

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



15.3

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the recommendation from Transportation & Land Management Agency/Planning regarding General Plan Amendment No. 1042 (FOUNDATION - REGULAR) – John Kardum. – Rancho California Zoning District – Southwest Area Plan – 1st District. The Planning Director recommends that the Board **tentatively decline** to adopt an order initiating proceedings for the above-referenced general plan amendment to amend 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 Mountainous (10 Acre Minimum Lot Size) to Commercial Tourist (0.20-0.35 Floor Area Ratio) is continued off calendar.

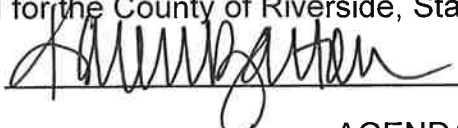
Roll Call:

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 29, 2010 of Supervisors Minutes.

(seal)

WITNESS my hand and the seal of the Board of Supervisors
Dated: June 29, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in
and for the County of Riverside, State of California.

By:  Deputy

AGENDA NO.
15.3

xc: Planning

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

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

324B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 17, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 1042 - Foundation-Regular – Applicant: John Kardum – Engineer/Representative: N/A - First Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Mountainous (RUR: RM) (10 Acre Minimum Lot Size) – Location: Easterly of Via Santa Rosa, and westerly of City of Temecula - 37.4 Gross Acres - Zoning: Residential Agricultural - 20 Acre Minimum Lot Size (R-A-20), and Scenic Highway Commercial (C-P-S) - **REQUEST:** This General Plan Amendment proposes to amend 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 Mountainous (RUR: RM) (10 Acre Minimum Lot Size) to Commercial Tourist (CT) (0.20-0.35 FAR) - APN(s): 940-020-001, 940-020-002

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. 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

Jerry Jolliffe, Deputy Planning Director for,

Jerry Jolliffe

Ron Goldman
Planning Director

Initials:
RG:th *RG*

(continued on attached page)

REVIEWED BY EXECUTIVE OFFICE

DATE *6/23/10*
MG
Tina Grande

Departmental Concurrence

Policy

Consent

Dept't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: First

Agenda Number:

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

324 B

DATE: June 15, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: General Plan Amendment No. 1042

(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 type="checkbox"/> NO |

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

Please schedule on the June 29, 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

Ron
6-17-10

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

- I. AGENDA ITEM 7.2: GENERAL PLAN AMENDMENT NO. 1042** - Foundation / Regular - Applicant: John Kardum - Engineer/Representative: N/A - First Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Mountainous (RUR: RM) (10 Acre Minimum Lot Size) - Location: Easterly of Via Santa Rosa, and westerly of City of Temecula - 37.4 Gross Acres - Zoning: Residential Agricultural - 20 Acre Minimum Lot Size (R-A-20), and Scenic Highway Commercial (C-P-S)
- II. PROJECT DESCRIPTION**
This General Plan Amendment proposes to amend 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 Mountainous (RUR: RM) (10 Acre Minimum Lot Size) to Commercial Tourist (CT) (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
- No one spoke favor, in a neutral position or in opposition of the subject proposal.
- IV. CONTROVERSIAL ISSUES**
NONE
- V. PLANNING COMMISSION ACTION**
The Planning Commission commented on the General Plan Amendment. If you wish to listen to the entire discussion, see Section VI below. Additionally, the comments of individual Commissioners are summarized in the Planning Director's Report and Recommendation to the Board of Supervisors.
- 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.

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

- I. **AGENDA ITEM 8.4: GENERAL PLAN AMENDMENT NO. 1042** – Foundation / Regular – Applicant: John Kardum – Engineer/Representative: N/A - First Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Mountainous (RUR: RM) (10 Acre Minimum) – Location: Easterly of Via Santa Rosa, and westerly of City of Temecula - 37.4 Gross Acres - Zoning: Residential Agricultural - 20 Acre Minimum (R-A-20), and Scenic Highway Commercial (C-P-S) - APN(s): 940-020-001, 940-020-002.
- II. **PROJECT DESCRIPTION**
This General Plan Amendment proposes to amend 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 Mountainous (RUR: RM) (10 Acre Minimum) to Commercial Tourist (CT) (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 tharriso@rctlma.org.
- No one spoke in favor, neutral or in opposition of the subject proposal.
- IV. **CONTROVERSIAL ISSUES**
NONE
- V. **PLANNING COMMISSION ACTION**
The Planning Commission, continued the subject proposal off calendar.
- 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.: 7.2
Area Plan: Southwest
Zoning District: Rancho California Area
Supervisory District: First
Project Planner: Tamara Harrison
Planning Commission: March 3, 2010

