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

502B

SUBMITTAL DATE: April 17, 2014

FROM: TLMA - Planning Department

**SUBJECT:** GENERAL PLAN AMENDMENT NO. 1128– Applicant: Massoud Tajik — Third/Third Supervisorial District – Location: Southerly of Lyn Ave, westerly side of Cordoba Drive, northerly of Stetson Ave and easterly of California Ave - REQUEST: The General Plan Amendment proposes to amend the Riverside County General Plan Land Use Element from Community Development: Medium Density Residential Land Use Designation to Community Development: High Density Residential (approximately 14.7 acres), Open Space: Conservation (approximately 8.3 acres), and Rural: Rural Mountainous (approximately 2.4 acres).

# **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.

(Continued on next page)

JCP:hk D.W.

Juan C. Perez

TLMA Director/ Interim Planning Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$0	\$ 0	\$0	Consent D Policy
NET COUNTY COST	\$ 0	\$0	\$ 0	\$0	
SOURCE OF FUNI	DS: DBF			Budget Adjustn	nent: No
				For Fiscal Year:	: 13/14

C.E.O. RECOMMENDATION: 0

APPROVE

**County Executive Office Signature** 

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added Change Order 4/5 Vote THE REPORT OF LODIES OF A-30 **Agenda Number:** Prev. Agn. Ref.: District:3/3

#### 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, which amended Article II of that ordinance.

The "Third Finding" per the General Plan Administrative element (General Plan 2003) stated in the Planning Commission Staff Report presented at the March 19, 2014 meeting was revised to show an alternative Finding: Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan. Staff believes this a more suitable Finding that closely relates to the development being proposed as part of the General Plan Amendment application.

#### 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**

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N/A
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# ATTACHMENTS:

- A. Planning Commission Staff Report
- B. <u>Directors Report</u>

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# RIVERSIDE COUNTY PLANNING DEPARTMENT

Juan C. Perez Interim Director

DATE	: April	17,	2014
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TO: Clerk of the Board of Supervisors

FROM: Planning Department - <u>Riverside Office</u>

SUBJECT: General Plan Amendment No. 1128 (GPA1128) (Charge your time to these case numbers)

# The attached item(s) require the following action(s) by the Board of Supervisors:

	Place on Administrative Action (Receive & File; EOT)	Set for Hearing (Legislative Action Required, CZ, GPA, SP, SPA)
	Labels provided If Set For Hearing	Publish in Newspaper:
	🗌 10 Day 🔲 20 Day 🔲 30 day	**SELECT Advertisement**
	Place on Consent Calendar	**SELECT CEQA Determination**
	Place on Policy Calendar (Resolutions; Ordinances; PNC)	🔲 10 Day 🔛 20 Day 🔛 30 day
$\boxtimes$	Place on Section Initiation Proceeding (GPIP)	Notify Property Owners (app/agencies/property owner labels provided)
		Controversial: 🗌 YES 📃 NO

\*\*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

"Planning Our Future ... Preserving Our Past"

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



SUBMITTAL DATE: April 17, 2014

FROM: TLMA – Planning Department

**SUBJECT:** GENERAL PLAN AMENDMENT NO. 1128– Applicant: Massoud Tajik — Third/Third Supervisorial District – Location: Southerly of Lyn Ave, westerly side of Cordoba Drive, northerly of Stetson Ave and easterly of California Ave - REQUEST: The General Plan Amendment proposes to amend the Riverside County General Plan Land Use Element from Community Development: Medium Density Residential Land Use Designation to Community Development: High Density Residential (approximately 14.7 acres), Open Space: Conservation (approximately 8.3 acres), and Rural: Rural Mountainous (approximately 2.4 acres).

# **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.

(Continued on next page)

JCP:hk

Departmental Concurrence

Juan C. Perez TLMA Director/ Interim Planning Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	(	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$	0 \$	6 C	
NET COUNTY COST	\$ 0	\$ 0	\$	0 \$	\$ C	Consent D Policy D
SOURCE OF FUN	DS: DBF				Budget Adjust	ment: No
					For Fiscal Yea	r: 13/14

# C.E.O. RECOMMENDATION: 0

# **County Executive Office Signature**

# MINUTES OF THE BOARD OF SUPERVISORS

Positions Adde	Change Order
A-30	4/5 Vote

# SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA FORM 11: General Plan Amendment No. 1128 DATE: April 17, 2014 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, which amended Article II of that ordinance.

