

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

3016



REVIEWED BY EXECUTIVE OFFICE

DATE 4/14/11 Tina Grande
Departmental Concurrence

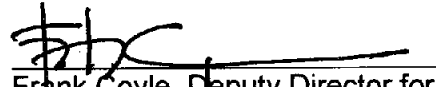
FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 14, 2011

SUBJECT: GENERAL PLAN AMENDMENT NO. 1039 - Foundation-Regular - Applicant: Henry Azarioon - Engineer/Representative: Henry Azarioon - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) - Location: Northerly of Santa Anita Drive, southerly of Delgado Way, easterly of De Portola Road and westerly of Parado Del Sol Drive - 6.96 Gross Acres - Zoning: Residential Agricultural, Two and One-Half Acre Minimum (R-A-2 1/2) - **REQUEST:** This General Plan Amendment proposes to amend 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 Residential (RUR:RR) (5 Acre Minimum Lot Size) to Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) - APN: 927-260-015

RECOMMENDED MOTION: The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 1039 from Rural: Rural Residential to Rural Community: Estate 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.

BACKGROUND: The initiation of proceedings for any 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


Frank Coyle, Deputy Director for
Carolyn Syms Luna
Planning Director

Initials:
CSL:th

(continued on next page)

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

Prev. Agn. Ref.

District: Third

Agenda Number:

15.1

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 OCTOBER 6, 2010
RIVERSIDE COUNTY ADMINISTRATION CENTER**

- I. AGENDA ITEM 3.1: GENERAL PLAN AMENDMENT NO. 1039** - Foundation-Regular – Applicant: Henry Azarioon – Engineer/Representative: Henry Azarioon - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) – Location: Northerly of Santa Anita Drive, southerly of Delgado Way, easterly of De Portola Road and westerly of Parado Del Sol Drive – 6.96 Gross Acres - Zoning: Residential Agricultural, Two and One-Half Acre Minimum (R-A-2 1/2).

II. PROJECT DESCRIPTION

This General Plan Amendment proposes to amend 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 Residential (RUR:RR) (5 Acre Minimum Lot Size) to Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) - APNS: 927-260-015.

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 person(s) spoke in favor of the subject proposal:

Henry Azarioon 41485 Parado Del Sol Dr. Temecula, CA 92592 951 302-9406

There were no speakers in a neutral position or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

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.

V. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at dbowie@rctlma.org.

Agenda Item No.: 3.1
Area Plan: Southwest
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: October 6, 2010

General Plan Amendment No. 1039
Applicant: Henry Azaroon
Engineer/Representative: Henry Azaroon

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS TO THE BOARD OF SUPERVISORS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 1039 from Rural: Rural Residential to Rural Community: Estate 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: No Comment

Commissioner John Snell: No Comment

Commissioner John Petty: Commissioner Petty commented that General Plan Amendment 1039 be allowed to move forward based on the low threshold that General Plan Initiation of Proceedings (GPIP's) carry. Mr. Petty explained to the applicant that the full General Plan Amendment review would be forthcoming and also explained that he has some hesitation in recommending initiation since surrounding property owners haven't been notified at this time.

Commissioner Jim Porras: No Comment

Commissioner Jan Zuppardo: No Comment

Agenda Item No.: 3.1
Area Plan: Southwest
Zoning District: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: October 6, 2010

General Plan Amendment No. 1039
Applicant: Henry Azaroon
Engineer/Rep.: Henry Azaroon

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 "Rural Community" (RC) and to amend the General Plan Land Use designation of the subject site from "Rural Residential" (RR) (5 acre minimum lot size) to "Estate Density Residential" (EDR) (2 acre minimum lot size) for an approximately 6.96 acre site. The project is located northerly of Santa Anita Drive, southerly of Delgado Way, westerly of Parado Del Sol and easterly of De Portola Road.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "Rancho California" community within the Southwest Area Plan. The site is bordered by the Rural Residential designation in all directions. Despite the fact that the Rural Residential land use designation surrounds the site in all directions, many of the individual parcels within that same area fall below the 5 acre minimum lot size required by the designation. The applicant's proposal to Estate Density Residential would be consistent with the actual parcel sizes in the surrounding area.

The current zoning for the subject site is Residential Agricultural, 2 ½ acre minimum lot size (R-A-2 ½). The surrounding parcels to the north of the subject site carry the Residential Agricultural, 2 ½ acre minimum lot size zoning designation as well. Residential Agricultural, 5 and 10 acre minimum lot size zoning designations can be found to the south of the subject site. The applicant's proposal is consistent with the existing zoning for the subject site.

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. The site currently maintains 3 access points, Delgado Way to the north of the site and 2 access points from Parado Del Sol Drive located to the east of the site. According to the applicant, the nearest fire station is located approximately 3 miles from the site and the site is also served by a fire hydrant located at the southeast corner of the property. Maintaining 3 access points and having fire fighting resources in the vicinity could help maintain the consistency amongst the Land Use and Safety Elements of the General Plan in regards to Fire Safety.

