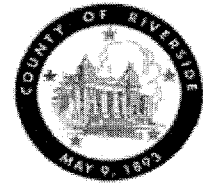


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

321 B



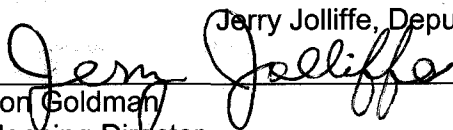
**FROM:** TLMA - Planning Department


**SUBMITTAL DATE:**  
June 17, 2010

**SUBJECT: GENERAL PLAN AMENDMENT NO. 946** – Foundation-Regular - Applicant: JVRL 220, LLC. – Engineer/Representative: ACD Engineering, Inc. - Third Supervisorial District – Winchester Zoning Area – Sun City/Menifee Valley Area Plan: Policy Area(s) – Highway 79 Policy Area; Estate Density Residential & Rural Residential Policy Area: Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) – Location: East of Heinz Lane, south of Garbani Road, west of Leon Road and north of Wickerd Road – 175.4 Gross Acres – Zoning: Residential Agricultural-5 Acre Minimum Lot Size (R-A-5) **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 from Rural Residential (RUR: RR) (5 acre minimum lot size), to Medium Density Residential (CD: MDR) (2-5 du/ac) and to remove the site from the General Plan's "Estate Density Residential and Rural Residential Policy Area" - APNs: 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035

**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 and 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

Jerry Jolliffe, Deputy Planning Director for,  
  
Ron Goldman  
Planning Director

Initials:  
RG:th  


REVIEWED BY EXECUTIVE OFFICE

DATE 6/23/10  
Tina Grande

Departmental Concurrence

Dept't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.

District: Third

Agenda Number:

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 NOVEMBER 4, 2009  
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

**I. AGENDA ITEM 5.6: GENERAL PLAN AMENDMENT NO. 946** - Foundation / Regular - Applicant: JVRL 220, LLC. - Engineer/Representative: ACD Engineering, Inc. - Third Supervisorial District - Winchester Zoning Area - Sun City/Menifee Valley Area Plan: Policy Area(s) - Highway 79 Policy Area; Estate Density Residential & Rural Residential Policy Area: Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) - Location: East of Heinz Lane, south of Garbani Road, west of Leon Road and north of Wickerd Road - 175.4 Gross Acres - Zoning: Residential Agricultural-5 Acre Minimum Lot Size (R-A-5) – APN(s): 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035.

**II. PROJECT DESCRIPTION**

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 from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size), to Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre).

**III. MEETING SUMMARY**

The following staff presented the subject proposal:  
Project Planner, Tamara Harrison at 951-955-9721 or e-mail [tharriso@rctlma.org](mailto:tharriso@rctlma.org).

No one spoke in favor, neutral 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.

**INITIATION of THE GENERAL PLAN AMENDMENT**

**VI. CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at [cgriffin@rctlma.org](mailto:cgriffin@rctlma.org).

Agenda Item No.: 5.6  
Area Plan: Sun City/Menifee Valley  
Zoning District: Winchester Area  
Supervisory District: Third  
Project Planner: Tamara Harrison  
Planning Commission: November 4, 2009

General Plan Amendment No. 946  
Applicant: JVRL 220, LLC  
Engineer/Representative: ACD 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. 946 as modified by staff from Rural Community: Estate Density Residential to Community Development: Estate Density Residential. Staff's recommendation would add the following properties not included in the original application, Assessor Parcel Numbers: 466-210-021, 466-210-022, 466-210-023, 466-210-024, 466-210-036 and 466-210-037. The Planning Commission made the comments below. The Planning Director continues to recommend to adopt an order initiating proceedings as modified by staff. 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 expressed his opposition to prematurely converting rural areas into urbanized lands within the Community Development Foundation Component. He indicated that the County and its residents were involved in a lengthy process that created the General Plan and the five-year certainty system and that the certainty system has somewhat been bypassed with policy areas, overlays and cases such as General Plan Amendment No. 946. He indicated that we are speeding up the process of urbanization of rural areas. Finally, Mr. Roth stated that he has some concerns with both the applicant's proposal and with staff's proposal.

**Commissioner John Snell:** No Comments

**Commissioner John Petty:** Commissioner Petty agreed with staff's recommendation to initiate General Plan Amendment No. 946 from Rural Community: Estate Density Residential to Community Development: Estate Density Residential and stated that staff's proposal should be allowed to proceed with caution. Commissioner Petty noted that the City of Menifee is currently working on its General Plan and that it may have some impact on the current County designations in the area. He also stated that including the four additional parcels located at the southwest corner of Garbani Road and Leon Road and the two parcels directly south of the subject site but north of Wickerd Road in staff's proposal was appropriate as well.

