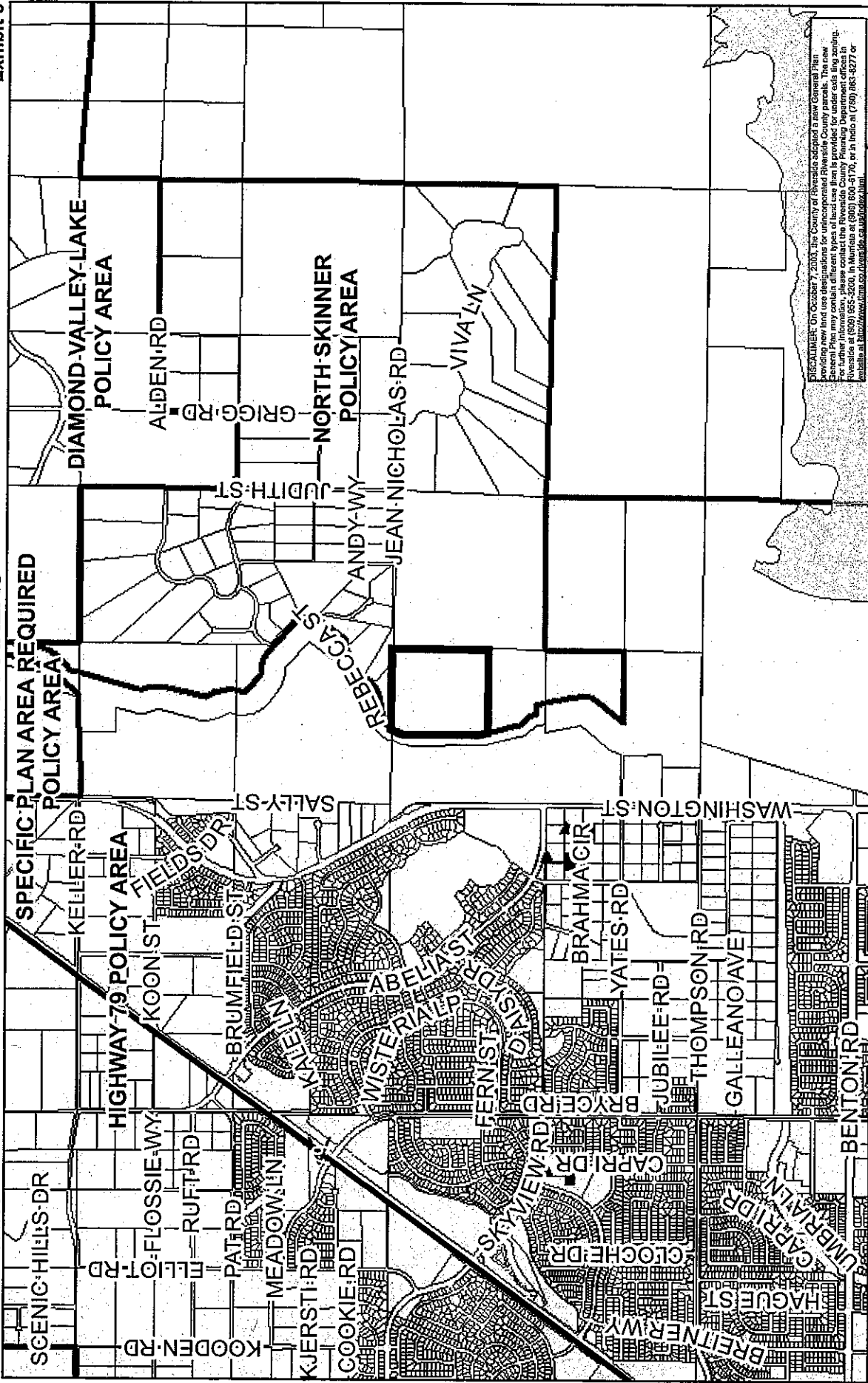
Supervisor Stone
District 3

Date Drawn: 4/03/08

GPA01014

POLICY AREAS

Planner: Amy Aldana
Date: 3/14/08
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 existing zoning. The new General Plan is available at the County of Riverside Planning Department at (951) 955-3200, in Murietta at (951) 800-4170, or in hard copy at (951) 863-4277 or website at <http://www.ftrm.co/riverside.ca.us/index.html>.

