

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

605B



FROM: TLMA – Planning Department

SUBMITTAL DATE:  
December 14, 2009

**SUBJECT: GENERAL PLAN AMENDMENT NO. 931** – Foundation-Regular – Applicant: Dr. Kent Patton – Engineer/Representative: ADS - Third Supervisorial District – Rancho California Area Zoning District – Southwest Area Plan: Rural: Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) and Community Development: Medium Density Residential (CD: MDR) (2-5 du/ac) – Location: Westerly of Briggs Road and northerly of Clinton Keith Road, southerly of Raven Court and easterly of Menifee Road – 26.61 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** This **General Plan Amendment** proposes to amend the General Plan Foundation Component of the subject site from Rural (RUR) to Community Development (CD) and to amend the General Plan Land Use designation of the subject site from Rural Residential (RR) (5 Acre Minimum Lot Size) to Medium Density Residential (CD: MDR) (2-5 du/ac) on 16.30 acres of the subject site – APN(s): 480-090-020, 480-090-021.

**RECOMMENDED MOTION:**

The Planning Director recommends that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for 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.

**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 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.

*Jerry Jolliffe*  
Jerry Jolliffe, Deputy Director for,  
Ron Goldman  
Planning Director

RG:th

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried by unanimous vote, IT WAS ORDERED that the Board tentatively declined to adopt an order initiating proceedings for the above referenced general plan amendment.

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley  
Nays: None  
Absent: None  
Date: January 12, 2010  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board  
By *[Signature]*  
Deputy

Prev. Agn. Ref.

ATTACHMENTS FILED

District: Third

Agenda Number:

15.3

REVIEWED BY EXECUTIVE OFFICE

DATE

12/30/2009

Tina Grande  
Departmental Concurrence

☒ Policy

☒ Policy

☐ Consent

☐ Consent

Dep't Recomm.:

Per Exec. Ofc.:

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.

# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

### Planning Department

Ron Goldman · Planning Director

605B

December 28, 20099

**SUBJECT:** Initiation Proceedings for General Plan Amendment No. 931  
(Foundation Amendment - Regular)

**SECTION:** Development Review – Riverside Office

**TO:** Clerk of the Board of Supervisors  
**FROM:** Planning Department

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

- |   |   |
|---|---|
| <input type="checkbox"/> Approve  | <input type="checkbox"/> Set for Hearing  |
| <input type="checkbox"/> Deny   | <input type="checkbox"/> Publish in Newspaper: Press Enterprise                                 |
| <input type="checkbox"/> Place on Policy Calendar   | <input type="checkbox"/> Adopt Mitigated Negative Declaration                                   |
| <input type="checkbox"/> Place on Consent Calendar  | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input type="checkbox"/> Place on Administrative Action   | <input type="checkbox"/> Certify Environmental Impact Report                                    |
| <input checked="" type="checkbox"/> Place on Section of Initiation Proceeding                   | <input type="checkbox"/> Notify Property Owners   |
| <input type="checkbox"/> File: NOD and Mit. Neg. Declaration                                    | <input type="checkbox"/> Labels provided  |
| <input type="checkbox"/> Labels provided:   | Controversial: <input type="checkbox"/> YES <input type="checkbox"/> NO                         |
| <input type="checkbox"/> If Set For Hearing:  |   |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |   |

**Designate Newspaper used by Planning Department for Notice of Hearing:** Press Enterprise

### Clerk Of The Board

Please charge your time to case number(s): GPA00931

Y:\Advanced Planning\2008 FOUNDATION COMPONENT REVIEW\GPA Cases\GPA 931\GPA 931 BOS Package\GPA 931  
11p coversheet.doc

*[Signature]*  
12.28.09

**PLANNING COMMISSION  
MINUTE ORDER DECEMBER 2, 2009  
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 5.11 GENERAL PLAN AMENDMENT NO. 931** – Foundation / Regular – Applicant: Dr. Kent Patton – Engineer/Representative: ADS - Third Supervisorial District – Rancho California Area Zoning District – Southwest Area Plan: Rural: Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) and Community Development: Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre) – Location: Westerly of Briggs Road and northerly of Clinton Keith Road, southerly of Raven Court and easterly of Menifee Road – 26.61 Gross Acres - Zoning: Rural Residential (R-R) - APN(s): 480-090-020, 480-090-021.

**II. PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural (RUR) to Community Development (CD) and to amend the General Plan Land Use designation from Rural Residential (RR) (5 Acre Minimum Lot Size) to Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre) on 16.30 acres of the subject site .

**III. MEETING SUMMARY**

The subject proposal did not require a presentation.

Project Planner, Tamara Harrison, at (951) 955-9721 or e-mail [tharriso@rctlma.org](mailto:tharriso@rctlma.org).

The following spoke in favor of the subject proposal:

Dr. Kent Patton, Applicant

No one spoke in a neutral position or in opposition of the subject proposal.

**IV. CONTROVERSIAL ISSUES**

NONE

**V. PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

**TO TENTATIVELY DECLINE the GENERAL PLAN AMENDMENT**

**VI. CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at [cgriffin@rctlma.org](mailto:cgriffin@rctlma.org).

**Agenda Item No.: 5.11**  
**Area Plan: Southwest**  
**Zoning District: Rancho California**  
**Supervisory District: Third**  
**Project Planner: Tamara Harrison**  
**Planning Commission: December 2, 2009**

**General Plan Amendment No. 931**  
**Applicant: Dr. Kent Patton**  
**Engineer/Representative: ADS**

## **COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS**

### **RECOMMENDATIONS:**

The Planning Director recommends to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 931 from Rural: Rural Residential to Community Development and the Planning Commission made the comments below. The Planning Director continues to recommend to tentatively decline to adopt an order initiating proceedings. 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 Roth:** No Comments

**Commissioner John Snell:** No Comments

**Commissioner John Petty:** Commissioner Petty commented to allow the case to move forward based on similar densities surrounding the subject site, especially to the south.

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

Agenda Item No.: 5.11  
Area Plan: Southwest  
Zoning District: Rancho California Area  
Supervisory District: Third  
Project Planner: Tamara Harrison  
Planning Commission: December 2, 2009

General Plan Amendment No. 931  
Applicant: Dr. Kent Patton  
Engineer/Representative: ADS

## **COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT**

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

The applicant proposes to amend the General Plan Foundation Component and Land Use designation from "Rural: Rural Residential" (RUR:RR) (5 acre minimum lot size) to "Community Development: Medium Density Residential" (CD:MDR) (2-5 du/ac) for approximately 16.30 acres of the 26.61 acre site. The project is located northerly of Clinton Keith Road, southerly of Baxter Road, westerly of Briggs Road, and easterly of Menifee Road.

### **POTENTIAL ISSUES OF CONCERN:**

The subject site is located in the "French Valley" community within the "Southwest Area Plan" and is also located within the City of Murrieta's Sphere of Influence. The subject site contains two parcels, one of which (the easternmost parcel, APN: 480-090-021) has a split land use designation including Rural: Rural Residential and Community Development: Medium Density Residential. The westernmost parcel (APN: 480-090-020) is designated Rural: Rural Residential in its entirety. The area immediately surrounding the subject site in all directions is either designated Rural: Rural Residential or Community Development: Medium Density Residential.

A number of development approvals occurred in the vicinity of the subject site since the adoption of the General Plan in 2003. Tract Map No. 30433 (TR30433) approved 502 single-family residential units with 6,000 and 7,200 square foot minimum lot sizes in 2005 and is located north of the subject site. Tract Map No. 30695 and Tract Map No. 30696 were both approved in 2004 and combined, will add approximately 545 single-family residential units to the area. TR30695 and TR30696 are both located to the east of the subject site across Briggs Road within Specific Plan No. 312, "French Valley."

The site has been identified as being a part of Cell Group "Z", Criteria Cell 5476, under the County's "Multiple Species Habitat Conservation Plan (MSHCP)" and is currently undergoing the Habitat Evaluation and Acquisition Negotiation Strategy (HANS01903) review process. The case has not been finalized as of yet; however, an approximately 6.5 acre area in the far west of the subject site has been mapped for conservation at this time. The site will also be required to conform to additional plan wide requirements of the MSHCP such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable.

The subject site also falls within zones "D" and "E" of the "French Valley Airport" influence area with the majority of the site being within zone "D." According to the Riverside County Airport Land Use Commission's Basic Compatibility Criteria for local airports, two options are provided for residential densities in *Compatibility Zone D*. Option (1) has a density limit of 0.2 dwelling units per acre (i.e., an average parcel size of at least 5.0 gross acres). This is the density now allowed by the existing Rural Residential land use designation and this density is consistent with Option 1. Option (2) requires that

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.

the density be *greater than* 5.0 dwelling units per acre (i.e., an average parcel size *less than* 0.2 gross acres). The requested general plan amendment is inconsistent with the Option (2) compatibility criteria. The choice between these two options is at the discretion of the local land use jurisdiction. The site is located outside of the noise contours established around the runway.

Any proposed change to the land use designation on this property will have to be reviewed by the Riverside County Airport Land Use Commission.

The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

#### **RECOMMENDATION:**

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 931 from Rural: Rural Residential to Community Development: Medium Density Residential.

#### **INFORMATIONAL ITEMS:**

1. This project was filed with the Planning Department on February 7, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$4,031.28.
3. The project site is currently designated as Assessor's Parcel Number: 480-090-020 and 480-090-021.



