Departmental Concurrence

Policy

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



FROM: TLMA - Planning Department

SUBMITTAL DATE: June 10, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 929 - Foundation-Regular - Applicant: Jose Mercado - Engineer/Representative: Leonard Urquiza - First Supervisorial District - North Perris Zoning Area - Mead Valley Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Ac. Min.) - Location: Northerly of Cajalco Road, easterly of Decker Road, southerly of Marquez Road, and westerly of Seaton Avenue - 2.07 Gross Acres - Zoning: Agriculture (A-1) - REQUEST: This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Very Low Density Residential (RC-VLDR) (1 Acre Min.) to Commercial Retail (CD-CR) (0.20-0.35 FAR) - APN: 317-050-045

**RECOMMENDED MOTION:** The Planning Director's recommendation is to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 929 from Rural Community: Very Low Density 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.

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. The Board will either approve or disapprove the initiation of proceedings for

> Ron Goldman **Planning Director**

Initials:

(continued on attached page)

#### MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes:

Buster, Benoit, and Ashley

Nays:

None

Absent:

Tavaglione and Stone

Date:

June 22, 2010

XC:

Planning, Applicant

Prev. Agn. Ref.

District: First

Agenda Number:

Kecia Harper-Ihem

Clerkoof the Board

The Honorable Board of Supervisors Re: General Plan Amendment No. 929 Page 2 of 2

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

DATE: June 3, 2010
TO: Clerk of the Board of Supervisors
FROM: Planning Department - Riverside Office
SUBJECT: General Paln Amendment No. 929 (Charge your time to these case numbers)
The attached item(s) require the following action(s) by the Board of Supervisors:    Place on Administrative Action (Receive & File; EOT)
Designate Newspaper used by Planning Department for Notice of Hearing: NONE - GPIP

Please schedule on the 06/22/10 BOS Agenda

Riverside Office · 4080 Lemon Street, 9th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-3157 Y:\Advanced Planning\2008 FOUNDATION COMPONENT REVIEW\GPA Cases\GPA 929\GPA 929 BOS Package- 6.8.10\GPA 929 Form 11 Coversheet.doc

Revised 3/4/10 by R. Juarez

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

# PLANNING COMMISSION MINUTE ORDER AUGUST 19, 2009 RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. AGENDA ITEM 8.6: GENERAL PLAN AMENDMENT NO. 929 – Foundation / Regular – Applicant: Jose Mercado – Engineer/Representative: Leonard Urquiza - First Supervisorial District - North Perris Zoning Area - Mead Valley Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Location: Northerly of Cajalco Road, easterly of Decker Road, southerly of Marquez Road, and westerly of Seaton Avenue - 2.07 Gross Acres - Zoning: Light Agriculture (A-1) - APN: 317-050-045.

#### II. PROJECT DESCRIPTION

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Very Low Density Residential (RC-VLDR) (1 Acre Minimum) 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 at 951-955-9721 or e-mail <a href="mailto:therman: theresis are not bearings.">there is a horizontal theresis are not bearing and the transfer of the transfe

The following spoke in favor of the subject proposal:

Leonard Urquiza, Applicant's Representative, 28780 Old Town Front St., Ste. D-7, Temecula, California 92590

The following did not wish to speak but gave time to Leonard Urquiza: Jose Sandoval, Other Interested Party, 3096 Kerry St., San Bernardino, California 92407

The following did not wish to speak but want to be recorded as in opposition of the subject proposal:

Cynthia L. Ferry, Other Interested Party, 16115 Rocky Bluff Rd., Gavilan Hills, California 92570 Laurie Taylor, Other Interested Person, 14679 Descanso Dr., Lake Mathews, California 92570

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

#### IV. CONTROVERSIAL ISSUES

NONE

#### V. PLANNING COMMISSION ACTION

The Planning Commission recommended to the Board of Supervisors;

**NO INITIATION** of 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.

Agenda Item No.: 8.6 Area Plan: Mead Valley

Zoning District: North Perris Supervisorial District: First

**Project Planner: Tamara Harrison** 

Planning Commission: August 19, 2009

General Plan Amendment No. 929

Applicant: Jose Mercado/Jose Sandoval Engineer/Representative: Leonard Urquiza

## 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 General Plan Amendment No. 929 from Rural Community: Very Low Density Residential to Community Development: Commercial Retail and the Planning Commission made the comments below. The Planning Director continues to recommend to tentatively decline to adopt an order initiating proceedings for GPA 929. 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: Commissioner Roth commented that Seaton Avenue should have served as a dividing line between Community Development uses and Rural Community uses. Commissioner Roth also commented that he is not happy with the existing Commercial Retail designation found directly west of Seaton and that he sees no need to extend the Commercial Retail designation any further to the west.