Zone Rancho California
Area: T6SR2W
Township/Range: T6SR2W
Section: 34

RIVERSIDE COUNTY PLANNING DEPARTMENT

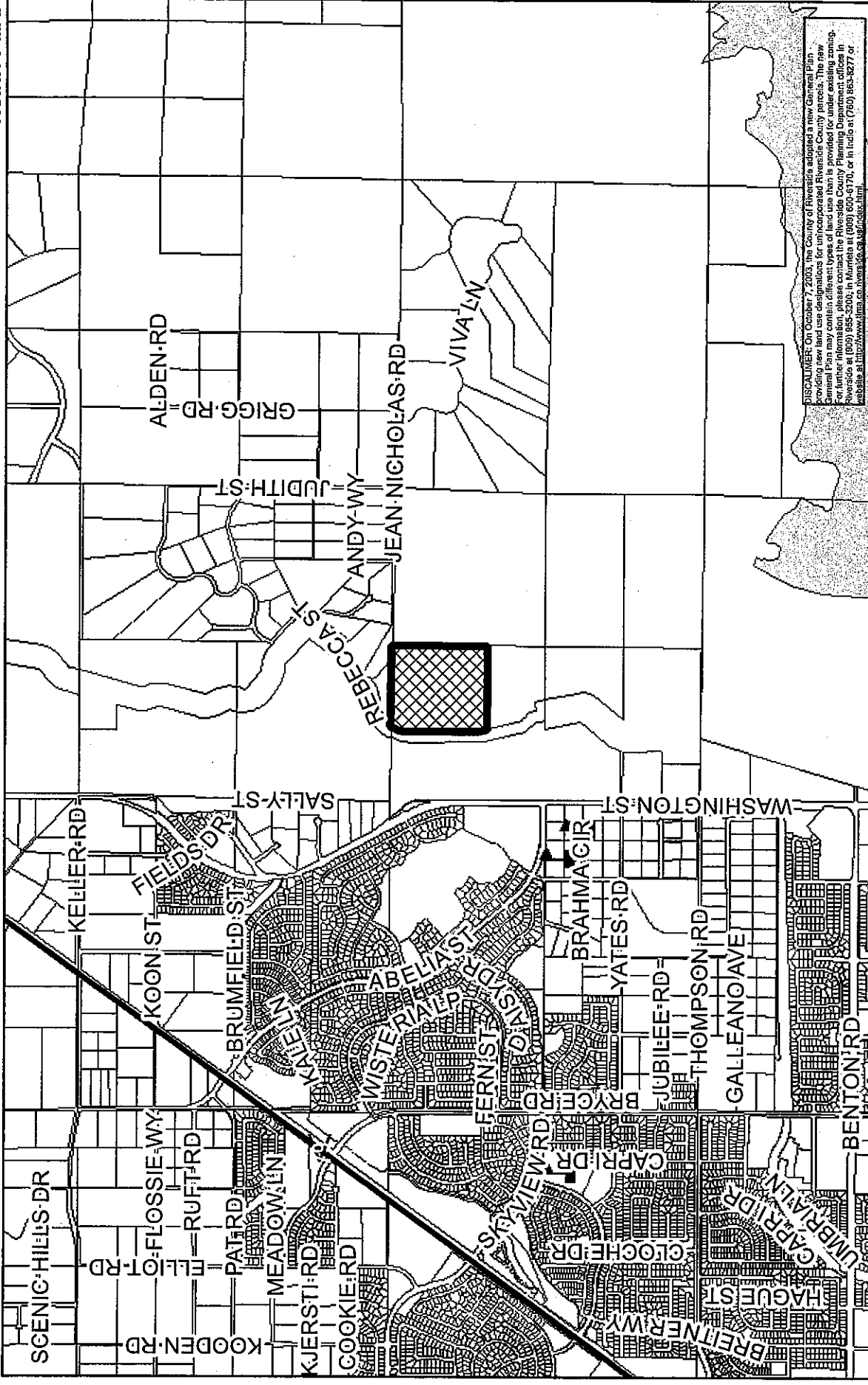
Assessors
Bk. Pg. 472-20
Thomas
Bros. Pg. 899 G5