The site has been identified as being a part of Cell Group "C" under the County's Multiple Species Habitat Conservation Plan (MSHCP). The subject site lies within the

northern portion of the Cell Group and may require conservation once the Habitat Acquisition and Negotiation Strategy (HANS) process has taken place. 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.

RECOMMENDATION:

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 1039 from Rural: Rural Residential to Rural Community: Estate 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:

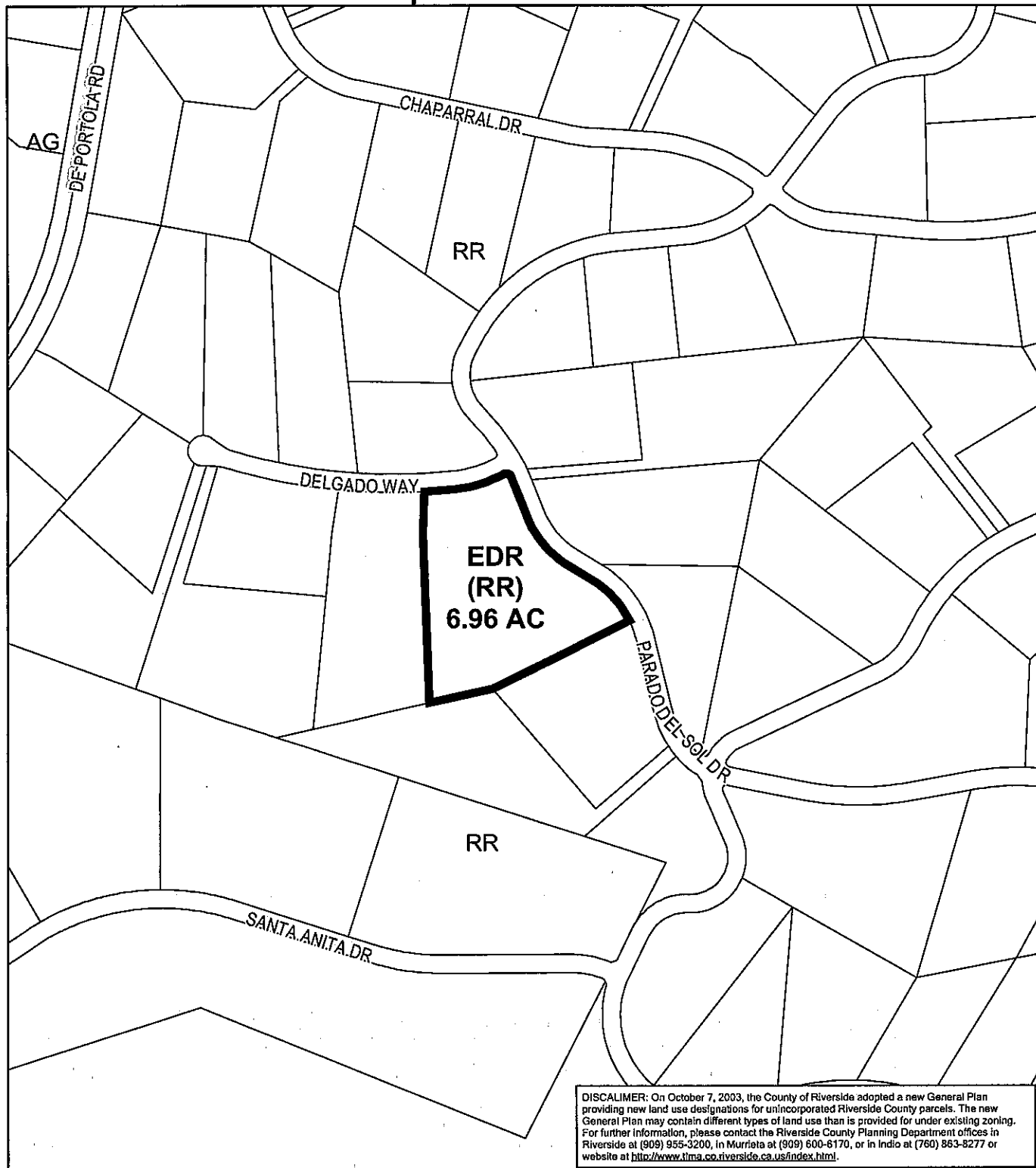
1. This project was filed with the Planning Department on February 15, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$5,994.93.
3. The project site is currently designated as Assessor's Parcel Numbers: 927-260-015.