Supervisor Stone  
District 3

Date Drawn: 2/21/08

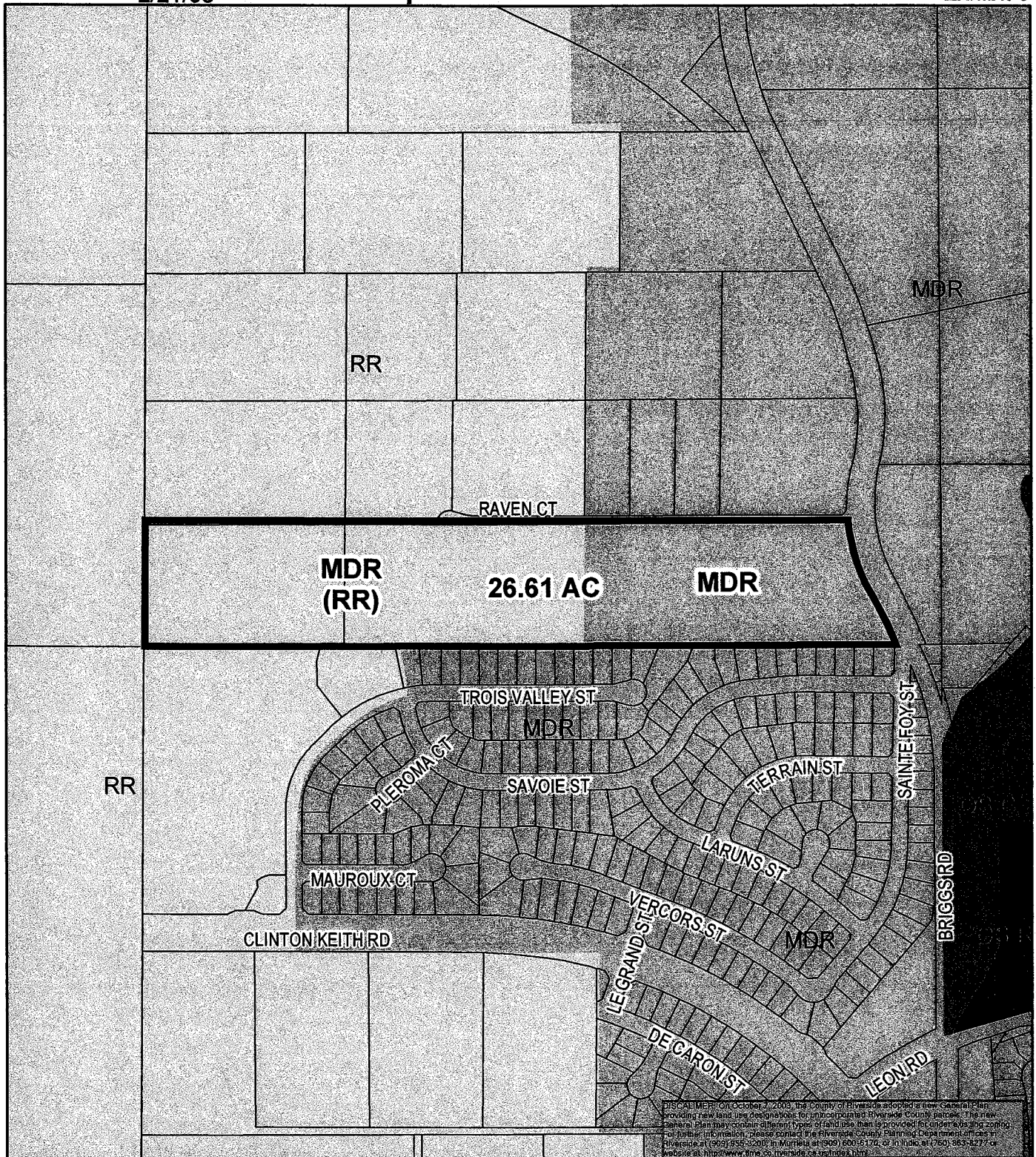
**GPA00931**

**Proposed General Plan**

Planner: Amy Aldana

Date: 02/29/08

Exhibit 6



Zone  
Area: Rancho California  
Township/Range: T6SR2W  
Section : 31

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

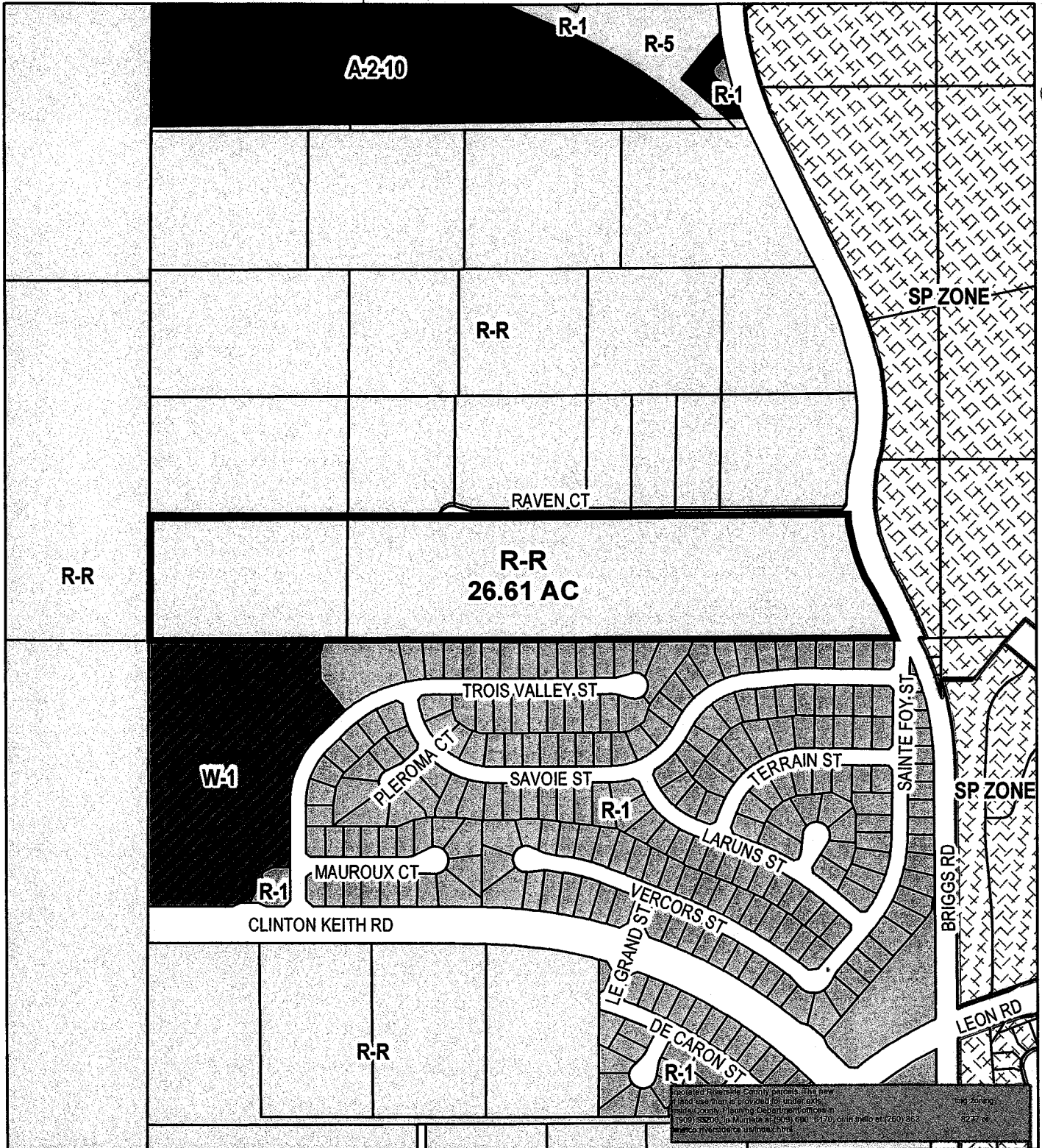


Assessors  
Bk.Pg. 480-09  
Thomas  
Bros. Pg. 899 A6

Supervisor Stone  
District 3  
Date Drawn: 2/21/08

**GPA00931**  
**EXISTING ZONING**

Planner: Amy Aldana  
Date: 2/29/08  
Exhibit 2



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 31

Assessors  
Bk. Pg. 480-09  
Thomas  
Bros. Pg. 899 A6

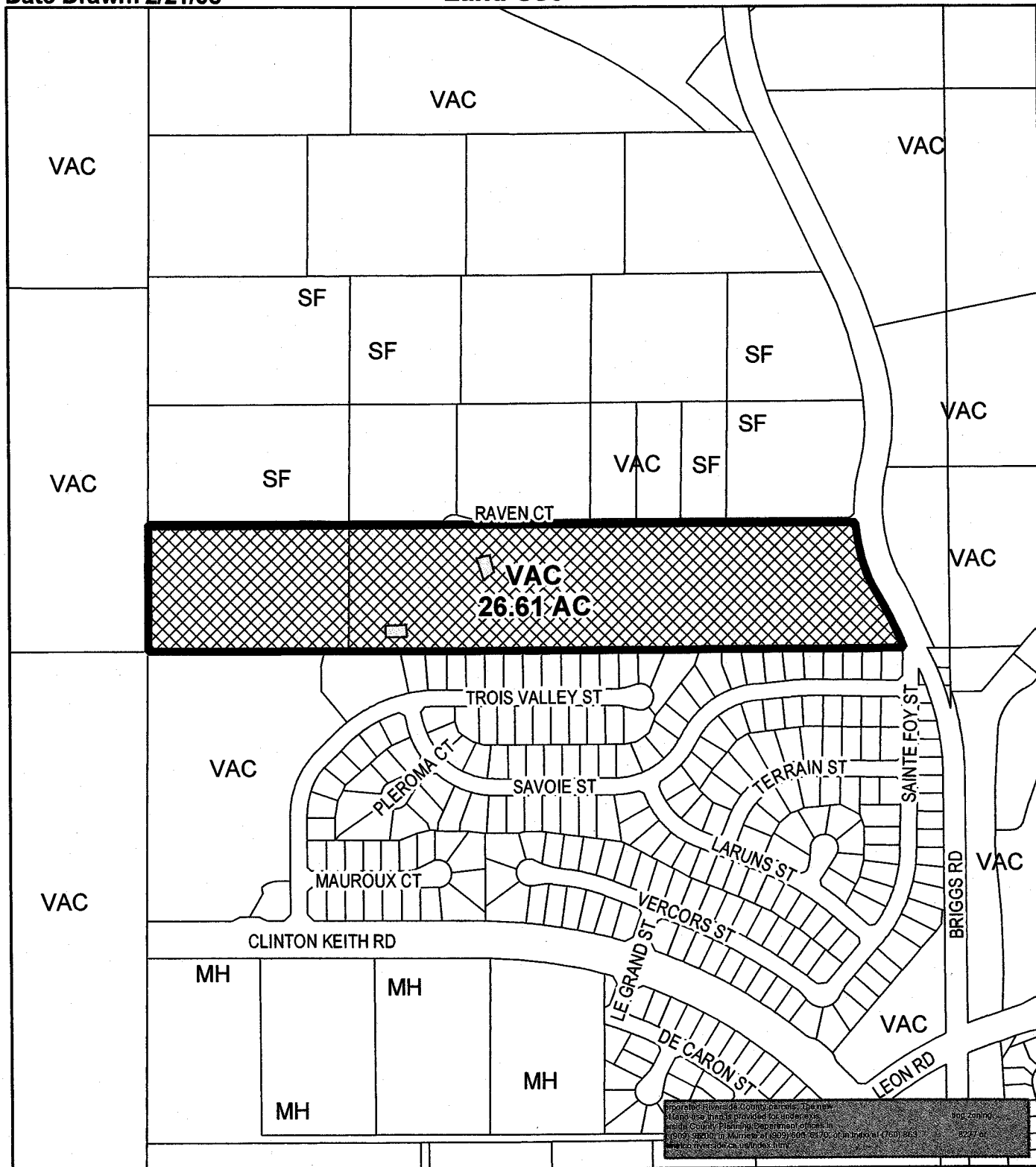