The "Third Finding" per the General Plan Administrative element (General Plan 2003) stated in the Planning Commission Staff Report presented at the March 19, 2014 meeting was revised to show an alternative Finding: Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan. Staff believes this a more suitable Finding that closely relates to the development being proposed as part of the General Plan Amendment application.

#### 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. <u>Directors Report</u>

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Agenda Item No.: Area Plan: Harvest Valley/Winchester Zoning District: Hemet – San Jacinto Supervisorial District: Third/Third Project Planner: H. P. Kang Planning Commission: March 19, 2014 General Plan Amendment No. 1128 (Entitlement/Policy Amendment) Applicant: Massoud Tajik Engineer/Representative: Farah Khorashadi

# 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.

#### PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

**Commissioner John Petty**: Please see the minutes of the Planning Commission Meeting of March 19, 2014

Commissioner Charissa Leach: None

Commissioner Ed Sloman: None

Commissioner Bill Sanchez: None

Commissioner Mickey Valdivia: None

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Agenda Item No.: Area Plan: Harvest Valley/Winchester Zoning District: Hemet - San Jacinto Supervisorial District: Third/Third Project Planner: H. P. Kang Planning Commission: March 19, 2014 GENERAL PLAN AMENDMENT NO. 1128 (Entitlement/Policy Amendment) Applicant: Massoud Tajik Engineer/Representative: Farah Khorashadi

# COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

#### **PROJECT DESCRIPTION AND LOCATION:**

General Plan Amendment No. 1128 proposes to amend the Riverside County General Plan Land Use Element from Community Development: Medium Density Residential Land Use Designation to Community Development: High Density Residential (approximately 14.7 acres), Open Space: Conservation (approximately 8.3 acres), and Rural: Rural Mountainous (approximately 2.4 acres).

The proposed Amendment is located in the Harvest Valley Winchester Area Plan; more specifically, the project is located Southerly of Lyn Ave, westerly side of Cordoba Drive, northerly of Stetson Ave and easterly of California Ave.

#### 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 procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. <u>The adoption of an order initiating proceedings does not imply that any amendment will be approved.</u> 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 a General Plan Technical Amendment and Entitlement/Policy Amendment GPA.

The applicant is proposing approximately 8.3 acres of land as Open Space: Conservation for future Highway 79 alignment. Based on the Highway 79 Policy Area the density is calculated based on trip generation rather than the Land Use designation. This project has been calculated to have a maximum density of 120 units within the Community Development: High Density Residential (CD: HDR). Staff and the applicant are 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 amendment

s, 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. 1128 falls into the Entitlement/Policy category, because it is changing within the same Foundation-Component, Community Development.

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 Land Use changes will not impact the vision of the County. The proposed change will alter the maximum number of density from Medium Density Residential (MDR) with allowed density mix of 2 to 5 dwelling units per acre to High Density Residential (HDR) designation which will potentially allow a density mix of 8 to 14 dwelling units per acre. Changing the Designation from essentially, MDR to HDR will not alter the vision or the use of the properties in any way.

(2) Any General Plan Principle.

The proposed Land Use Element change will likely not impact any General Plan Principal based on staff's review.

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

A portion (8.3 acres) of the change is foundational change from Community Development: Medium Density Residential (CD: MDR) to Open Space: Conservation. This request is based on the Highway 79 Policy area and will not impact the overall density of the Community Development: High Density Residential (CD: HDR) of 14.7 acres.

**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 Land Use change will contribute to the achievement of the General Plan, and will not in any way be detrimental to them. The proposal will increase the density for residential development and will assist in production of housing as set forth in the goals and quantified objectives [Sec. 65583(b)].

**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.

The possible realignment of Highway 79 will result in the proposed project being adjacent to a major State route which will be a more compatible use of land with a high-density residential development.