General Plan Amendment No. 1042
Applicant: John Kardum
Engineer/Representative: N/A

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for General Plan Amendment No. 1042 from Rural: Rural Mountainous to Community Development: Commercial Tourist 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: Commissioner Roth stated that he is familiar with the subject site and that he agrees with staff's recommendation that the Board of Supervisors tentatively decline to adopt an order initiating proceedings. Mr. Roth indicated that any development of the site would be difficult, given the site's location in a high fire area, the site's potential environmental resources, and the site's limited access from Rancho California Road. Mr. Roth also noted that many of the reasons given on page 5 of the General Plan Amendment application concerning the site's lack of suitability for residential development would also apply to potential commercial development. Specifically, Mr. Roth pointed out that since the site overlooks a sewer treatment plant, an industrial park, and other commercial projects, it is probably not suitable for a Commercial Tourist designation. Lastly, Mr. Roth suggested that the applicant contact the County's Environmental Programs Department (EPD) and the Regional Conservation Authority (RCA) to discuss the possible purchase of the property by the County for conservation purposes.

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 7.2
Area Plan: Southwest
Zoning District: Rancho California Area
Supervisory District: First
Project Planner: Tamara Harrison
Planning Commission: March 3, 2010
Continued from: August 19, 2009

General Plan Amendment No. 1042
Applicant: John Kardum
Engineer/Representative: N/A

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component and Land Use designations from "Rural: Rural Mountainous" (RUR:RM) (10 acre min.) to "Community Development: Commercial Tourist" (CD:CT) (0.20-0.35 FAR) for an approximately 37.4-acre site. The project is located easterly of Rancho California Road and southwesterly of the City of Temecula.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "Santa Rosa" community within the Southwest Area Plan. The community is characterized by the rural environment and the mountainous nature of the area. The area's separation from more urban developments further enhances the community's character. Allowing a more intensive land use designation at the proposed site would not be consistent with the character of the area and would be contrary to the overall vision for the area.

Lying southwest of the City of Temecula, the subject site also falls within the City of Temecula Sphere of Influence. The Temecula General Plan has designated the property as Open Space as well as a Hillside Residential which allows 0-0.1 du/ac max. The County's Santa Rosa Plateau/De Luz Policy Area NOW allows 0.1-0.2 du/ac depending on topography and other factors. The City of Temecula's sphere plan envisions uses similar to those established under the County's General Plan.

The Southwest Area Plan is characterized by severe slopes due a number of mountain ranges in the area. The terrain is a fundamental feature of the character of the area plan and the visual aspects should be preserved. The parcels in question possess slopes that may range from 15%-30% and potentially greater and have a high susceptibility to landslides and rockfalls. Increasing the intensity of uses on the site could create an increase in potential public safety issues by exposing additional structures to hazards when developing or grading, therefore, creating an internal inconsistency between the Land Use Map/Element and the Safety Element of the general plan. The applicant has indicated that past slope analysis and geotechnical reviews of the site determined that approximately 12 acres of the site may be suitable for commercial development. The site also falls with in a high fire area according to County mapping. Limiting development potential in such areas is one way to address fire hazards. The nearest fire station is approximately 1 ½ miles to the east.

The site also falls within Cell Group J' of the County's Multiple Species Habitat Conservation Plan (MSHCP). Cell group J is included in those areas that will ultimately assemble Proposed Linkage 10 under the MSCHP plan. Conservation in this cell group ranges from 15%-25% with the bulk of the conservation occurring in the northern portion of the cell. The proposed site falls within the northern portion of the cell; therefore, the sites development potential may be limited in order to preserve habitat linkages.