Supervisor Stone  
District 3  
Date Drawn: 2/21/08

**GPA00931**

Land Use

Planner: Amy Aldana  
Date: 2/29/08  
Exhibit 1



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone  
Area: Rancho California  
Township/Range: T6SR2W  
Section : 31



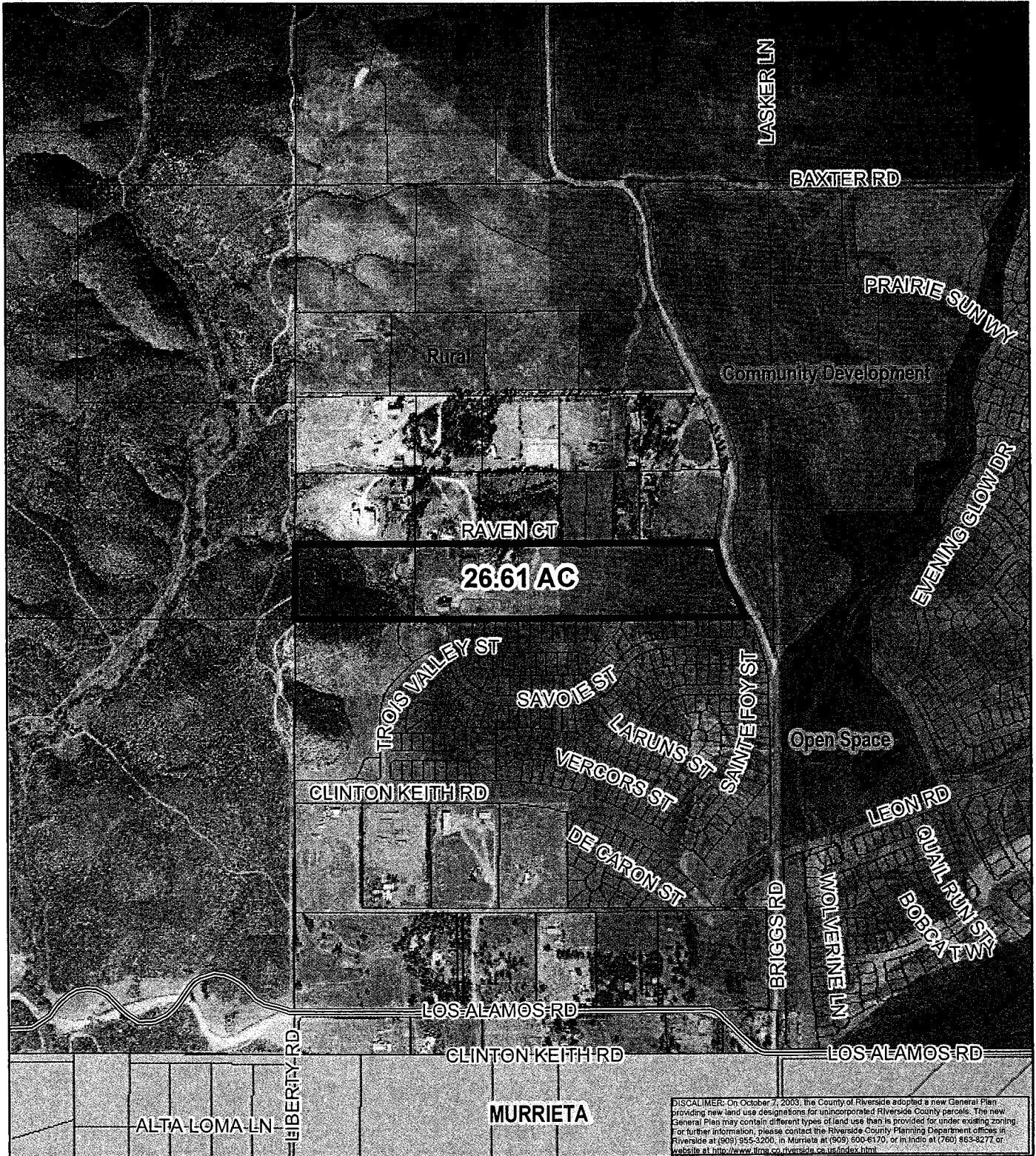
Assessors  
Bk. Pg. 480-09  
Thomas  
Bros. Pg. 899 A6



Supervisor Stone  
District 3  
Date Drawn: 2/21/08

**GPA00931**  
**DEVELOPMENT OPPORTUNITY**

Planner: Amy Aldana  
Date: 2/29/08  
Exhibit Overview



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 31



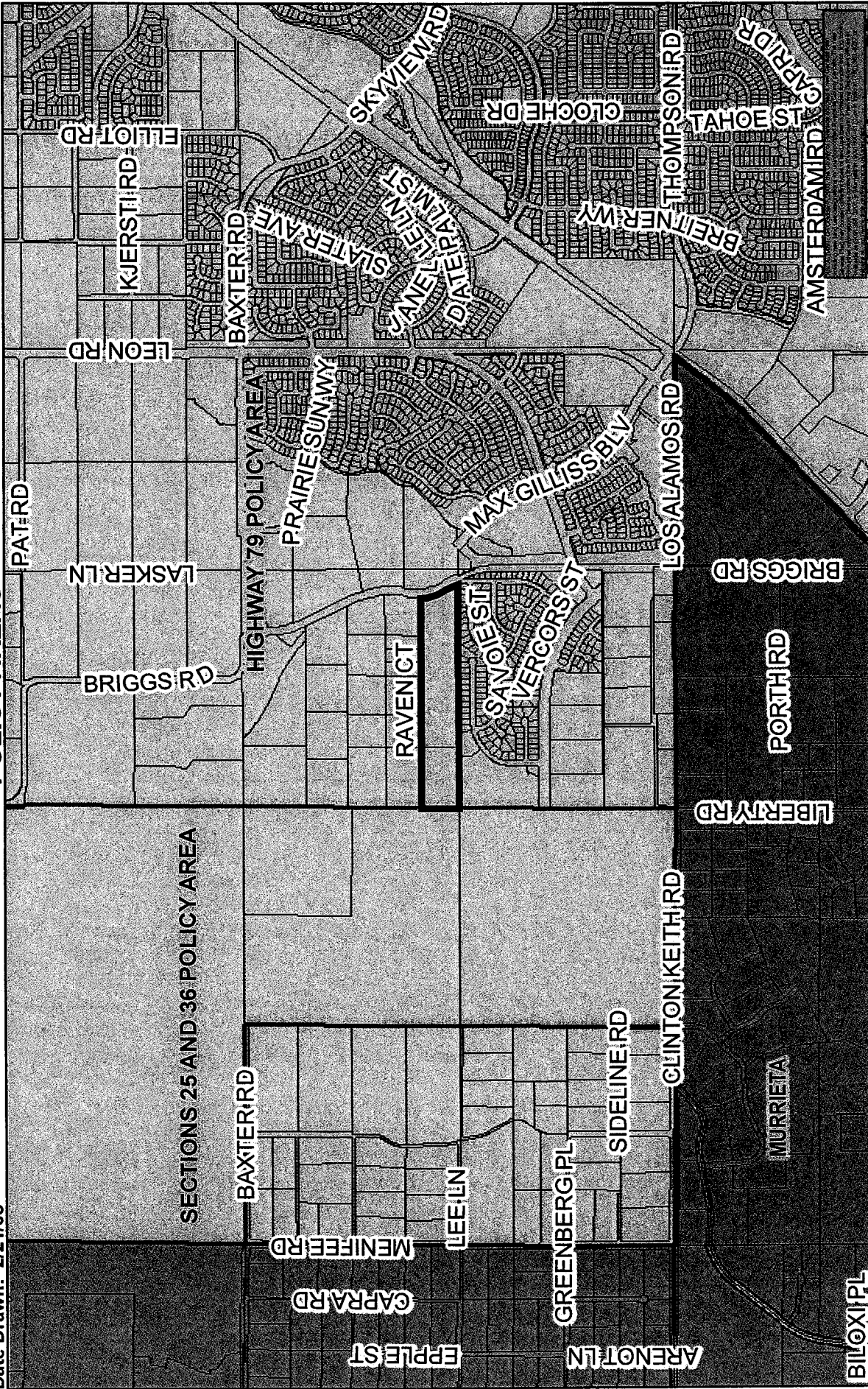
Assessors  
Bk. Pg. 480-09  
Thomas  
Bros. Pg. 899 A6