Supervisor Stone
District 3
Date Drawn: 11/05/08

GPA01039

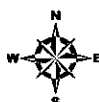
Proposed General Plan

Planner: Tamara Harrison
Date: 11/05/08
Exhibit 6



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32

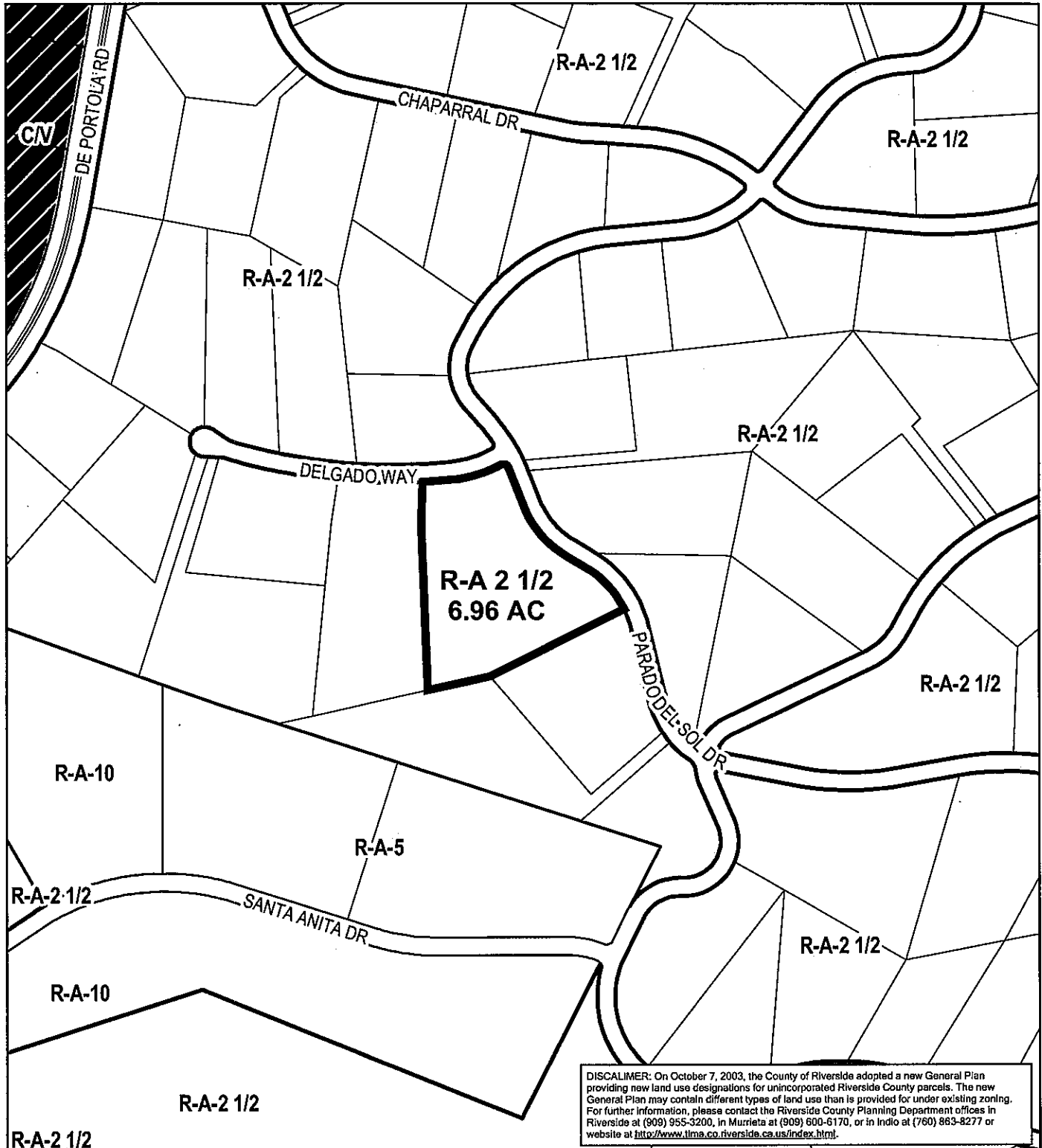


Assessors
Bk. Pg. 927-26
Thomas
Bros. Pg. 960 F2

Supervisor Stone
District 3
Date Drawn: 11/05/08

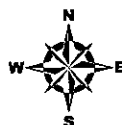
GPA01039
EXISTING ZONING

Planner: Tamara Harrison
Date: 11/05/08
Exhibit 2



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32



Assessors
Bk. Pg. 927-26
Thomas
Bros.Pg. 960 F2

Supervisor Stone
District 3
Date Drawn: 11/05/08

GPA01039

Planner: Tamara Harrison
Date: 11/05/08
Exhibit Overview

DEVELOPMENT OPPORTUNITY



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32



Assessors
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Thomas
Bros.Pg. 960 F2

