

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

812B



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
May 13, 2010

**SUBJECT: GENERAL PLAN AMENDMENT NO. 945** – Foundation-Regular - Applicant: Leonard Bustin – Engineer/Representative: Michael Schweitzer. - Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Policy Area(s) – Highway 79 Policy Area; Rural: Rural Residential (RUR-RR) (5 acre minimum lot size)– Location: Northerly of Mazoe Street, southerly of Auld Road, easterly of Dickson Path and westerly of Maddalena Road – 18.99 Gross Acres – Zoning: Light Agriculture- 5 acre minimum lot size (A-1-5)  
**REQUEST:** This General Plan Amendment proposes to change the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan Land Use designation of the subject site from Rural Residential (RUR: RR) (5 acre minimum lot size) to Commercial Retail (CD: CR) (0.20-0.35 FAR) - APNs: 964-050-006, 964-050-007, 964-050-008 and 964-050-009

**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. 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

Ron Goldman  
Planning Director

Initials:  
RG:th

(continued on attached page)

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED the recommended motion was denied, and tentatively adopted an order to initiate the proceedings for the above referenced general plan amendment.

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley  
Nays: None  
Absent: None  
Date: May 25, 2010  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref. District: Third Agenda Number:

ATTACHMENTS FILED

**15.1**

REVIEWED BY EXECUTIVE OFFICE  
DATE 5/13/2010  
Tina Grande  
Departmental Concurrence

Dep't Recomm.:  Policy  
Per Exec. Ofc.:  Policy

report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

**Planning Department**

Ron Goldman · Planning Director

812 B

**DATE:** May 5, 2010

**TO:** Clerk of the Board of Supervisors

**FROM:** Planning Department - Riverside Office

**SUBJECT:** GPA00945

(Charge your time to these case numbers)

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place on Administrative Action (Receive & File; EOT)                   | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)        |
| <input type="checkbox"/> Labels provided If Set For Hearing                                     | <input type="checkbox"/> Publish in Newspaper:  |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | **SELECT Advertisement**  |
| <input type="checkbox"/> Place on Consent Calendar  | <input type="checkbox"/> **SELECT CEQA Determination**  |
| <input type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances; PNC)                | <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input checked="" type="checkbox"/> Place on Section Initiation Proceeding (GPIP)               | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided)   |
|   | Controversial: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO              |

**Designate Newspaper used by Planning Department for Notice of Hearing:** NONE - GPIP

**Please schedule on the May 25, 2010 BOS Agenda**

Riverside Office · 4080 Lemon Street, 9th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

Y:\Advanced Planning\2008 FOUNDATION COMPONENT REVIEW\GPA Cases\GPA 945\GPA 945 BOS Package\GPA 945 Form 11  
Coversheet.doc

Revised 3/4/10 by R. Juarez

*Ron*  
5-11-10

**PLANNING COMMISSION  
MINUTE ORDER FEBRUARY 3, 2010  
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. **AGENDA ITEM 7.1: GENERAL PLAN AMENDMENT NO. 945** - Foundation / Regular - Applicant: Leonard Bustin - Engineer/Representative: Michael Schweitzer. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Policy Area(s) - Highway 79 Policy Area; Rural: Rural Residential (RUR-RR) (5 Acre Minimum Lot Size)- Location: Northerly of Mazoe Street, southerly of Auld Road, easterly of Dickson Path and westerly of Maddalena Road - 18.99 Gross Acres - Zoning: Light Agriculture- 5 Acre Minimum Lot Size (A-1-5)
- II. **PROJECT DESCRIPTION**  
This General Plan Amendment proposes to change the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan Land Use designation of the subject site from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size) to Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio).
- III. **MEETING SUMMARY**  
The following staff presented the subject proposal:  
Project Planner: Tamara Harrison, Ph: (951) 955-9721 or E-mail [tharriso@rctlma.org](mailto:tharriso@rctlma.org)
- The following did not wish to speak but want to be recorded in favor of the subject proposal:  
Scott Seidman, Applicant, 43696 Ortena St., Temecula, CA 92592  
Leonard Bustin, 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 DECLINE TO INITIATE 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.: 7.1**  
**Area Plan: Southwest Area**  
**Zoning District: Rancho California**  
**Supervisorial District: Third**  
**Project Planner: Tamara Harrison**  
**Planning Commission: February 3, 2010**

**General Plan Amendment No. 945**  
**Applicant: Leonard Bustin**  
**Engineer/Representative: Michael Schweitzer**

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

### **RECOMMENDATIONS:**

The Planning Director recommended that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for GPA00945 from Rural: Rural Residential to Community Development: Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board tentatively decline to adopt an order initiating proceedings for the general plan amendment. 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 disagreed with staff's recommendation to decline to initiate proceedings for General Plan Amendment No. 945. Mr. Petty commented that the re-alignment of Butterfield Stage Road presents a new circumstance for the area that would justify reconsidering the current General Plan designation. Commissioner Petty also commented that he would have liked for staff to present an alternative designation as opposed to recommending to tentatively decline to adopt an order initiating proceedings for the case. Finally, Mr. Petty stated that the applicant should be allowed to move forward with the proposal to Commercial Retail.

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

**Agenda Item No.: 7.1**  
**Area Plan: Southwest**  
**Zoning Area: Rancho California**  
**Supervisory District: Third**  
**Project Planner: Tamara Harrison**  
**Planning Commission: February 3, 2010**

**General Plan Amendment No. 945**  
**Applicant: Leonard Bustin**  
**Engineer/Representative: Michael Schweitzer**

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

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

The applicant 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 "Commercial Retail" (CR) for an approximately 18.99 acre site. The project is located southerly of Auld Road, northerly of Mazoe Street, easterly of Dickson Path and westerly of Maddalena 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 Temecula's Sphere of Influence. The Rural Residential designation can be found to the south and to the east of the subject site. The Commercial Retail designation can be found to the west of the site directly across Dickson Path. Medium Density Residential can be found directly north of the site across Auld Road. The City of Temecula's General Plan has given the subject site an anticipated land use designation of Rural (RR) (0-0.2 du/ac max).

A 20 acre parcel to the west of the subject site across Dickson Path at the southeast corner of Pourroy Road and Auld Road is currently designated as Commercial Retail (CR) and remains vacant. The planned realignment of a number of General Plan Circulation Element roads will break up the existing 20 acre piece of CR and the applicant is seeking to replace the full 20 acres of CR at the subject site (the existing Commercial Retail parcel does not share the same owner as the parcels in question). Staff recognizes that the anticipated road alignment will alter the existing CR in the area; however, there will be an adequate amount of CR that will remain once the re-alignment is complete and an additional 20 acres of Commercial Retail would be excessive for the area. Once the road alignment is complete, the existing 20 acres of CR will be broken down into 3 pieces (see attached exhibit titled "Circulation Element Roads"). One of the parcels will be approximately 7 acres, one will be approximately 4 acres and the third parcel will be approximately 2 ½ acres.

The subject site falls within the General Plan's Highway 79 Policy Area and would be required to comply with the policy area and its requirements before any approvals can be made. 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.

County mapping has identified the subject site as being located within the boundaries of the County Multi-Species Habitat Conservation Plan (MSHCP). Although the site is not specifically listed within a Cell Group under MSHCP, the site will 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.

County mapping has also identified the site as being located within Compatibility Zone E of the French Valley Airport and will require review by the County's Airport Land Use Commission.