Planner: Amy Aldana
Date: 3/14/08
VICINITY MAP

GPA01014
VICINITY MAP

Supervisor Stone
District 3
Date Drawn: 4/03/08



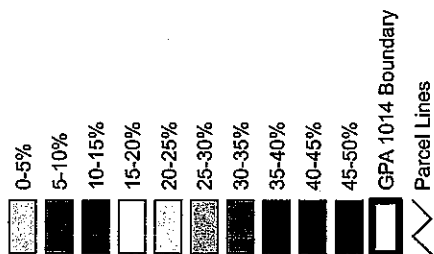
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan. The new General Plan may have impacts for unincorporated Riverside County parcels. The new General Plan may have impacts for unincorporated Riverside County parcels. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 965-9277 or website at <http://www.lima.co.riverside.ca.us/gis/index.htm>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Rancho California
Area:
Township/Range: T6SR2W
Section : 34

Assessors
Bk. Pg. 472-20
Thomas
Bros. Pg. 899 G5

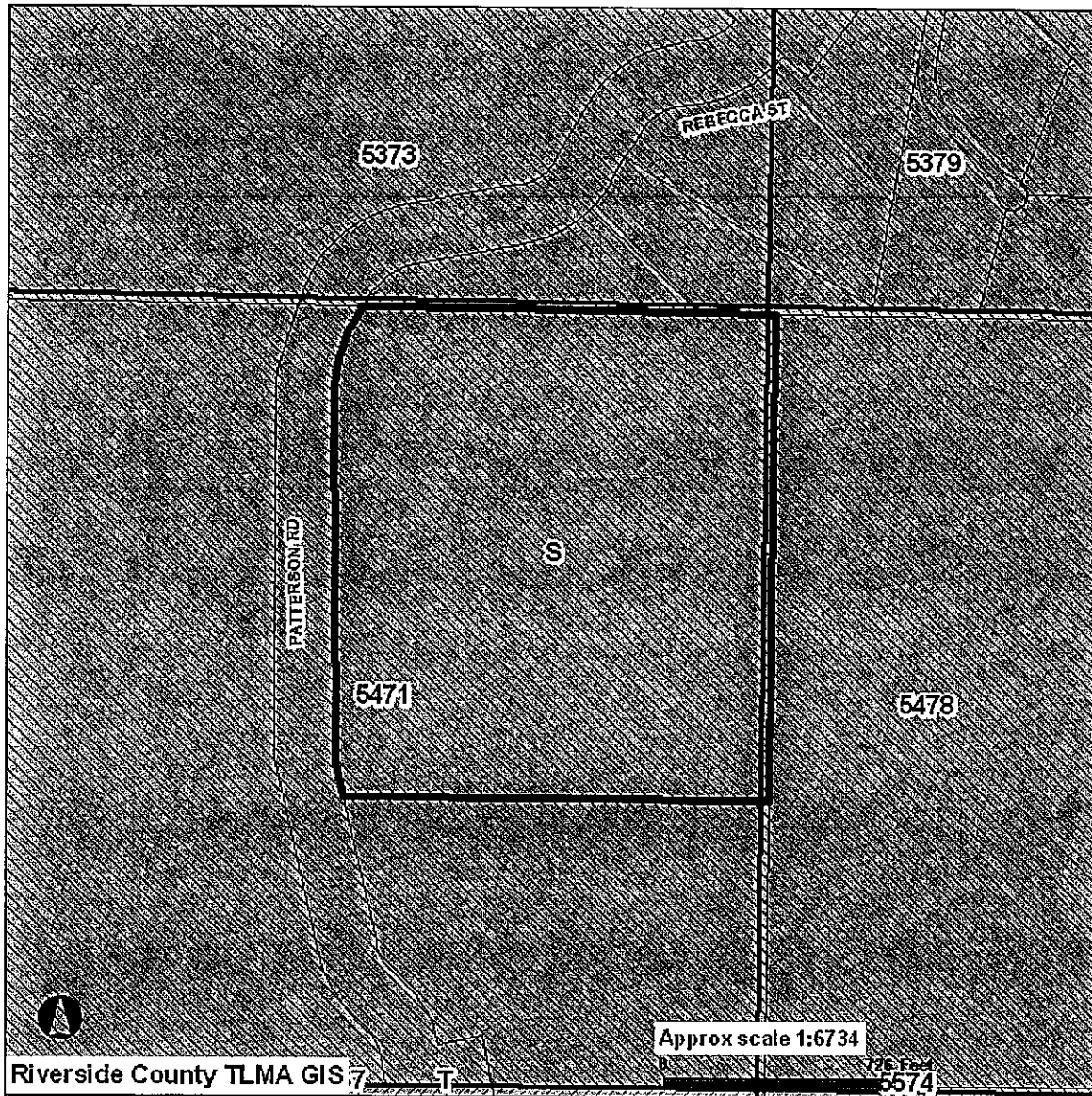


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February 3, 2010

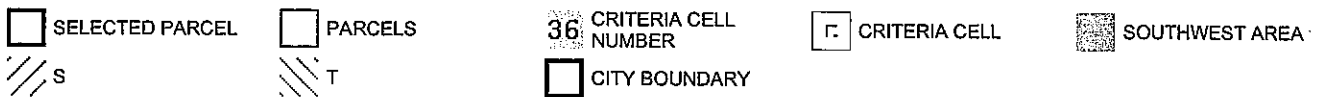
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RIVERSIDE COUNTY GIS



Selected parcel(s):
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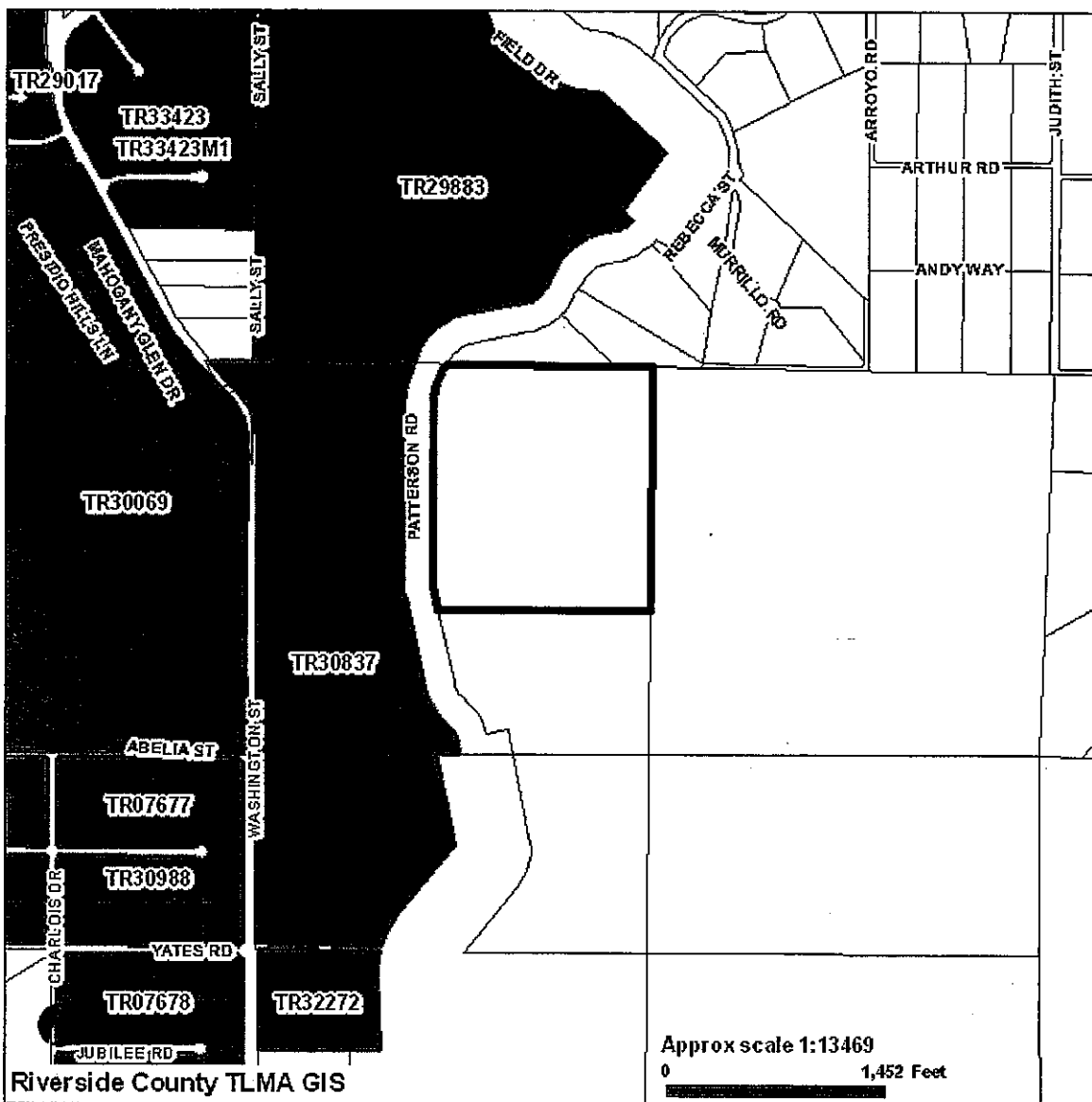
WRCMSHCP CELL/CELL GROUP