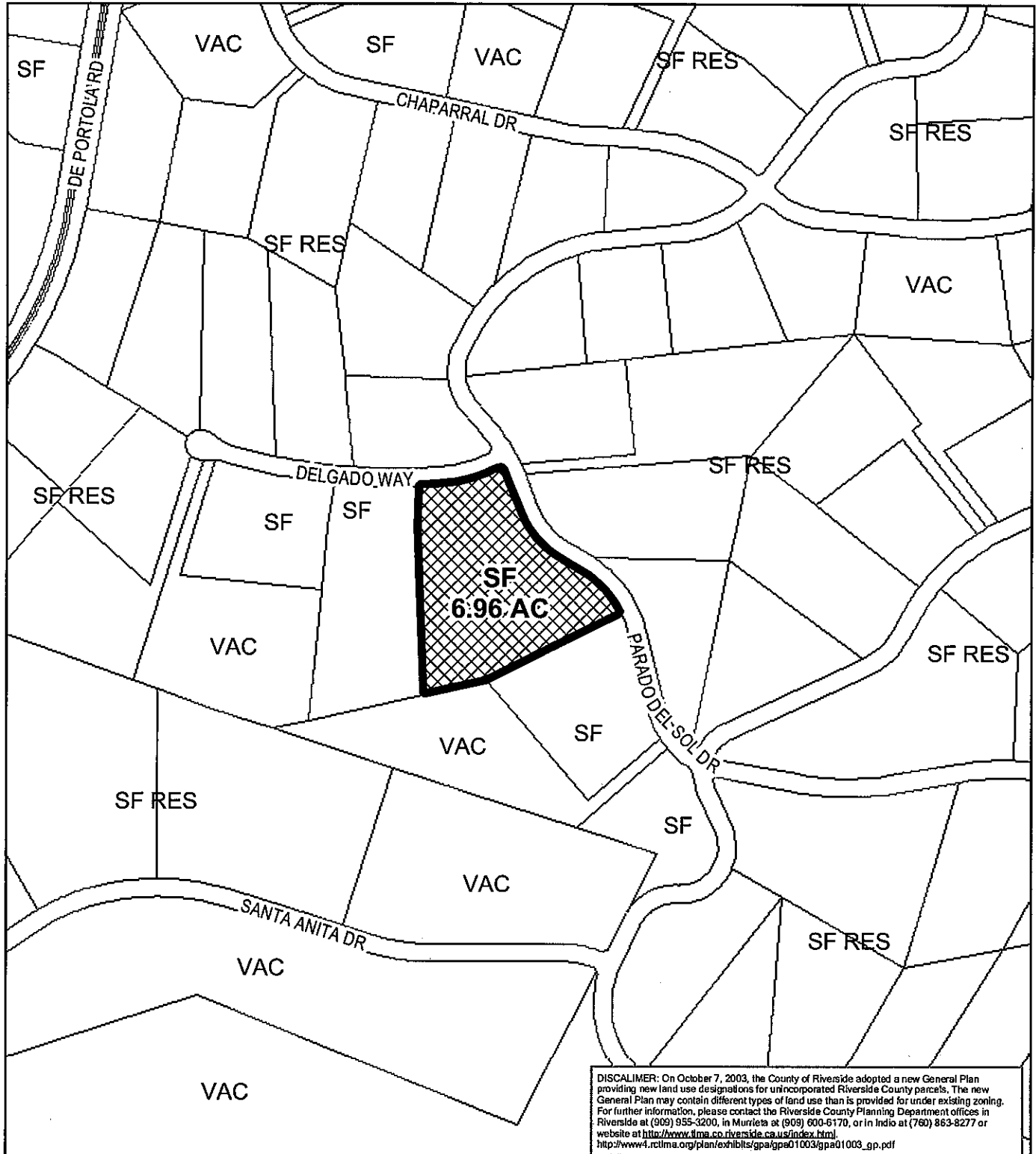


Supervisor Stone
District 3
Date Drawn: 11/05/08

GPA01039

Land Use

Planner: Tamara Harrison
Date: 11/05/08
Exhibit 1



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32

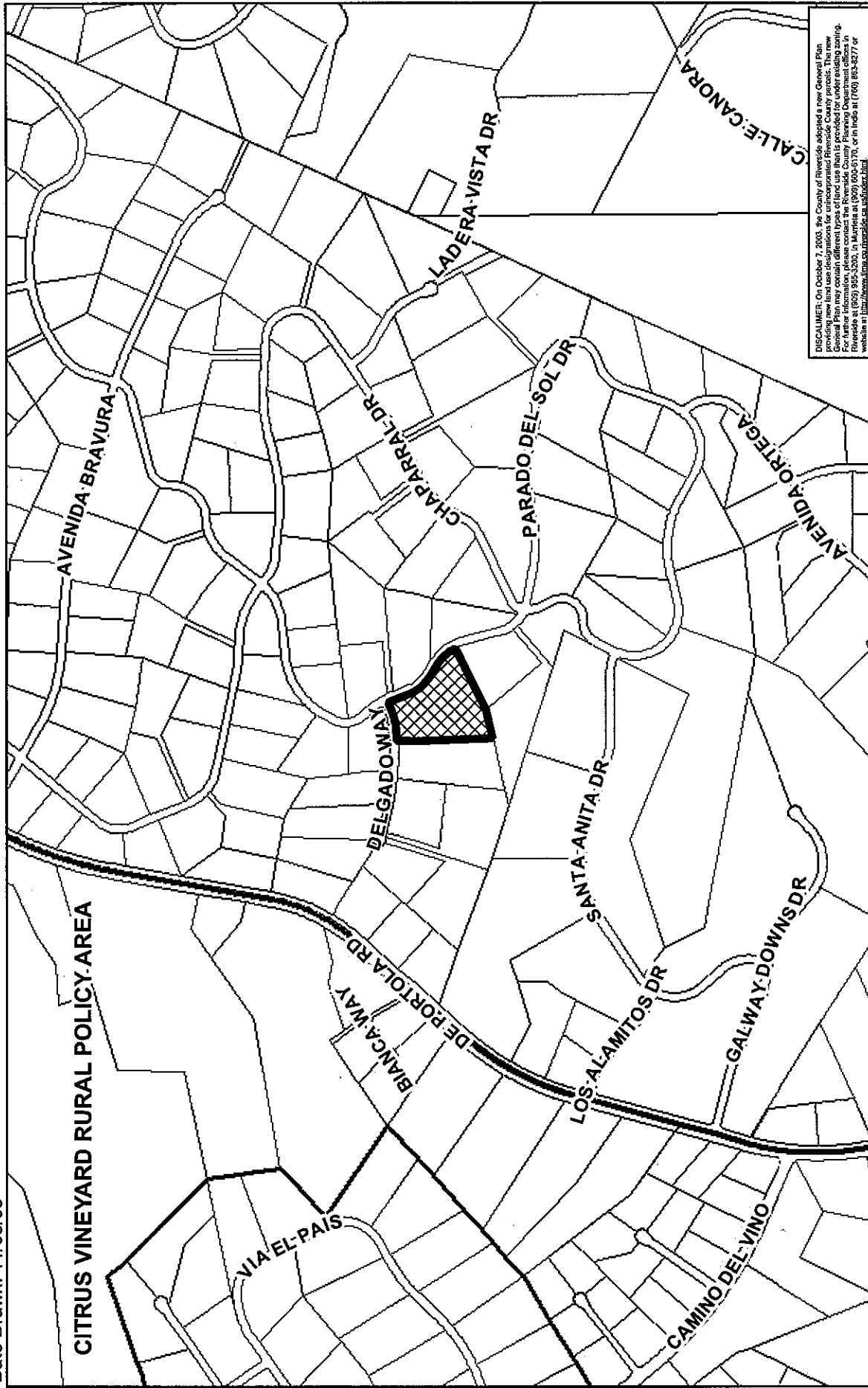


Assessors
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GPA01039 POLICY AREAS

Planner: Tamara Harrison
Date: 11/05/08
Exhibit 8

Supervisor Stone
District 3
Date Drawn: 11/05/08



DISCLAIMER: On October 7, 2008, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan is available at www.riverside.ca.gov/landuse/2008%20General%20Plan.pdf. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (951) 600-5170, or in Indio at (760) 863-3277 or visit the website at www.riverside.ca.gov/landuse/2008%20General%20Plan.pdf.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32