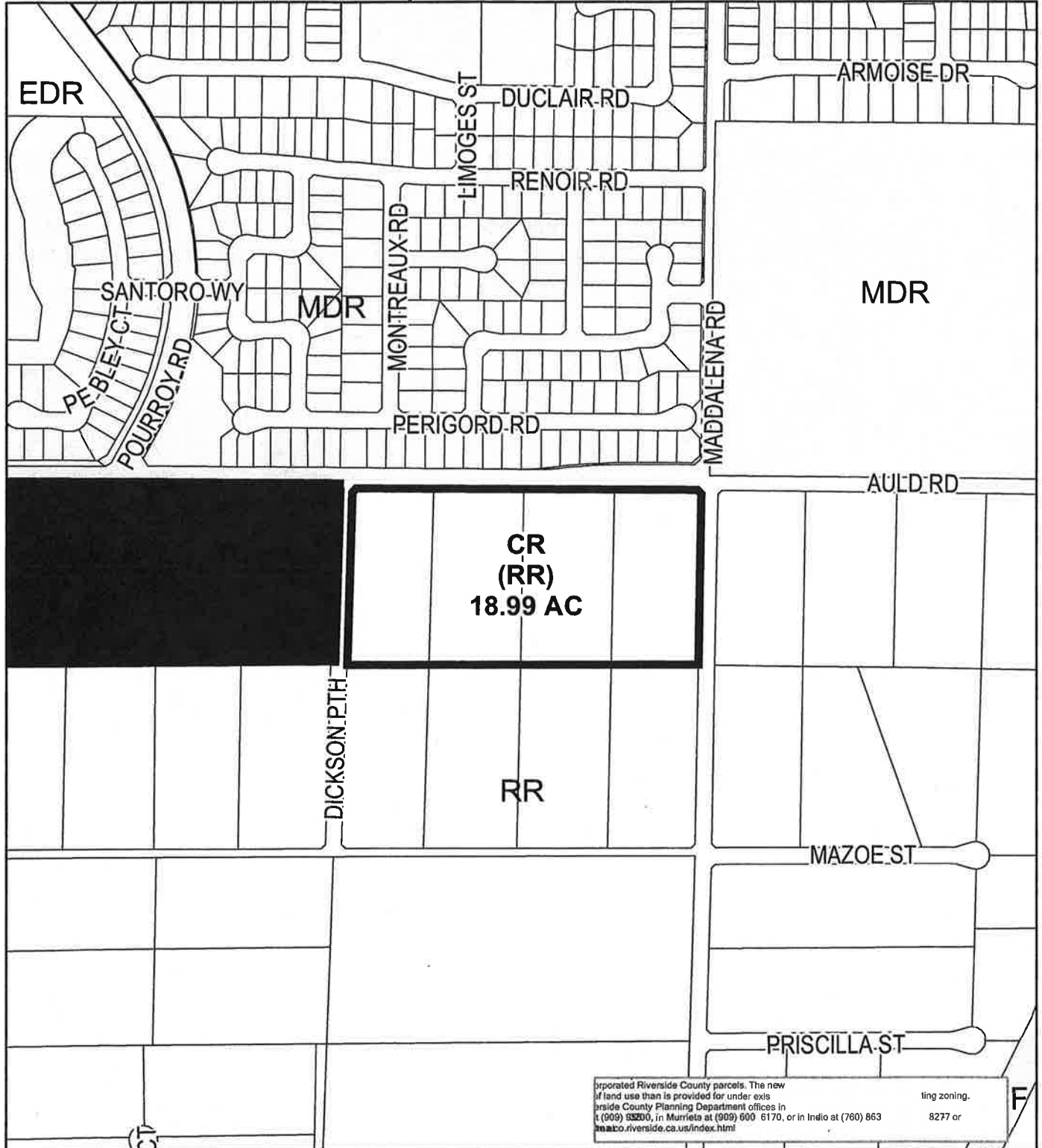
**RECOMMENDATION:**

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 945 from Rural: Rural Residential to Community Development: Commercial Retail. 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. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$5351.33.
3. The project site is currently designated as Assessor's Parcel Numbers 964-050-006, 964-050-007, 964-050-008 and 964-050-009.

**Proposed General Plan**



Area  
Plan: Rancho California  
Township/Range: T7SR2W  
Section: 9





**EXISTING ZONING**



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 (909) 955-3200, in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lima.co.riverside.ca.us/index.html>.

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

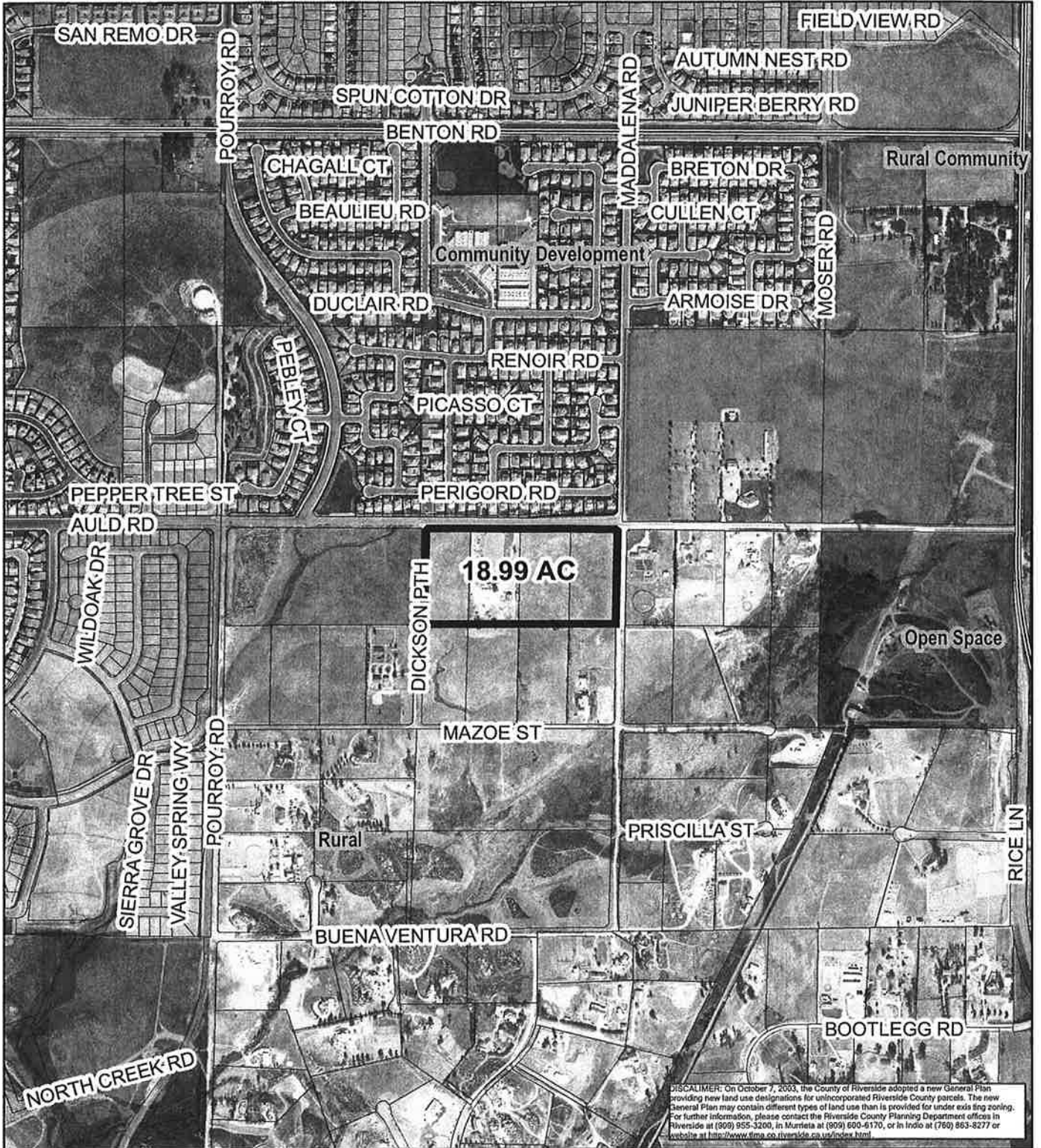
Zone  
Area: Rancho California  
Township/Range: T7SR2W  
Section : 9



Assessors  
Bk. Pg. 964-05  
Thomas  
Bros. Pg. 929 E2



**DEVELOPMENT OPPORTUNITY**



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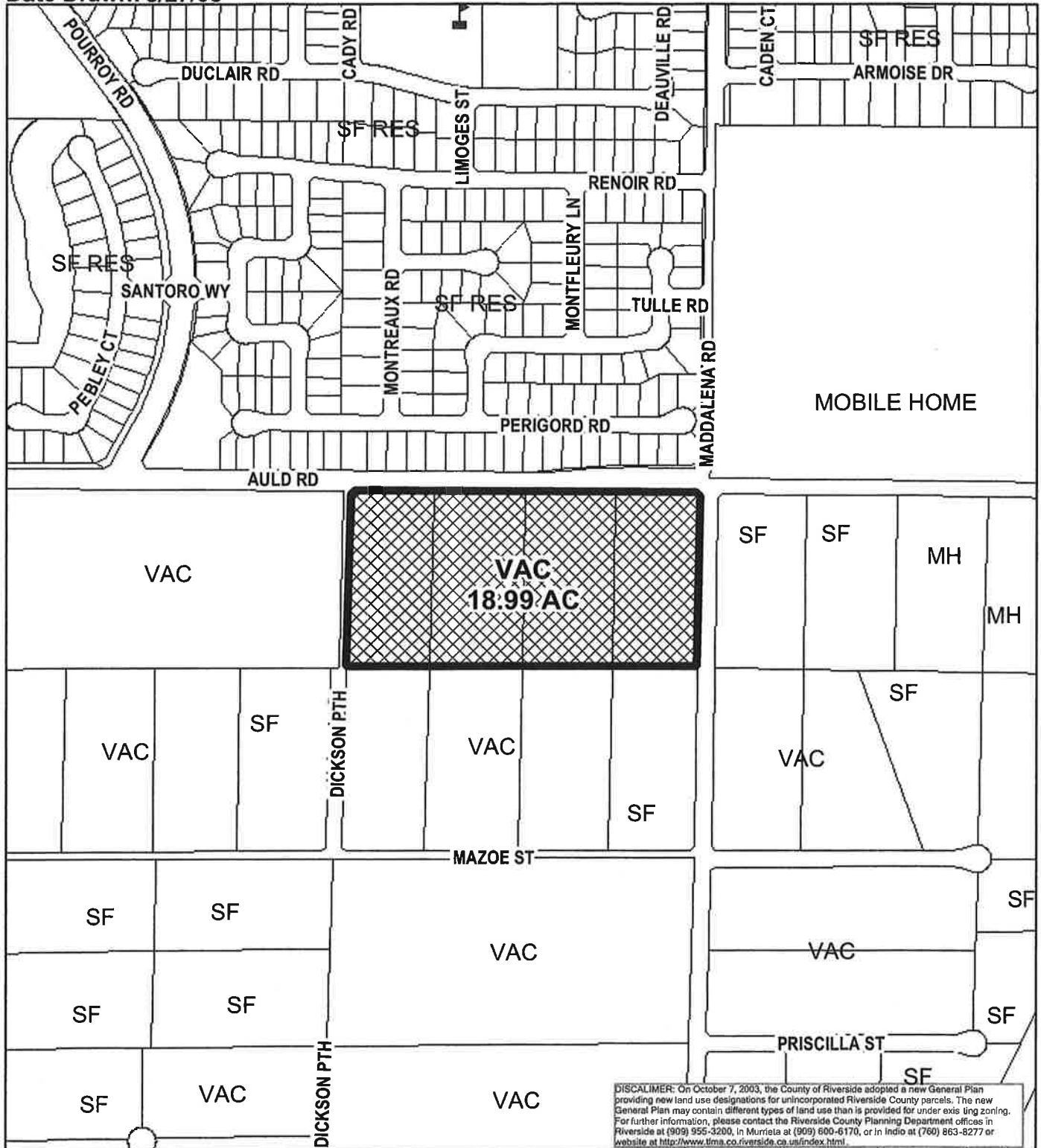
**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
 Plan: Rancho California  
 Township/Range: T7SR2W  
 Section: 9



