

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

702B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
May 21, 2014

SUBJECT: GENERAL PLAN AMENDMENT NO. 1135 – CEQA does not apply – Applicant: Thousand Palms LLC— Fourth/Fourth Supervisorial District – Location: Southerly of Ramon Road, easterly of Chiricahua Drive, Guadalajara Drive and Acapulco Trail, northerly of Elizabeth Drive, and westerly of Calle Desierto - REQUEST: The General Plan Amendment proposes to change the Land Use Designation for the site from Community Development: Medium Density Residential (MDR)(2-5 Dwelling Units Per Acre) to Specific Plan.

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)

Departmental Concurrence

JCP:ms



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 <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: DBF				Budget Adjustment: No	
				For Fiscal Year: 13/14	

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.:

District: 4/4

Agenda Number:

15-3

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

FORM 11: General Plan Amendment No. 1135

DATE: May 21, 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, which amended Article II of that Ordinance.

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**

Agenda Item No.:
Area Plan: Western Coachella Valley
Zoning Area: Thousand Palms
Supervisory District: Fourth/Fourth
Project Planner: Matt Straite
Planning Commission: February 26, 2014

GENERAL PLAN AMENDMENT NO. 1135
Applicant: Thousand Palms LLC
Engineer/Rep.: Alta Group

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: None

Commissioner Charissa Leach: None

Commissioner Ed Sloman: None

Commissioner Bill Sanchez: None

Commissioner Mickey Valdivia: None

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**PLANNING COMMISSION
MINUTE ORDER
FEBRUARY 26, 2014
LA QUINTA CITY COUNCIL CHAMBERS**

I. AGENDA ITEM 2.1

GENERAL PLAN AMENDMENT NO. 1135 – CEQA Exempt – Applicant: Thousand Palms LLC – Fourth/Fourth Supervisorial District – Location: Southerly of Ramon Road, easterly of Chiricahua Drive, Guad Alajara Drive and Acapulco Trail and northerly of Elizabeth Court. (Legislative)

II. PROJECT DESCRIPTION:

The General Plan Amendment proposes to change the Land Use Designation for the site from Community Development: Medium Density Residential (MDR)(2-5 Dwelling Units Per Acre) to Specific Plan.

- Tom Noble, applicant spoke in favor of the proposed project. No one spoke in a neutral position or in opposition.

III. ACTION:

STAFF RECEIVED PLANNING COMMISSION COMMENTS FOR THE BOARD OF SUPERVISORS.

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 mcstark@rctlma.org.

Agenda Item No.: 2.1
Area Plan: Western Coachella Valley
Zoning Area: Thousand Palms
Supervisory District: Fourth/Fourth
Project Planner: Matt Straite
Planning Commission: February 26, 2014

GENERAL PLAN AMENDMENT NO. 1135
Applicant: Thousand Palms LLC
Engineer/Rep.: Alta Group

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1135 proposes to change the General Plan Land Use designation from Medium Density Residential (MDR)(2-5 Dwelling Units Per Acre) to Specific Plan. The specific Land Use designations within the Specific Plan are yet to be determined at this stage.

The Specific Plan is currently proposed to be a Community Development Specific Plan.

The proposed Amendment is located in the Western Coachella Valley Area Plan of Eastern Riverside County; more specifically, it is southerly of Ramon Road, easterly of Chiricahua Drive, Guadalajara Drive and Acapulco Trail and northerly of Elizabeth Drive.

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. 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 GPA, under Section 2.4.

REQUIRED 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. 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.

General Plan Amendment No. 1135 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 required findings must be made, and at least one of five additional findings must be made to justify an entitlement/policy amendment. The two required 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 required finding 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. It is reasonable to assume that a Specific Plan Land Use designation for parcels in question will permit enough flexibility to achieve the future vision of the General Plan. It is possible to make this finding.
- (2) Any General Plan Principle. Given staff's review it is possible that the proposed designation could satisfy each of the General Plan Principles and Policies.
- (3) Any Foundation Component designation in the General Plan. The proposed project designation and the current designation are within the same Foundation. Thus, the proposed Amendment is consistent within the Community Development Foundation.