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

Agenda Item No.: 5.6  
Area Plan: Sun City/ Menifee Valley  
Zoning District: Winchester Area  
Supervisory District: Third  
Project Planner: Tamara Harrison  
Planning Commission: November 4, 2009

General Plan Amendment No. 946  
Applicant: JVRL 220, LLC  
Engineer/Rep.: ACD Engineer INC.

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component from "Rural Community" (RC) to "Community Development" (CD) and the General Plan Land Use designation from "Estate Density Residential" (EDR) (2 acre minimum lot size) to "Medium Density Residential" (MDR) (2-5 du/ac) for an approximately 175.74 acre site. The project is located northerly of Wickerd Road, southerly of Garbani Road, easterly of El Centro Lane and westerly of Leon Road.

### POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "Winchester" community within the Sun City/ Menifee Valley Area Plan. Rural Community: Estate Density Residential can be found to the north and the west of the site. Community Development: Medium Density Residential is found to the east of the site and Rural: Rural Residential can be found to the south of the site. Those parcels in the area that are currently designated as Medium Density Residential are vacant for the most part. Efficient land use practices would see those areas develop prior to additional Medium Density Residential being added to the area.

The current proposal would substantially increase the density currently allowed on the site. Staff recognizes that conditions in the area are likely to change with the incorporation of the City of Menifee. Therefore, staff recommends that the site's designation be changed from Rural Community: Estate Density Residential to Community Development: Estate Density Residential as opposed to Community Development: Medium Density Residential. Staff's recommendation would maintain the current density and would also allow the applicant to apply for a General Plan Amendment sooner than the Five-year limitation that is currently placed on Foundation Change Amendments. Staff's recommendation would also be consistent with the General Plan's "Estate Density Residential and Rural Residential Area East of Interstate 215" policy area which the subject site is a part of. This policy area recognizes that the area has a well established rural character that the local residents support and requires that "residential development in this area shall retain its existing estate density and rural character." The proposed change to Medium Density Residential is inconsistent with this policy (SCMVAP 6.1).

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.