Assessors  
 Bk. Pg. 964-05  
 Thomas  
 Bros. Pg. 929 E2





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**RIVERSIDE COUNTY PLANNING DEPARTMENT**

**Zone**  
 Area: Rancho California  
 Township/Range: T7SR2W  
 Section : 9



**Assessors**  
 Bk. Pg. 964-05  
 Thomas  
 Bros. Pg. 929 E2

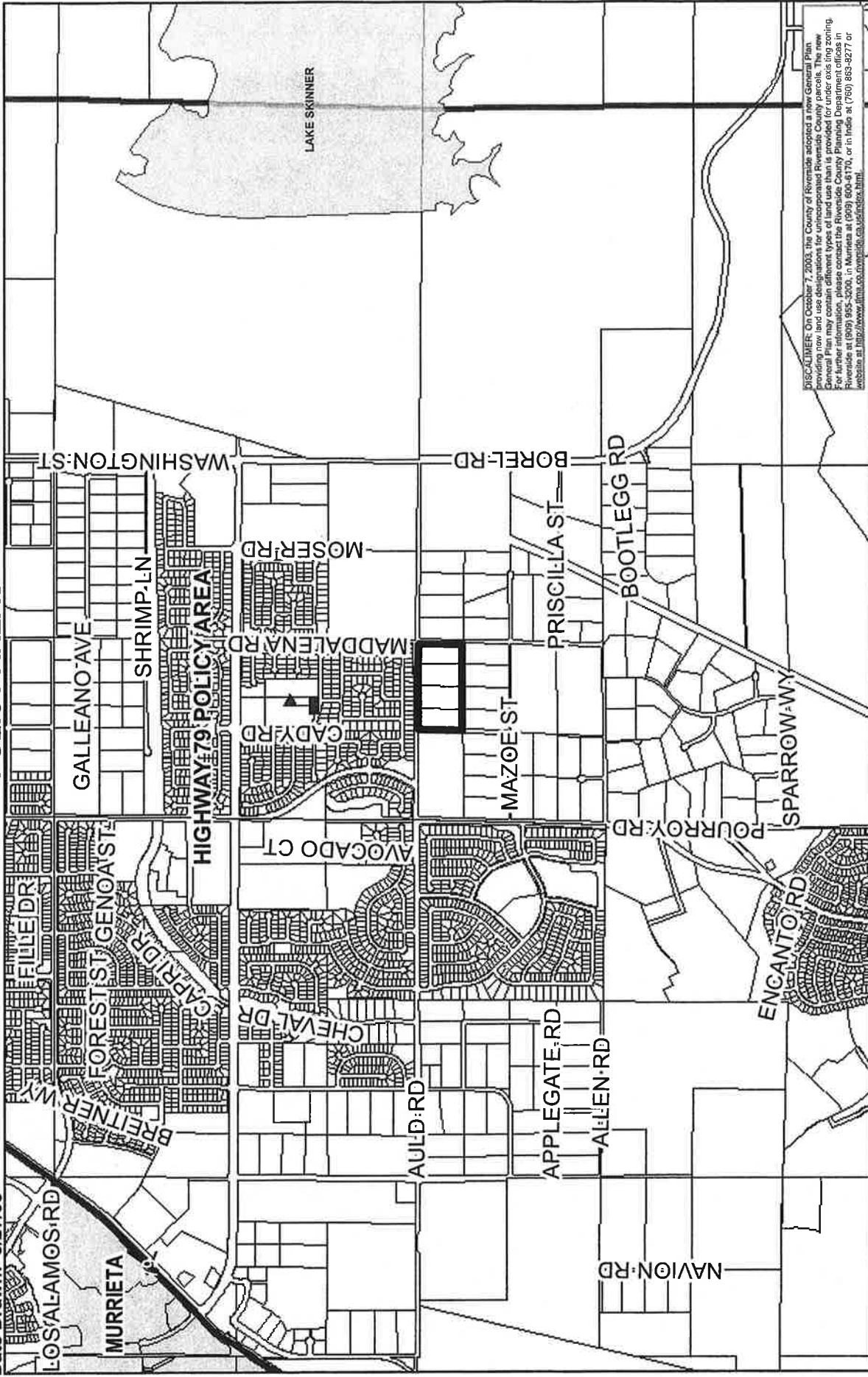


# GPA00945

Planner: Amy Aldana  
Date: 3/13/08  
Exhibit 8

Supervisor Stone  
District 3  
Date Drawn: 3/27/08

## POLICY AREAS



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Zone: Rancho California  
 Area: 964-05  
 Township/Range: T7SR2W  
 Section: 9  
 Assessors: Thomas Bros. Pg. 929 E2  
 Bk. Pg. 964-05

### RIVERSIDE COUNTY PLANNING DEPARTMENT

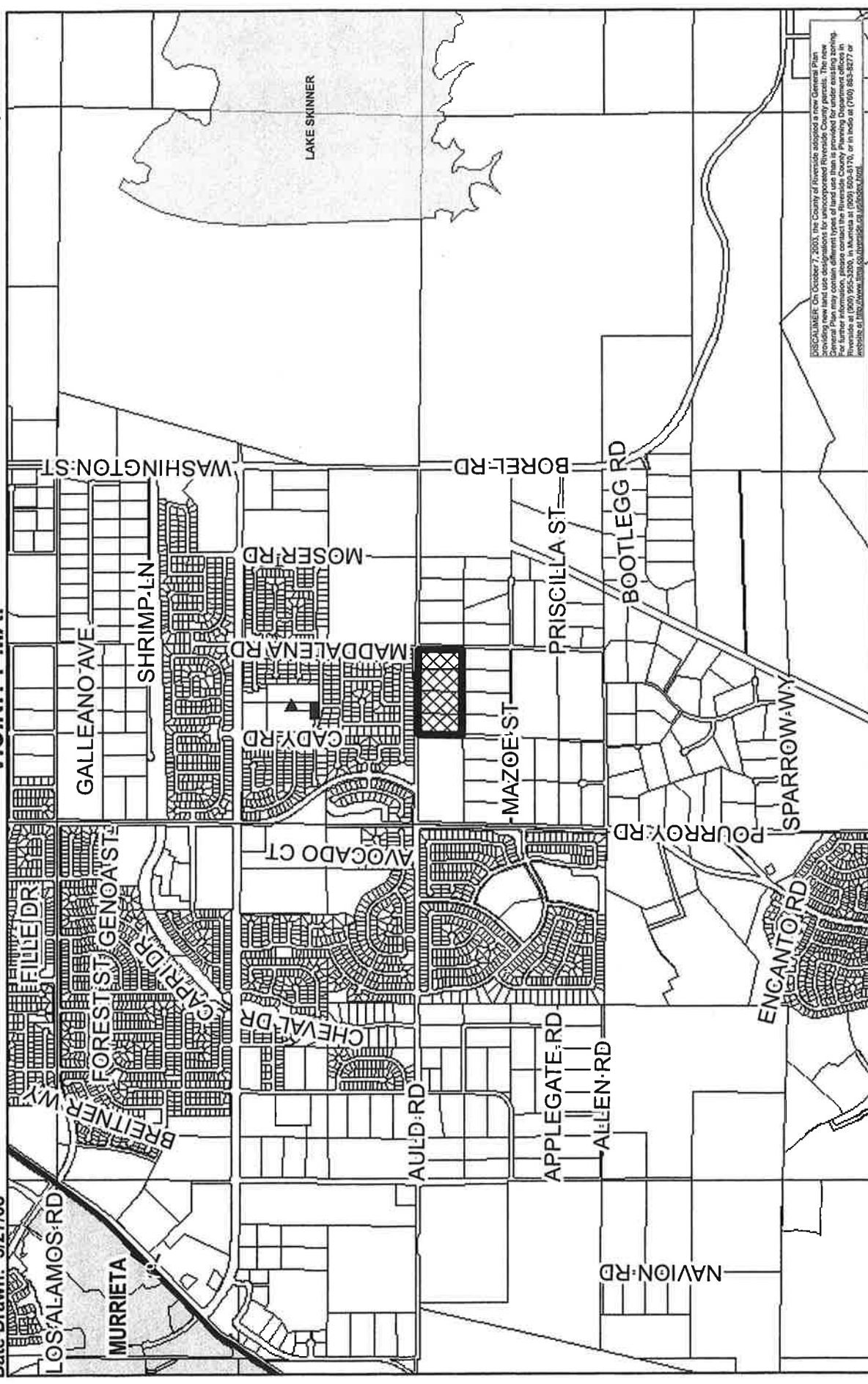


# GP A00945

Planner: Amy Aldana  
Date: 3/13/08  
VICINITY MAP

Supervisor Stone  
District 3  
Date Drawn: 3/27/08

## VICINITY MAP



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 more information on the new General Plan, please contact the County of Riverside at (909) 955-3200, in Murrieta at (909) 509-3170, or in Indio at (760) 855-8277 or visit the website at [http://www.ltrpa.com/riverside\\_ca/planning/planning.html](http://www.ltrpa.com/riverside_ca/planning/planning.html).