Second Required Finding: The second required finding explains that the proposed Amendment must either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them. The General Plan Amendment is proposing a Specific Plan. Specific Plans afford a significant degree of flexibility. It is too early at this stage of the projects review to compare the project to all of the purposes of the General Plan; however, because of the flexibility afforded by Specific Plans, it is possible to contend that a Specific Plan on this site could contribute to the purposes of the General Plan. The findings can be made, at this stage, that the proposed Amendment may contribute to the purposes of the General Plan.

Third Required Finding: In addition to the two required findings, 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 proposed development plan for the subject property was devised in response to special circumstances or conditions that were not anticipated when the General Plan was approved in 2003.

The applicant has provided the following circumstances which have occurred since the adoption of the General Plan Update in 2003 and warrant the further consideration of GPA 1135. Specifically the applicant has provided the following:

Up until recently it has generally been thought that the subject site has been subject to noteworthy alluvial flooding as well as significant riverine flooding. The Coachella Valley Flood Control District has assumed leadership in resolving such flows affecting an area between Thousand Palms and Sun City north of Interstate 10. As a part of this effort new hydrology studies have been prepared and released by the District in September 2013. These studies verified that alluvial flooding is minimal and riverine flooding is negligible. The determination that natural drainage is not significant as previously thought eliminates this impediment to development of the property.

SUMMARY OF FINDINGS:

- | | |
|-----------------------------------|---|
| 1. Existing Land Use (Ex. #1): | Vacant |
| 2. Surrounding Land Use (Ex. #1): | Modular single family residential to the west, and south, vacant land to the north, and east. |
| 3. Existing Zoning (Ex. #2): | One Family Dwellings (R-1) and General Residential (R-3) |

- | | |
|---|---|
| 4. Surrounding Zoning (Ex. #2): | One Family Dwellings (R-1) and General Residential (R-3) to the east, Scenic Highway Commercial (C-P-S) to the north, Mobile Home Subdivisions & Mobile Home Parks (R-T) to the west and south. |
| 5. Existing General Plan Land Use (Ex. #5): | Community Development: Medium Density Residential (MDR)(2-5 Dwelling Units Per Acre) |
| 6. Proposed General Plan Land Use: | Specific Plan |
| 7. Project Data: | Total Acreage: 119.71 Gross |
| 8. Environmental Concerns: | Not applicable at this time |

RECOMMENDATIONS:

Staff recommends that the appropriate findings per the General Plan Administration Element can be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 1135. 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 not located within:
 - a. A County Fault zone;
 - b. A Redevelopment Area;
 - c. A County Service Area;
 - d. A General Plan Policy Area;
 - e. An Airport Influence Area;
 - f. An SKR Fee Area (Ordinance No. 663.10);
 - g. A CVMSHCP Conservation Area;
 - h. An Agriculture Preserve; or
 - i. An area drainage plan or dam inundation area.
3. The project site is located within:
 - j. Cathedral City Sphere of Influence;
 - k. A 100-year flood plain;
 - l. The Thousand Palms Community Council area;
 - m. An area subject to the Mt. Palomar Lighting Ordinance No. 655 (zone B);
 - n. An CVMSHCP Fee area;
 - o. A Development Impact Fee area;
 - p. Palm Springs Unified School District; and,
 - q. Paleontological Low sensitivity.