Supervisor Stone  
District 3  
Date Drawn: 2/21/08

GPA00931

Planner: Amy Aldana  
Date: 2/29/08  
Exhibit 8

POLICY AREAS



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone	Assessors
Area: Rancho California	Bk. Pg. 480-09
Township/Range: T6SR2W	Thomas 899 A6
Section : 31	Bros. Pg.

0 1,800 3,600 7,200 10,800

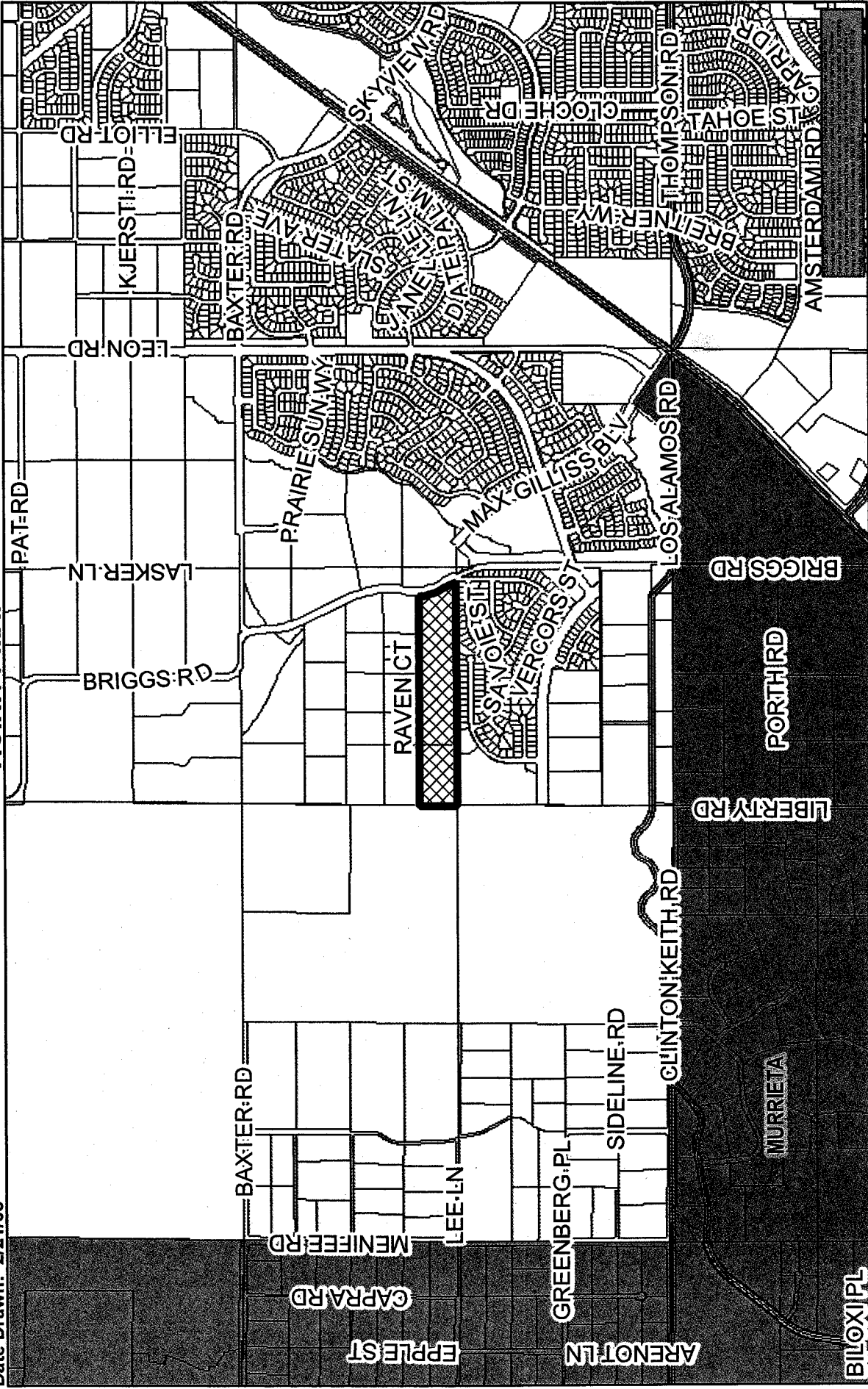
Feet



Planner: Amy Aldana  
Date: 2/29/08  
VICINITY MAP

GPA00931  
VICINITY MAP

Supervisor Stone  
District 3  
Date Drawn: 2/21/08



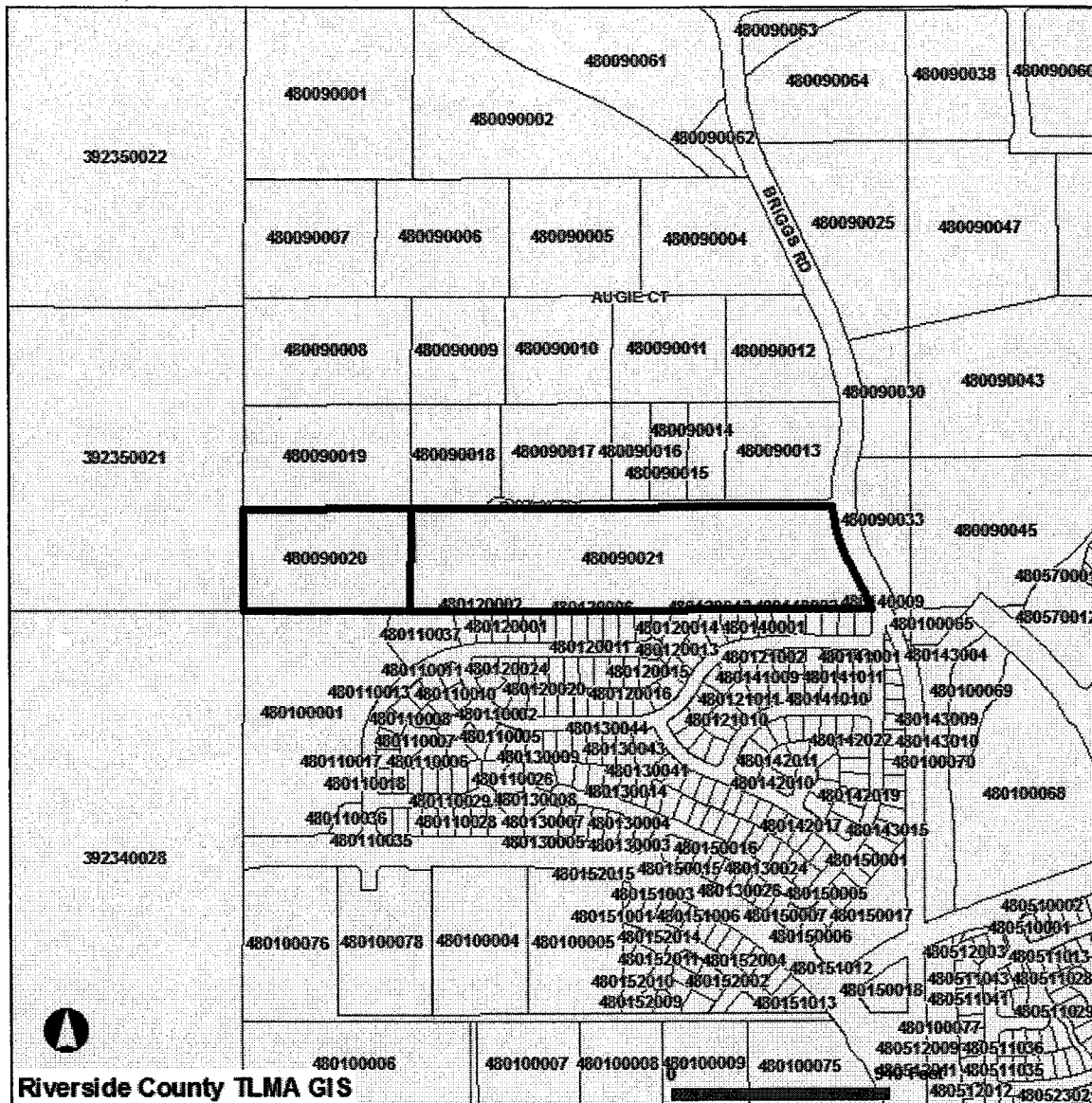
RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors  
Bk. Pg. 480-09  
Thomas  
Bros. Pg. 899 A6

