

# PLANNING DEPARTMENT

Juan C Perez Interim Director

\*\*No public notification required\*\*

Do not send these documents to the County Clerk for posting

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 38686 El Cerrito Road Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

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



FROM: TLMA - Planning Department

SUBMITTAL DATE: January 30, 2014

SUBJECT: GENERAL PLAN AMENDMENT NO. 01123 – EA42617 – Applicant: Cornerstone Communities – Location: Northerly of Calistoga Drive, westerly of Promontory Parkway, and easterly of Borel Road REQUEST: The General Plan Amendment proposes to do two different land use changes- 1) A Land Use change proposes to change the General Plan Land Use Designation for Parcel 957-320-007, a water tank site, from Restricted Light Industrial, and Open Space, as reflected on the Land Use Plan for Specific Plan No. 265, to Community Development: Public Facilities (CD:PF). 2) A second Land Use change proposes to change the General Plan Land Use Designations for Parcels 957-320-018, and 957-320-014 which were part of an EDA sponsored runway extension, from Industrial Park and Restricted Light Industrial, as reflected on the Land Use Plan for Specific Plan No. 265 to Community Development: Public Facilities (CD:PF)

#### **RECOMMENDED MOTION:**

The Planning Director recommends that the Board of Supervisors adopt an order initiating the above referenced General Plan Amendment 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.

JCP:ms

Juan C. Perez

TLMA Director/ Interim Planning

Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	0	ngoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$	0 \$	0	Consent ☐ Policy ☐
NET COUNTY COST	\$ 0	\$ 0	\$	0 \$	0	Consent L Policy L
SOURCE OF FUNDS: Deposit Based Fees (by applicant)  Budget Adjusting						nent: No
					For Fiscal Year	: 13/14

C.E.O. RECOMMENDATION: 0

**County Executive Office Signature** 

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added	Change Order
A-30	4/5 Vote

Prev. Agn. Ref.:

District:3/3

Agenda Number:

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

FORM 11: General Plan Amendment No. 1123

**DATE:** January 30, 2013

PAGE: Page 2 of 2

#### **BACKGROUND:**

#### Summary

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 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.

As a last note, the Staff Report for the GPIP that went to the Planning Commission indicated that the request was to include two Land Use changes, as stated above, and a circulation change. The applicant and staff have since agreed that the circulation change is no longer needed, and will be reflected in the Amendment to the Specific Plan. As a result, the project description, and the version of the project that the Planning Commission reviewed has changed. Because this change was minor in nature, because it would only reduce potential impacts, and because the end result is the same without the inclusion of the circulation change request, Planning Staff is not sending this GPIP back to the Planning Commission. At this time, the applicant is only requesting an initiation to the two land use changes.

#### Impact on Citizens and Businesses

This action will initiate the County's review of the General Plan Amendment application, which will include an evaluation by Planning staff, the appropriate environmental review and consideration by the Planning Commission and Board of Supervisors during public hearings on the project.

#### SUPPLEMENTAL:

#### **Additional Fiscal Information**

There will be no cost to the County for the processing of the application.

#### **Contract History and Price Reasonableness**

N/A

#### **ATTACHMENTS:**

- A. Planning Commission Staff Report
- B. Directors Report

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

FORM 11: General Plan Amendment No. 1123

**DATE:** January 30, 2013

PAGE: Page 2 of 2

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N/A

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- B. Directors Report

Agenda Item No.:

Area Plan: Southwest

Zoning Area: Rancho California Supervisorial District: Third/Third

**Project Planner: Matt Straite** 

Planning Commission: November 6, 2013

General Plan Amendment No. 1123

(Entitlement/Policy Amendment)(Circulation)

Applicant: Cornerstone Communities Engineer/Representative: MDMG Inc.