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

**Commissioner Jim Porras**: Commissioner Porras commented that it seems as if the applicant is willing to develop something at the site.

Commissioner Jan Zuppardo: No Comments

Y:\Advanced Planning\2008 FOUNDATION COMPONENT REVIEW\GPA Cases\GPA 929\GPA 929 BOS Package\GPA 929 Directors Report.doc

Agenda Item No.: 8.6
Area Plan: Mead Valley
Zoning Area: North Perri

Zoning Area: North Perris Supervisorial District: First

**Project Planner: Tamara Harrison** 

Planning Commission: August 19, 2009

General Plan Amendment No. 929

**Applicant: Jose Mercado** 

Engineer/Rep.: Leonard Urquiza

#### COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

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

The applicant proposes to amend the General Plan Foundation and land use designation from "Rural Community: Very Low Density Residential" (RC: VLDR) (1 Acre Minimum), to "Community Development: Commercial Retail" (CD-CR) (0.20-0.35 Floor Area Ratio) for an approximately 2.07-acre property. The project is located northerly of Cajalco Rd., easterly of Day Street, southerly of Marquez Road, and westerly of Seaton Avenue.

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

The subject site is located in the community of "Mead Valley" within the "Mead Valley" area plan. The site is also located within the City of Perris's Sphere of Influence. According to the General Plan, Cajalco Road has been identified as the "anchor" of the "Mead Valley" community, providing the primary connection between Interstates 15 and 215 for the area and also allowing commercial uses along the road to play a more noticeable role for the future. The subject site's current designation, Rural Community: Very Low Density Residential dominates the immediate surrounding areas with the exception of some of the Community Development: Commercial Retail designation to the east of the site. Other Community Development Foundation designations such as Light Industrial can also be found to the east of the site across Seaton Avenue.

Seaton Avenue serves as a demarcation line between Rural Community designations and uses and Community Development designations and uses for the area. The majority of Rural Community designations and uses can be found to the west of Seaton and the majority of Community Development designations and uses being found to the east of Seaton. The Community Development: Commercial Retail designation is planned to the west of Seaton Avenue, just east of the subject site at the intersection of Cajalco Road and Seaton Avenue and is currently vacant. Cajalco Road has been identified by the Circulation Element of the General Plan as an Expressway and Seaton Avenue has been identified by the Circulation Element as a Secondary road. Efficient land use, would see the Commercial Retail lots at Cajalco and Seaton develop first, as planned, before adding additional Commercial Retail in the area. Due to the location of the subject site, the proposal would be inconsistent with the existing land use pattern found in the area and would be contrary to the goals of the current plan.

A number of warehousing/manufacturing type businesses have been approved in the area since the adoption of the General Plan in 2003 including Specific Plan No. 341, "Majestic Freeway Business Center." However, those uses are located to the east of Seaton Avenue given the proximity to Interstate 215 and the more intense uses to the east of Seaton. No commercial approvals have been identified in the area immediately west of Seaton Avenue since the adoption of the General Plan. No substantial evidence of change or circumstances have been identified that would justify the proposal.

General Plan Amendment No. 929 PC Staff Report: August 19, 2009

Page 2 of 2

The recently approved "Majestic Freeway Business Center" is located within County Facilities District No. 88.8 (CFD 88.8) and was approved as a County effort to recover monies owed from delinquent tax bonds. The delinquent taxes are a result of bonds that were issued in order to finance the installation of infrastructure that would support industrial development in the area. The infrastructure has since been installed and the hope is that revenue from the development within CFD 88.8 will bring the delinquent tax bonds current. Again, efficient land use practices would see this area develop first, maintaining consistency with the current land use pattern and the County's vision for the area.