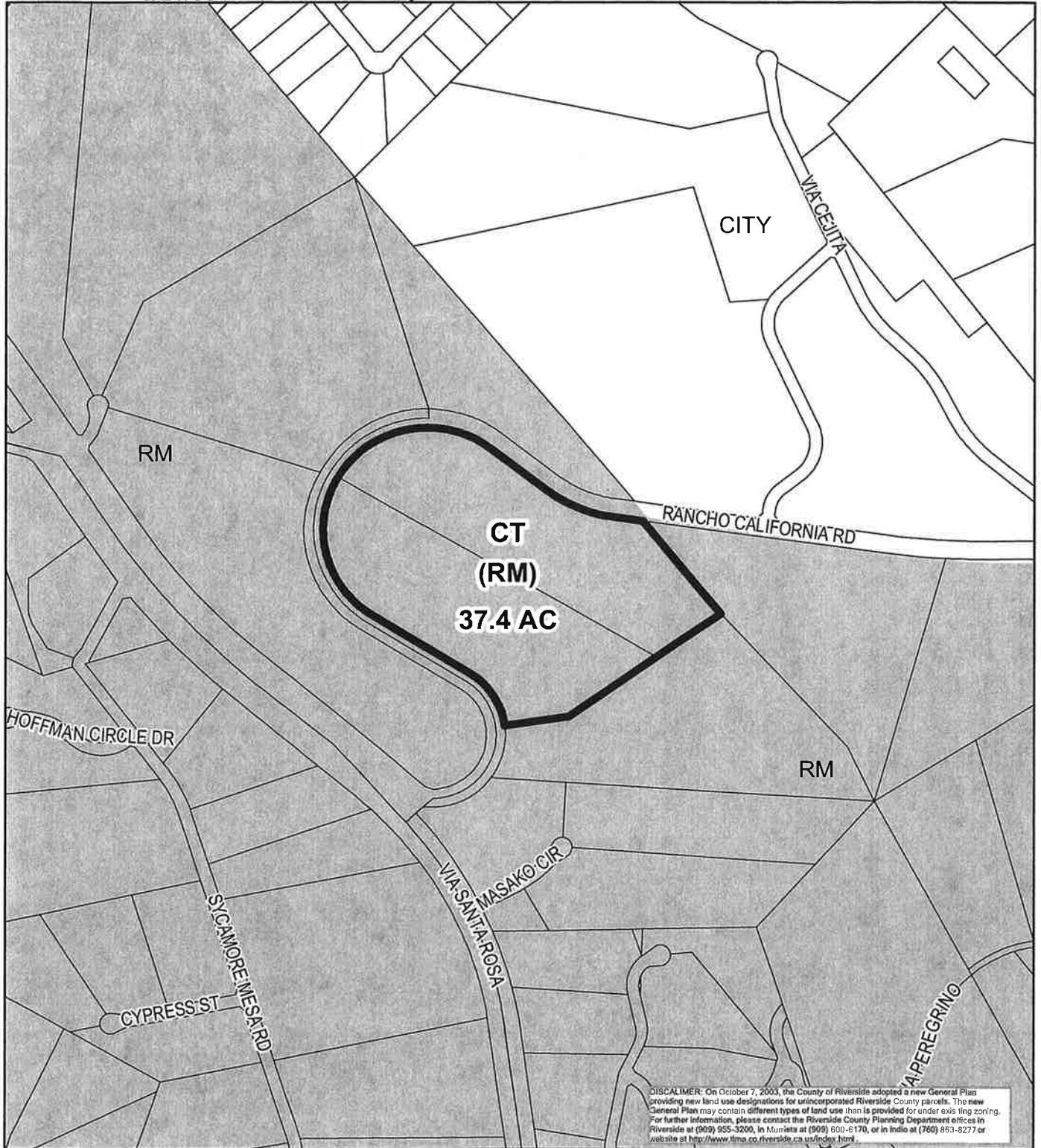
No substantial change has occurred in the area since the adoption of the General Plan in 2003 that would justify the proposal. Currently, there is no sewer on site to serve a commercial use, although other services are available. Existing commercial uses are already available in the nearby in the City of Temecula, outside of those areas with low intensity uses, high fire risk, steep slopes and having potential habitat value.

RECOMMENDATION:

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 1042 from Rural: Rural Mountainous to Community Development: Commercial Tourist. 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 15, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$5153.80.
3. The project site is currently designated as Assessor's Parcel Numbers 940-020-001 and 940-020-002.