**Zone Area:** Rancho California  
**Township/Range:** T7SR2W  
**Section :** 9

**Assessors Bk. Pg.** 964-05  
**Thomas Bros. Pg.** 929 E2

### RIVERSIDE COUNTY PLANNING DEPARTMENT



RIVERSIDE COUNTY GIS












Riverside County TLMA GIS

**Selected parcel(s):**

964-050-006 964-050-007 964-050-008 964-050-009

**CIRCULATION ELEMENT ROADS**

-  SELECTED PARCEL
-  SECONDARY (100' ROW)
-  CIRCULATION ELEMENT RIGHT-OF-WAY
-  INTERSTATES
-  URBAN ARTERIAL (152' ROW)
-  CITY
-  HIGHWAYS
-  ARTERIAL (128' ROW)
-  PARCELS

**\*IMPORTANT\***

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REPORT PRINTED ON...Mon Jan 11 15:19:23 2010



LAND  
USE

### Figure LU-3 Land Use Policy Map

Adopted April 12, 2005

Map Prepared February 28, 2006

#### CITY OF TEMECULA GENERAL PLAN

##### RESIDENTIAL

- Hillside (0-0.1 Du/Ac Max)
- Rural (0-0.2 Du/Ac Max)
- Very Low (0.2-0.4 Du/Ac Max)
- Low (0.5-2 Du/Ac Max)
- Low Medium (3-6 Du/Ac Max)
- Medium (7-12 Du/Ac Max)
- High (13-20 Du/Ac Max)

##### COMMERCIAL / OFFICE

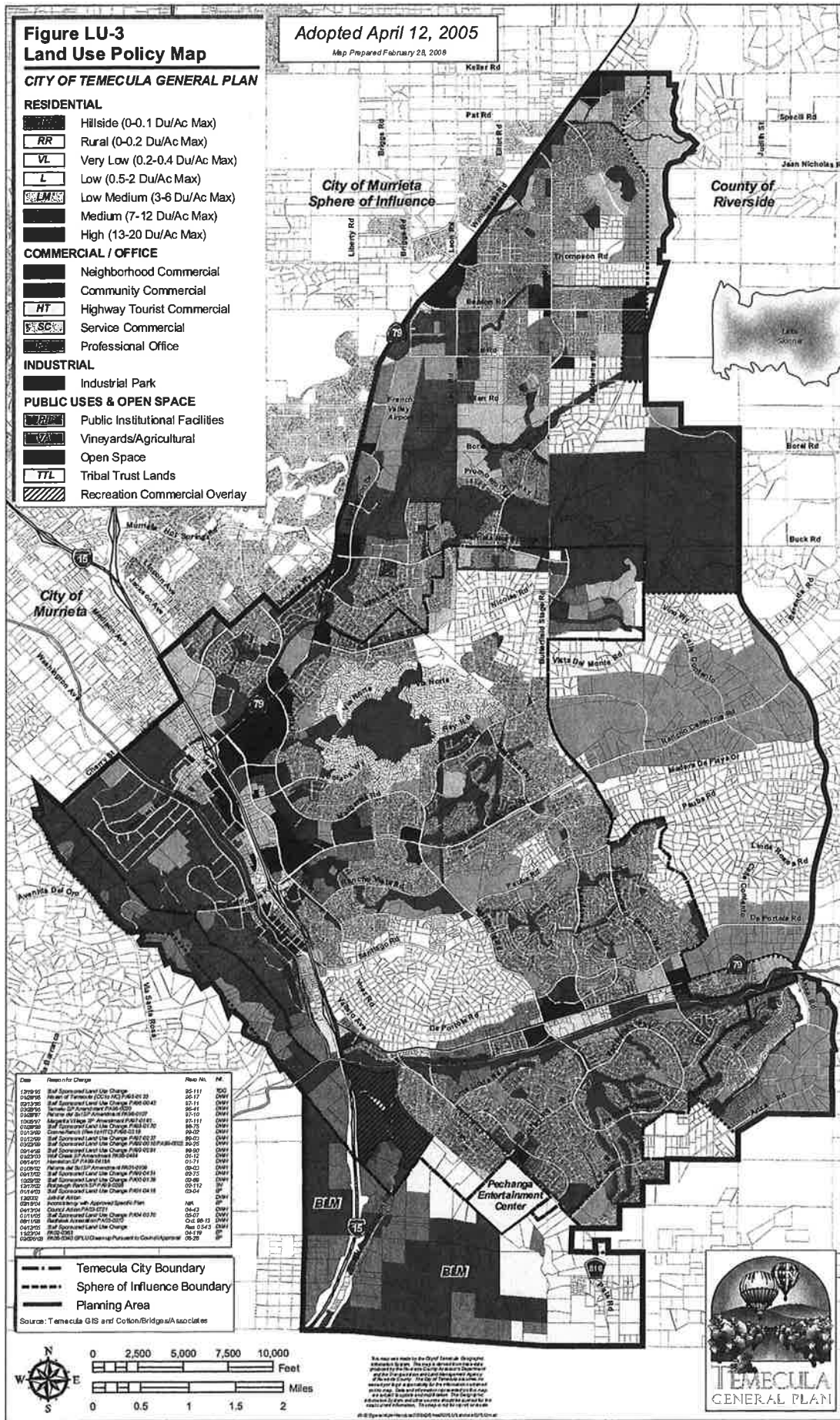
- Neighborhood Commercial
- Community Commercial
- Highway Tourist Commercial
- Service Commercial
- Professional Office

##### INDUSTRIAL

- Industrial Park

##### PUBLIC USES & OPEN SPACE

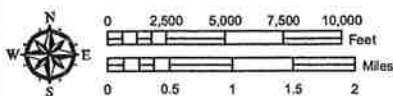
- Public Institutional Facilities
- Vineyards/Agricultural
- Open Space
- Tribal Trust Lands
- Recreation Commercial Overlay



Date	Reason for Change	Map No.	File
1/28/05	Staff Recommended Land Use Change	26-11	060
1/28/05	Staff Recommended Land Use Change	26-17	060
1/28/05	Staff Recommended Land Use Change	26-18	060
1/28/05	Staff Recommended Land Use Change	26-19	060
1/28/05	Staff Recommended Land Use Change	26-20	060
1/28/05	Staff Recommended Land Use Change	26-21	060
1/28/05	Staff Recommended Land Use Change	26-22	060
1/28/05	Staff Recommended Land Use Change	26-23	060
1/28/05	Staff Recommended Land Use Change	26-24	060
1/28/05	Staff Recommended Land Use Change	26-25	060
1/28/05	Staff Recommended Land Use Change	26-26	060
1/28/05	Staff Recommended Land Use Change	26-27	060
1/28/05	Staff Recommended Land Use Change	26-28	060
1/28/05	Staff Recommended Land Use Change	26-29	060
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1/28/05	Staff Recommended Land Use Change	26-31	060
1/28/05	Staff Recommended Land Use Change	26-32	060
1/28/05	Staff Recommended Land Use Change	26-33	060
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1/28/05	Staff Recommended Land Use Change	26-40	060
1/28/05	Staff Recommended Land Use Change	26-41	060
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1/28/05	Staff Recommended Land Use Change	26-43	060
1/28/05	Staff Recommended Land Use Change	26-44	060
1/28/05	Staff Recommended Land Use Change	26-45	060
1/28/05	Staff Recommended Land Use Change	26-46	060
1/28/05	Staff Recommended Land Use Change	26-47	060
1/28/05	Staff Recommended Land Use Change	26-48	060
1/28/05	Staff Recommended Land Use Change	26-49	060
1/28/05	Staff Recommended Land Use Change	26-50	060

- Temecula City Boundary
- Sphere of Influence Boundary
- Planning Area

Source: Temecula GIS and Cotton/Bridges Associates












This map was made by the City of Temecula through the planning process. The City of Temecula is not responsible for the accuracy of the information shown on this map. The City of Temecula is not responsible for the accuracy of the information shown on this map. The City of Temecula is not responsible for the accuracy of the information shown on this map.



RIVERSIDE COUNTY GIS



CIRCULATION ELEMENT ROADS

-  STREAMS
-  INTERSTATES
-  HIGHWAYS
-  ARTERIAL (128' ROW)
-  SECONDARY (100' ROW)
-  URBAN ARTERIAL (152' ROW)
-  CITY
-  PARCELS
-  CIRCULATION ELEMENT RIGHT-OF-WAY

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RIVERSIDE COUNTY GIS



Riverside County TLMA GIS

AIRPORTS

INTERSTATES  
 HIGHWAYS  
 COMPATIBILITY ZONE E

PARCELS

AIRPORT INFLUENCE AREAS

**\*IMPORTANT\***

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REPORT PRINTED ON...Tue Jan 19 11:19:37 2010

Applicant: Leonard Bustin on behalf of Congregation Havurim  
41935 Calle Cabrillo  
Temecula, CA 92592  
(951) 695-4988  
Feb. 6, 2008

To: Riverside County Planning Commission

Re: APN 964-050-006, 007, 008, and 009

Request: We request you amend the Southwest Area Plan for these 18.99 acres from Rural Residential A-1-5 to Community Development Foundation, Commercial Retail.