***IMPORTANT***

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Wed Oct 29 09:27:37 2008

RIVERSIDE COUNTY GIS



Selected parcel(s):
472-200-002

TRACT MAP

☐ SELECTED PARCEL

☐ PARCELS

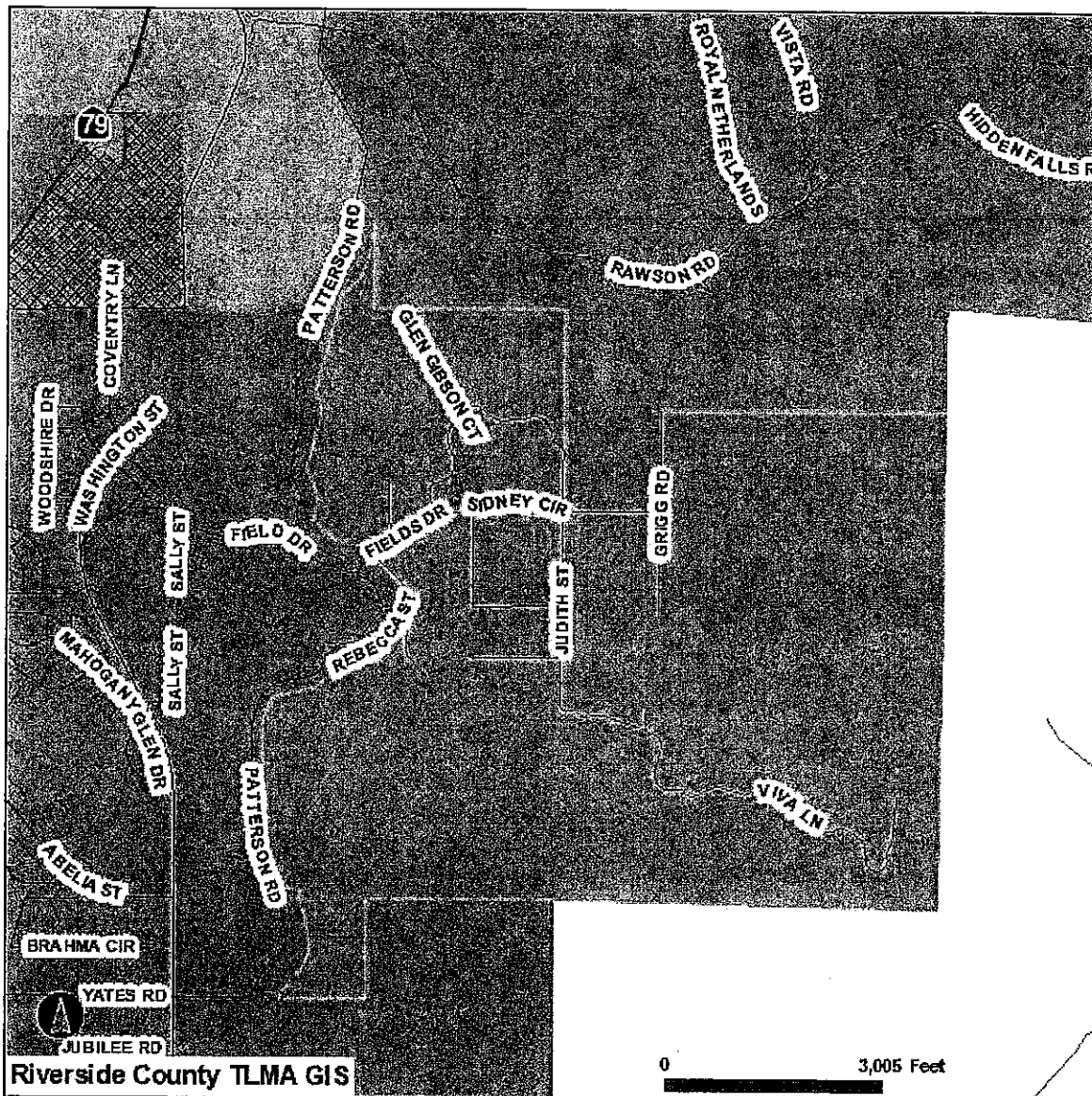
☒ TR - TRACT MAP

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Wed Oct 29 09:31:34 2008

RIVERSIDE COUNTY GIS



Selected parcel(s):
472-200-002

POLICY AREAS/OVERLAYS

INTERSTATES	HIGHWAYS	STREETS	CITY
COMMUNITY CENTER OVERLAY	COMMUNITY DEVELOPMENT	DIAMOND VALLEY LAKE POLICY AREA	HIGHWAY 79 POLICY AREA
NORTH SKINNER POLICY AREA	SPECIFIC PLAN AREA REQUIRED POLICY AREA		

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed Mar 03 09:06:06 2010

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

~~Large existing or planned sub-divisions are located directly west and adjacent to the project site that have a Medium Density designation. The MDR designation extends west beyond Washington St. Changing the designation to MDR for the project site would maintain the continuity of the designation. The current Rural Mountainous designation was intended for parcels that have slopes greater than 25% over 70 % of the property. Slopes on this parcel are no greater than 20% and the 20% slope areas cover less than 10% of the site. The parcel does not fit the description of the RM designation. The existing zoning allows for 5 acre parcels and the area directly north and northeast has been sub-divided into average 5 acre lots. Up to ten acres of the site is being proposed as a community park. It is anticipated that the remaining area will be divided into 10,000 SF with one half acre lots on the edges of the property as a buffer. The MDR designation is requested to compensate the applicant for park dedication. the overall density of the project would be less than 2 dwelling units per acre. That density would provide a reasonable transition between the smaller lot sub-divisions to the west and the 5 to 10 acres lots on the north and east. Additionally, the street pattern has the potential to be connected to Rebecca Street, creating a looped road system to Fields Drive for additional emergency access across the San Diego Canal.~~

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): _____

none

C. PROPOSED POLICY (Attach more pages if needed): _____



March 1, 2010

County of Riverside Planning Department