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

#### **RECOMMENDATIONS:**

The Planning Director recommended that the appropriate findings per the General Plan Administration Element can be made and the Planning Commission made the comments below. The Planning Director continues to recommend that the appropriate findings per the General Plan Administration Element can be made. 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 Petty: None

Commissioner Charissa Leach: None

Commissioner Ed Sloman: None

Commissioner Bill Sanchez: None

Commissioner Mickey Valdivia: None

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#### PLANNING COMMISSION HEARING REPORT OF ACTIONS **NOVEMBER 6, 2013**

#### 1.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS

#### 2.1 GENERAL PLAN AMENDMENT NO. 1123 - Planning Commission Action:

Applicant: Cornerstone Third/Third Supervisorial District -Location: PROVIDED COMMENTS for the Board of Northerly of Calistoga Drive, westerly of Supervisors regarding General Plan Promontory Parkway, and easterly of Borel Amendment No. 1123. Zoning: Specific Road (SP) **REQUEST:** The General Amendment proposes to do three different things- 1) A Circulation change proposes to revise the path of Leon Road, from an intended westerly curve in the road about 1000 feet north of Promontory Parkway, which would have eventually became Calistoga Drive, to a new path which proposes to have Leon Road continue southward eliminating the previous connection between Leon Road and Calistoga Drive, instead Leon Road proposes to intersect with, and terminate into, a Tintersection with Promontory Parkway on the east and Calistoga Drive on the west. Land Use Change proposed to change the General Plan Land Use Designation for Parcels 957-320-018, and 957-320-014 which were part of an EDA sponsored runway extension, from Industrial Park and Restricted Light Industrial, as reflected on the Land Use Plan for Specific Plan No. 265 to Community Development: Public Facilities (CD:PF). Project Planner: Matt Straite at (951) 955mstraite@rctlma.org. 8631 or email (Legislative)

Communities- By a vote of 5-0, PLANNING COMMISSION

Agenda Item No.: 2 . 1

Area Plan: Southwest

Zoning Area: Rancho California Supervisorial District: Third/Third Project Planner: Matt Straite

Planning Commission: November 6, 2013

General Plan Amendment No. 1123

(Entitlement/Policy Amendment)(Circulation)

Applicant: Cornerstone Communities Engineer/Representative: MDMG Inc.

### COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

#### PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1123 proposes a Circulation change, and two Land Use changes. The Circulation change proposes to revise the path of Leon Road, from an intended westerly curve in the road about 1000' feet north of Promontory Parkway, which would have eventually became Calistoga Drive, to a new path which proposes to have Leon continue southward eliminating the previous connection between Leon Road and Calistoga Drive, instead Leon Road proposes to intersect with, and terminate into, a T intersection with Promontory Parkway on the east and Calistoga Drive on the west. The proposed Land Use change is to remove 3 parcels from the Specific Plan. The General Plan Amendment proposes to change the Land Use Designation for Parcel 957-320-007, a water tank site, from Restricted Light Industrial, and Open Space, as reflected on the Land Use Plan for Specific Plan No. 265, to Community Development: Public Facilities (CD:PF). Further, the General Plan Amendment proposes to change the Land Use Designations for Parcels 957-320-018, and 957-320-014 which were part of an EDA sponsored runway extension, from Industrial Park and Restricted Light Industrial, as reflected on the Land Use Plan for Specific Plan No. 265 to Community Development: Public Facilities (CD:PF).

The proposed Amendment is located in the Southwest Area Plan; more specifically, the project is located northerly of Calistoga Drive, westerly of Promontory Parkway, and easterly of Borel Road.

#### 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 all GPA applications and submit them to the Board of Supervisors. Prior to the submittal to the Board, comments on the applications will be requested from the Planning Commission, and the Planning Commission comments will be included in the report to the Board. The Board will either approve or disapprove the initiation of the proceedings for the GPA requested in the applications.

The consideration of the initiation of proceedings pursuant to this application by the Planning Commission and the Board of Supervisors will not involve a noticed public hearing. The Planning Department, however, did notify the applicant by mail of the time, date and place when the Planning Commission will 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

<sup>&</sup>lt;sup>1</sup> The proposed project will realign and reclassify streets internal to the Specific Plan with a Specific Plan Amendment, also currently in process (SP265A1). This GPA is proposing to revise the General Plan Circulation Plan only for a single change proposed outside the Specific Plan. Although not part of the proposed General Plan Amendment, the Specific Plan Amendment proposes to connect Promontory Parkway and Calistoga Drive internal to the Specific Plan.