4. The subject site is currently designated as Assessor's Parcel Number 693-180-001, 693-160-002, and 693-230-001.

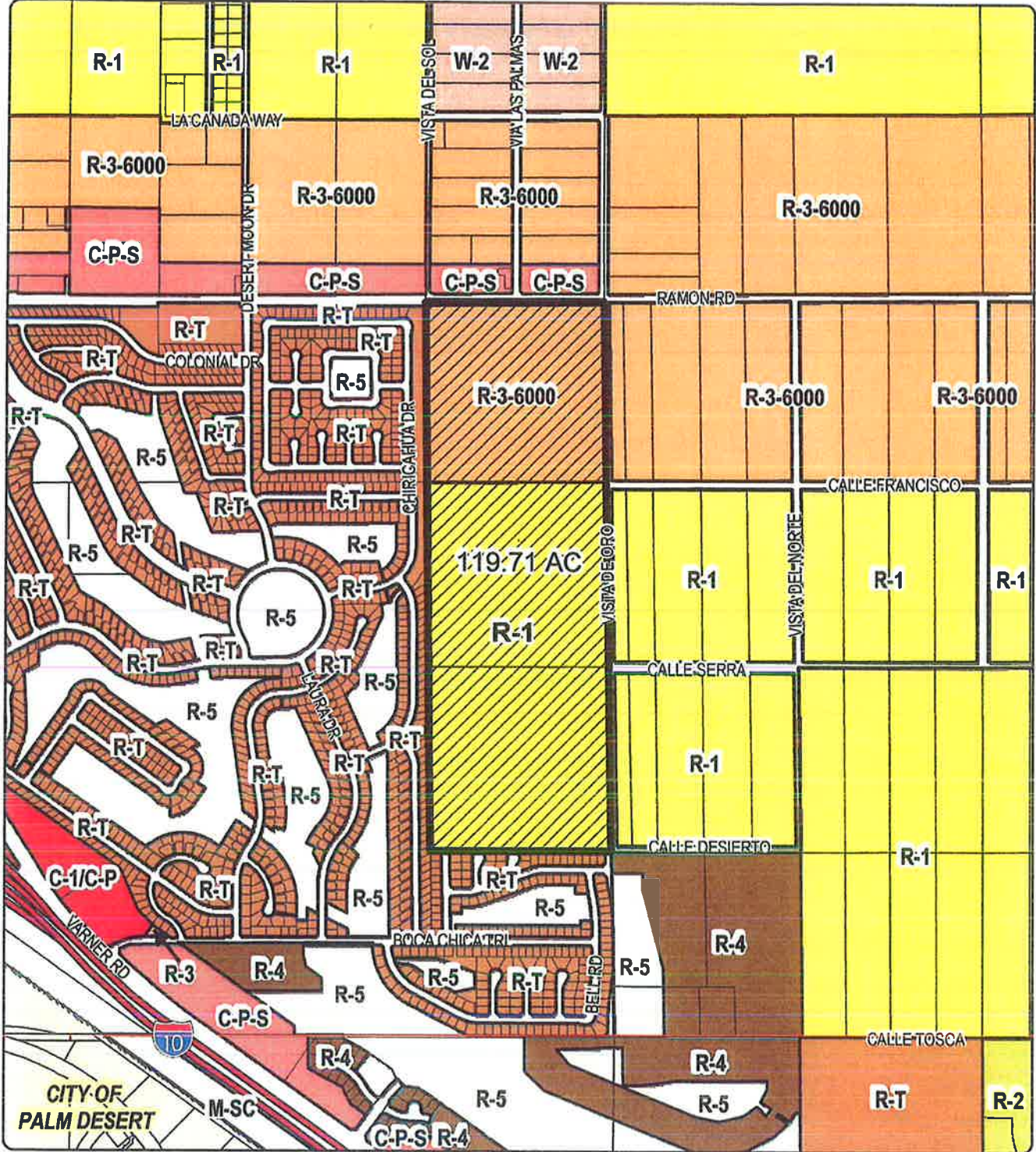
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01135

EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 01/21/2014
Exhibit 2



Zoning District: Thousand Palms
Township/Range: T4SR6E
Section: 20

Assessors Bk. Pg. 693-180
Thomas Bros. Pg.
Edition 2009



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 (951) 955-3200 (Western County), or in Indio at (760) 853-8277 (Eastern County) or website at <http://www.irma.co.riverside.ca.us/inflex.html>