Riverside County Administrative Center
4080 Lemon Street
Riverside, CA 92502-1629

Attention: Ron Goldman

Re: General Plan Amendment No. 1014
(French Valley 55)

Dear Mr. Goldman,

Please find below our request for an amendment to our Foundation Change for the project mentioned above from Rural Mountain (RM) to Medium Density Residential (MDR). We are requesting to stay within the Rural Foundation Component and change the current Rural Mountain (RM) designation to Low Density Residential (LDR). Our justification for this request is to lessen the impact on water resource and the site. This will be accomplished by providing a "Clustered Development" and providing more Open Space and Amenities for the Community. The current Rural Mountainous designation was intended for parcels that have slopes greater than 25% over 70% of the property. Slopes on this parcel are no greater than 20% and cover less than 10% of the property. The parcel does not fit the description of the RM designation as defined in the General Plans South West Planning Area Table 1- Land Use Designations Summary. The existing zoning allows for 5 acre parcels and the area directly northeast has been subdivided into an average of 5 acre lots. Up to ten acres of the site is being proposed as Open Space or Community Park when funding is available. This area provides a buffer from the high densities proposed to the West. It is anticipated that the remaining area will be clustered in to 10,000 SF lots to one half acre lots with an open space buffer and preservation measure for MSHCP to the eastern and southern boundaries. Additionally, for fire safety issues the street pattern has the potential via current easements to be connected to Rebecca Street, creating a looped system to Fields Drive for secondary emergency access.

Our new proposal provides substantial evidence of a better project for the area meeting all the criteria previously mentioned and providing a balanced community with Rural Character. If you have any questions, please call me. Thank you for your consideration.

Sincerely,

Will Rogers
Sr. Project Manager
Land and Forward Planning

(951) 506-6556 Ext. 2040
(951) 506-4821 Fax
wrogers@thegarrettgroupllc.net

David Ernst
One Better World Circle, Suite 300
Temecula, CA 92590

Scott Vinton
15070 Avenue of Science, Suite 100
San Diego, CA 92128