#### SUMMARY OF FINDINGS:

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

Community Development: Medium Density Residential (CD:MDR) and Rural: Rural Mountainous (R:RM)

2. Proposed General Plan Land Use:

Community Development: High Density Residential (CD:HDR) Open Space: Conservation (OS: C) and Rural: Rural Mountainous (R:RM)

#### GENERAL PLAN AMENDMENT NO. 1128 Planning Commission Staff Report: March 19, 2014 Page 4 of 5

3.	Existing Zoning (Ex. #2):	Mobile Home Subdivision & Mobile Home Parks (R- T-20000)
4.	Surrounding Zoning (Ex. #2):	Residential Agriculture (R-A) and Mobile Home Subdivision & Mobile Home Parks (R-T-20000) to the north, Mobile Home Subdivision & Mobile Home Parks (R-T-20000) to the east, Light Agriculture (A- 1-15) to the south and Light Agriculture (A-1-10) to the west
5.	Existing Land Use (Ex. #1):	Vacant
6.	Surrounding Land Use (Ex. #1):	Vacant lot and motorhomes to the north, vacant lot to the east, single family dwelling with vacant lots to the south, single family residential dwelling and vacant lot to the west.
7.	Project Data:	Total Acreage: 24.13

#### **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. 1128. 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. As of this writing, no letters, in support or opposition have been received.
- 2. The project site is <u>not</u> located within:
  - a. An Agricultural Preserve;
  - b. A High Fire Area;
  - c. A MSHCP Criteria Area,
  - d. A Redevelopment Area; or,
  - e. A Fault Zone.
- 3. The project site is located within:
  - a. An Airport Influence Area,
  - b. A Flood Zone,
  - c. Liquefaction Potential;
  - d. The City of Hemet Sphere of Influence;
  - e. Paleontological Sensitivity;
  - f. The Community of Green Acres;
  - g. The Highway 79 Policy Area;
  - h. Ord. No. 663.10 Stephen's Kangaroo Rat Fee Area; and,
  - i. Ord. No. 655 Mount Palomar Lighting Influence Area, Zone B (28.24 miles).
- 4. The subject site is currently designated as Assessor's Parcel Numbers 465-020-004 and 465-020-005.

# GENERAL PLAN AMENDMENT NO. 1128 Planning Commission Staff Report: March 19, 2014 Page 5 of 5

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# PLANNING COMMISSION MINUTE ORDER MARCH 19, 2014

#### I. AGENDA ITEM 2.2

**GENERAL PLAN AMENDMENT NO. 1128** – Applicant: Massoud Tajik. – Engineer/Representative: Farah Khorashadi – Third/Third Supervisorial District – Hemet-San Jacinto Zoning District – Harvest Valley Winchester Area Plan: Community Development: Medium Density Residential (RC:MDR) (2-5 DU/Acre) and Rural: Rural Mountainous (R:RM) – Location: Southerly of Lyn Ave, westerly side of Cordoba Drive, northerly of Stetson Ave and easterly of California Ave – 24.13 Net Acres – Zoning: Mobile home Subdivision – 20,000 Square Foot Minimum (R-T-20000). (Legislative)

#### II. PROJECT DESCRIPTION:

The General Plan Amendment proposes to amend the General Plan land use designation from Community Development: Medium Density Residential (RC:MDR) (2-5 DU/Acre) to Community Development: High Density Residential (RC:HDR) (8-14 DU/Acre) - APNs: 465-020-004 and 465-020-005.

#### **III. MEETING SUMMARY:**

The following staff presented the subject proposal: Project Planner: HP Kang at (951) 955-1888 or email <u>hpkang@rctlma.org</u>.