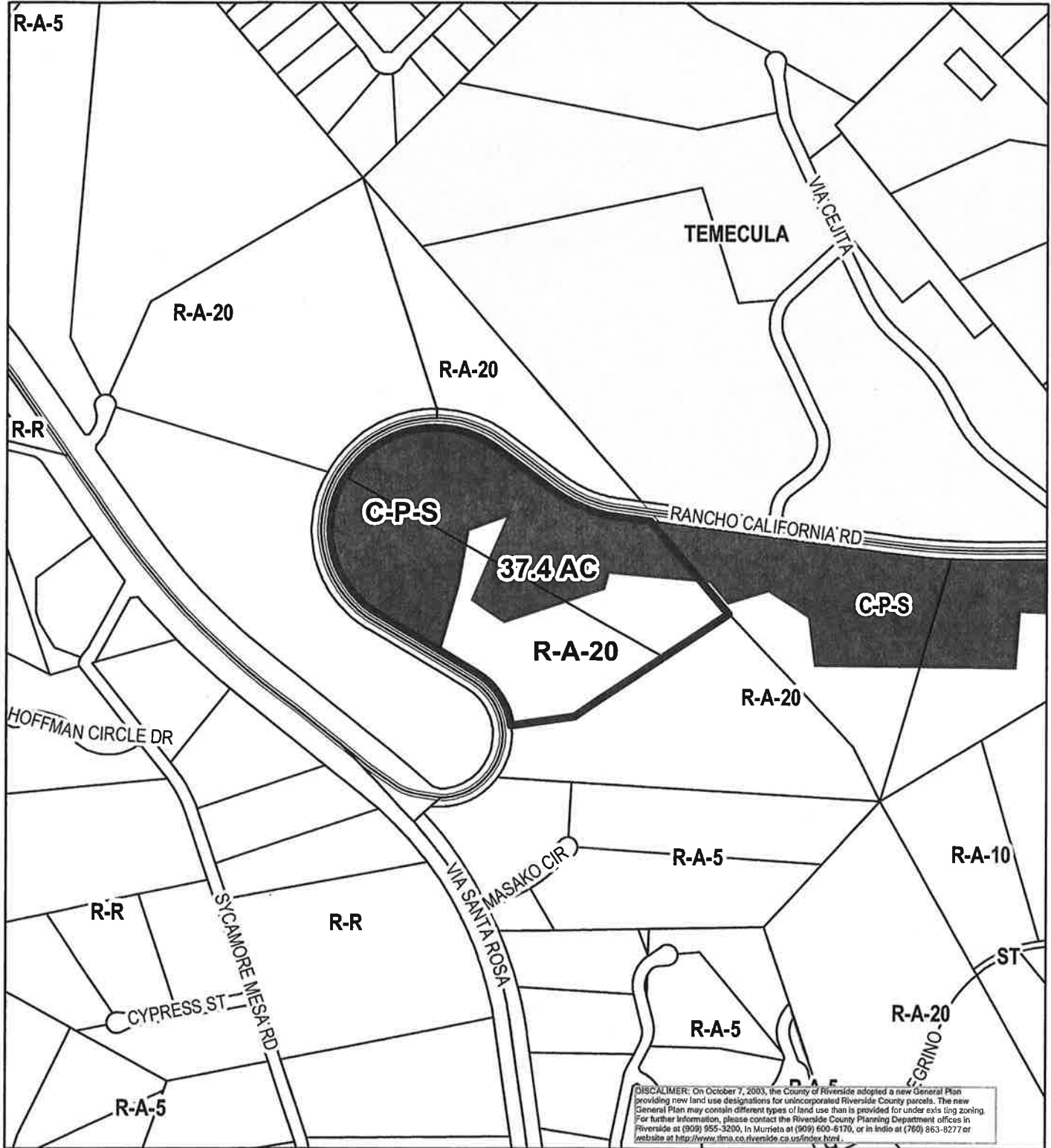
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T8SR3W
Section: 10



Assessors
Bk. Pg. 940-02
Thomas
Bros. Pg. 958 E7





Zone
Area: Rancho California
Township/Range: T8SR3W
Section : 10

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 940-02
Thomas
Bros. Pg. 958 E7