Location: Southeast corner of Auld and proposed Butterfield Stage Road intersection. See maps and photos showing site.

This request is to change the use of four parcels owned by three different owners from Rural Residential A-1-5 to Community Development, Commercial Retail. Leonard Bustin is the applicant on behalf of Congregation Havurim, a non-profit organization with a minimal budget that has been forced into a difficult position concerning the many fees in addition to the condemnation of about half of its site due to the Butterfield Stage Road alignment. Access for the parcels will also become sub-standard in the process. See enclosed map.

The owners of the affected sites have agreed to cooperate with one another to find a solution to the negative effects of the new road. The plan calls for a commercial site large enough to be practical for a shopping center. In addition to the higher use, access is to be improved by a private reciprocal easement. We shall prepare the easement language and record upon approval of our plan. See draft sketch enclosed.

Summary: A contiguous 20 acre commercial retail site was cut into three dislocated parcels and we are filling the void for a small regional shopping center. We believe our request is reasonable and makes common sense. We were forced into our predicament and our application cures many problems caused by the alignment.

We request you amend the Southwest Area Plan for the above 18.99 acres from Rural Residential A-1-5 to Community Development Foundation, Commercial Retail.

January 27, 2010

*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: Items 6.0 and 7.0, General Plan Amendment Initiation Proceedings  
(February 3, 2010)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals. In contrast to several of the staff recommendations, we urge the Commission to uphold the integrity of the current General Plan and to respect the MSHCP.

Item 6.1, GPA 958 (Mead Valley)

***Disagree with recommendation for initiation.*** For convoluted reasons, staff has reversed its previous recommendation to deny encroachment of higher density into a Rural area. Specifically, staff states that because infrastructure from a previous subdivision has induced *unplanned* growth, that unplanned growth should move forward. Although only 5 acres, this is simply a reversion to the “service-based” growth that characterized the County prior to the 2003 Integrated Project.

Item 6.2, GPA 970 (Eastvale)

***Disagree with recommendation for initiation.*** Even with the staff-proposed modification, it is unclear why development should be allowed in a flood-prone area. We are also not convinced that MSHCP and recreational purposes would be advanced by development along the Santa Ana River.

Item 6.3, GPA 1008 (Temescal Canyon)

***Disagree with recommendation for initiation.*** New industrial uses are being proposed for a mining site in Temescal Wash, an important habitat area included in the MSHCP. Much of the site (totaling 328 acres) is now designated Open Space-Rural. It would seem obvious that the *only* new uses the County should consider would be those consistent with the County’s adopted MSHCP. *However, this proposal is overtly acknowledged to be inconsistent with the approved MSHCP.*

Conservation within this Cell Group will range from 65%-75% of the Cell Group focusing on the central portions of the Cell Group. The site, much of it disturbed, is located within this central portion of the Cell Group.

According to the staff report, a "Criteria Refinement" or "Plan Amendment" would be required to alter the MSCHP to fit the applicant's proposal. Such changes to the MSHCP are typically politically rather than biologically driven, and are fraught with problems. We are extremely skeptical that alterations to the MSHCP would be beneficial or even acceptable, due to habitat depletion and lack of options. If initiated, the stage would be set for serious conflicts between the project and the MSHCP, the conservation community, and the state and federal wildlife agencies. Why would the Planning Dept purposely set up the Environmental Programs Dept for such a scenario? Isn't this bad faith with the adopted MSHCP? *This proposal's conflict with the MSHCP creates internal inconsistencies between elements of the General Plan, as the MSHCP is part of the General Plan.* This request should be denied, along with a strong policy statement that GPAs should be consistent rather than in conflict with the MSHCP.

Item 6.4, GPA 973 (Winchester)

*No position.*

Item 6.5, GPA 975 (French Valley)

**Concur with recommendation to deny initiation.** The conversion of this 151-acre Rural area to Community Development (urban residential and commercial retail) would be incompatible with surrounding uses, create flood hazards, and "leapfrog" over vacant parcels already so designated.

Item 7.1, GPA 945 (French Valley)

**Concur with recommendation to deny initiation.** The conversion of this 89-acre Rural land to Community Development (commercial retail) would "leapfrog" over vacant parcels already so designated.

Item 7.2, GPA 925 (French Valley)

**Disagree with recommendation for initiation.** This 231-acre proposal is part of a complex of parcels that now form an intact Rural community separator. It lies within the Sphere of Influence of the City of Murrieta. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* MSHCP cells are also involved, and these issues are unresolved. Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and associated GPAs 926, 974, 976 and 998 does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.3, GPA 976 (Winchester)

***Disagree with recommendation for initiation.*** This 272-acre proposal is part of an intact Rural area that serves as a community separator. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and nearby GPAs does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.4, GPA 928 (French Valley)

***Concur with recommendation to deny initiation.*** The proposal, within Murrieta's Sphere of Influence, to convert 33-acres of Rural to Community Development medium density residential has no demonstrable need and would represent a failure of orderly development. It would conflict with airport compatibility criteria. Finally, MSHCP issues are unresolved. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan."

Item 7.5, GPA 978 (Rancho California)

***Concur with recommendation to deny initiation.*** There are no changed circumstances to justify a change from the Rural designator for this 46-acre site. Such a change would also pose inconsistencies with the MSHCP. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan." There is also inconsistency with airport standards.

Item 7.6, GPA 1085 (Reche Canyon)

***Concur with recommendation to deny initiation.*** According to staff, "The site's characteristics are highly consistent with the existing Rural Mountainous designation given the steep slopes, lack of existing water and sewer, fire danger and limited access." Development intensity on this 319-acre site should not be increased in hazard zones, and to do so "would again create an internal inconsistency between the Land Use Map/Element and the Safety Element of the General Plan." Multiple MSHCP issues are also involved. No new circumstances justify a change.

Thank you for considering our views.

Sincerely,

Dan Silver, MD  
Executive Director

Electronic cc: Board Offices  
George Johnson, TLMA  
Ron Goldman, Planning Dept.

Carolyn Luna, EPD  
Charles Landry, RCA  
Interested parties

**Leonard Bustin  
41935 Calle Cabrillo  
Temecula, CA 92592  
GPA945-Applicant**

**Michael Schweitzer  
41951 Remington STE#160  
Temecula, CA 92590  
GPA945-Engineer**

**Havurim Congregation  
P.O. Box 891663  
Temecula, CA 92589  
GPA945-Owner**



**Leonard Bustin**  
41935 Calle Cabrillo  
Temecula, CA 92592  
GPA945-Applicant

**Michael Schweitzer**  
41951 Remington STE#160  
Temecula, CA 92590  
GPA945-Engineer

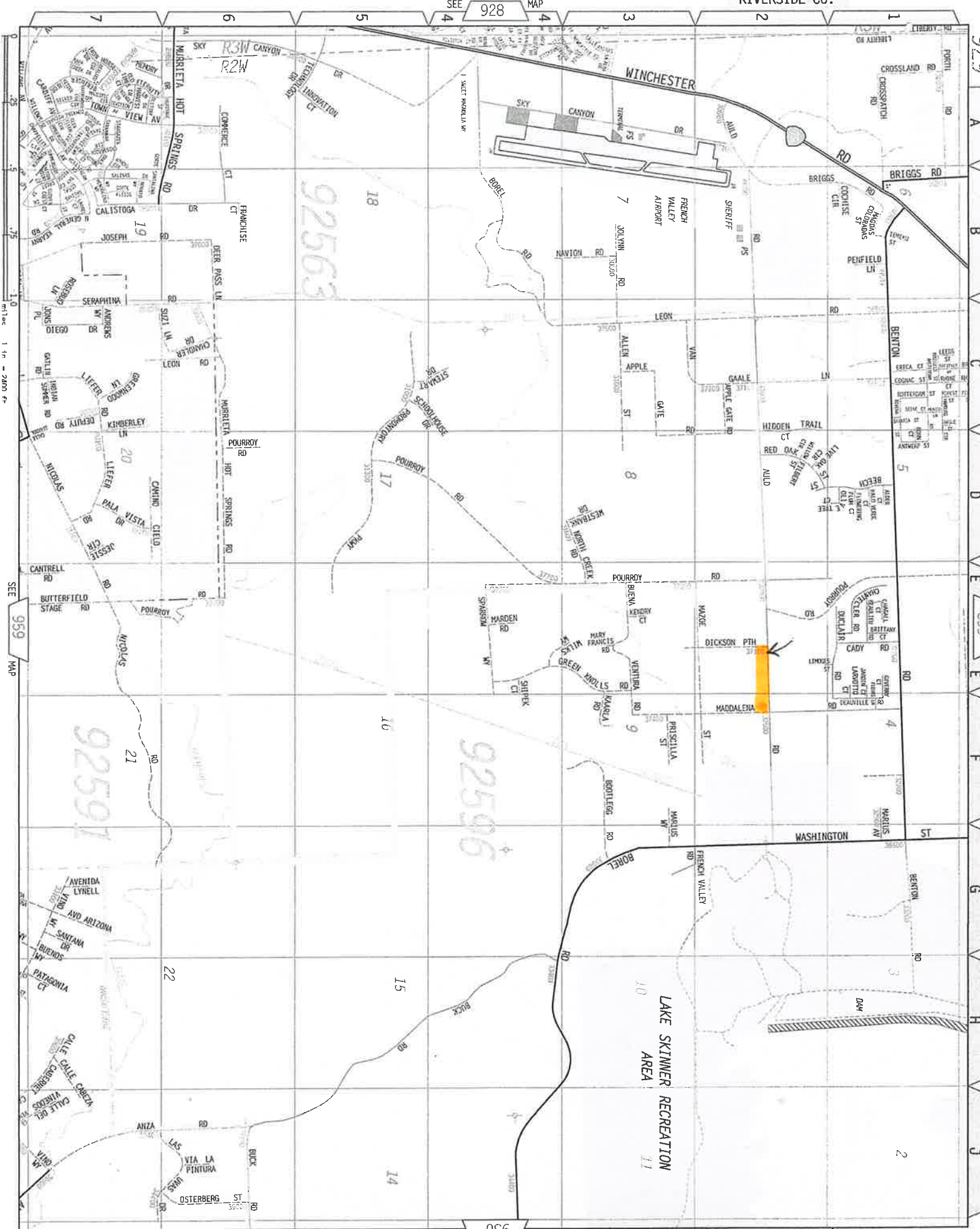
**Havurim Congregation**  
P.O. Box 891663  
Temecula, CA 92589  
GPA945-Owner