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 of 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. This particular GPA application is an Entitlement/Policy Amendment GPA.

It is not yet clear if or how the project can comply with the Highway 79 Policy area. Staff and the applicant are still reviewing the potential consistency.

#### **GENERAL PLAN ADMINISTRATIVE ELEMENT FINDINGS:**

In order to support the initiation of a proposed General Plan Amendment it must be established that the proposal could possibly satisfy certain required findings subject to the development review process and final CEQA determination. The Administration Element of the General Plan explains that there are four categories of amendments, Technical, Entitlement/Policy, Foundation, and Agriculture. Each category has distinct required findings that must be made by the Board of Supervisors at a noticed public hearing.

General Plan Amendment No. 1123 falls into the Entitlement/Policy category, because it is changing a policy, the circulation plan, within the same Foundation-Component, Community Development. Additionally, it is proposing to remove three parcels from the existing Specific Plan.

The Administration Element of the General Plan explains that two findings must be made, and at least one of five additional findings must be made to justify an entitlement/policy amendment. The two findings are:

- a. The proposed change does not involve a change in or conflict with:
  - (1) The Riverside County Vision;
  - (2) Any General Plan Principle; or,
  - (3) Any Foundation Component designation in the General Plan.
- b. The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The additional findings, only one of which need be made include:

- c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
- e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

- f. An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.
- g. An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.

#### Consideration Analysis:

First Required Finding: The first finding per the General Plan Administrative element explains that the proposed Amendment must not involve a change in or conflict with the Riverside County Vision; any General Plan Principle; or any Foundation Component designation in the General Plan.

- A. The proposed change does not conflict with:
  - (1) The Riverside County Vision.

The proposed Circulation Element change will likely not impact the vision of the County. The vision is comprised of many elements, circulation is certainly one of them. The proposed change will alter the alignment of Leon, but the proposed alteration will not eliminate access, or change potential connectivity. A connection will remain between Calistoga Drive and Leon Road, it will simply change from a direct connection (the two streets were to connect and become on street changing names at a key location) to connecting at a T intersection instead. So the same connectivity will remain.

The Land Use changes will be memorializing actions already taken by public agencies on all three parcels. The parcel to the east is currently a water tank site. The Public Agency has requested that it be removed from the plan. The other two parcels are part of an EDA runway extension for the French Valley Airport, and the removal of the property form the Specific Plan was requested by the public agency. Changing the Designation from essentially, Specific Plan, to Public Facilities will not alter the vision or the use of the properties in any way.

(2) Any General Plan Principle.

The proposed Circulation and Land Use Element change will likely not impact any General Plan Principal based on staffs review.

(3) Any Foundation Component designation in the General Plan.

The proposed changes will not change foundations.

**Second Required Finding:** The second General Plan Administrative Element finding explains that the proposed Amendment must either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The proposed change will not contribute to the achievement of the General Plan, but will also in way be detrimental to them. The alignment proposed in the 2003 General Plan has not yet been constructed. Leon Road currently does not connect to Calistoga Drive. Although the project is proposing an alternative alignment, the same connectivity will remain. Additionally, the Land Use changes proposed will assure that the public facilities will be protected because the new proposed Designation of Public Facilities will assure no use other than a public use will be constructed on the site. The property for the water tank site was intended to be used for public facilities, there is no change expect the title of the Designation. While the property for the runway extension was intended to be job generating, tax producing uses, the County elected to change the runway patterns and executed the change. The proposed project is simply memorializing the changes in the Specific Plan and General Plan, thus contributing to the County's implementation of the General Plan.

**Third Required Finding:** In addition to the two, the General Plan indicates that an additional finding, from a list of five, must also be made.