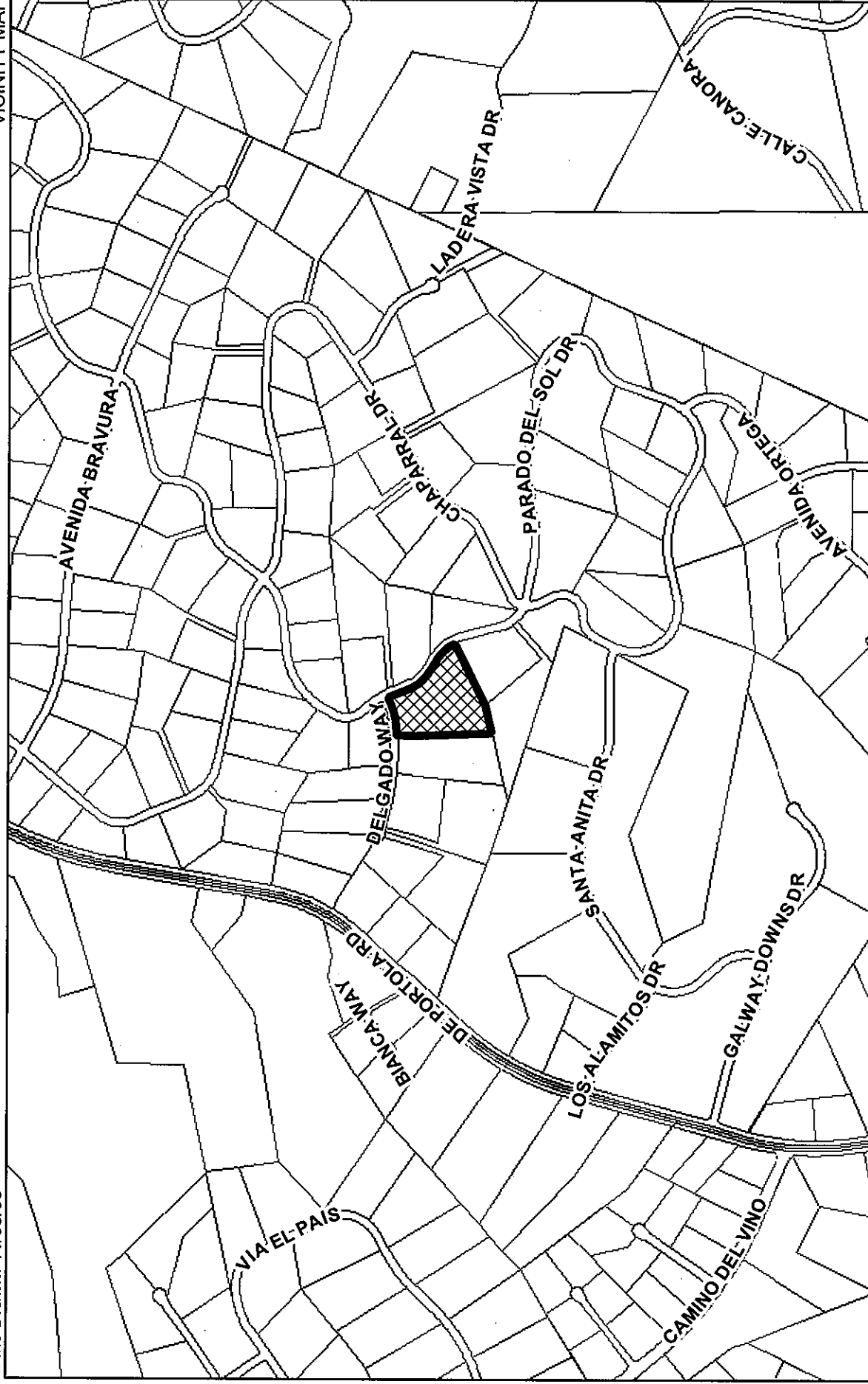


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Supervisor Stone
District 3
Date Drawn: 11/05/08