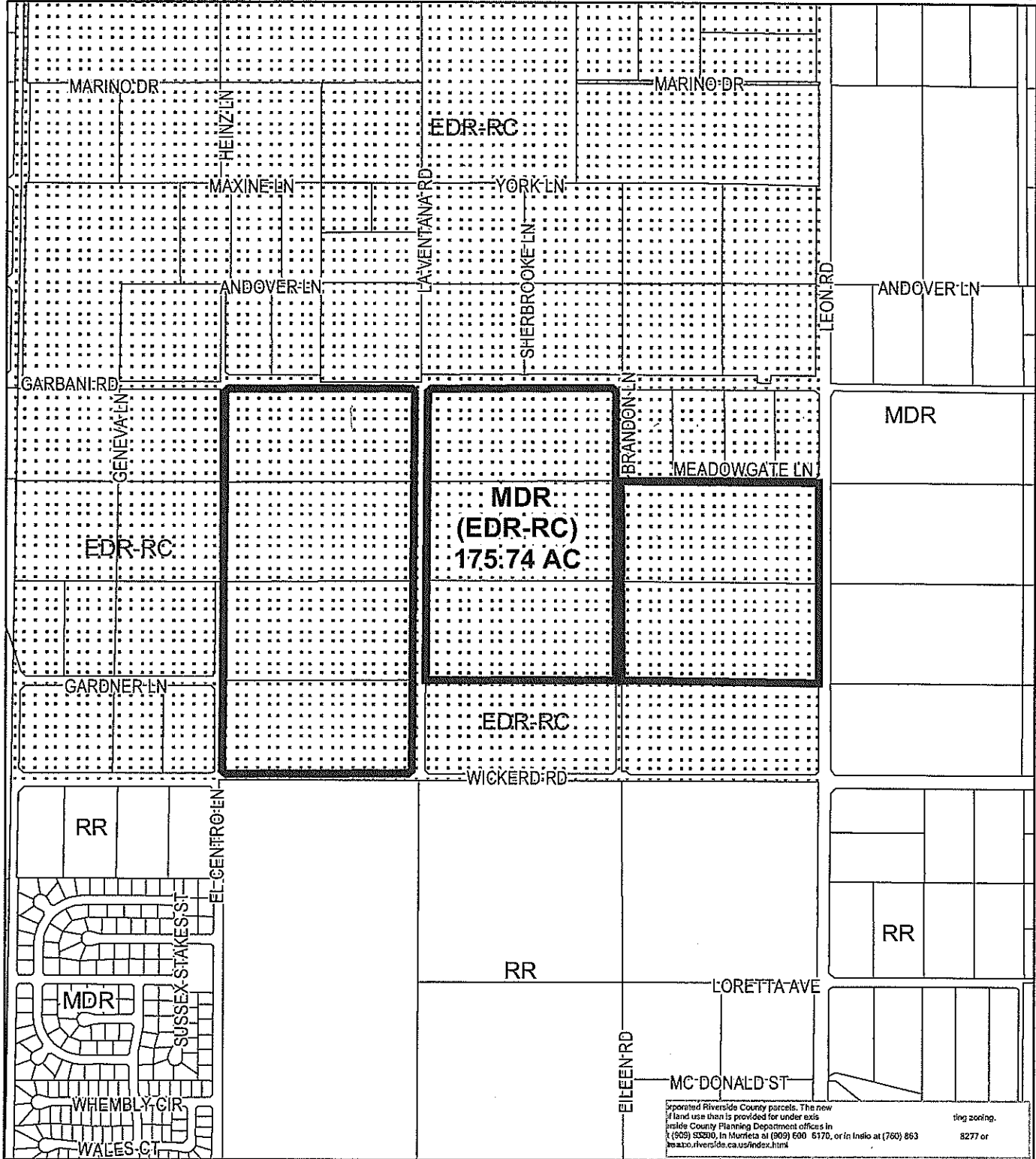
**RECOMMENDATION:**

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 946 as modified by staff from Rural Community: Estate Density Residential to Community Development: Estate Density Residential and to include the 4 parcels that are located at the southwest corner of Garbani Road and Leon Road (APN's: 466-210-021, 466-210-022, 466-210-023 and 466-210-024) as well as the two parcels located directly south of the subject site but north of Wickard Road APN's: 466-210-036 and 466-210-037). 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:**

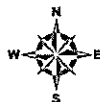
1. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$7,232.58.
3. The project site is currently designated as Assessor's Parcel Number: 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035.

**Proposed General Plan**



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
 Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18



Assessors  
 Bk. Pg. 466-21  
 Thomas  
 Bros. Pg. 869 B6

Separated Riverside County parcels. The new  
 if land use than is provided for under exist  
 Riverside County Planning Department offices in  
 (909) 533310, in Maricopa at (909) 600 6170, or in Indio at (760) 863  
[www.riverside.ca.us/index.htm](http://www.riverside.ca.us/index.htm) 8277 or

RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA00946

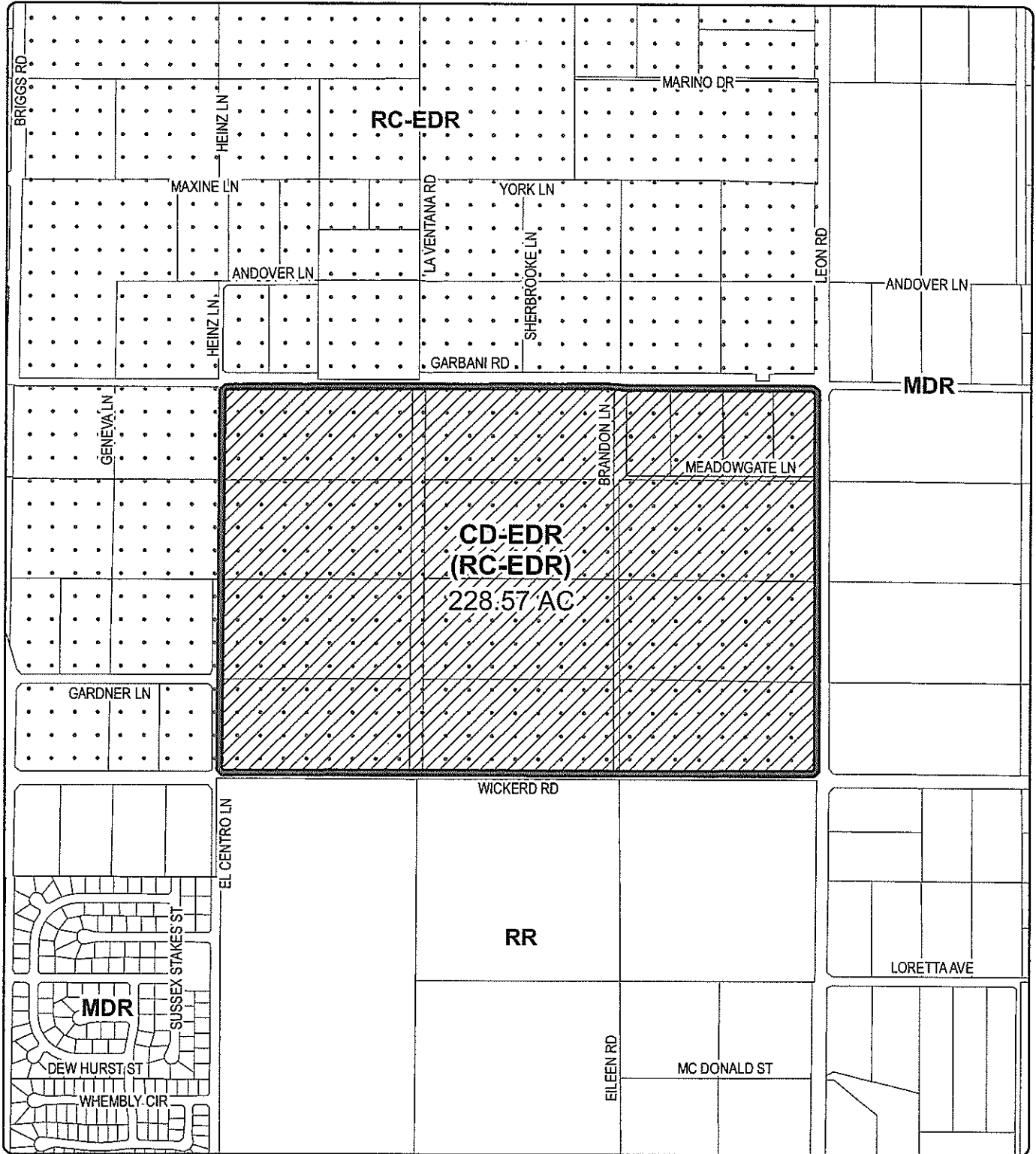
Date Drawn: 11/17/09

Supervisor Stone

District: 3

STAFF'S RECOMMEDATION GENERAL PLAN

Exhibit 7



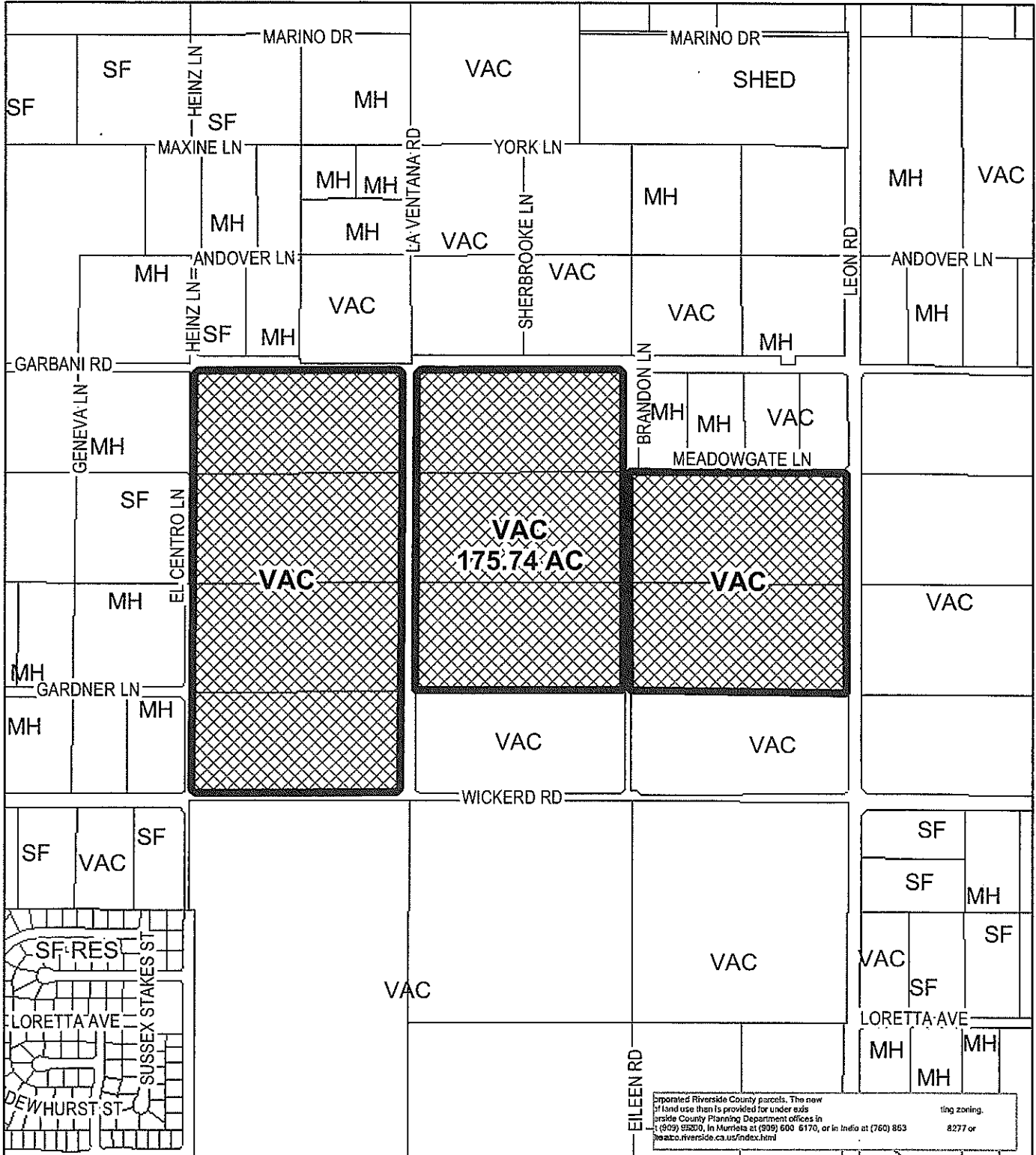
Zoning Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18