The appropriate additional finding for the proposed Amendment is:

Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan. There are two special circumstances that now exists:

- 1) As a result of market shifts, there is an oversaturation of light industrial in the area.
- 2) The potential redesign of the project from Light Industrial to Residential helps eliminate impacts to Tucalota Creek. The proposed change to the Specific Plan includes changing the Land Use from light industrial to residential which will reduce truck trips through the site, and reduce the need for the larger streets. As a result, through the proposed design, the Creek need no longer be impacted.

#### **SUMMARY OF FINDINGS:**

1. General Plan Land Use (Ex. #5):

2. Proposed General Plan Land Use:

Existing Zoning (Ex. #2):

4. Surrounding Zoning (Ex. #2):

Industrial Park, Restricted Light Industrial, Office Park, Office Park- Historic, Commercial Tourist, Commercial, Open Space, MWD Aqueduct Easement, Open Space/ Historic Preservation as reflected on the Land Use Plan for SP265.

Business Park (BP), Commercial Office (CO), Commercial retail (CR), Light Industrial 9LI), Medium Density Residential (MDR), Medium High Density Residential (MHDR), Open Space- Conservation (OS-C), Open Space- recreation (OS-R) as proposed in the Amendment to SP265 being processed concurrently with GPA01123.

Specific Plan (SP)

The City of Murrieta to the west, Specific Plan (SP) to the south and east (Rancho Bella Vista SP 184 to the east and Winchester Properties SP213 to the south), Light Agricultural- 10 Acre Minimum and 5 Acre Minimum (A-1-10) and (A-1-5) to the east.

#### General Plan Amendment No. 1123 Planning Commission Staff Report: November 6, 2013 Page 5 of 5

5. Existing Land Use (Ex. #1):

Light Industrial, and Vacant land

6. Surrounding Land Use (Ex. #1):

Single Family Residential, Light Industrial, Airport

and Vacant Land

7. Project Data:

Total Acreage: 161.33 Acres

#### **RECOMMENDATIONS:**

Staff recommends that the appropriate findings per the General Plan Administration Element can be made and request that the Planning Commission provide comments to the Board of Supervisors regarding General Plan Amendment No. 1123. 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:**

- As of this writing, no letters, in support or opposition have been received.
- 2. The project site is <u>not</u> located within:
  - a. A High Fire Area; or,
  - b. A Fault Zone.
- The project site is located within:
  - a. The Highway 79 Policy Area;
  - b. An area of low to moderate liquefaction;
  - c. A Flood Zone:
  - d. An Agricultural Preserve, Murrieta Hot Springs No. 14;
  - e. An Airport Influence Area;
  - f. A MSHCP Criteria Area (cells 6074, 6071, 5969, 5976, 5879, 5781, and 5778);
  - g. The City of Temecula Sphere of Influence;
  - h. Ord. No. 663.10 Stephen's Kangaroo Rat Fee Area; and,
  - i. Ord. No. 655 Mount Palomar Lighting Influence Area, Zone B (20.35 miles).
- 4. The subject site is currently designated as Assessor's Parcel Numbers 960-307-020, 963-070-021, 963-070-018, 963-070-033, 963-030-006, 963-030-004, 963-030-003, 963-030-002, 957-320-001, 957-320-021, 957-320-011, 957-320-012, 957-320-023, 957-320-024, 957-320-005, 957-320-006, 963-080-011, 963-080-010, 963-080-012, 963-080-009, 963-080-008, 963-080-007, 963-080-006, 963-080-005, 963-080-004, 963-080-002.