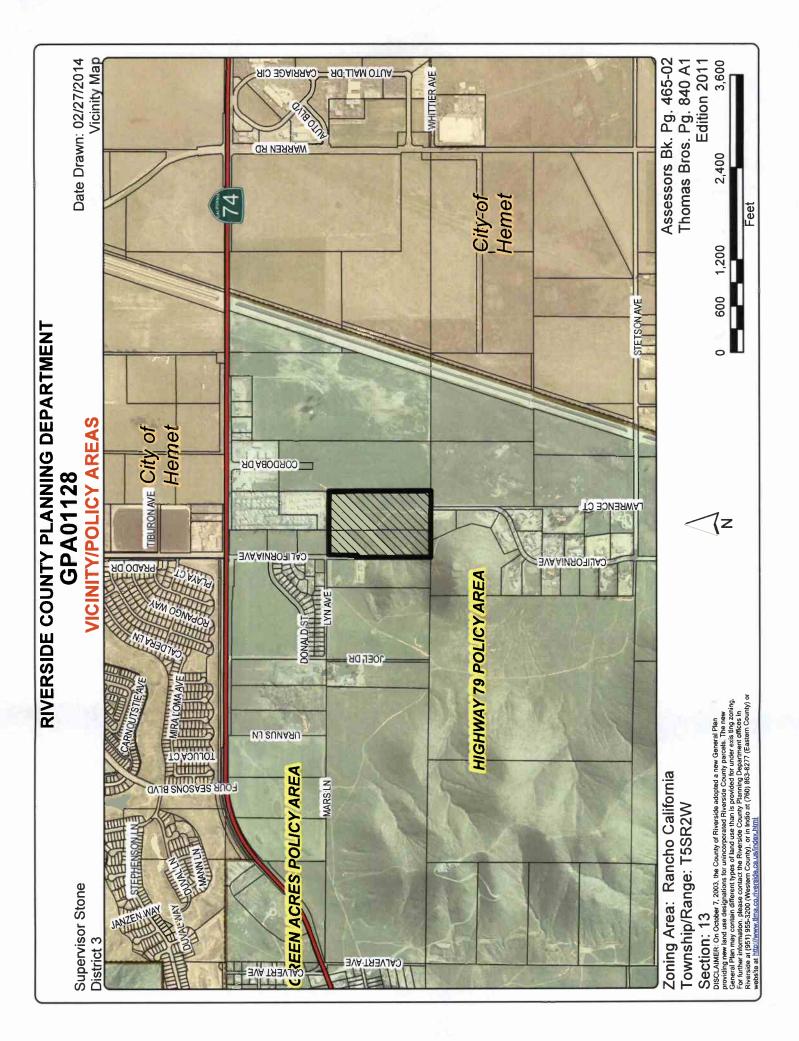
Commissioner Petty was concerned that the proposed General Plan Amendment might be premature in requesting for a High Density Residential (HDR) adjacent to future, not yet determined, Highway 79 realignment. It may not be a compatible use today with existing Medium Density Residential (MDH) uses and vacant lands in the area.

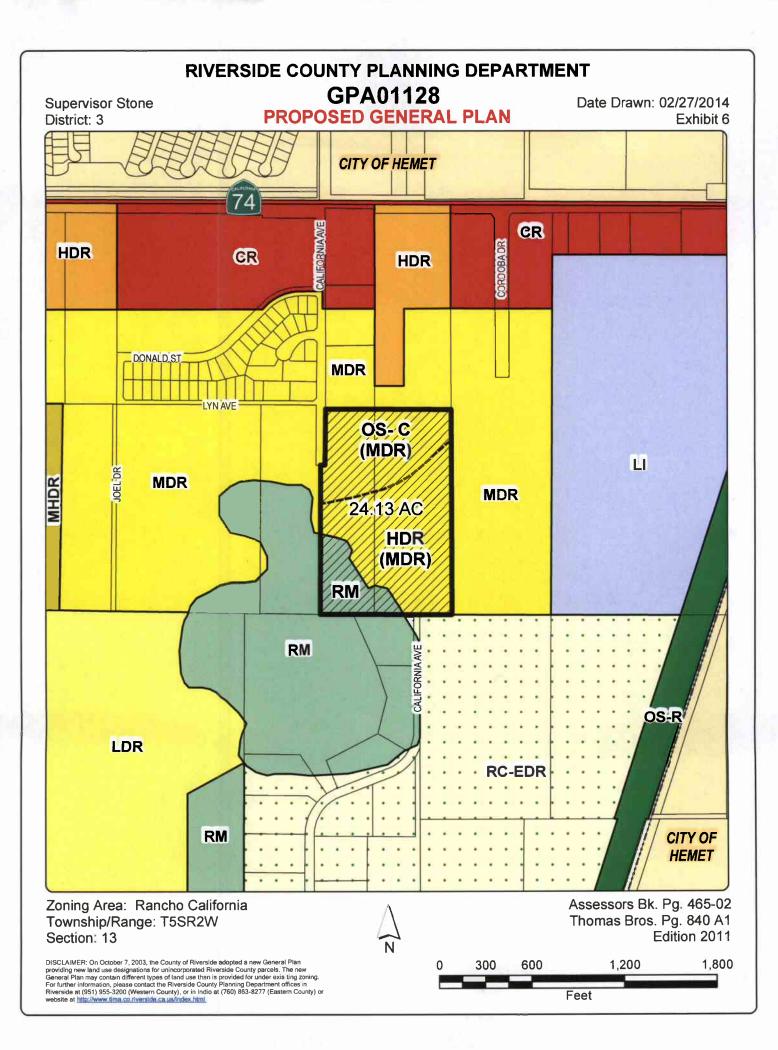
Farah Khorashadi, Applicant's Representative answered questions for the Planning Commission.