Zone  
Area: Rancho California  
Township/Range: T6SR2W  
Section : 31



## RIVERSIDE COUNTY GIS



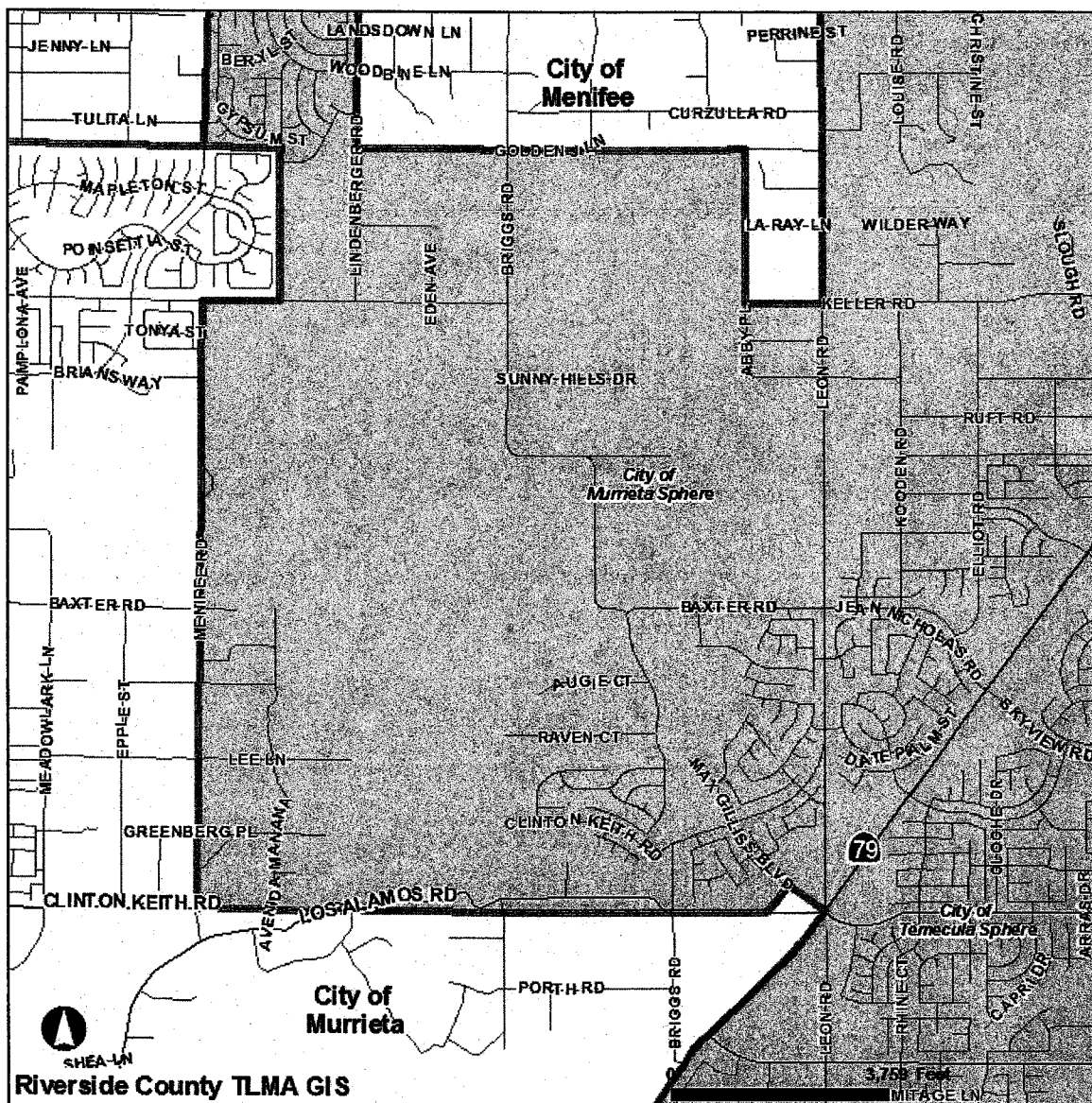
**Selected parcel(s):**  
480-090-020 480-090-021