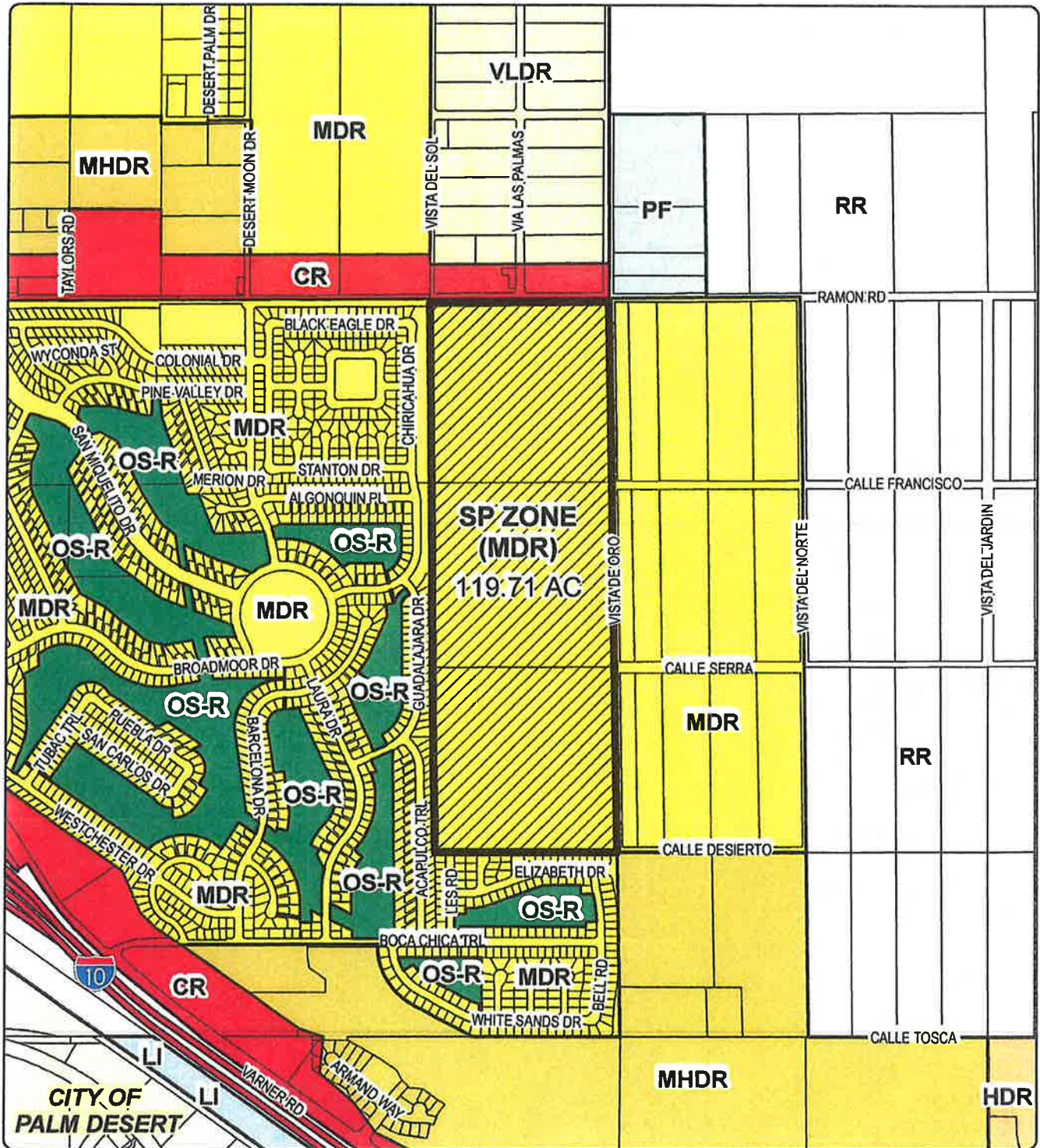
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01135