Assessors Bk. Pg. 466-21  
 Thomas Bros. Pg. 869 B6  
 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>





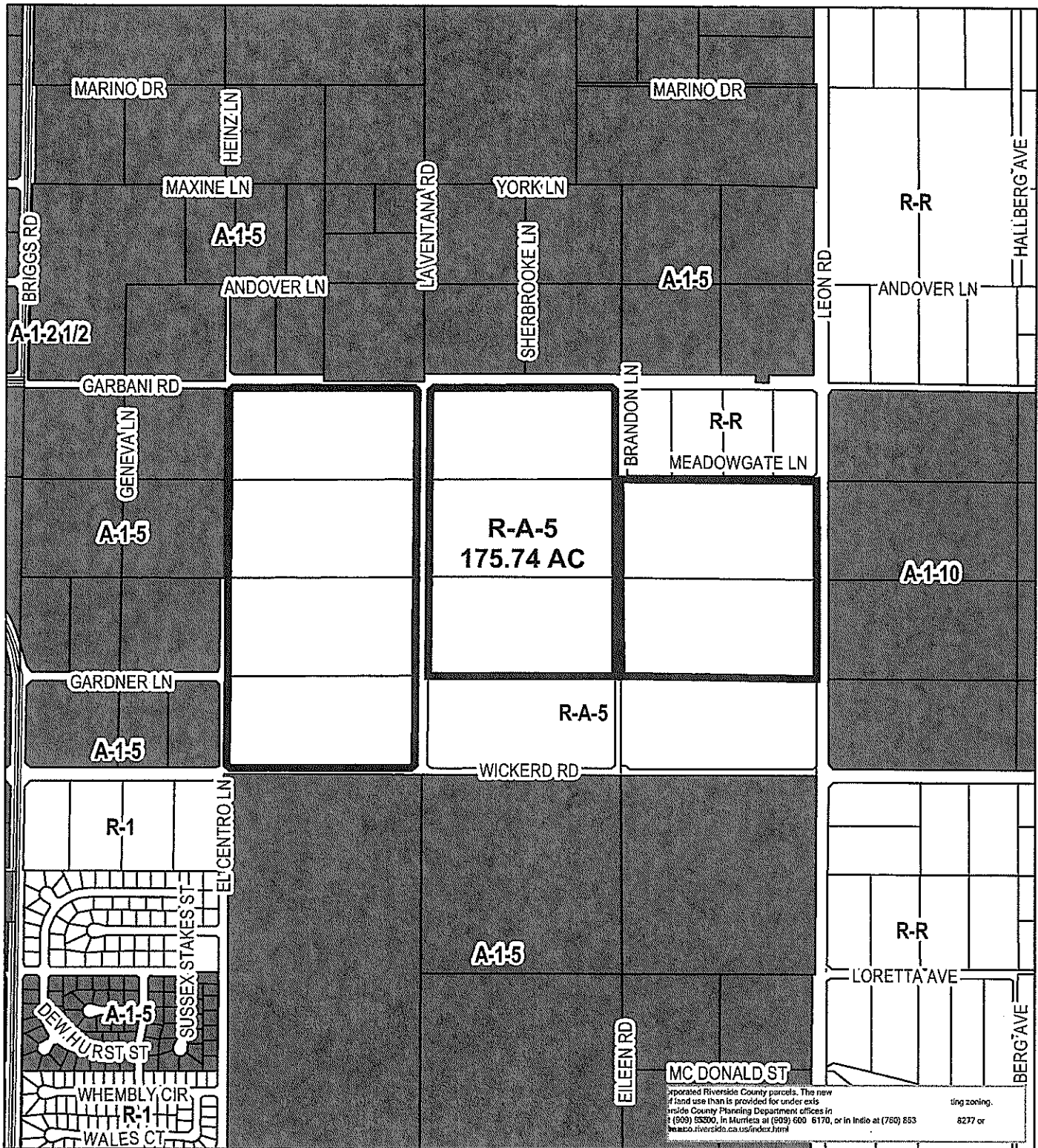
**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
 Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18