GPA01039 VICINITY MAP

Planner: Tamara Harrison
Date: 11/05/08
VICINITY MAP



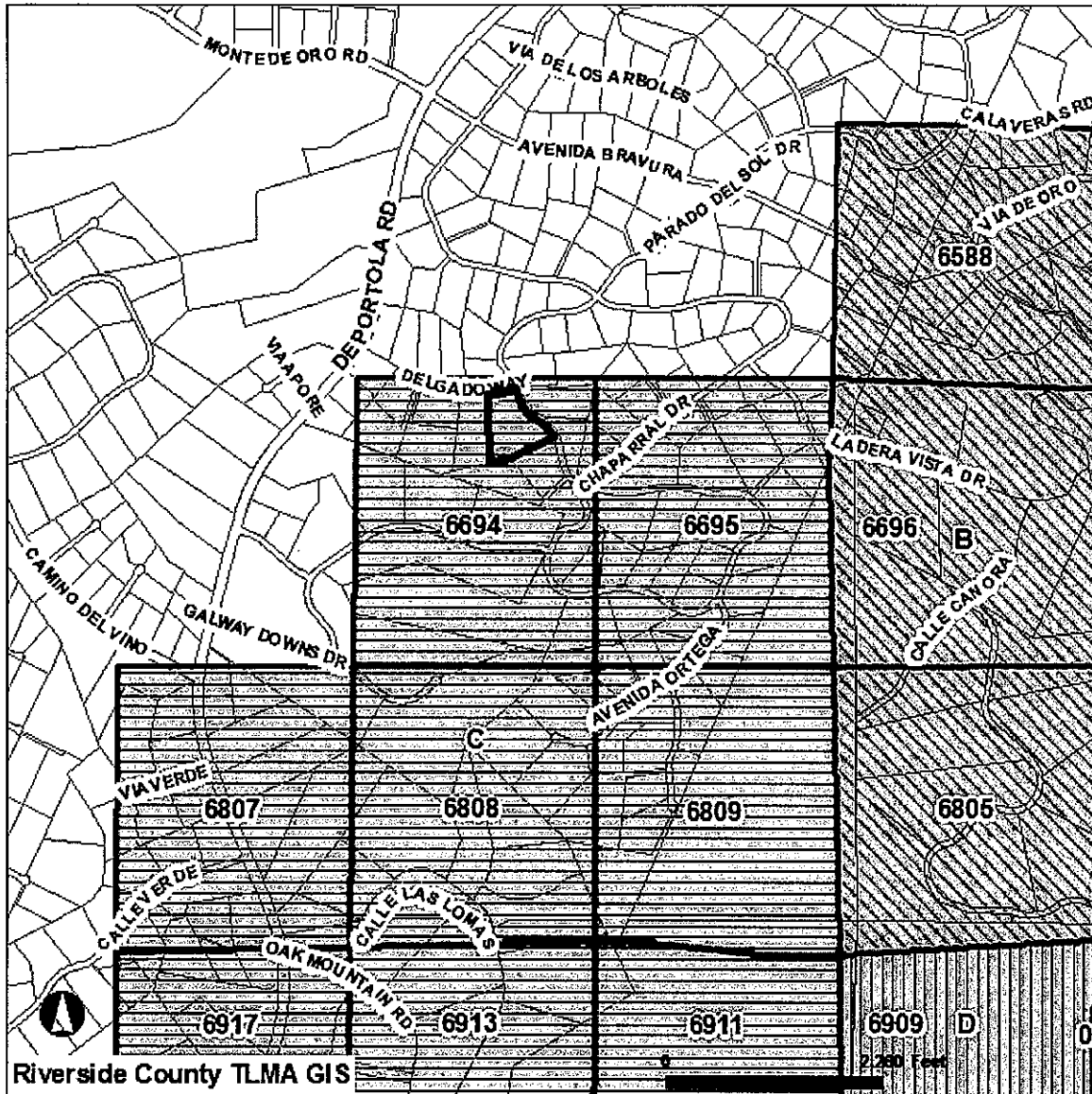
RIVERSIDE COUNTY PLANNING DEPARTMENT

Area: Rancho California
Township/Range: T7SR1W
Section: 32

Assessors
Bk. Pg. 927-26
Thomas
Bros.Pg. 960 F2



RIVERSIDE COUNTY GIS



Selected parcel(s):
927-260-015

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 May 19 13:50:10 2010

Version 100412

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

Change RR landuse to EDR to allow
a smaller lot size.

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): _____

Harrison, Tamara

From: Henry Azarioon [hpazarioon@yahoo.com]
Sent: Thursday, June 03, 2010 1:27 PM
To: Harrod, Mike
Cc: Harrison, Tamara; Mimi Ghofranian
Subject: RE: GPA01039

Hi Mike,

Here is some more information about the subject property and the community that is located in, please let me know if you need any other information.

Thanks,

Henry

1. Glen Oak Hills Community, where the subject property is located is almost two third of the way between the intersections of Deportola and Anza, and Deportola and Glen Oaks Road.
2. Both these intersection and the connecting arterial roads are considered low traffic, according to Riverside County Traffic Dept Traffic Count, current service level at these two roads and intersections are graded A: LOS A is the best
3. **County Fire Department** has recently setup a station on 37700 Glen Oaks Rd. That is exactly **3 miles** away from the subject property.
4. **There is Fire Hydrant** at the South East Corner of the subject property.
5. Glen Oaks Hills properties are accessible through two streets off Deportola, South Entrance Avenida Bravura and North Entrance Via De Ore. Most of the adjacent properties are connected by two main Streets Parado Del Sol and Chaparral that loop through the community. Traffic level on all these streets is extremely low and **LOS grade is A**. Based on conversation with county traffic engineer actual observation of the streets.
6. As the street was paved new flood control berms (or rounded road side curbs) were built, manhole and other rain water runoff measure were implemented to direct the water through its natural flow pattern.
7. **All the streets are dedicated to the County and are maintained by the County. They were recently Re-paved in last two years.** Parado Del Sol Dr and Delgado way (where the subject property is) were Re-paved in 2008-2009. with new flood and runoff control measures.
8. The area is served by the US Post Office and Temecula School district school bus, both at the South and the North Entrances.
9. Glen Oak Hills is served by Rancho California water District and So Cal Edison
10. All the properties are currently on Septic systems.
11. The subject property is located at the intersection of PARADO DEL SOL and Delgado way and is accessible through three existing entrances, one on Delgado way and two on Parado Del Sol Dr.
12. Glen Oak hill is well developed community of some 298 lots, almost all are 2.5 ac. County zoning requirement is minimum 2.5 ac. There are some 250 built residences in the community.

--- On Wed, 5/19/10, Harrod, Mike <MHARROD@rctlma.org> wrote:

From: Harrod, Mike <MHARROD@rctlma.org>
Subject: RE: GPA01039

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



July 12, 2010

VL/ ELECTRONIC MAIL AND FACSIMILE

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

**RE: Item 6.0, General Plan Amendment Initiation Proceedings
(July 14, 2010)**

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. We find serious problems with many of the staff recommendations.

Item 6.1, GPA 981 (Coachella Valley)

Concur with staff recommendation to decline to initiate. The property lies in two hazard zones. As noted, "Employment and service opportunities are limited in the vicinity and commuting outside of the area for these opportunities would be likely." Thus, rather than new circumstances supporting conversion from Rural Desert to Community Development, there are strong planning reasons to maintain this rural demarcation.