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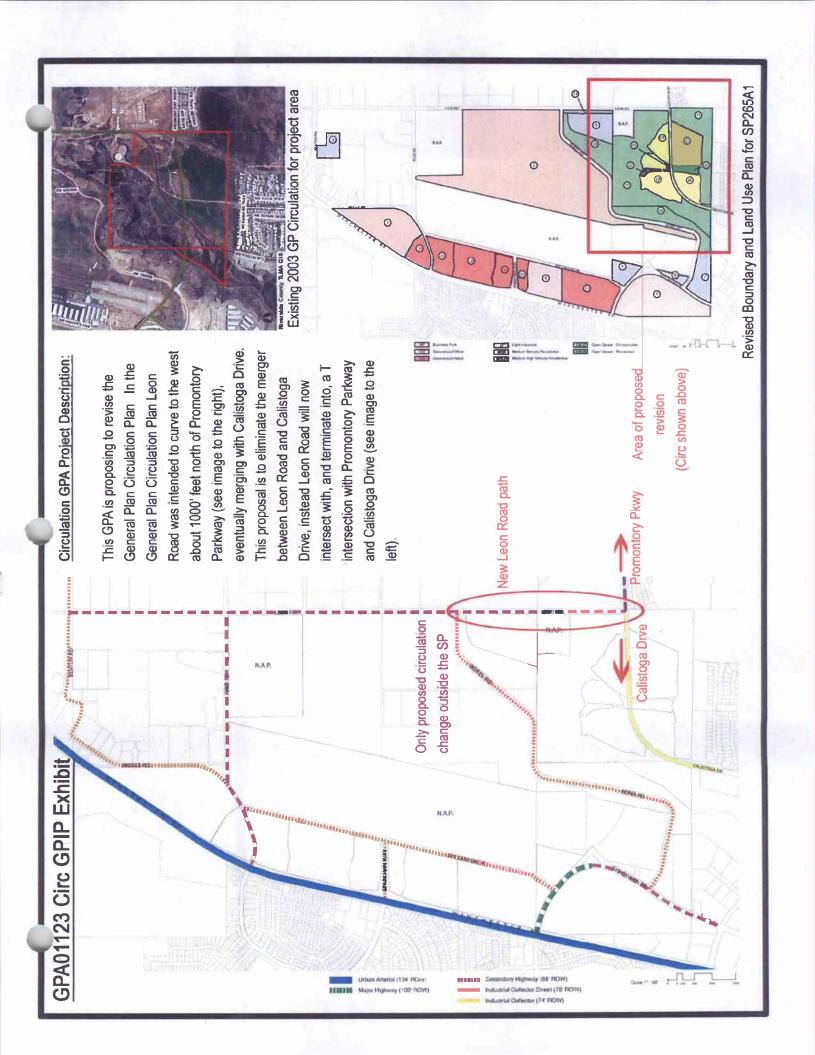
Date Prepared: 10/20/08 Date Revised: 9/30/13