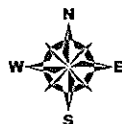
Assessors  
 Bk. Pg. 466-21  
 Thomas  
 Bros. Pg. 869 B6

Incorporated Riverside County parcels. The new  
 of land use than is provided for under exists  
 Riverside County Planning Department offices in  
 (909) 532-0, in Murrieta at (909) 600 6170, or in Indio at (760) 863  
 heato.riverside.ca.us/index.html



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
 Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18



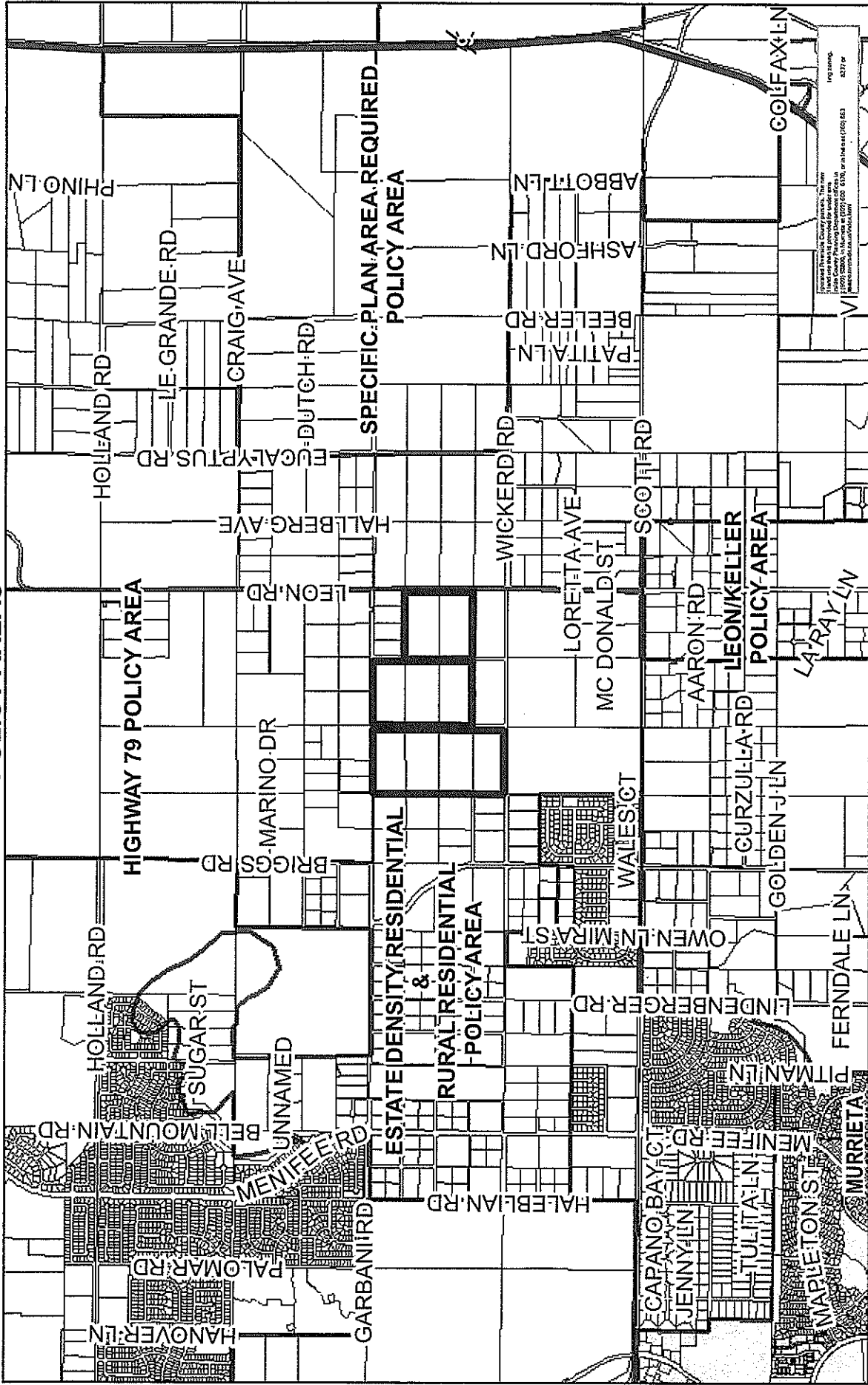
Assessors  
 Bk. Pg. 466-21  
 Thomas  
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Incorporated Riverside County parcels. The new  
 land use than is provided for under exist  
 Riverside County Planning Department offices in  
 (909) 532000, in Murrieta at (909) 600 6170, or in Indio at (760) 853  
<http://www.rivercfdbo.ca.us/index.html>  
 ing zoning.  
 8277 or