#### **RECOMMENDATIONS:**

The Planning Director recommends to tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 929 from Rural Community: Very Low Density Residential to Community Development: Commercial Retail.

#### **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 \$2495.66.
- 3. The project site is currently designated as Assessor's Parcel Numbers 317-050-045.

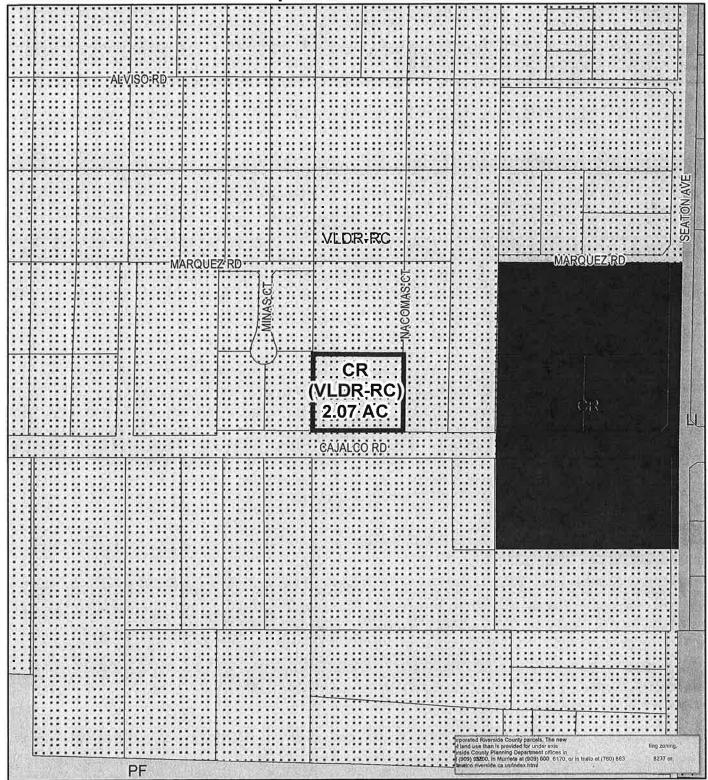
Supervisor Buster
District 1
Date Drawn: 2/22/08

### **GPA00929**

**Proposed General Plan** 

Planner: Amy Aldana Date: 2/29/08

Exhibit 6



#### RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone

Area: North Perris

Township/Range: T4SR4W

Section: 11

W S

Assessors

Bk. Pg.

317-05

**Thomas** 

Bros. Pg. 777 C2

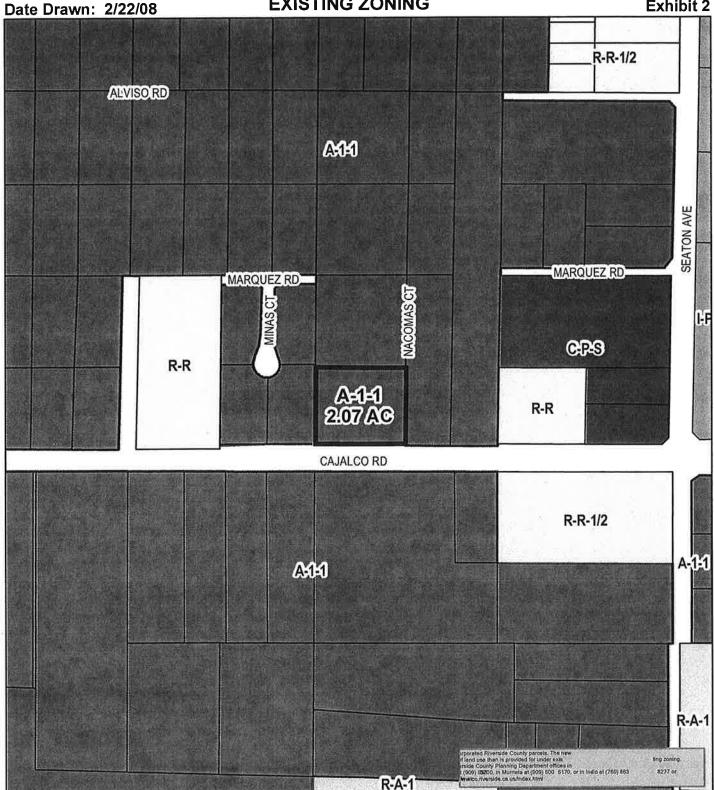
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1

**GPA00929 EXISTING ZONING** 

Planner: Amy Aldana

Date: 2/29/08 Exhibit 2



Zone

Area: North Perris

Township/Range: T4SR4W

Section: 11

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RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors

Bk. Pg.