Item 6.2, GPA 964 (Elsinore)

Disagree with staff recommendation to initiate. This 84-acre site may require a technical amendment to correct for portions without slopes so steep as to trigger the Rural Mountainous designation. However, as the property is within the sphere of influence of the City of Lake Elsinore, any urban development should occur through an orderly process of annexation. There is also no evidence that the existing General Plans (County and City) do not have ample capacity to absorb population growth, or that infill within Lake Elsinore would not be a better alternative.

Item 6.3, GPA 1030 (Temescal)

Disagree with staff recommendation to initiate. The proposal is to change 446 acres within MSHCP Criteria Cells from the relatively restrictive designations of Open Space-Rural and Rural to a mixture of high and low density residential and commercial retail and open space. This land is highly important wildlife habitat, with Temescal Wash

as an outstanding feature. While nearby urbanization exists, this does not *in and of itself* constitute justification to convert all surrounding land to the same use. No planning need for additional urban land has been provided in the form of an absorption study.

We appreciate the new information in the staff report on MSHCP assembly, specifically that the recommended land use plan would be consistent with a HANS determination. However, Exhibit 7 is troubling in that lands labeled Open Space Conservation Habitat (OS-CH) are *co-labeled* as Open Space Rural (OS-RUR). OS-RUR is 1 du per 20 acres and *not* conserved habitat. This apparent conflict should be clarified in favor of OS-CH.

Item 6.5, GPA 1098 (Coachella Valley)

Disagree with staff recommendation to initiate. The proposal is to triple the effective density of a 7 acre Rural parcel to allow 2-acre estate lots under Rural Community. The parcel map and the designator map do *not* show that the current Rural designator is wrong. Rather, they show that 2-acre lots would be out of character with the surrounding larger-parcel agricultural uses and, indeed, would constitute a *spot zone* within surrounding Rural. It should be noted that due to the parcel size of 7 acres, the proposal would produce 3 total units instead of the current 1 total unit.

This merit-less proposal would maximize greenhouse gas emissions due to a highly automobile dependent, dispersed pattern of development, ruin the agricultural potential of the site due to estate lot conversion, and subject more residences to fire risk. The substantial density increase may also prejudice MSHCP assembly. Finally, approval would incentivize others to request similar, unjustified up-planning.

Item 6.5, GPA 1098 (Coachella Valley)

Disagree with staff recommendation to initiate. This proposal would convert 40 acres of Agriculture to Community Development MDR. It is a *piecemeal tract map* without any tie to a Community Center or other relatively sustainable pattern of greenfield development, and promises high vehicle miles traveled and greenhouse gas emissions.

Furthermore, the site is part of the Vista Santa Rosa *unapproved* conceptual plan. Vista Santa Rosa proposes massive development in the Coachella Valley that is an anachronism in the age of climate change. No absorption study for the Coachella Valley shows a need for the project. Community separation between municipalities would be erased. At a minimum, approval of Vista Santa Rosa via GPA 960 should *precede* piecemeal tract maps.

The pattern of development of Vista Santa Rosa would consume large amounts of land – and agriculture – to house relatively few people. Indeed, in its predominance of low density (2 du/ac) and estate density (0.5-1 du/ac) housing, it is far more *inefficient* than the medium-density (2-5 du/ac) sprawl common elsewhere. The token inclusion of a village center and “lifestyle corridors” cannot disguise the unsustainability of the concept as a whole.

In conclusion, the outdated Vista Santa Rosa Policy Area is bankrupt from a planning perspective and negates any progressive trends, such as Community Centers, that were inherent in the 2003 General Plan Update. It – and this piecemeal GPA – need to go back to the drawing board.

Item 6.6. GPA 1101 (Coachella Valley)

No position.

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

October 2, 2010

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
County of Riverside
4080 Lemon St., 9th Floor
Riverside, CA 92501

**RE: Item 3.1, General Plan Amendment Initiation Proceedings
(October 6, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on this landowner-initiated GPA proposal, which calls for planning rigor and retaining the integrity of the Foundation System.

Item 3.1, GPA 1039 (Rancho California)

Disagree with staff recommendation to initiate. The proposal is to triple the effective density of a 7 acre Rural parcel to allow 2-acre estate lots under Rural Community. The parcel map and the designator map do *not* show that the current Rural designator is wrong. Rather, they show that 2-acre lots would be out of character with the surrounding larger-parcel agricultural uses and, indeed, would constitute a *spot zone* within surrounding Rural. It should be noted that due to the parcel size of 7 acres, the proposal would produce 3 total units instead of the current 1 total unit.

This merit-less proposal would maximize greenhouse gas emissions due to a highly automobile dependent, dispersed pattern of development, ruin the agricultural potential of the site due to estate lot conversion, and subject more residences to fire risk. The substantial density increase may also prejudice MSHCP assembly. Finally, approval would incentivize others to request similar, unjustified up-planning.

Thank you for considering our views.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA

Carolyn Luna, Planning Dept.
Interested parties

Henry Azaroon
41485 Parado Del Sol
Temecula, CA 92592

Mimi Ghofranian
41485 Parado Del Sol
Temecula, CA 92592