Supervisor Stone  
 District 3  
 Date Drawn: 2/27/08

**GPA00946**  
**POLICY AREAS**

Planner: Amy Aldana  
 Date: 3/10/08  
 Exhibit 8



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

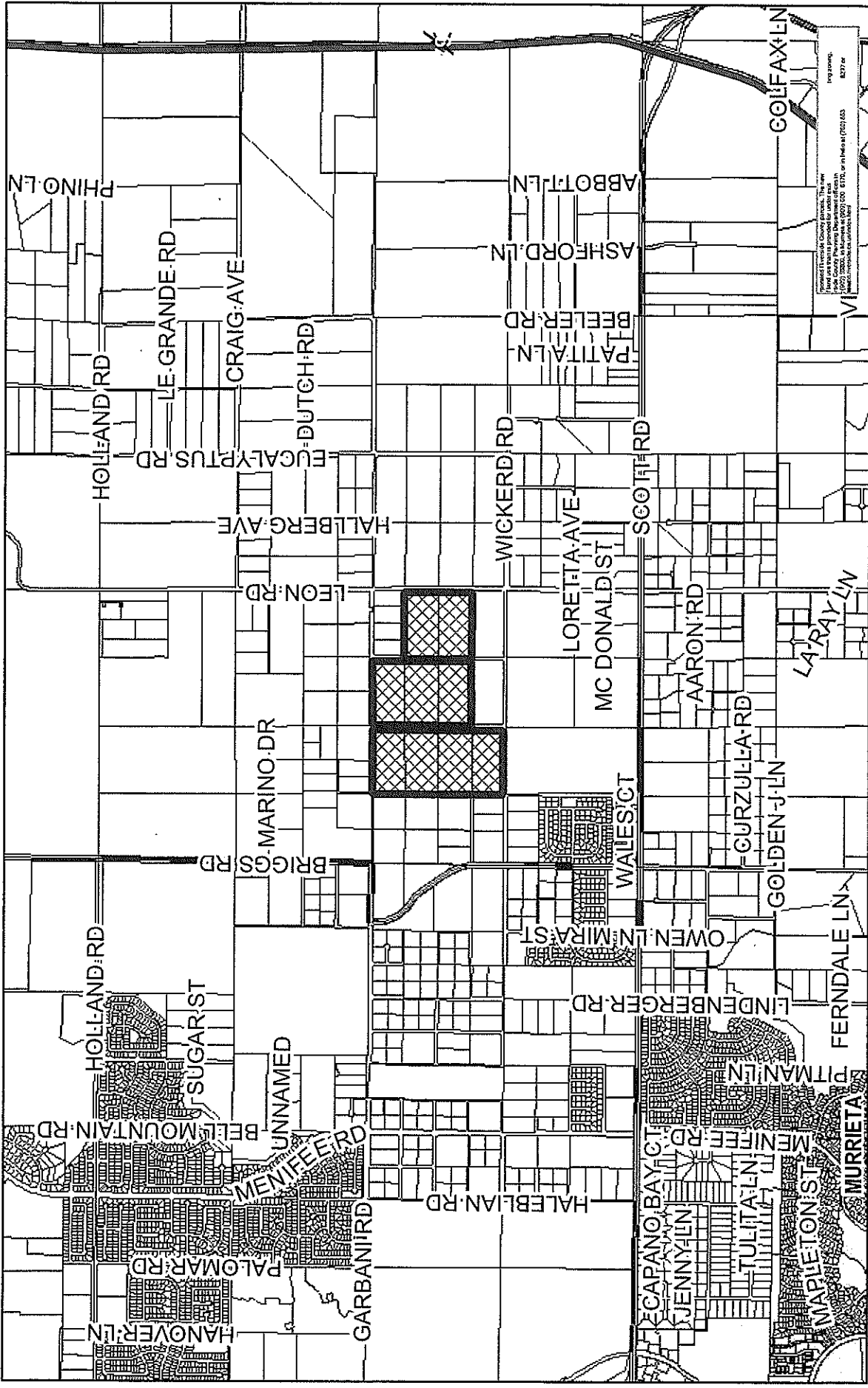
Zone Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18