317-05

Thomas

Bros. Pg. 777 C2

200 400 800 1,200 Feet **Supervisor Buster** District 1

Date Drawn: 2/22/08

## **GPA00929 DEVELOPMENT OPPORTUNITY**

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



Area

**North Perris** Plan:

Township/Range: T4SR4W

Section: 11

**Assessors** 

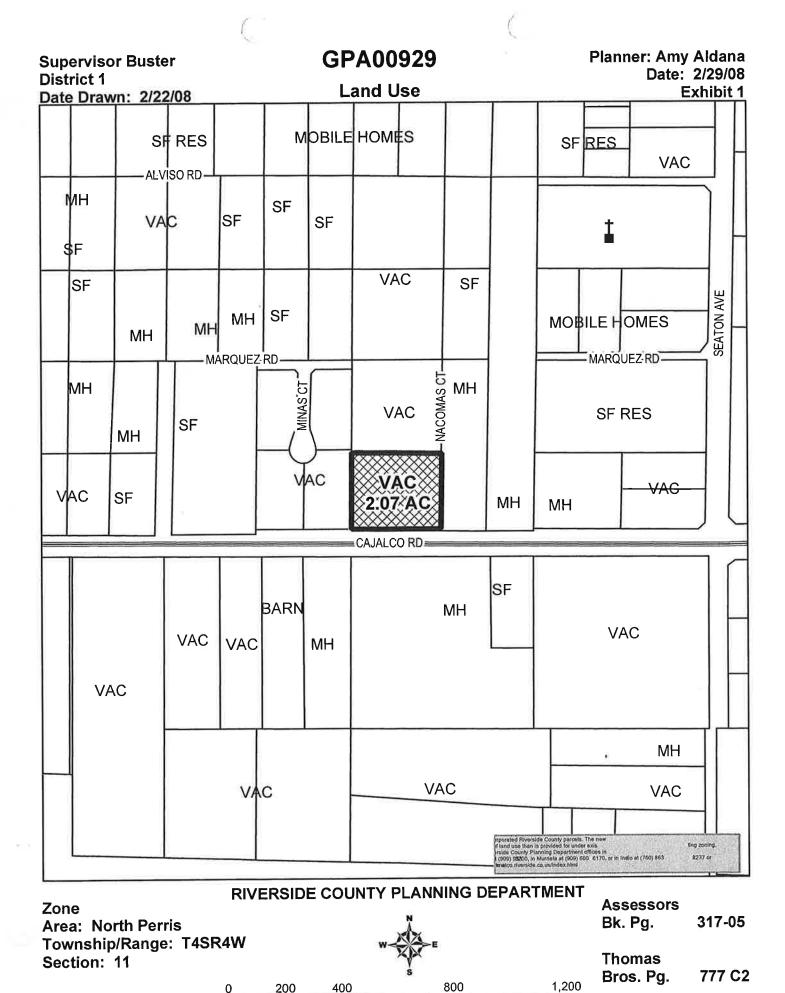
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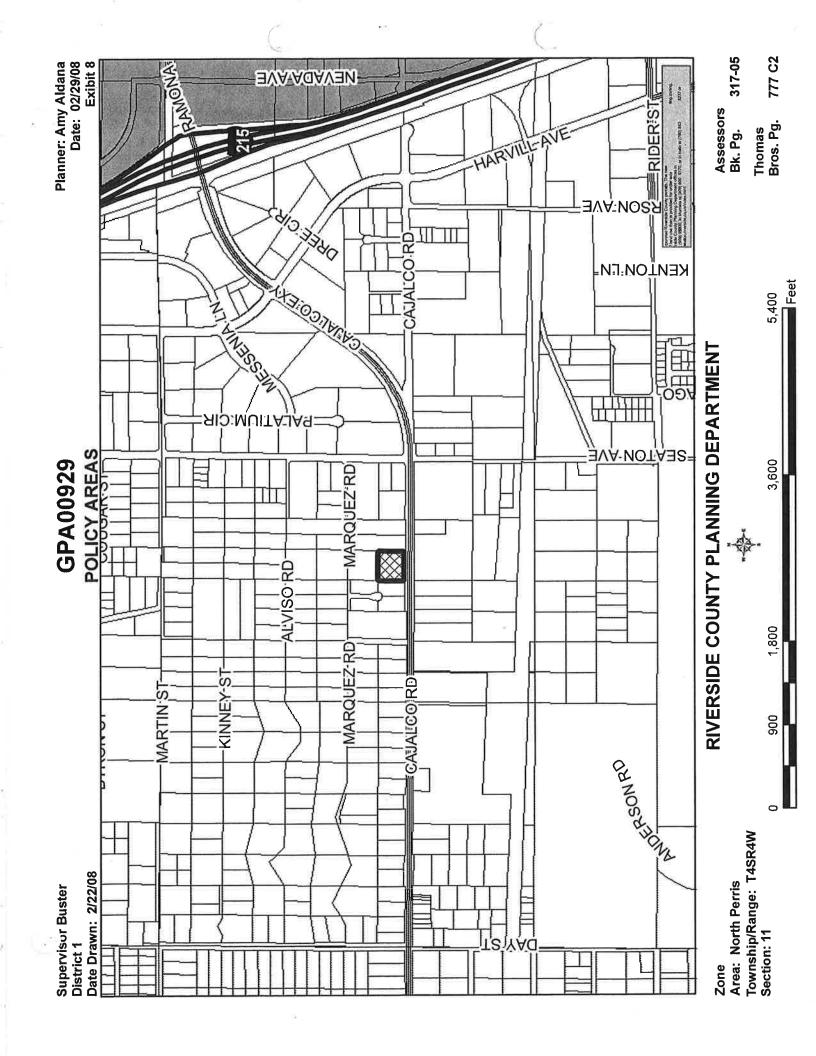
777 C2