GPA945-OWNER

GPA945-ENGINEER

GPA945-OWNER

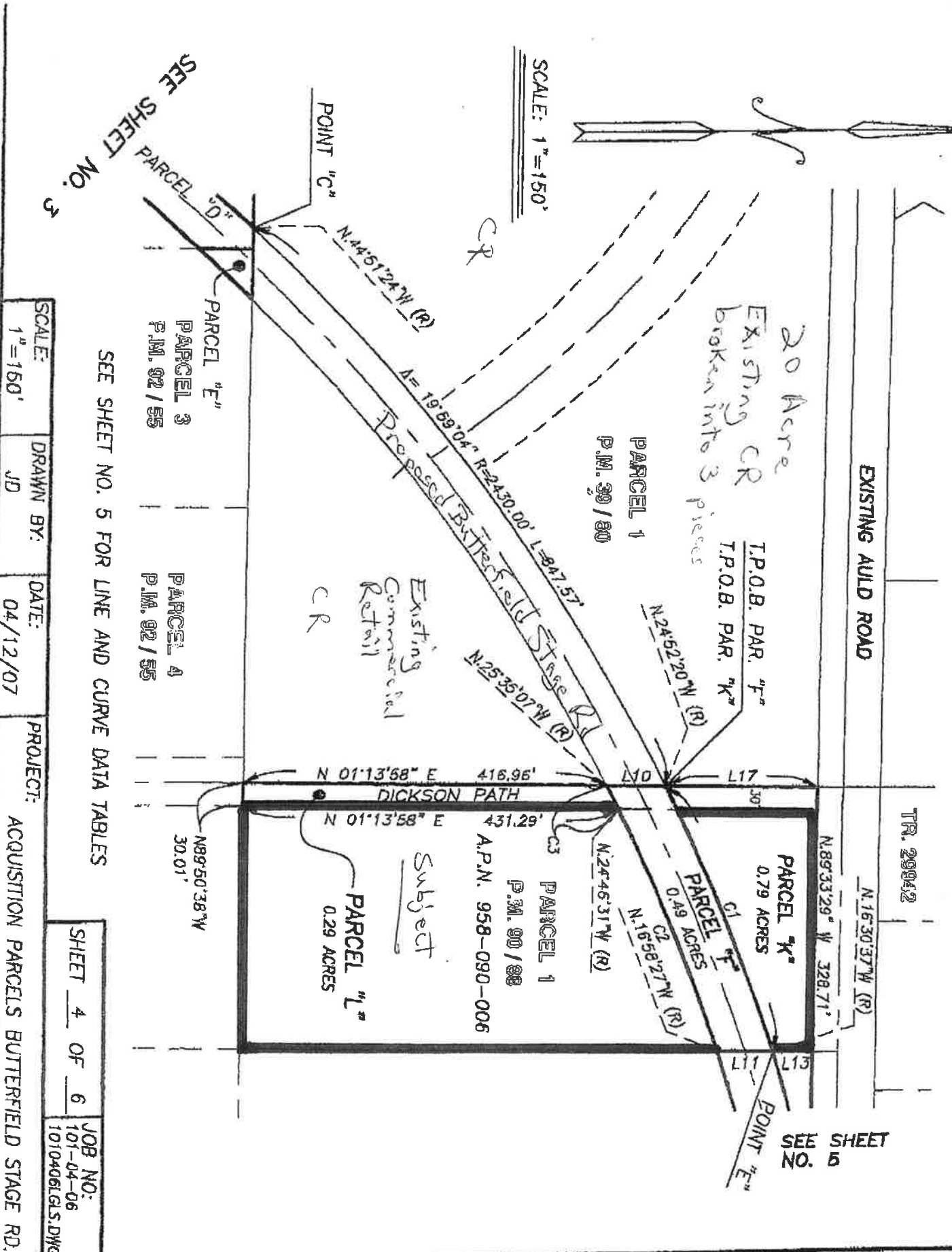




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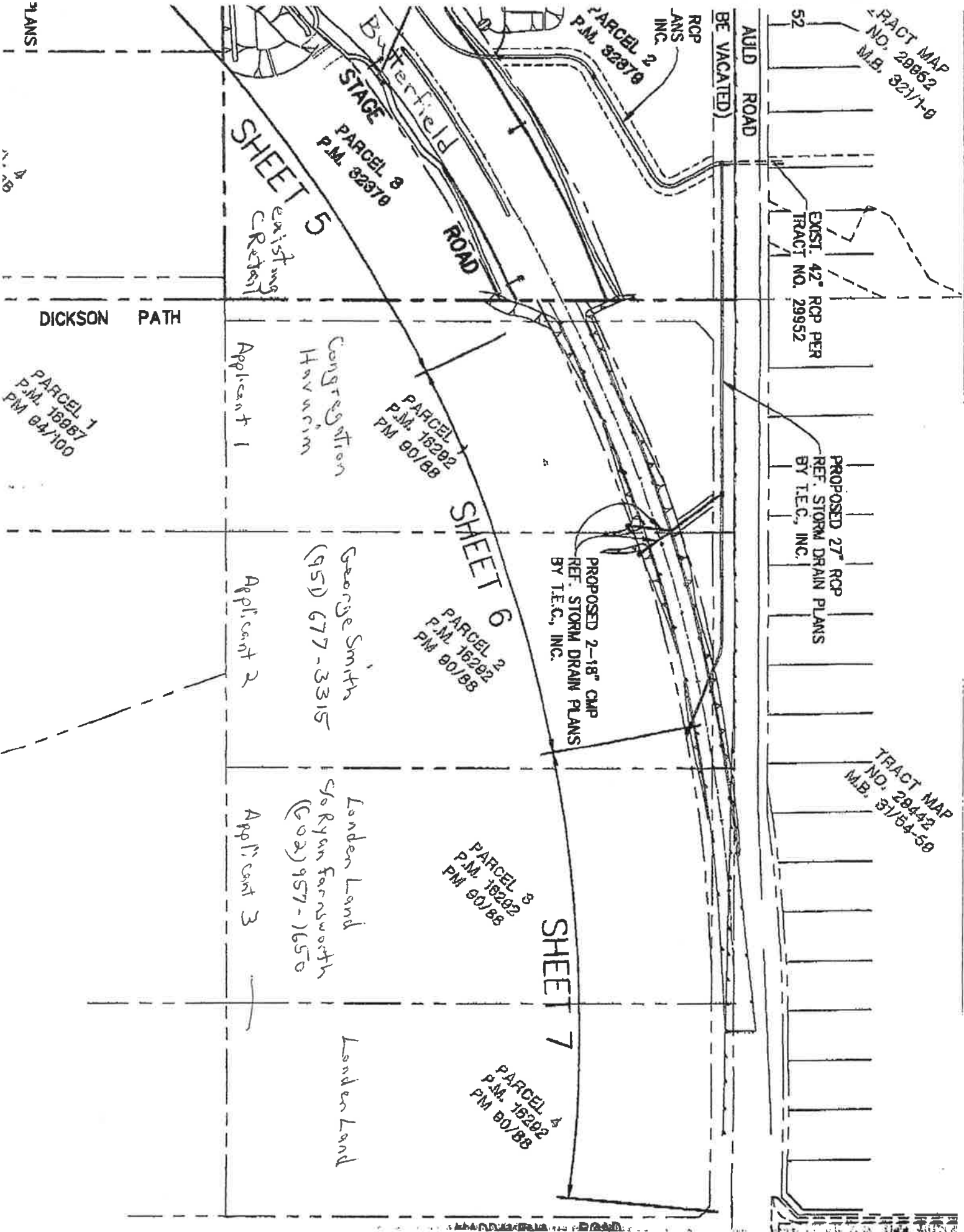
# EXHIBIT "B"



SCALE: 1" = 150'	DRAWN BY: JD	DATE: 04/12/07	PROJECT: ACQUISITION PARCELS BUTTERFIELD STAGE RD.
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SEE SHEET NO. 5 FOR LINE AND CURVE DATA TABLES

SHEET 4 OF 6	JOB NO: 101-04-06
	10104061.GLS.DWG



TRACT MAP NO. 29852 M.B. 32/1-9

EXIST. 42" RCP PER TRACT NO. 29952

PROPOSED 27" RCP REF. STORM DRAIN PLANS BY T.E.C., INC.