Assessors Bk. Pg. 466-21  
 Thomas Bros. Pg. 869 B6

Supervisor Stone  
 District 3  
 Date Drawn: 2/27/08

GPA00946  
 VICINITY MAP

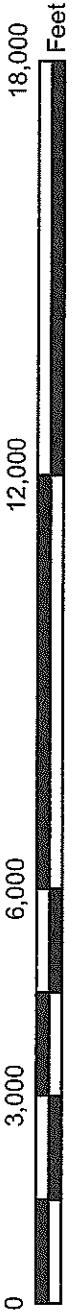
Planner: Amy Aldana  
 Date: 3/10/08  
 VICINITY MAP



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
 Area: Winchester  
 Township/Range: T6SR2W  
 Section: 18

Assessors  
 Bk. Pg. 466-21  
 Thomas  
 Bros. Pg. 869 B6



Provided to Riverside County parcels. The user  
 should verify parcels provided for under this map.  
 (951) 255-2100, (951) 255-8176, or online at (951) 653-  
 8277 for  
 info.

**APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN**

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

The surrounding areas adjacent to this project comprise a mixture of medium to low density. Within the foundation component of the rural community, EDR-RC covers a majority of the immediate region. R-1 land use would provide a link between the low density regions surrounding the property and the R-1 regions east of the site.

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**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: N/A Area Plan: N/A

B. EXISTING POLICY (If none, write "none." (Attach more pages if needed): \_\_\_\_\_

N/A

C. PROPOSED POLICY (Attach more pages if needed): N/A

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November 1, 2009

*VIA ELECTRONIC MAIL AND FACSIMILE*

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

**RE: Item 5.0, General Plan Amendment Initiation Proceedings  
(November 4, 2009)**

Dear Chair and Commission Members:

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

Item 5.1, GPA 1033 (SWAP)

*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, viewshed, 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 1000 (SWAP)

*Concur with previous 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 discontiguous 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 5.3. 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 5.4. 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. Discontiguous 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 potentially 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 5.5. GPA 954 (French Valley)

***Pending additional analysis, disagree with both applicant’s proposal and with staff’s modified recommendation for initiation.*** Adjacent to the property is a large block of conserved habitat (OS-CH). However, information on the relationship of the property to the MSHCP is not provided. No decision should be made until this information is available.

Item 5.6. GPA 946 (Winchester)

***Disagree with applicant’s proposal and with staff’s modified recommendation for initiation.*** To change the designation of this large, 176-acre property from Rural Community to Community Development – or to facilitate such future conversion via staff’s modified recommendation – are *both* inconsistent with maintaining the current

rural policy area. There is also no MSHCP analysis. The larger question is that no absorption study has demonstrated the need for additional Community Development or, even if so, whether this is an optimal location. Indeed, the location appears discontinuous from other development and would represent a piecemeal and disorderly pattern of urbanization that maximizes greenhouse gas emissions.

Item 5.7, GPA 1089 (Jurupa)

*Concur with staff recommendation to initiate.* This is an appropriate intensification of existing Community Development to accommodate growth by providing a range of housing choices in a location near infrastructure and services.

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

Sincerely,

Dan Silver, MD  
Executive Director

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

Carolyn Luna, EPD  
Interested parties



JVRL 220, LLC  
41391 Kalmia St. Loop #100  
Murrieta, CA 92562  
GPA946-Applicant

ACD Engineering Inc.  
43020 Blackdeer Loop #201  
Temecula, CA 92590  
GPA946-Engineer

Larry Uebersetzig  
31568 Railroad Cyn Rd. #130  
Canyon Lake, CA 92587  
GPA946-Owner

JVRL 220, LLC  
41391 Kalmia St. Loop #100  
Murrieta, CA 92562  
GPA946-Applicant

ACD Engineering Inc.  
43020 Blackdeer Loop #201  
Temecula, CA 92590  
GPA946-Engineer

Larry Uebersetzig  
31568 Railraod Cyn Rd. #130  
Canyon Lake, CA 92587  
GPA946-Owner