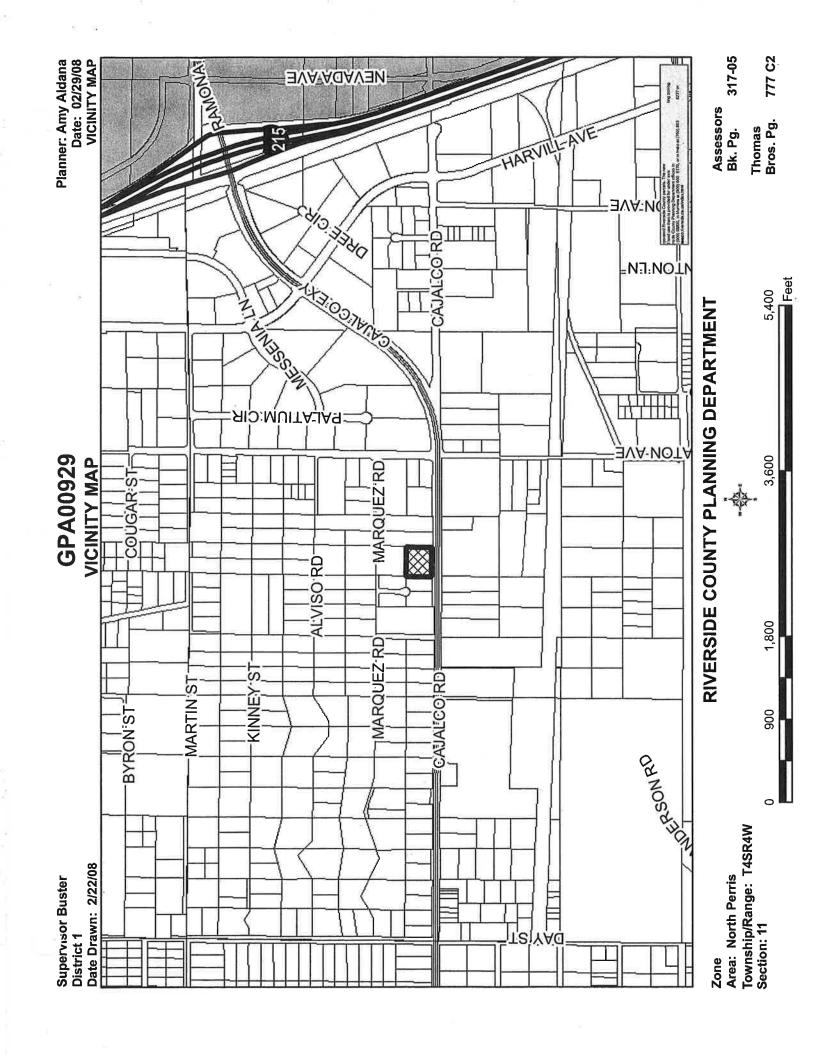
300 600 1,200 1,800 Feet



Feet

200





APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN
JUSTIFICATION FOR AMENDMENT (Please be specific. Attach more pages if needed.)
WE ARE PROPOSING THE CHANGE FROM ULDIZ-RC TO CIR
BY USING THE COUNTY WINDOW SUBHIMAL BETWEEN JAN 02, ZOOB TO
February 15, 2008, ALGO THE PROPOSED LAND USE IS WITHIN AGREEMEN
WITH TWO LOTS OVER TO THE EAST AND SOUTH EAST OF THE EXISTING
LAND. WE ARE SUBMITTING FOR A ZONE CHANGE TO C-P-S IN
CONJUNCTION WITH THIS DROPOSAL.
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N The state of the
III. AMENDMENTS TO POLICIES:
(Note: A conference with Planning Department staff <u>is required</u> 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: Mens Valley.
B. EXISTING POLICY (If none, write "none." (Attach more pages if needed):
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C DDODOSED DOLICY (Attach more pages if peeded): +114
C. PROPOSED POLICY (Attach more pages if needed):

D. JUSTIFICATION FOR CHANGE (Please be specific. Attach more pages if needed):
TO HAKE THE PROPOSED LOT MORE SITE SPECIFIC TO THE
DEVELOPMENT AND EXISTING ZONING OF SORROUNDING
LOTS:
(Note: A conference with Planning Department and/or Transportation Department staff for amendments related to the circulation element is required before application can be filed. Additional information may be required.)  A. AMENDMENTS TO BOUNDARIES OF OVERLAYS OR POLICY AREAS:  Policy Area:   (Please name)
Proposed Boundary Adjustment (Please describe clearly):
B. AMENDMENTS TO CIRCULATION DESIGNATIONS:
Area Plan (if applicable):UOU(
Road Segment(s)
Existing Designation:
Proposed Designation:

## APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

USING THE SUBLITHER WINDOW PROPOSED BY THE COUNTY OF RIVERSIDE TO HAVE THE FOUNDATION TO COMMUNITY DEVELOPMENT AND TO AMEND THE GENERAL PLAN TO BE CONSISTENT WITH THE COMMUNICAL DEVELOPMENT OF SOPPOUNDING LAND.

## V. CASE INFORMATION REQUIREMENTS FOR GENERAL PLAN AMENDMENT:

## FILING INSTRUCTIONS FOR GENERAL PLAN AMENDMENT APPLICATION

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Land Use application. Your cooperation with these instructions will insure that your application can be processed in the most expeditious manner possible.