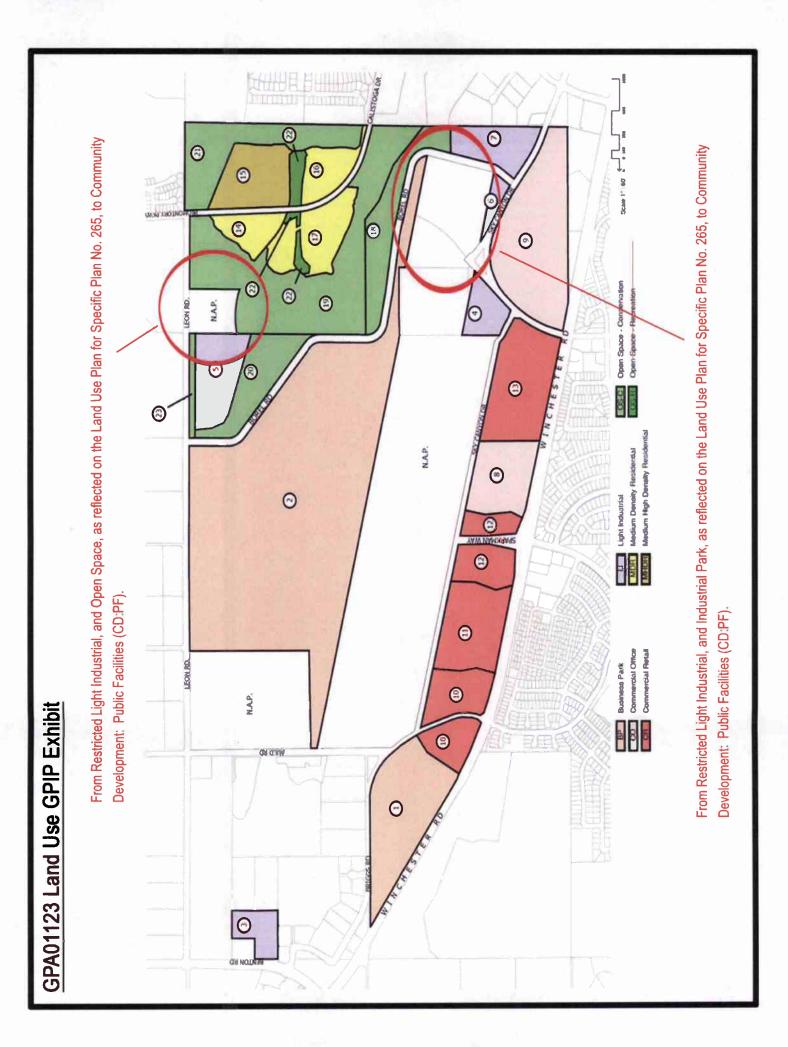
### From Restricted Light Industrial, and Open Space, as reflected on the Land Use Plan for Specific Plan No. 265, to Community From Restricted Light Industrial, and Industrial Park, as reflected on the Land Use Plan for Specific Plan No. 265, to Community 9 9 (2) (2) 0 <u>(a)</u> noticvi 8 2 N.A.P. LEON RD. 0 ECSEG Open Space - Con (0) **(2)** N.A.P. 0 0 TAW MANAMAR MOR. (2) Development. Public Facilities (CD.PF). Development: Public Facilities (CD:PF). **a Buciness Park** (3) N.A.P. GPA01123 Land Use GPIP Exhibit (2) OR CLUA Θ

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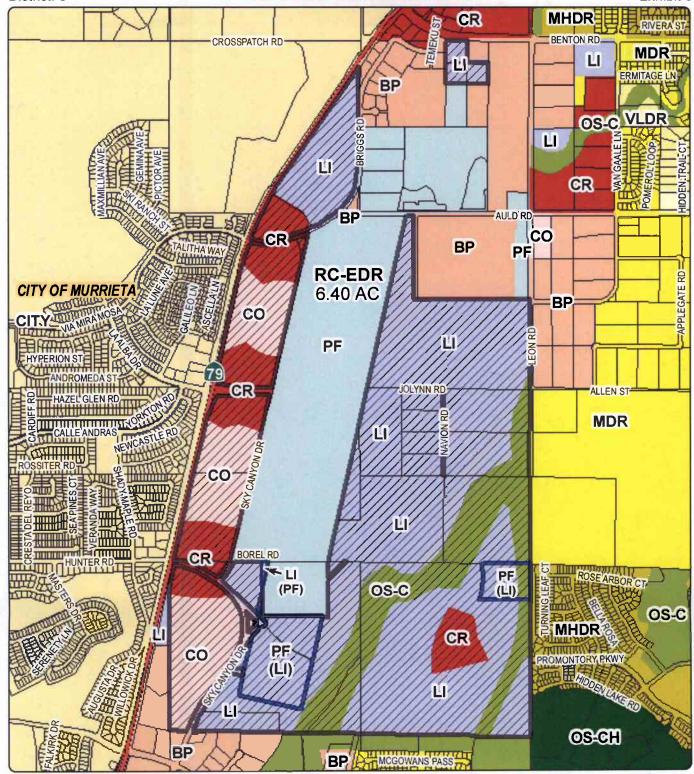
### RIVERSIDE COUNTY PLANNING DEPARTMENT GPA01123 / SP265A1 / CZ07806

Supervisor Stone District: 3

PROPOSED GENERAL PLAN

Date Drawn: 10/31/13

Exhibit 6



Zoning Area: Rancho California Township/Range: T7SR2W

Section: 18

Assessors Bk. Pg. 960, etc. Thomas Bros. Pg. 929 B5 Edition 2009

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plain providing new land use designations for unincorporated Riverside County parcels. The new General Plain may contain different types of land use than is provided for under exis ting 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.tlma.co.riverside.ca.us/index.html.