PROPOSED GENERAL PLAN

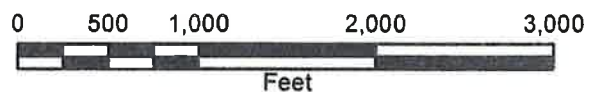
Supervisor Benoit
District 4

Date Drawn: 01/21/2014
Exhibit 6



Zoning District: Thousand Palms
Township/Range: T4SR6E
Section: 20

Assessors Bk. Pg. 693-180
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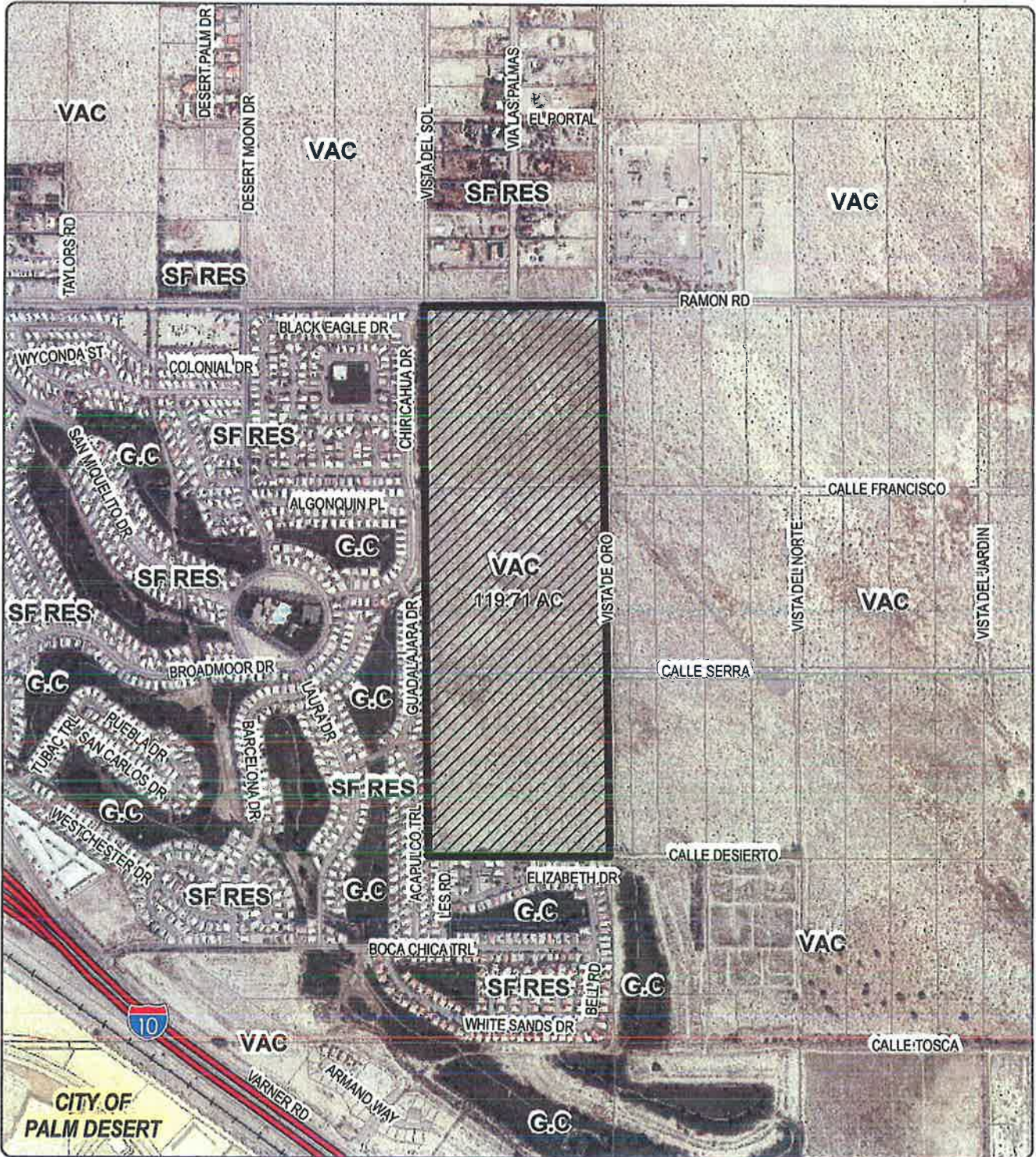
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01135