**\*IMPORTANT\***

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Mon Nov 02 11:24:56 2009

# RIVERSIDE COUNTY GIS



**Selected parcel(s):**  
480-090-020 480-090-021

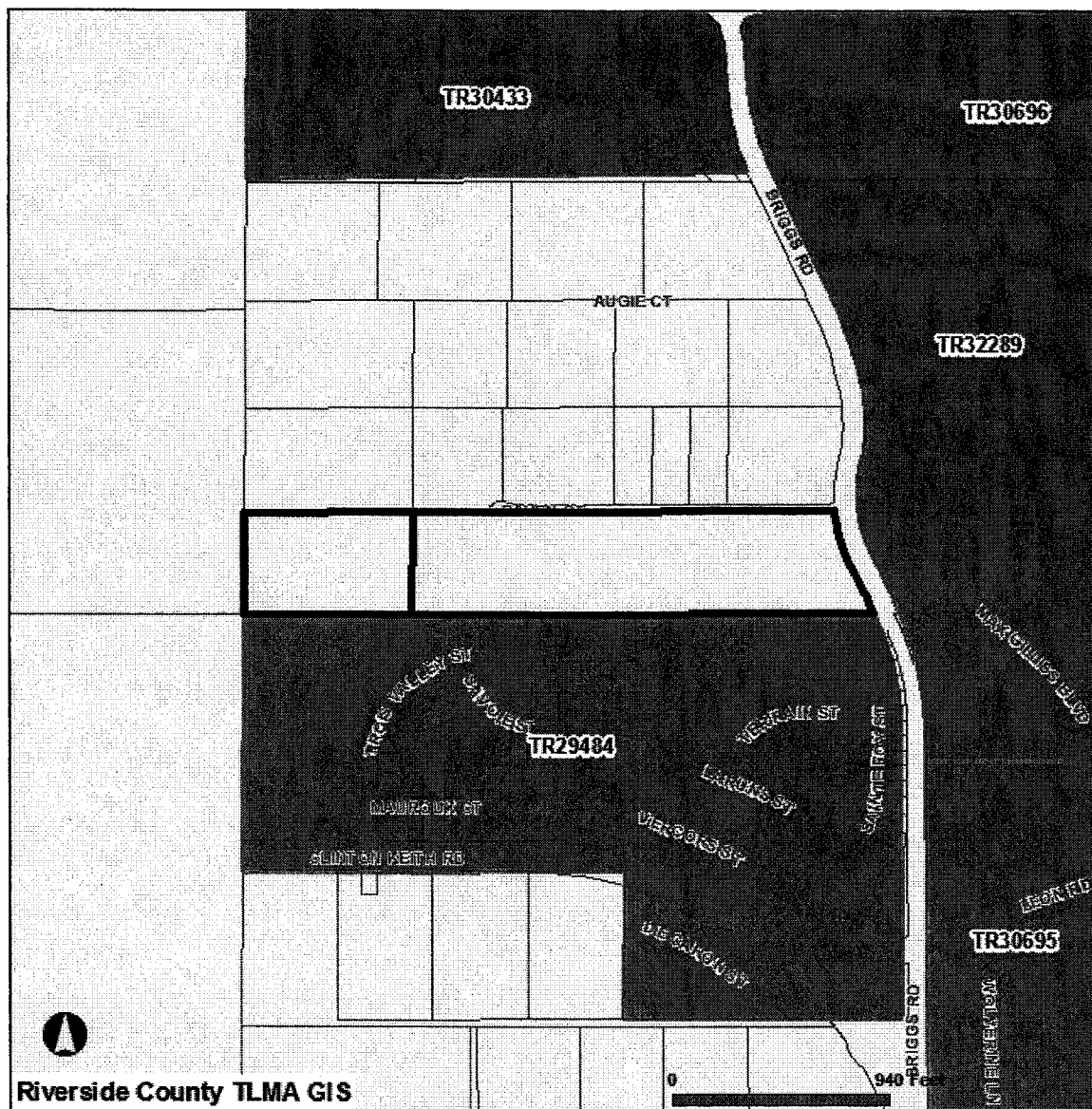
**\*IMPORTANT\***

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Mon Nov 02 12:30:48 2009



## RIVERSIDE COUNTY GIS

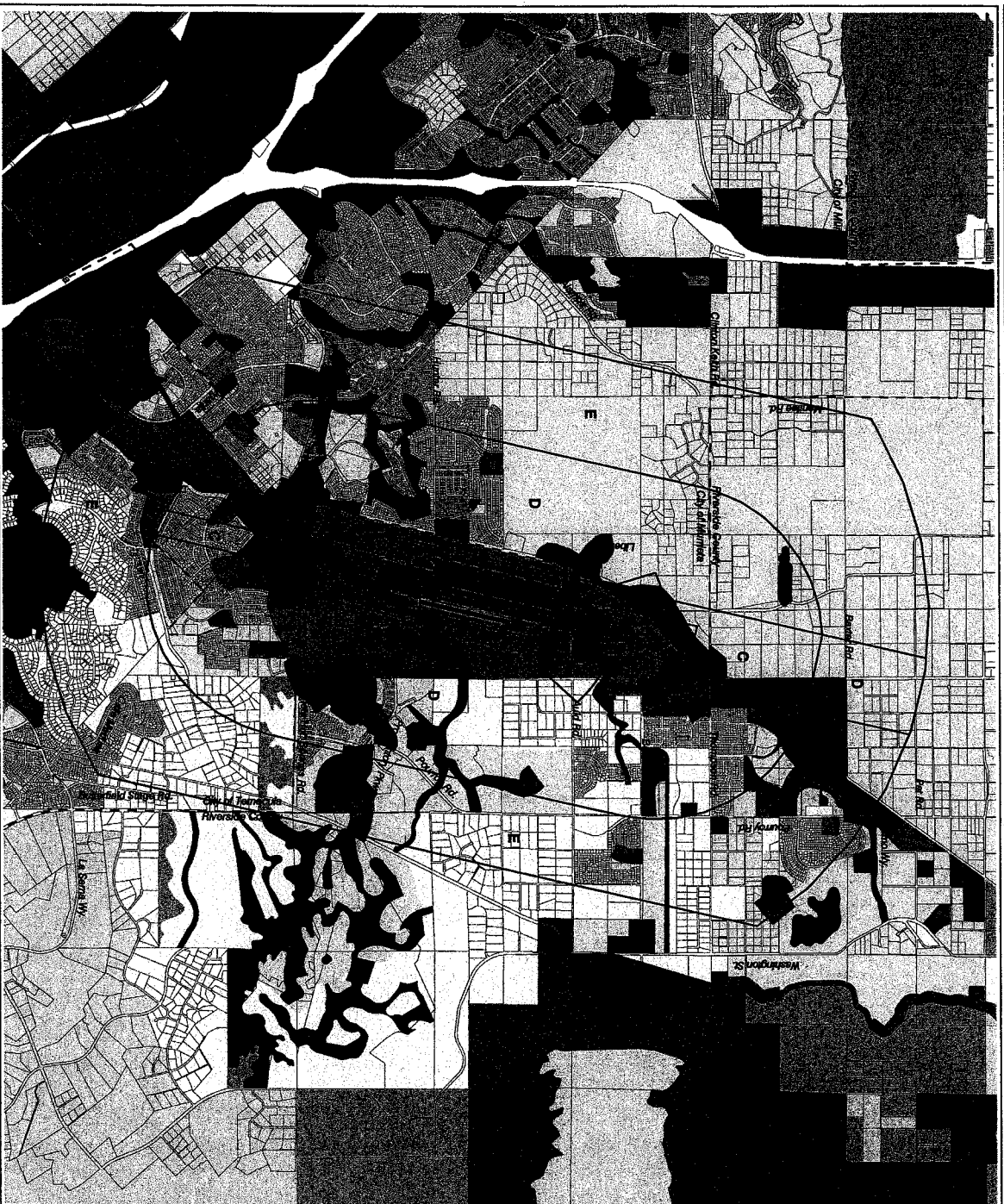


**Selected parcel(s):**  
 480-090-020 480-090-021

**\*IMPORTANT\***

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed Oct 28 14:16:58 2009



## Legend

- City Limits
- Airport Property
- Runway
- Compatibility Zones
  - Very-High-Density Residential (>20 du/ac)
  - High-Density Residential (14.1-20 du/ac)
  - Medium-High-Density Residential (8.1-14.0 du/ac)
  - Medium-Density Residential (5.1-8.0 du/ac)
  - Low-Density Residential (2.1-5.0 du/ac)
  - Very-Low-Density Residential (0.4-2.0 du/ac)
- Mobile Home Park
- High-Intensity Commercial/Office
- Low-Intensity Commercial/Office
- Office/Business Park
- Heavy Industrial
- Light Industrial/Warehousing
- Mixed Use
- Airport
- School
- Other Public/Institutional
- Parks & Recreation
- Rural Residential
- Agriculture
- Open Space/Conservation
- Federal Lands
- State Lands
- Indian Lands
- Unclassified

Note: This map is combined and simplified from maps of the following sources:  
 Riverside County General Plan (October 2003)  
 City of Murietta General Plan (July 1998)  
 City of Temecula General Plan (November 1993)

4000 0 4000 Feet



Riverside County  
 Airport Land Use Commission  
**Airport Land Use Compatibility Plan**  
**West County Airports Background Data**  
 (December 2004)

Exhibit P4-8

**General Plan Land Use Designations**  
 French Valley Airport

Zone	Locations	Maximum Densities / Intensities				Additional Criteria		
		Residential (d.u./ac) <sup>1</sup>	Other Uses (people/ac) <sup>2</sup>			Req'd Open Land <sup>3</sup>	Prohibited Uses <sup>4</sup>	Other Development Conditions <sup>5</sup>
			Average <sup>6</sup>	Single Acre <sup>7</sup>	with Bonus <sup>8</sup>			
A	Runway Protection Zone and within Building Restriction Line	0	0	0	0	All Remaining	<ul style="list-style-type: none"><li>› All structures except ones with location set by aeronautical function</li><li>› Assemblages of people</li><li>› Objects exceeding FAR Part 77 height limits</li><li>› Storage of hazardous materials</li><li>› Hazards to flight <sup>9</sup></li></ul>	<ul style="list-style-type: none"><li>› Aviation easement dedication</li></ul>
B1	Inner Approach/Departure Zone	0.05 (average parcel size ≥20.0 ac.)	25	50	65	30%	<ul style="list-style-type: none"><li>› Children's schools, day care centers, libraries</li><li>› Hospitals, nursing homes</li><li>› Places of worship</li><li>› Bldgs with &gt;2 aboveground habitable floors</li><li>› Highly noise-sensitive outdoor nonresidential uses <sup>10</sup></li><li>› Aboveground bulk storage of hazardous materials <sup>11</sup></li><li>› Critical community infrastructure facilities <sup>12</sup></li><li>› Hazards to flight <sup>9</sup></li></ul>	<ul style="list-style-type: none"><li>› Locate structures maximum distance from extended runway centerline</li><li>› Minimum NLR of 25 dB in residences (including mobile homes) and office buildings <sup>13</sup></li><li>› Airspace review required for objects &gt;35 feet tall <sup>14</sup></li><li>› Aviation easement dedication</li></ul>
B2	Approach to Runway	0.1 (average parcel size ≥10.0 ac.)	100	200	260	No Req't	Same as Zone B1	<ul style="list-style-type: none"><li>› Locate structures maximum distance from runway</li><li>› Minimum NLR of 25 dB in residences (including mobile homes) and office buildings <sup>13</sup></li><li>› Airspace review required for objects &gt;35 feet tall <sup>14</sup></li><li>› Aviation easement dedication</li></ul>
C	Extended Approach/Departure Zone	0.2 (average parcel size ≥5.0 ac.)	75	150	195	20%	<ul style="list-style-type: none"><li>› Children's schools, day care centers, libraries</li><li>› Hospitals, nursing homes</li><li>› Bldgs with &gt;3 aboveground habitable floors</li><li>› Highly noise-sensitive outdoor nonresidential uses <sup>10</sup></li><li>› Hazards to flight <sup>9</sup></li></ul>	<ul style="list-style-type: none"><li>› Minimum NLR of 20 dB in residences (including mobile homes) and office buildings <sup>13</sup></li><li>› Airspace review required for objects &gt;70 feet tall <sup>15</sup></li><li>› Deed notice required</li></ul>
D	Primary Traffic Pattern and Buffer Area	(1) ≤0.2 (average parcel size ≥5.0 ac.) or <sup>16</sup> (2) ≥5.0 (average parcel size ≤0.2 ac.)	100	300	390	10%	<ul style="list-style-type: none"><li>› Highly noise-sensitive outdoor nonresidential uses <sup>10</sup></li><li>› Hazards to flight <sup>9</sup></li></ul>	<ul style="list-style-type: none"><li>› Airspace review required for objects &gt;70 feet tall <sup>15</sup></li><li>› Children's schools, hospitals, nursing homes discouraged <sup>17</sup></li><li>› Deed notice required</li></ul>
E	Outer Airport Environs	No Limit	No Limit <sup>18</sup>		No Req't	<ul style="list-style-type: none"><li>› Hazards to flight <sup>9</sup></li></ul>	<ul style="list-style-type: none"><li>› Airspace review required for objects &gt;100 feet tall <sup>15</sup></li><li>› Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks <sup>18</sup></li></ul>	
*	Height Review Overlay	Same as Underlying Compatibility Zone			Not Applicable	Same as Underlying Compatibility Zone	<ul style="list-style-type: none"><li>› Airspace review required for objects &gt;35 feet tall <sup>14</sup></li><li>› Aviation easement dedication</li></ul>	

See Chapter 3 for airport-specific additions or exceptions to these policies

See Chapter 3 for airport-specific additions or exceptions to these policies

Table 2A

## Basic Compatibility Criteria

## NOTES:

- <sup>1</sup> Residential development must not contain more than the indicated number of dwelling units (excluding secondary units) per gross acre. Clustering of units is encouraged. See Policy 4.2.5 for limitations. Gross acreage includes the property at issue plus a share of adjacent roads and any adjacent, permanently dedicated, open lands. Mixed-use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. See Policy 3.1.3(d).
- <sup>2</sup> Usage intensity calculations shall include all people (e.g., employees, customers/visitors, etc.) who may be on the property at a single point in time, whether indoors or outside.
- <sup>3</sup> Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See Policy 4.2.4 for definition of open land.
- <sup>4</sup> The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.
- <sup>5</sup> As part of certain real estate transactions involving residential property within any compatibility zone (that is, anywhere within an airport influence area), information regarding airport proximity and the existence of aircraft overflights must be disclosed. This requirement is set by state law. See Policy 4.4.2 for details. Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.
- <sup>6</sup> The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.
- <sup>7</sup> Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 4.2.5 for details.
- <sup>8</sup> An intensity bonus may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. See Policy 4.2.6 for details.
- <sup>9</sup> Hazards to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is also prohibited. See Policy 4.3.7.
- <sup>10</sup> Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheatres and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.
- <sup>11</sup> Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. See Policy 4.2.3(c) for details.
- <sup>12</sup> Critical community facilities include power plants, electrical substations, and public communications facilities. See Policy 4.2.3(d) for details.
- <sup>13</sup> NLR = Noise Level Reduction, the outside-to-inside sound level attenuation that the structure provides. See Policy 4.1.6.
- <sup>14</sup> Objects up to 35 feet in height are permitted. However, the Federal Aviation Administration may require marking and lighting of certain objects. See Policy 4.3.6 for details.
- <sup>15</sup> This height criterion is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not be obstructions. See Policies 4.3.3 and 4.3.4.
- <sup>16</sup> Two options are provided for residential densities in *Compatibility Zone D*. Option (1) has a density limit of 0.2 dwelling units per acre (i.e., an average parcel size of at least 5.0 gross acres). Option (2) requires that the density be *greater than* 5.0 dwelling units per acre (i.e., an average parcel size *less than* 0.2 gross acres). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2B for explanation of rationale. All other criteria for *Zone D* apply to both options.
- <sup>17</sup> Discouraged uses should generally not be permitted unless no feasible alternative is available.
- <sup>18</sup> Although no explicit upper limit on usage intensity is defined for *Zone E*, land uses of the types listed—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be prohibited in *Zone E* if its usage intensity is such that it would be permitted in *Zone D*.