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# RIVERSIDE COUNTY PLANNING DEPARTMENT GPA01123 / SP265A1 / CZ07806

Supervisor Stone District 3

LAND USE

Date Drawn: 10/31/13

Exhibit 1



Zoning Area: Rancho California Township/Range: T7SR2W

Section: 18

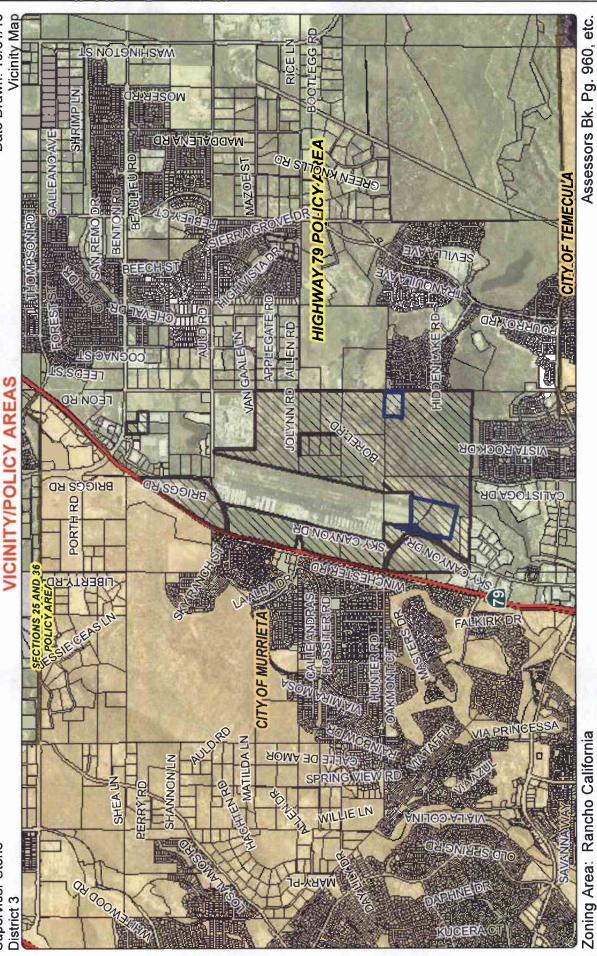
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Assessors Bk. Pg. 960, etc. Thomas Bros. Pg. 929 B5 Edition 2009

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DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County percets. 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) 853-8277 (Eastern County) or website at https://www.lims.co.chrepriside.ca.autoders.html

#### RIVERSIDE COUNTY PLANNING DEPARTMENT GPA01123 / SP265A1 / CZ07806 Supervisor Stone Date Drawn: 10/31/13 **PROPOSED ZONING** District 3 Exhibit 3 C-P-S SP ZONE C-P-S R-1-20000 R-R M-SC SP ZONE I-P SP ZONE R-1-20000 R-R **R-A-1** M-SC R-5 R-1 M-SC C-P-S SP ZONE R-A-2 1/2 $\Delta H$ C-P-S A-1-10 A-1-5 CITY OF MURRIETA A:15 A15 M-SC SP ZONE A:1:10 SP ZONE A CONTRACTOR OF THE PARTY OF TH M-SC W-12/ SP ZONE A-1-10 SP ZONE (SP ZONE) W-15 (SP ZONE SP ZONE SP ZONE Zoning Area: Rancho California Assessors Bk. Pg. 960, etc. Thomas Bros. Pg. 929 B5 Township/Range: T7SR2W Edition 2009 Section: 18 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 (851) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at http://www.llma.co.riverside.ca.us/index.html 500 1,000 2,000 3.000 Feet



Date Drawn: 10/31/13

RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01123 / SP265A1 / CZ07806

Supervisor Stone

Assessors Bk. Pg. 960, etc. Thomas Bros. Pg. 929 B5

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Section: 18
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Township/Range: T7SR2W