LAND USE

Supervisor Benoit
District 4

Date Drawn: 01/21/2014
Exhibit 1



Zoning District: Thousand Palms
Township/Range: T4SR6E
Section: 20

Assessors Bk. Pg. 693-180
Thomas Bros. Pg.
Edition 2009



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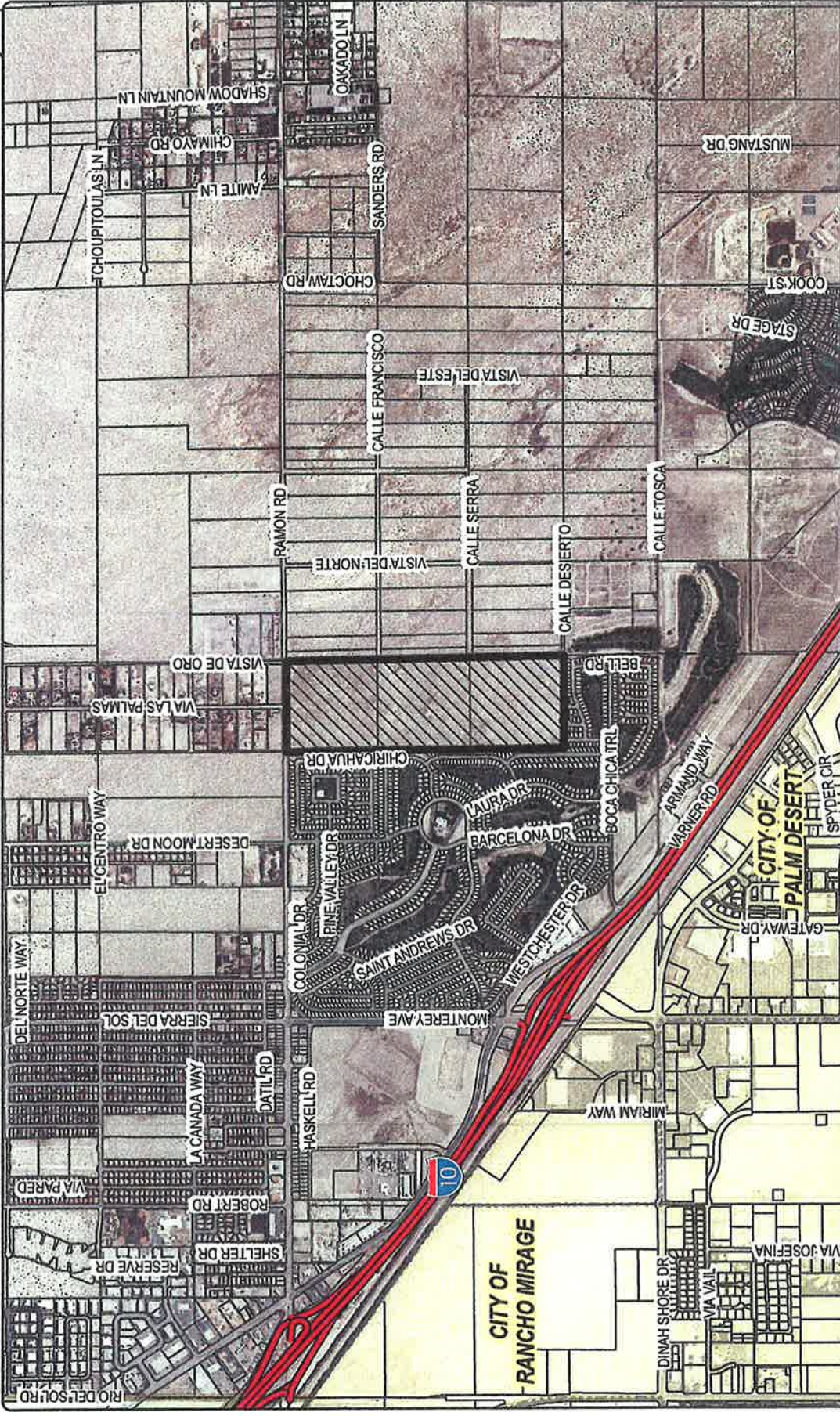
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01135

VICINITY/POLICY AREAS

Supervisor Benoit
District 4

Date Drawn: 01/21/2014
Vicinity Map



Zoning District: Thousand Palms
Township/Range: T4SR6E
Section: 20

Assessors Bk. Pg. 693-180
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