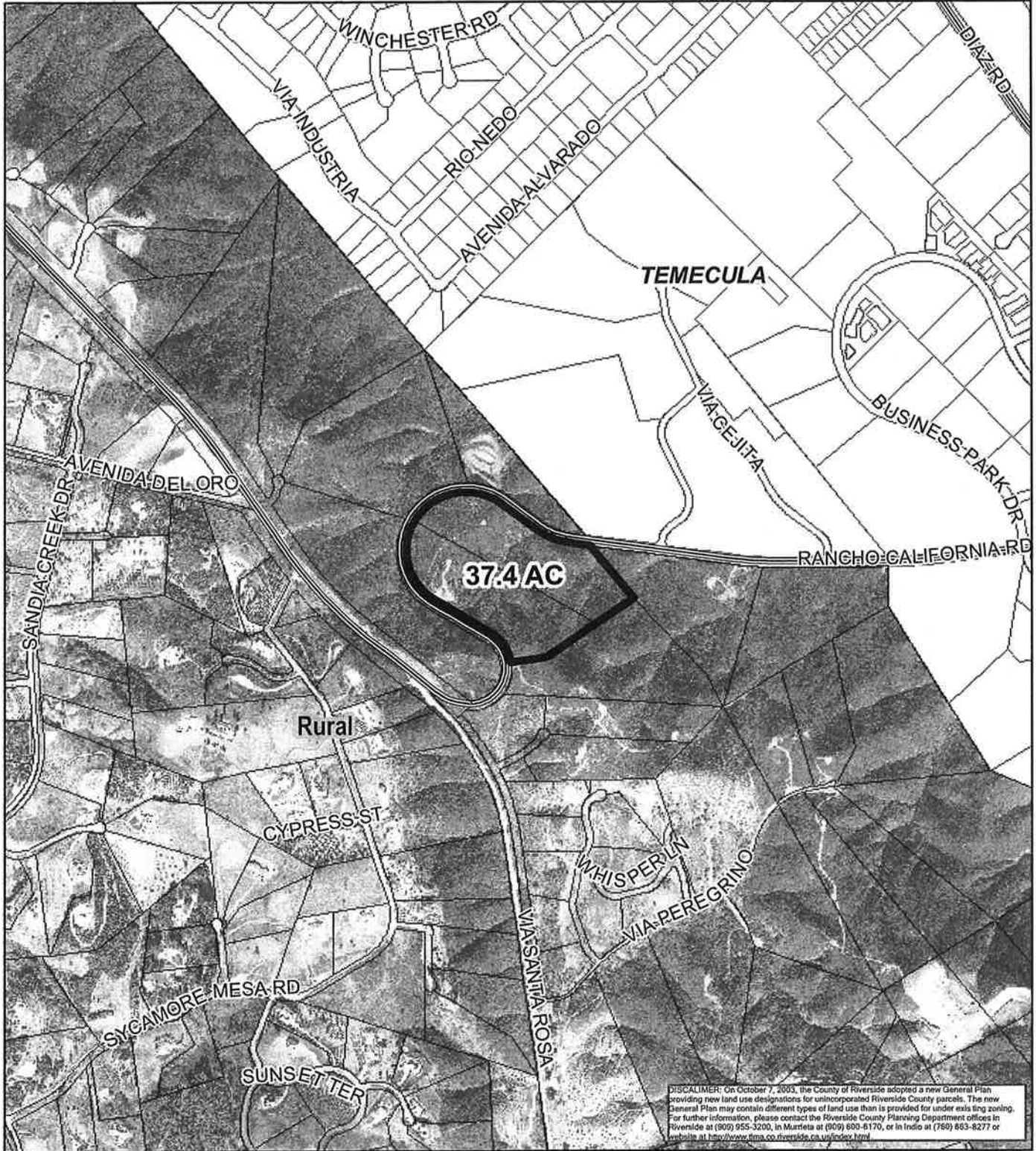


Supervisor Buster
District 1
Date Drawn: 3/21/08

GPA01042

DEVELOPMENT OPPORTUNITY

Planner: Amy Aldana
Date: 3/12/08
