

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

522B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
October 6, 2011

**SUBJECT: GENERAL PLAN AMENDMENT NO. 1107, CHANGE OF ZONE NO. 7444, PLOT PLAN NO. 22271** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Ken and Christina Falik –Third Supervisorial District - Location: Easterly of De Portola Road and Southerly of Camino Del Vino at 37750 De Portola Road – 20.01 Gross Acres - Zoning: Residential Agriculture – 10 Acre Minimum (R-A-10) - **REQUEST:** The general plan amendment proposes to remove the subject property from the Valle de los Caballos Policy Area and place the property into the Citrus/Vineyard Policy Area. The change of zone proposes to change the site's zoning classification from Residential Agricultural - 10 Acre Minimum (R-A-10) to Citrus/Vineyard (C/V). The plot plan proposes that the existing 7,829 square foot building, which includes a 3,456 square foot garage, be used as a winery, wine-sampling room, special occasions facility with catering, and residence. The project proposes fifty (50) special occasions per year and 34 parking spaces.

**RECOMMENDED MOTION:**

**ADOPTION** of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 41137**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

**APPROVAL** of **GENERAL PLAN AMENDMENT NO. 1107** based upon the findings and conclusions incorporated in the staff report; and,

**APPROVAL** of **CHANGE OF ZONE NO. 7444** based upon the findings and conclusions

*Carolyn Syms Luma*

Carolyn Syms Luma  
Planning Director

Initials:  
CSL:vc/dmp.d.m.

(Continued on next page)

REVIEWED BY EXECUTIVE OFFICE

DATE 10/17/11 TML

Tiffa Grande  
Departmental Concurrence

Policy

Consent

Dept's Recomm.:

Policy

Consent

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

16.1

incorporated in the staff report; and,

**APPROVAL** of **PLOT PLAN NO. 22271**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

**ADOPTION** of **PLANNING COMMISSION RESOLUTION RECOMMENDING ADOPTION OF GENERAL PLAN AMENDMENT NO. 1107 to the BOARD OF SUPERVISORS**, based on the findings and conclusions incorporated into the staff report.

### **BACKGROUND**

The Plot Plan and Zone Change were originally heard by the Planning Commission on April 7, 2010, in accordance with Board Policy A-57 (Review of Unauthorized Businesses). The two applications were continued to allow time for the 3<sup>rd</sup> District Planning Commissioner to visit the subject site. Later it was determined necessary for the applicant to file a General Plan Amendment (GPA) application, which would then be processed concurrently with the Plot Plan and Zone Change. Those two applications were continued numerous times by the Commission while the GPA worked its way through the General Plan Initiation Process (GPIP). After the Board initiated the GPA and staff had completed Tribal Consultation, as required by the Government Code, these 3 applications were subsequently advertised for a public hearing before the Planning Commission.

At the September 21, 2011 Planning Commission hearing, staff presented a memo containing several emails received relative to the project, and recommended modifications to certain conditions of approval<sup>1</sup> dealing primarily with the project's hours of operation. The Commission discussed, and testimony was taken relative to, the fact that the facility was operating without land use approval. Additional discussion revolved around days and hours of operation; potential noise concerns, with restrictions for special occasion events, except weddings, to occur indoors, and limitations regarding outdoor amplified sounds; as well as Water Quality Management Plans and required Best Management Practices (BMPs) and management thereof. The Commission, as part of their approval action, accepted the recommended modifications to the conditions of approval, and directed staff to modify the project description.

Subsequent to the hearing, Staff prepared an Addendum Staff report reflecting the modified project description.

Y:\Planning Case Files-Riverside office\PP22271\DH-PC-BOS\BOS 2011\Form 11P - 2011.PP22271 BOS clean version.doc

---

<sup>1</sup> **Modified Conditions of Approval**

- 10. EVERY. 1 (pg. 1)
- 10. PLANNING. 8 (pg. 10)
- 10. PLANNING. 38 (pg. 13)
- 10. PLANNING. 39 (pg. 13)
- 10. TRANS. 5 (pgs. 16-18)
- 60. TRANS. 2 (pg. 27)