Table 2A, continued

## FV. FRENCH VALLEY AIRPORT

### FV.1 Compatibility Map Delineation

- 1.1 *Airport Master Plan Status:* The Master Plan adopted by the Riverside County Board of Supervisors in November 1995 provides the basis for the French Valley Airport Compatibility Map. The Airport Layout Plan drawing was updated in November 2003.
- 1.2 *Airfield Configuration:* The adopted plans for the airport call for extension of the existing runway southward from its present 4,600-foot length to a total of 6,000 feet. Also planned is construction of a 3,600-foot parallel runway 700 feet to the east. An upgraded present nonprecision instrument approach to Runway 18 (from the north) is anticipated. These improvements are all reflected in the Compatibility Map.
- 1.3 *Airport Activity:* Updated projections completed for this *Compatibility Plan* indicate that airport activity will increase from approximately 84,000 annual operations in 2002 to 185,000 in about 20 years. The overall mix and character of use of the airport will remain unchanged except that most flight training activity will be on the future parallel runway.
- 1.4 *Airport Influence Area:* The airport influence area boundary coincides with the outer edge of the FAR Part 77 conical surface for the airport to the north and south. To the east and west, the airport influence area encompasses the normal aircraft traffic patterns.

### FV.2 Additional Compatibility Policies

- 2.1 *Zone B2 Building Height:* Notwithstanding the limitation of two aboveground habitable floors indicated in Table 2A of Chapter 2, any nonresidential building in *Compatibility Zone B2* at French Valley Airport may have up to three aboveground habitable floors provided that no such building or attachments thereto shall penetrate the airspace protection surfaces defined for the airport in accordance with Federal Aviation Regulations Part 77.
- 2.2 *Calculation of Zone D Residential Densities:* Residential densities in Zone D shall be calculated on a “net” rather than “gross” basis. For the purposes of this Compatibility Plan, the net acreage of a project equals the overall developable area of the project site exclusive of permanently dedicated open lands (as defined in

Policy 4.2.4) or other open space required for environmental purposes.

2.3     *Industrial/Commercial Area:* The following usage intensity criteria shall apply:

(a)     In *Compatibility Zone B1*:

- (1)     An average of 40 people per acre shall be allowed on a site and up to 80 people shall be allowed to occupy any single acre of the site.
- (2)     If the percentage of qualifying open land on the site (see Countywide Policy 4.2.4) is increased from 30 percent to at least 35 percent, the site shall be allowed to have an average of up to 45 people per acre and any single acre shall be allowed to have up to 90 people per acre.
- (3)     If the percentage of qualifying open land on the site is increased to 40 percent or more, the site shall be allowed to have an average of up to 50 people per acre and any single acre shall be allowed to have up to 100 people per acre.

(b)     In *Compatibility Zone C*:

- (1)     An average of 80 people per acre shall be allowed on a site and up to 160 people shall be allowed to occupy any single acre of the site.
- (2)     If the percentage of qualifying open land on the site is increased from 20 percent to at least 25 percent, the site shall be allowed to have an average of up to 90 people per acre and any single acre shall be allowed to have up to 180 people per acre.
- (3)     If the percentage of qualifying open land on the site is increased to 30 percent or more, the site shall be allowed to have an average of up to 100 people per acre and any single acre shall be allowed to have up to 200 people per acre.

(c)     To the extent feasible, open land should be situated along the extended runway centerlines or other primary flight tracks.

- (d) The above bonuses for extra open land on a site are in addition to the intensity bonuses for risk-reduction building design indicated in Table 2A. In both cases, incorporation of the features necessary to warrant the intensity bonuses is at the option of the land use jurisdiction (County of Riverside or City of Murrieta) and the project proponents and is not required by ALUC policy.

2.4 *Zone D Non-residential Intensities:* The criteria set forth in Countywide Policies 3.1.1, 3.1.4, and 4.2.5(b)(5) and the Basic Compatibility Criteria matrix (Table 2A) notwithstanding, the following usage criteria shall apply within Zone D: An average of 150 people per acre shall be allowed on a site and up to 450 people shall be allowed to occupy any single acre of the site.

2.5 *Calculation of Concentration of People:* The provisions of Table C1 in Appendix C notwithstanding, retail sales and display areas or “showrooms” (excluding restaurants and other uses specifically identified separately from retail in Table C1), excluding those in buildings including restaurants or food service facilities, shall be evaluated as having an intensity in persons per square foot of one person per 170 gross square feet of building area without eligibility for a 50 percent reduction. If the building includes restaurants or food service facilities, such retail and display areas or “showrooms” shall be evaluated as having an intensity in persons per square foot of one person per 115 square feet of gross floor area without eligibility for the 50 percent reduction. In no case shall intensity of retail and display areas be evaluated in such a manner as to be less than 17 percent more intense than similar areas devoted to office uses. For the purpose of this paragraph, a food service facility includes any establishment that is subject to retail food service inspections by the Department of Environmental Health, including restaurants; grocery stores; ice cream, yogurt, and juice stores; coffee shops; concessionaires; food courts; and take-out only facilities.

**APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN**

JUSTIFICATION FOR AMENDMENT (Please be specific. Attach more pages if needed.)

The project site is located in the Southwest Area Plan with split land use designations. The project site has 10.31 acres of land designated as Medium Density Residential under the Community Development Foundation of RCIP and 16.30 acres of land designated as Rural Residential under the Rural Foundation. The project site is surrounded by Medium Density Residential to the south and east. Medium Density Residential land use designation for the subject property will complement surrounding land uses, and will be the best use for the subject property.

**III. AMENDMENTS TO POLICIES:**

*(Note: A conference with Planning Department staff is required before application can be filed. Additional information may be required.)*

**A. LOCATION IN TEXT OF THE GENERAL PLAN WHERE AMENDMENT WOULD OCCUR:**

Element: \_\_\_\_\_ Area Plan: \_\_\_\_\_

**B. EXISTING POLICY (If none, write "none." (Attach more pages if needed):** \_\_\_\_\_

None

**C. PROPOSED POLICY (Attach more pages if needed):** \_\_\_\_\_

None



November 30, 2009

*VIA ELECTRONIC MAIL AND FACSIMILE*

Riverside County Planning Commission  
ATTN: Mike Harrod  
County of Riverside  
4080 Lemon St., 9<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 5.0, General Plan Amendment Initiation Proceedings  
(December 2, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals, which once again call for planning rigor and retaining the integrity of the Foundation system.

Item 5.1, GPA 1033 (Southwest Area Plan)

***Concur with staff recommendation to decline to initiate.*** Important new information is contained in the staff report that adds to the many compelling reasons to deny initiation. Specifically, according to the Rancho California Water District, the new agricultural uses would face a water shortage (and presumably further stress existing farms and vineyards), polluted runoff would pose a threat to drinking water quality in the Vail Lake reservoir, and there is a shortage of sewer treatment capacity.

As noted previously, this proposal to extend the Citrus Vineyard Policy Area to Vail Lake is wholly unsuited for this locale. As shown in the thorough staff report, it would introduce a type and intensity of development far in excess of that anticipated by the General Plan's Vail Lake Policy Area and the policies of SWAP. The small farm and commercial development model of Citrus Vineyard has no relevance to the biological, viewshed, and recreational imperatives of Vail Lake. No changed circumstances justify this wholesale change. A massive upzoning to 2-acre lots would introduce large scale residential uses into a high fire hazard area, decimate the biological resources needed for MSCHP assembly, and constitute a leapfrog pattern of development apart from services and infrastructure. Finally, according to the Planning Department, "The proposed amendment also creates an internal inconsistency among the Elements of the General Plan, particularly the Multipurpose Open Space Element and the Safety Element."

Item 5.2, GPA 985 (Elsinore)

***Concur with staff recommendation to decline to initiate.*** This constrained site has serious and unresolved flood hazard issues, and the claim to provide needed

affordable housing does not stand up to scrutiny, as documented in the staff report. Furthermore, the change would likely interfere with MSCHP assembly and should not proceed unless and until facilitation of a reserve segment can be documented.