Exhibit Overview

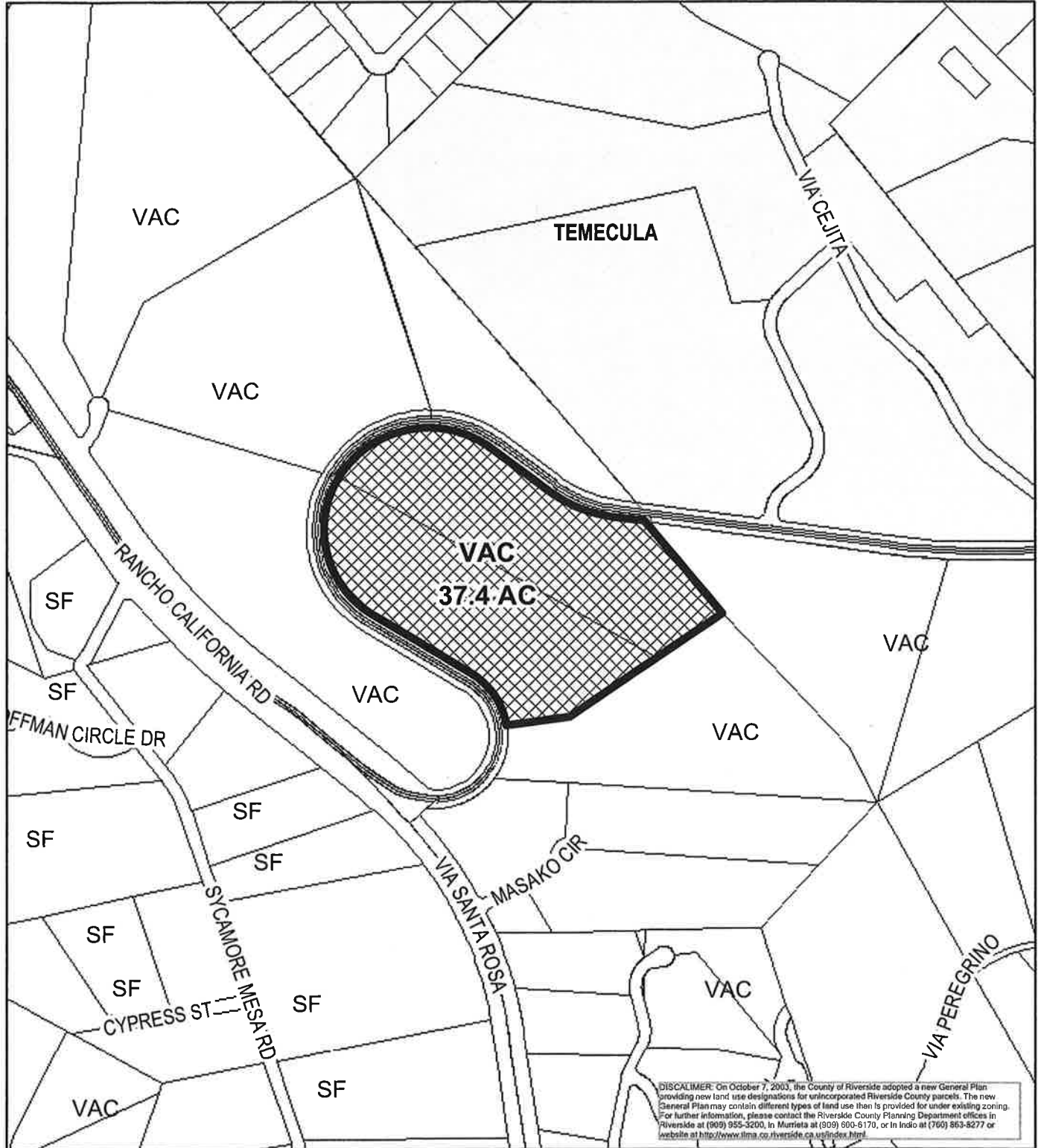


RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
Plan: Rancho California
Township/Range: T8SR3W
Section: 10



