

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

811A




FROM: TLMA – Planning Department

SUBMITTAL DATE:
August 29, 2013

SUBJECT: TEMECULA VALLEY WINE COUNTRY COMMUNITY PLAN: PROGRAM ENVIRONMENTAL IMPACT REPORT NO. 524 (PEIR NO. 524)/ GENERAL PLAN AMENDMENT NO. 1077 (GPA NO. 1077)/ ORDINANCE NO. 348.4729/ AND TEMECULA VALLEY WINE COUNTRY DESIGN GUIDELINES AND TEMECULA VALLEY WINE COUNTRY GREENHOUSE GAS REDUCTION WORKBOOK; Entitlement/Policy – Applicant: County of Riverside – Engineer/Representative: N/A – 3rd Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Various Land Use Designations – Citrus Vineyard Policy Area and Valle de los Caballos Policy Area – 18,990 Acres – Zoning: Various (District 3/District 3)

RECOMMENDED MOTION: That the Board of Supervisors:

1. **TENTATIVE CERTIFICATION of PROGRAMATIC ENVIRONMENTAL IMPACT REPORT NO. 524**, based on the findings incorporated in the EIR, and subject to resolution adoption by the Board of Supervisors and;
2. **TENTATIVE APPROVAL of GENERAL PLAN AMENDMENT NO. 1077** amending the existing Southwest Area Plan (SWAP) and Circulation Element of the Riverside County General Plan; To


 Frank Coyle for
 Carolyn Syms Luna
 Planning Director

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: N/A	
				For Fiscal Year: N/A.	

C.E.O. RECOMMENDATION: APPROVE

BY 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: District: 3/3 Agenda Number:

16-3

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This area contains some of Riverside County's prime agriculture lands within the Temecula Valley. Previous efforts to guide development in the SWAP included the creation of two policy areas in the County's General Plan – the Citrus Vineyard Rural Policy Area and the Valle de los Caballos Policy Area – intended to promote agricultural and equestrian uses respectively. In response to the increased development activity that has occurred over the past decade, the Project was developed after a comprehensive review of the region's vision and policies that are outlined in the General Plan and the zoning ordinance.

Many of the existing uses within the Project area are composed of rural residential estate lots (greater than one acre in size), vineyards, wineries and ancillary uses, citrus groves, equestrian establishments, residential uses with equestrian amenities (e.g., barns, arenas, stables, etc.), and vacant undeveloped properties. At this time, a total of approximately 42 existing wineries are located within the Project area. Ancillary uses to these wineries include bed and breakfast inns, restaurants, and special occasion facilities which are used for events such as parties, weddings, and other social gatherings.

Adjacent land uses to the Project area include urbanizing areas within the City of Temecula as well as existing residential subdivisions, retail commercial, educational and office uses in the vicinity of Butterfield Stage Road, Rancho California Road and Highway 79. Lake Skinner, Vail Lake, Pechanga Casino, campgrounds, recreational vehicle parks, as well as related recreational amenities are also located in the immediate vicinity of the Project area.

PROJECT COMPONENTS:

The Project includes the adoption of General Plan Amendment No. 1077, as well as the accompanying Ordinance No. 348.4729 to ensure consistency between the General Plan and Ordinance No. 348. The Project proposes a host of revisions to the Southwest Area Plan of the current County General Plan to update existing policies, maps, and implementation directions related to potential future development projects within the Project area. Below is an outline of the Project's components:

1. General Plan Amendment No. 1077: An amendment of the existing Southwest Area Plan (SWAP) and other elements of the General Plan:
 - a. Revisions to the existing Southwest Area Plan
 - i. Deletion of the policies of the Citrus Vineyard and Valle de Los Caballos Policy Areas, specifically policies SWAP 1.1 through SWAP 2.1; and the addition of the Temecula Valley Wine Country Policy Area; Revisions to the SWAP Statistical Summary Table;
 - ii. Deletion of the boundaries of the Citrus Vineyard and Valle de Los Caballos Policy Areas and addition of the boundary of the Temecula Valley Wine Country Policy Area (SWAP Policy Areas Figure 4);
 - iii. Addition of Figure SWAP Figure 4a: Temecula Valley Wine Country Policy Area with Districts, this figure delineates each Wine Country District, Winery District- Overlay and existing wineries that are on less than 20 acres;
 - iv. Revisions to the SWAP Circulation Network (SWAP Figure 7);
 - v. Revisions to the SWAP Trails and Bikeway Systems map (SWAP Figure 8);
 - b. Revisions to the existing General Plan Circulation Element
 - i. Revisions to the General Plan Circulation Element Non-motorized Transportation section policies C15.1- 18.3 and Figure C-8 Trails Types Classification Details;
 - ii. Revisions to the General Plan Circulation Element Trails Network (Figure C-7) will be revised to include revisions to SWAP Figure 8 noted above; and