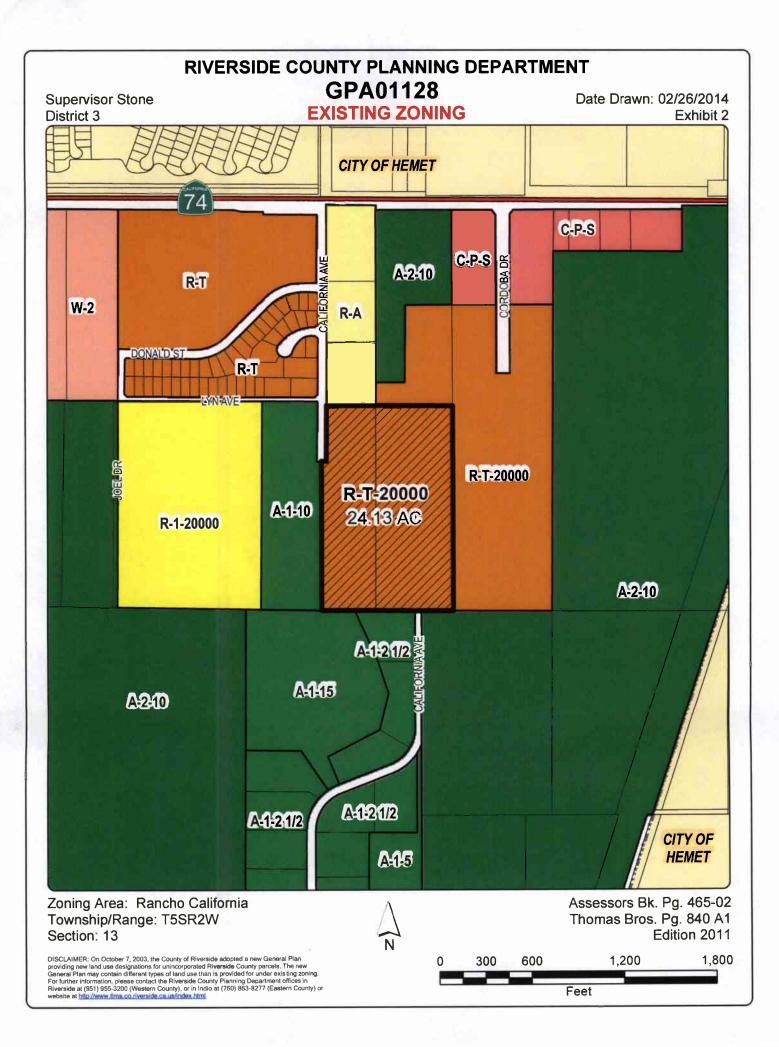
## STAFF RECEIVED COMMENTS FROM THE PLANNING COMMISSION.

**CD** The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at <u>mcstark@rctIma.org</u>.









Massoud Tajik 26541 Palisades Drive Dana Point, 92624

Massoud Tajik 26541 Palisades Drive Dana Point, 92624 Farah Khorashadi 280 Caldecott Lane #109 Oakland, Ca 94618

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