Item 5.3, GPA 1000 (Southwest Area Plan)

***Concur with staff recommendation to decline to initiate.*** Conversion of this 379-acre rural location to Community Development/Specific Plan would defy all relevant planning principles. It would urbanize an intact rural area discontinuous from urban infrastructure and services, maximize greenhouse gas emissions, and, contrary to the recommendation of the Fire Hazard Reduction Task Force, place development in a rugged, high fire hazard location. No new circumstance justifies this Foundation change, which would thus conflict with the Administrative Element of the General Plan. According to the staff report, this increase in intensity "would be contrary to the existing character and land use pattern in the area."

Item 5.4, GPA 998 (French Valley)

***Concur with staff recommendation to decline to initiate.*** The French Valley presents difficult challenges for MSHCP assembly, and this proposal to convert Rural land to Community Development within a Criteria Cell would prejudice preserve assembly. The steep slopes also present landslide hazards. For these reasons, the project could, according to staff, create General Plan inconsistencies involving the Land Use Multi-Purpose Open Space, and Safety Elements. Surrounding parcels are intact Rural, and no changed circumstances justify piecemeal urbanization of an area generally recognized as an important community separator.

Item 5.5, GPA 977 (Mead Valley/Elsinore)

***Concur with staff recommendation to decline to initiate.*** This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. Discontinuous from infrastructure and services, and not responding to changed circumstances, the proposal utterly lacks planning merit. Indeed, due to public safety and MSHCP conflicts, staff concluded that:

This amendment would potentially create inconsistency between the Land Use Element and the Safety Element by increasing density in an area with steep slopes, high fire hazard and no nearby fire stations, limited access, and subject to flooding. Increasing the density/intensity of allowable land use on the site, as proposed by this amendment, would also exacerbate potentially conflicts between such uses and the conservation requirements as set forth in the MSHCP, causing inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

Item 5.6, GPA 1043 (Southwest Area Plan)

***Concur with staff recommendation to decline to initiate.*** This 629-acre property in rugged terrain is remote from infrastructure and services and is at high fire risk. Uses

should not be intensified here. Furthermore, the Riverside County Fire Hazard Reduction Task Force made the following recommendation:

*Update the Riverside County General Plan and complete consistency zoning actions to limit residential growth within or adjacent to high fire hazard areas.*

As staff notes, the proposal would be inconsistent with the General Plan vision for the area, create internal inconsistencies in the General Plan, and reflects no changed circumstances.

Item 5.7, GPA 988 (Elsinore)

***Concur with staff recommendation to decline to initiate.*** This proposal responds to no changed circumstances. It would intensify residential uses within a very high fire hazard area, contrary to the recommendation of the Fire Hazard Reduction Task Force. The current designation correctly reflects the viewshed and buffer characteristics of the area, and should not be altered. According to staff, "Increasing the intensity of uses on the site could also potentially create inconsistencies amongst the Land Use element and the Safety element of the General Plan."

Item 5.8, GPA 943 (Winchester)

***Concur with staff recommendation to decline to initiate,*** as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.9, GPA 1001 (Winchester)

***Concur with staff recommendation to decline to initiate,*** as the proposal would violate an established boundary of Community Development and Rural Community.

Item 5.10, GPA 921 (Menifee Valley/Sun City)

***Disagree with staff recommendation for initiation.*** This 78-acre Rural property is in an area previously identified in the General Plan for its rural character and it may function as a "community separator." No significant new circumstances justify a foundation change to Community Development. *Indeed, with the incorporation of Menifee, any urbanization should proceed over time through an orderly process of annexation rather than through piecemeal approvals in the unincorporated area.* No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective.

Item 5.11 GPA 931 (French Valley)

***Concur with staff recommendation to decline to initiate.*** The proposed density is inconsistent with the Riverside County Airport Land Use Commission's Basic Compatibility Criteria. The site forms a clear demarcation between Rural and

Community Development, and no changed circumstance is present to justify altering that boundary. No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective. Piecemeal urbanization should be rejected.

Thank you for considering our views, and we look forward to working with you as the Five-Year Update proceeds.

Sincerely,

Dan Silver, MD  
Executive Director

Electronic cc: Board Offices  
George Johnson, TLMA  
Ron Goldman, Planning Dept.  
Katherine Lind, County Counsel

Carolyn Luna, EPD  
Greg Neal, EPD  
Interested parties

Work that has been started or completed:	Date:	By:	S / C
Staff Report	11/5/09	J.H.	C
Directors Report			
Form 11 Cover Sheet			
Form 11			
Strip	11/2/09	J.H.	C-
Labels			
PC Power Point	11/9/09	J.H.	C
BOS Power Point			
Sign over to Current Planning			
Letters (receive and copy for packet)			
Update information in LMS (L/H/N)			
Update General Information in LMS			
PC NOTICES mailed	11/9/09	J.H.	C
Highway 79 Policy Area	yes.		

PC-Rec initiation on 12/2/09 -

January 11, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

The Hon. Marion Ashley  
Riverside County Board of Supervisors  
4080 Lemon St. 5<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 15, General Plan Amendment Initiation Proceedings (January 12, 2010)**

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA. *We are particularly concerned over Item 15.1, which violates the integrity of the Foundation system and is wholly deficient in terms of MSCHP analysis.*

Item 15.1, GPA 1038 (Lake Mathews)

***Disagree with staff recommendation to initiate, including as a modified project.***

This is a massive proposal to redesignate 365 acres of intact Rural land to highly inefficient, greenhouse gas-intensive 2-acre estate lots. The staff-recommended modification would convert a substantial portion of the site to such lots. Mostly surrounded by other Rural lands, such conversion would not reflect a substantial change in circumstances, and thus *does not meet* the criteria for a Foundation change. Staff's recommendation shows a lack of commitment to the integrity of the Rural designation, and would grant a special *exception* for one applicant and set a precedent that would lead to progressive loss of Rural lands. *Furthermore, the staff report is highly deficient in failing to indicate whether MSHCP Criteria Cells are affected. Whether or not MSHCP assembly would be prejudiced by intensified uses is critical information, and such an analysis should be provided prior to consideration.*

Item 15.2, GPA 1081 (Lake Mathews)

***Disagree with staff recommendation to initiate pending MSHCP analysis.*** The staff report notes that the project is within MSHCP Criteria Cell 2028 but does not evaluate the effect of the change in land use upon MSHCP assembly. If such effect is neutral or positive, EHL would have no position on the amendment.

Item 15.3 GPA 931 (French Valley)

***Concur with staff recommendation to decline to initiate.*** The proposed density is inconsistent with the Riverside County Airport Land Use Commission's Basic Compatibility Criteria. The site forms a clear demarcation between Rural and Community Development, and no changed circumstance is present to justify altering that boundary. No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective. Piecemeal urbanization should be rejected.

Thank you for considering our views and for taking a "hard look" at these GPA proposals. We look forward to working with you as the Five-Year Update proceeds.

With best regards,

Dan Silver, MD  
Executive Director

cc: Clerk of the Board  
Board Offices

electronic cc: George Johnson, TLMA  
Ron Goldman, Planning Dept  
Damian Meins, Planning Dept

Mike Harrod, Planning Dept  
Katherine Lind, County Counsel  
Carolyn Luna

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



January 11, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

The Hon. Marion Ashley  
Riverside County Board of Supervisors  
4080 Lemon St. 5<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 15, General Plan Amendment Initiation Proceedings (January 12, 2010)**

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA. *We are particularly concerned over Item 15.1, which violates the integrity of the Foundation system and is wholly deficient in terms of MSCHP analysis.*

Item 15.1, GPA 1038 (Lake Mathews)

***Disagree with staff recommendation to initiate, including as a modified project.***

This is a massive proposal to redesignate 365 acres of intact Rural land to highly inefficient, greenhouse gas-intensive 2-acre estate lots. The staff-recommended modification would convert a substantial portion of the site to such lots. Mostly surrounded by other Rural lands, such conversion would not reflect a substantial change in circumstances, and thus *does not meet* the criteria for a Foundation change. Staff's recommendation shows a lack of commitment to the integrity of the Rural designation, and would grant a special *exception* for one applicant and set a precedent that would lead to progressive loss of Rural lands. *Furthermore, the staff report is highly deficient in failing to indicate whether MSHCP Criteria Cells are affected. Whether or not MSHCP assembly would be prejudiced by intensified uses is critical information, and such an analysis should be provided prior to consideration.*

Item 15.2, GPA 1081 (Lake Mathews)

***Disagree with staff recommendation to initiate pending MSHCP analysis.*** The staff report notes that the project is within MSHCP Criteria Cell 2028 but does not evaluate the effect of the change in land use upon MSHCP assembly. If such effect is neutral or positive, EHL would have no position on the amendment.

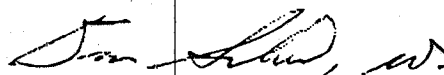


Item 15.3 GPA 931 (French Valley)

***Concur with staff recommendation to decline to initiate.*** The proposed density is inconsistent with the Riverside County Airport Land Use Commission's Basic Compatibility Criteria. The site forms a clear demarcation between Rural and Community Development, and no changed circumstance is present to justify altering that boundary. No absorption analysis has demonstrated the need for more urban-designated land in the region, and even if so, there is no indication that this site is optimal from a greenhouse gas or planning perspective. Piecemeal urbanization should be rejected.

Thank you for considering our views and for taking a "hard look" at these GPA proposals. We look forward to working with you as the Five-Year Update proceeds.

With best regards,



Dan Silver, MD  
Executive Director

cc: Clerk of the Board  
Board Offices

electronic cc: George Johnson, TLMA  
Ron Goldman, Planning Dept  
Damian Meins, Planning Dept

Mike Harrod, Planning Dept  
Katherine Lind, County Counsel  
Carolyn Luna