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- iii. Circulation Network (Figure C-1) will be revised to include revisions to SWAP Figure 7 noted above;
2. Ordinance No. 348.4729: An amendment to the Riverside County Ordinance No. 348 to add four new zoning classifications that implement the General Plan: Wine Country - Winery; Wine Country - Winery Existing; Wine Country - Residential; and Wine Country - Equestrian.
3. Replacement of the existing Citrus Vineyard Policy Area Design Guidelines with the Temecula Valley Wine Country Design Guidelines and addition of the Greenhouse Gas Reduction Workbook.

It should be noted that while the proposed Project represents an increase in new development compared to existing conditions in Wine Country, it is considerably less dense than currently allowed in the County's General Plan policies and zoning classifications.

SUMMARY OF PLANNING COMMISSION HEARINGS:

Public hearings on the Project were held before the Planning Commission on July 25, 2012, August 22, 2012, September 26, 2012, December 5, 2012, and December 19, 2012. Staff presented the Project and outstanding issues during the July and August public hearings. The majority of the public testimony focused on the inclusion of churches and private schools within the Policy Area. In response to this testimony, the Planning Commission directed staff to analyze the option of including these uses in the Project at the August hearing. Staff requested additional time in September to analyze options and presented the following options on December 5, 2012:

Option No. 1 – Revise Program EIR No. 524 to analyze the inclusion of Churches and Private Schools

*Option No. 2 – Consider the Project after final decision on the proposed Calvary Church
Proposed Project*

*Option No.3 – Proceed with the proposed Project and remove the Calvary Church properties from the
Project's boundary*

After discussing each option, the Planning Commission recommended Option No. 3 by a vote of 4-1 (Commissioner Roth dissented). The Commission continued the item to its December 19, 2012 regular meeting to discuss outstanding issues.

On December 19, 2012, the Planning Commission recommended approval by a vote of 5-0 of the Project with modifications. Although the Temecula Valley Wine Country Design Guidelines and Greenhouse Gas Reduction Workbook were presented to the Planning Commission, it did not take action on those two (2) items because they are considered Board Policies of the Board of Supervisors. As a result, an action by the Planning Commission was not required.

A summary of the Planning Commission's recommendations and Program EIR No. 524 determinations are provided in Attachment A. The resulting Project as recommended by the Planning Commission is provided as Attachment B.

The Planning Commission public hearing minutes, staff reports and comment letters are provided as Attachment C. Recordings of the meetings are available upon request.

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PROGRAM ENVIRONMENTAL IMPACT REPORT NO. 524:

The Notice of Completion for the Project's Program EIR No. 524 was made available for a 60-day public review period starting on December 5, 2011 and closed on February 2, 2012. During the comment period, the County received thirty-two comments and one comment after the close date. The Draft Program EIR No. 524 was also modified in response to comments, public hearing comments and direction from Planning Commission and are attached hereto as Attachment D: Final Program EIR No. 524 Errata. The Draft Program EIR No. 524 is available for view at the Riverside County Planning Department and on the Project's website:
<http://www.socalwinecountryplan.org/Planning/CEQA/tabid/70/Default.aspx>

The Final Program EIR No. 524 Summary of Conclusions are summarized in Table A below:

Table A: Final Program EIR No. 524 Summary of Conclusions

Environmental Concern	Mitigation Measures	Conclusion
Aesthetics, Light & Glare	3	Less Than Significant With Mitigation
Agriculture & Forestry	1	Unavoidable Significant Impact (Project + Cumulative)
Air Quality	13*	Unavoidable Significant Impact (Project + Cumulative)
Biological Resources	1*	Less Than Significant With Mitigation
Cultural & Paleontological	5*	Less Than Significant With Mitigation
Geology, Soils, Seismicity	1*	Less Than Significant With Mitigation
Greenhouse Gas Emissions	2	Unavoidable Significant Impact (Project + Cumulative)
Hazards & Hazardous Materials	4	Less Than Significant With Mitigation
Hydrology & Water Quality	8*	Less Than Significant With Mitigation
Land Use & Relevant Planning	1*	Less Than Significant With Mitigation
Mineral Resources	1	Less Than Significant With Mitigation
Noise	7*	Unavoidable Significant Impact (Project + Cumulative)
Public Services, Recreation & Utilities	18*	Unavoidable Significant Impact (fire/library)
Traffic & Circulation	5*	Unavoidable Significant Impact (Project + Cumulative)

* Modified in response to comments

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ADDITIONAL LETTERS TO THE BOARD OF SUPERVISORS TO CONSIDER:

For the Board of Supervisors' consideration, Staff received the following letters after the final Planning Commission hearing concerning the Project (Attachment E: Letters Received Since December 19, 2012):

Table B: Summary of Letters Received Since Dec. 19, 2012

From	Request	Staff analysis and recommendation
Nicolas Palumbo President, Temecula Valley Winegrowers Association	Supports a 50% requirement of all wine sold directly through the tasting room shall be produced onsite at a winery's physical location and enforcement based on a case by case basis not requiring individual wineries to provide production reports.	During the December 19, 2013 Planning Commission hearing, Staff recommended the requirement of 50% wine sold at a winery should be produced on site. Staff also proposed production capacity for wineries with lodging facilities and gross acres. Planning Commission agrees with the recommendation to require at least 50% of wine sold on onsite shall be produced on site; however, they recommended a production quota and minimum square footage for a winery with any commercial uses based on gross acres. This would ensure the vineyard and winery remains the main use of a property.
Claudio Ponte, Ponte Winery	Remove area south of Highway 79	The area south of Highway 79 is intended to serve as the southern entrance to Wine Country. Staff was able to gauge the property owners' preference through the review of the community survey, petitions and letters. The requests from the community survey, petition and letters in light of the objectives of the community plan resulted in a three-district hybrid approach for this area. The hybrid option was supported by the Morgan Hills Community that is adjacent to the west. The aerial map and assessors data for this area shows existing agricultural operations. This area has potential to support smaller or a medium size wineries as well as equestrian operations. Inclusion in the Winery Community Plan will preserve its agricultural, estate lot and equestrian potential.
Ben Drake, Drake Enterprises, Inc.	Remove area south of Highway 79	(See comments above in response to Claudio Ponte's request.)
Mat and Patricia Lin	Request the removal of proposed trails alignment through their property and bisecting two contiguous parcels owned by the Lins.	The Regional/Open Space Trail alignment that crosses through the property was removed; however the trail alignment that bisects two contiguous parcels was not. The Trails Committee identified this trail segment as the safest route for equestrian use that connects Monte de Oro Road to Camino del Vino and the rest of Trails network within the Policy Area. This alignment avoids De Portola Road.
Dennis Frank, Southwest California Legislative Council	Opposes incompatible uses within Wine Country CV Zones	One of the Project's objectives is to coordinate growth in a manner that avoids future land use conflicts. The Project's additional development standards and requirements will help protect the area and its residents from incompatible uses.

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Table B: Summary of Letters Received Since Dec. 19, 2012

From	Request	Staff analysis and recommendation
Nicholas Palumbo, President, Temecula Valley Winegrowers Association	Opposes the exclusion of the parcels associated with the Calvary Chapel expansion	After public testimony, the Planning Commission recommended that the Project not apply to the Calvary Church properties. If the Project does not apply to these properties, they will remain within the existing C/V zoning classification.
Ray W. Johnson, Esq., Protect Wine Country	Opposes the exclusion of the parcels associated with the Calvary Chapel	(See comments above in response to Nicholas Palumbo's request.)