PROPOSED 2-18" CMP REF. STORM DRAIN PLANS BY T.E.C., INC.

TRACT MAP NO. 29442 M.B. 31/54-59

SHEET 5

SHEET 6

SHEET 7

PLANS

4

DICKSON PATH

PARCEL 1 P.M. 16887 PM 64/100

PARCEL 2 P.M. 16292

PARCEL 1 P.M. 16292 PM 60/88

PARCEL 2 P.M. 16292 PM 60/88

PARCEL 3 P.M. 16292 PM 60/88

PARCEL 4 P.M. 16292 PM 60/88

Applicant 1

Applicant 2

Applicant 3

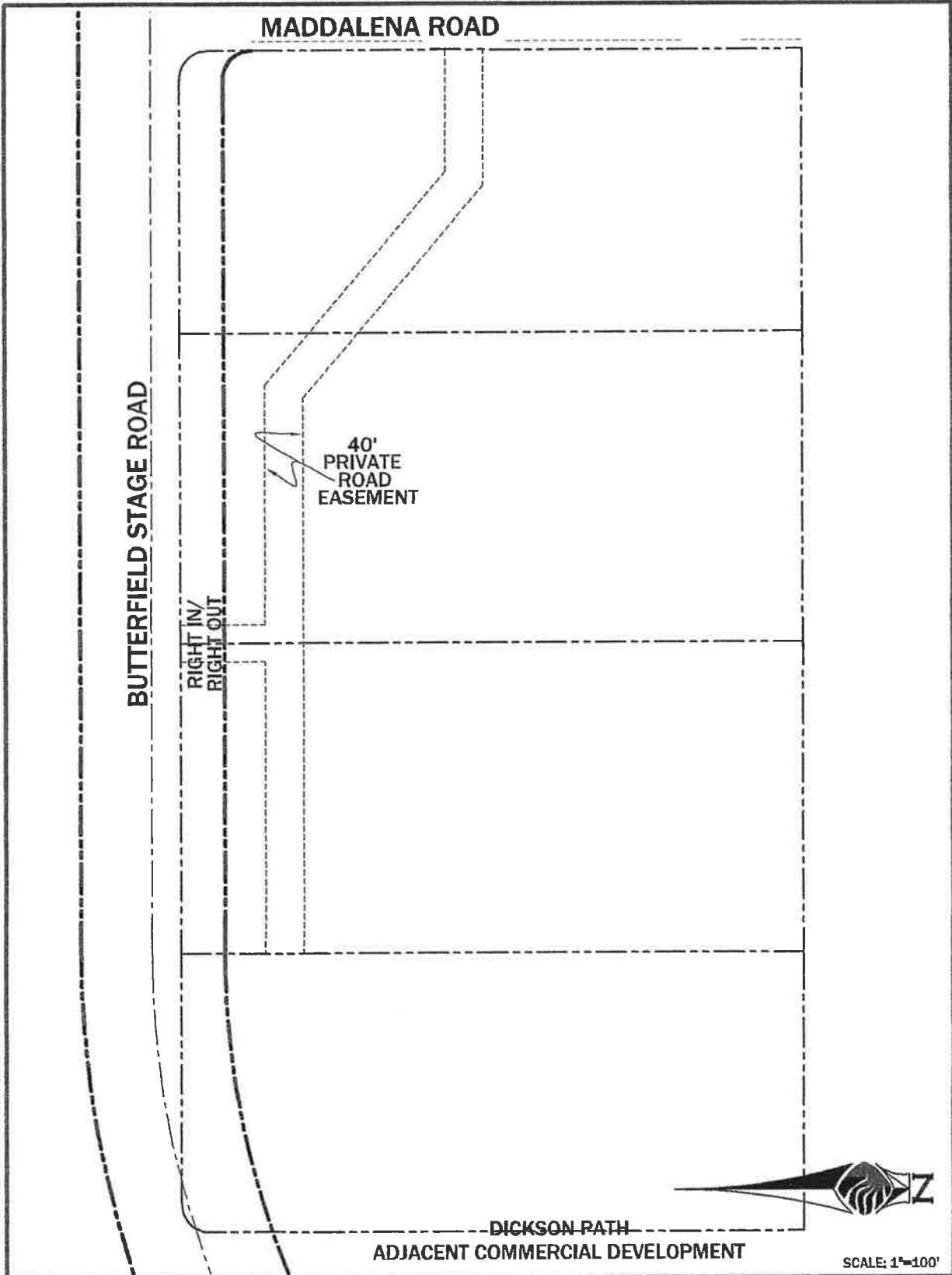
Congregation Housing

George Smith (951) 677-3315

London Land S/O Ryan Farnsworth (602) 957-1650

London Land

existing C-Retail



MADDALENA ROAD

BUTTERFIELD STAGE ROAD

40'  
PRIVATE  
ROAD  
EASEMENT

RIGHT IN/  
RIGHT OUT



DICKSON PATH

ADJACENT COMMERCIAL DEVELOPMENT

SCALE: 1"=100'

**BUTTERFIELD/MADDALENA RETAIL CENTER**



**SW ENGINEERING, INC.**  
 CIVIL, ENVIRONMENTAL & LAND PLANNING & DEVELOPMENT SURVEYING  
 41951 REMINGTON AVENUE, SUITE 160  
 TEMICULA, CALIFORNIA 92590  
 (951) 491-0433 PHONE (951) 491-0442 FAX  
 DATE: 12/13/09 4:57PM  
 FILE: C:\Documents and Settings\user\My Documents\090915\090915.dwg

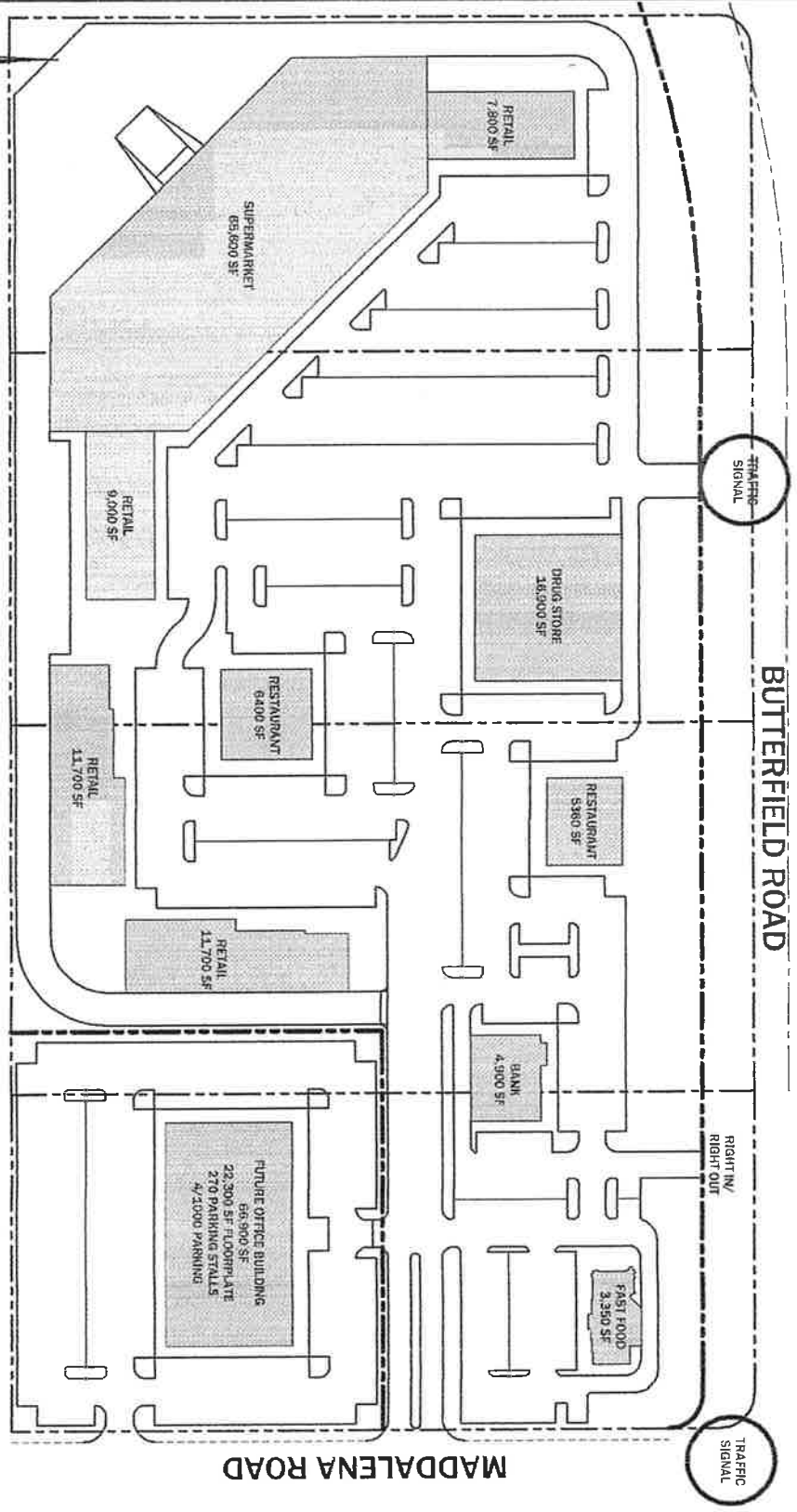
SW ENGINEERING, INC.  
 41951 RICHMOND AVENUE, SUITE 150  
 TEMECULA, CALIFORNIA 92590  
 (951) 491-0133 PHONE (951) 491-0142 FAX  
 WWW.SWENGINEERING.COM