## THE GENERAL PLAN AMENDMENT FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

- 1. One completed and signed application form.
  - One copy of the current legal description for each property involved as recorded in the Office of the County Recorder. Preferably a copy of a grant deed of each property involved, if available.
  - If any of the properties involved do not abut a public street, a copy of appropriate documentation of legal access (e.g. recorded easement) for said property shall be provided.
  - For applications to amend Area Plan Maps, forty (40) copies of Exhibit "A" (Site Plan). The exhibit must include the information described below. All exhibits must be folded no larger than 8½' x 14.'
  - One (1) recent (less than one-year old) aerial photograph of the entire Project Site with the boundary of the site delineated.
  - Two 8½" x 11" photocopies of a U. S. Geological Survey Quadrangle Map delineating the Site boundaries (Note: each photocopy must not have been enlarged or reduced, have a North arrow, scale, quadrangle name, and Section/Township/Range location of the site.)
  - 7. A minimum of three (3) ground-level panoramic photographs (color prints) clearly showing the whole project site. Include a locational map identifying the position from which the photo was taken and the approximate area of coverage of each photograph.
  - 8. Digital images of the aerial photograph, Exhibit A (Site Plan), the U.S.G.S. Map, and the panoramic photographs of the site in a format acceptable to the Planning Department (e.g. TIFF, GIF, JPEG, PDF)
  - 9. Deposit-based fees for the General Plan Amendment, and Environmental Assessment deposit-

Jose B. Mercado 22807 Martin Street Perris, CA 92570 GPA929-Applicant/Owner Jose Sandoval 3096 Kerry Street San Bernardino, CA 92407 GPA929-Owner Leonard Urquiza 32135 Corte Bonilio Temecula, CA 92592 GPA929-Engineer Jose B. Mercado 22807 Martin Street Perris, CA 92570 GPA929-Applicant/Owner Jose Sandoval 3096 Kerry Street San Bernardino, CA 92407 GPA929-Owner Leonard Urquiza 32135 Corte Bonilio Temecula, CA 92592 GPA929-Engineer June 19, 2010

Comment on Board of Supervisors meeting June 22, 2010, Item 15.1 GENERAL PLAN AMENDMENT NO. 929 (FOUNDATION-REGULAR) – Jose Mercado/Leonard Urquiza – North Perris Zoning Area – Mead Valley Area Plan – 1<sup>st</sup> District.

Mead Valley is a rural residential community. The residential area should remain residential and commercial property should stay in the area zoned commercial. The County taxpayer supported Harvill Commercial Corridor should be well utilized before we even think of changing the residential zoning.

I agree with the Planning Director, the Board should decline this request.

Everett Price Mead Valley Resident Comment on Board of Supervisors meeting June 22, 2010, Item 15.1 GENERAL PLAN AMENDMENT NO. 929 (FOUNDATION-REGULAR) – Jose Mercado/Leonard Urquiza – North Perris Zoning Area – Mead Valley Area Plan – 1<sup>st</sup> District.

One block from the subject site is the Harvill Commercial Industrial area, a County Redevelopment area with many, many, attractive open sites offering low costs to new businesses. Pending build out of this taxpayer funded area, this proposal and any other commercial expansion into the adjacent low density residential area of houses and a major church is unreasonable.

I agree with the Planning Director, the Board should decline this request.

Lee Cussins Mead Valley Resident

#### VIA FASCIMILE 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, General Plan Amendment Initiation Proceedings (June 22, 2010)

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA. Critical planning issues, such has fire hazard, public safety, and the MSHCP coincide with the integrity of the Foundation system.

#### Item 15.1, GPA 929 (Mead Valley)

Concur with staff recommendation to deny initiation. No changed circumstances justify more commercial, and use intensification should go through the Rural Village Overlay process in these locations.

#### Item 15.2, GPA 977 (Mead Valley/Elsinore)

Concur with staff recommendation to deny initiation. This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. Discontiguous 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 step 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.

Denial of initiation is also consistent with the recommendations of the Riverside County Fire Hazard Reduction Task Force:

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

#### Item 15.3, GPA 1022 (Mead Valley)

Concur with staff recommendation to deny initiation. There are no new circumstances to justify urbanization of an intact rural area that lacks services.

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 Carolyn Luna Charles Landry

### 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: > Jose Sandaral			
Address: 3096 Kery St.  (only if follow-up mail response requested)			
City: 15 cm Bernudinozip: 9240)			
Phone # <u>/ (909) 557-9</u> 163			
Date: 06/22/6   Agenda # 15.01			
PLEASE STATE YOUR POSITION BELOW:			
Position on "Regular" (non-appealed) Agenda Item:			
Support /OpposeNeutral			
<b>Note:</b> If you are here for an agenda item that is filed for "Appeal", please state separately your position on the appeal below:			
SupportOpposeNeutral			

I give my 3 minutes to:\_\_