ADDITIONAL INFORMATION:

The Planning Commission recommended that the Project not apply to two (2) parcels currently owned by the Calvary Church Bible Fellowship. If the Project does not apply to these parcels, they would maintain their existing zoning classification which is the Citrus/Vineyard Zone (C/V Zone). The existing C/V Zone is less restrictive than the proposed Project.

Removing Calvary Church's 2 parcels from the Project's boundaries will not hinder the Project's purpose. The purpose is to provide a blueprint for future growth that ensures development will enhance, and not impede, the quality of life for existing and future residents, while providing opportunities for continued preservation and expansion of winery and equestrian operations. The 2 parcels currently owned by Calvary Church consist of one vacant parcel and one developed parcel.

The Project's boundaries consist of approximately 18,990 acres. Developing Calvary Church's vacant parcel under the existing C/V Zone would still leave ample opportunity for future development within the Project's boundaries that would preserve and expand winery and equestrian operations. Additionally, any future development of the Calvary Church parcel would be required to comply with applicable County ordinances and the California Environmental Quality Act to analyze any potential impacts to the environment.

During the public hearings before the Planning Commission, there was much public testimony regarding churches being included in the Project. Currently, under Ordinance No. 348 churches, temples and other places of religious worship are not permitted uses in the C/V Zone. Churches, temples and other places of religious worship are also not permitted uses under the proposed Project. They are, however, permitted in approximately 27 of the County's 38 zoning classifications. If churches, temples and other places of religious worship wish to locate in one of these 27 zones, they would need to obtain a plot plan or public use permit depending on the zoning classification. Similar nonreligious uses such as educational institutions, fraternal lodge halls and recreational facilities are also required to obtain a plot plan or public use permit in the other zoning classifications.

Additionally, the proposed Project's boundaries apply to approximately 18,990 acres, while the unincorporated area of Riverside County covers approximately 4,121,114 acres. As a result, the Project applies to less than 1% of the land within Riverside County, leaving ample opportunity to locate churches, temples and other places of worship ("religious assemblies") elsewhere in Riverside County.

The proposed Project was developed to preserve and enhance viticulture potential within the Temecula Valley region. This region is a unique area within Riverside County and has the right climate and environment for growing wine producing grapes. The Project allows incidental commercial and secondary uses that are directly related to and support the viability of the viticulture and equestrian operations. Secondary uses are in conjunction with the primary use, which is the winery or equestrian use.

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Religious assemblies would be considered a primary use, not a secondary use. Nonreligious assemblies such as fraternal hall lodges and recreational facilities would also be considered a primary use, and not a secondary use directly related to and supportive of the viticulture operations. As with religious assemblies, these nonreligious assemblies are also not permitted uses under the proposed Project because they do not exist to support winery or equestrian facilities.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission at their December 19, 2012 meeting made the following recommendations to the Board of Supervisors:

- 1) Tentatively certify Program EIR No. 524;
- 2) Tentatively approve GPA No. 1077 as modified by the Planning Commission; and
- 3) Adopt Ordinance No. 348.4729;

Impact on Citizens and Businesses

The purpose of the Project is to provide a blueprint for growth to ensure that future development activities will enhance, not impede, the quality of life for existing and future residents, while providing opportunities for continued development and expansion of winery and equestrian operations within this part of the County. The Project's Draft Program EIR No. 524 identified specific mitigation measures that will reduce the level of many significant impacts to a less than significant level. It also identified areas where, after implementation of all feasible mitigation, the Project may nonetheless result in impacts which cannot be fully mitigated to less than significant (see Table A on Page 5.) Various benefits would accrue from implementation of the Project, which must be weighed against the potential adverse effects of Project implementation in deciding whether to approve the Project. It should be noted that the proposed "Project", while representing a substantial increase in new development compared to existing conditions, the Project is considerably less dense than currently allowed in the County's General Plan Policies and zoning classifications.

SUPPLEMENTAL:

Additional Fiscal Information

An item will be presented before the Board at a future meeting to program the funding mechanism to complete and implement this project.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

- A. **Planning Commission Final Recommendations and Program EIR No. 524 Determination**
- B. **Temecula Valley Wine Country Community Plan**
- C. **Planning Commission Staff Reports**
- D. **Final Program EIR No. 524 Errata**
- E. **Letters Received since December 19, 2012**