142,710 SF RETAIL SPACE  
 714 PARKING STALLS  
 5/1000 PARKING  
 66,900 SF OFFICE SPACE - PHASE 2  
 270 PARKING STALLS  
 4/1000 PARKING

**BUTTERFIELD/MADDALENA RETAIL CENTER**

SCALE: 1"=100'



142,710 SF RETAIL  
 714 PARKING STALLS  
 66,900 SF OFFICE  
 270 PARKING STALLS

**MADDALENA ROAD**

**BUTTERFIELD ROAD**

TRAFFIC SIGNAL

RIGHT IN/  
RIGHT OUT

TRAFFIC SIGNAL

May 21, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

Chairman Marion Ashley  
Riverside County Board of Supervisors  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 15.1, General Plan Amendment Initiation Proceedings (May 25, 2010)**

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on this set of landowner-initiated GPAs. Once again, we ask you to exercise planning discipline and uphold the integrity of the General Plan and the Certainty System.

Item 15.1, GPA 945 (French Valley)

***Concur with recommendation to deny initiation.*** The conversion of this 19-acre Rural parcel to Community Development (commercial retail) would “leapfrog” over vacant parcels already so designated.

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

With best regards,

Dan Silver, MD  
Executive Director

Electronic cc: Board Offices  
George Johnson  
Ron Goldman  
Damian Meins  
Mike Harrod  
Katherine Lind

**FAX MEMO**

---

May 21, 2010

**TO:** Clerk of the Board  
Supervisor Bob Buster (ATTN: Dave Stahovich)  
Supervisor John Tavaglione (ATTN: John Field)  
Chairman Jeff Stone (ATTN: Olivia Barnes)  
Supervisor John J. Benoit (ATTN: Mike Gialdini)  
Chairman Marion Ashley (ATTN: Darcy Kuenzi)

**FROM:** Dan Silver (EHL) 213-804-2750

**RE:** Agenda Item 15, May 25, 2010

**PAGES:** 2 (including cover)

58 MA 15 XANDIOS

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



May 21, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

Chairman Marion Ashley  
Riverside County Board of Supervisors  
4080 Lemon Street, 5<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 15.1, General Plan Amendment Initiation Proceedings (May 25, 2010)**

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

With best regards,

Dan Silver, MD  
Executive Director

Electronic cc: Board Offices  
George Johnson  
Ron Goldman  
Damian Meins  
Mike Harrod  
Katherine Lind

2010 MAY 25 07:25



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 ⑤ BILLING DATE 01/01/10 | FOR BILLING INFORMATION CALL (951) 368-9713 | ④ PAGE NO 1  
 ③ TOTAL AMOUNT DUE 239.20 | \* UNAPPLIED AMOUNT ③ TERMS OF PAYMENT Due Upon Receipt

⑥ BILLED ACCOUNT NAME AND ADDRESS  
 BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 P.O. BOX 1147  
 RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202 | REP NO LE04

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01/01	4140799 CO	CUP 3464 Class : 10 Ctext Ad# 10114070 Placed By : Cecilia Gil	184 L	1.30		239.20

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(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: cup 3464

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

01-01-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Jan. 1, 2010  
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10114070

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF THE PLANNING COMMISSION DECISION TO APPROVE A CONDITIONAL USE PERMIT IN THE RECHE CANYON/BADLANDS AREA PLAN, FIFTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, January 12, 2010, at 1:30 P.M. to consider the appeal filed by Tom Paulek on the Planning Commission decision to approve the application of Ramona Duck Club - Overton Kuhn on Conditional Use Permit No. 3464, which proposes to extend the life of existing operation of a hunting club, comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property ("the project"). The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period. The project is located northeasterly of Main Street, southwesterly of Contour Road, and easterly of Main Street in the Reche Canyon / Badlands Area Plan, Fifth Supervisorial District.

The Planning Commission approved the project, found that the project will not have a significant effect on the environment and recommended the adoption of a Mitigated Negative Declaration for Environmental Assessment No. 40284.

The proposed project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RAY JUAREZ, PROJECT PLANNER, AT (951) 955-9541 or e-mail at RJUAREZ@rcplma.org.

Any person wishing to testify in support of or in opposition to the proposed project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the pro-

posed project.  
If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed. Please send all written correspondence to: Clerk of the Board  
4080 Lemon Street, 1st Floor  
Post Office Box 1147  
Riverside, CA 92502-1147  
Dated: December 29, 2009  
Kecia Harper-Ihem  
Clerk of the Board  
By: Cecilia Gil, Board Assistant 1/1

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 ④ UNAPPLIED AMOUNT (951) 368-9713

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 Due Upon Receipt

⑥ BILLED ACCOUNT NAME AND ADDRESS

BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE  
 P.O. BOX 1147  
 RIVERSIDE CA 92502

⑦ BILLED ACCOUNT NUMBER | REP NO

045202 | LE04

Statement #: 56535557 Amount Paid \$ \_\_\_\_\_ Your Check # \_\_\_\_\_

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04/21	4178822 CO	PH APPEAL OF CUP 3464 Class : 10 Ctext Ad# 10237208 Placed By : Sandi Schlemmer	188 L	1.30		244.40
RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS 2010 APR 29 PM 2:31 Planning 16.2 of 05/04/10 25P = 1 hr CUP 3464						
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# THE PRESS-ENTERPRISE

3450 Fourteenth Street  
Riverside CA 92501-3878  
951-684-1200  
951-368-9018 FAX

**PROOF OF PUBLICATION  
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: PH Appeal of CUP 3464

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04-21-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Apr. 21, 2010  
At: Riverside, California

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BOARD OF SUPERVISORS  
P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10237208

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF THE PLANNING COMMISSION DECISION TO APPROVE A CONDITIONAL USE PERMIT IN THE RECHE CANYON / BADLANDS AREA PLAN, FIFTH SUPERVISORIAL DISTRICT AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that a public hearing, at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, May 4, 2010, at 1:30 P.M.** to consider the appeal filed by Tom Paulek on the Planning Commission decision to approve the application of Ramona Duck Club - Overton Kuhn on **Conditional Use Permit No. 3464**, which proposes to permit the operation of a trap and skeet facility within an existing hunting club, comprised of 11 RV/Trailer parking spaces, an 8 foot by 12 foot tool shed, and the existing well that serves the property ("the project"). The proposed improvements that will occur only on the southerly two (2) acres include 8 additional RV parking spaces, two (2) 10 foot by 40 foot storage containers, 20 automobile parking spaces, two (2) 7,500 gallon water storage tanks, a trap and skeet range area, and portable restrooms used only during the 5 month hunting period. The public hearing was initially set on January 12, 2010, which was continued to March 23, 2010, and again continued to May 4, 2010. The project is located northeasterly of Main Street, southwesterly of Contour Road, and easterly of Main Street in the Reche Canyon / Badlands Area Plan, Fifth Supervisorial District.

The Planning Commission approved the project, found that the project will not have a significant effect on the environment and recommended the adoption of a Mitigated Negative Declaration for **Environmental Assessment No. 40284**.

The proposed project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.

**FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT RAY JUAREZ, PROJECT PLANNER, AT (951) 955-9541 or e-mail at RJUAREZ@rctima.org.**

Any person wishing to testify in support of or in opposition to the proposed project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: Clerk of the Board 4080 Lemon Street, 1st Floor Post Office Box 1147 Riverside, CA 92502-1147

Dated: April 19, 2010  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

4/21



Riverside County Clerk of the Board  
 County Administrative Center  
 4080 Lemon Street, 1st Floor Annex  
 P. O. Box 1147  
 Riverside, CA 92502-1147

**PUBLIC HEARING NOTICE**  
*This may affect your property*

Owner:  
 Ramona Duck Club  
 P.O. Box 106  
 Riverside, CA 92504

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 OFFICE OF SUPERVISORS

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Riverside County Clerk of the Board  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor Annex  
P. O. Box 1147  
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**PUBLIC HEARING NOTICE**  
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FIRST CLASS



Owner:  
Ramona Duck Club  
P.O. Box 106  
Riverside, CA 92504

UTF



**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Leonard Busta

**Address:** 41935 Calle Cabrillo  
(only if follow-up mail response requested)

**City:** Temecula **Zip:** 92592

**Phone #:** 951 685 4988

**Date:** 5/25/10 **Agenda #** 15.1

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

Support  Oppose  Neutral

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

Support  Oppose  Neutral

**I give my 3 minutes to:** \_\_\_\_\_

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** Scott Seidman

**Address:** 43696 Ortega St  
(only if follow-up mail response requested)

**City:** Temecula **Zip:** \_\_\_\_\_

**Phone #:** (951) 640-9421

**Date:** 5/25/10 **Agenda #** 15.1

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