Assessors
Bk. Pg. 940-02
Thomas
Bros. Pg. 958 E7



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T8SR3W
Section : 10



Assessors
Bk. Pg. 940-02
Thomas
Bros. Pg. 958 E7

Supervisor Buster
District 1

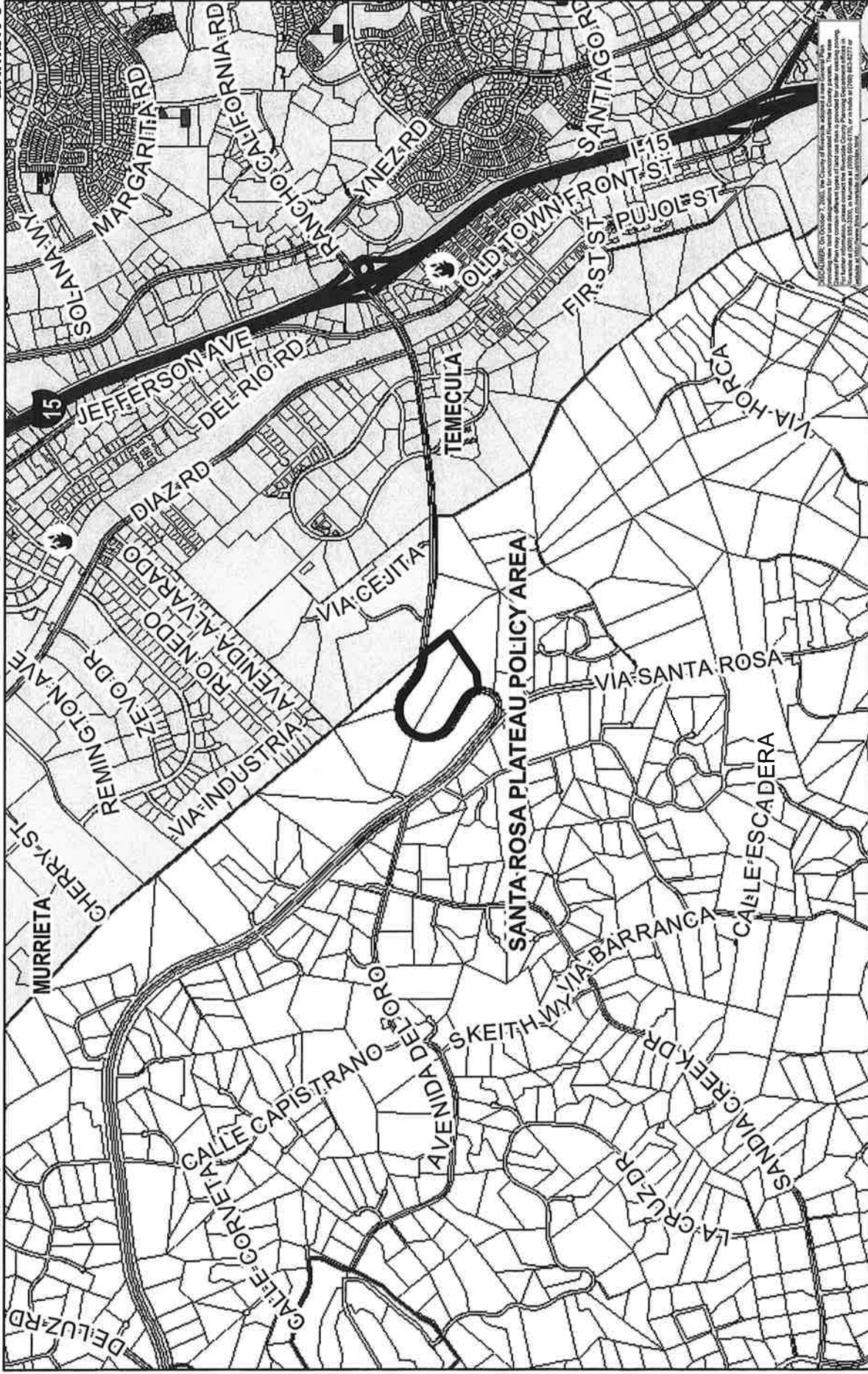
Date Drawn: 3/21/08

GPA01042

POLICY AREAS

Planner: Arny Aldana
Date: 3/12/08

Exhibit 8



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T8SR3W
Section : 10

Assessors
Bk. Pg. 940-02
Thomas
17,700 Bros. Pg. 958 E7



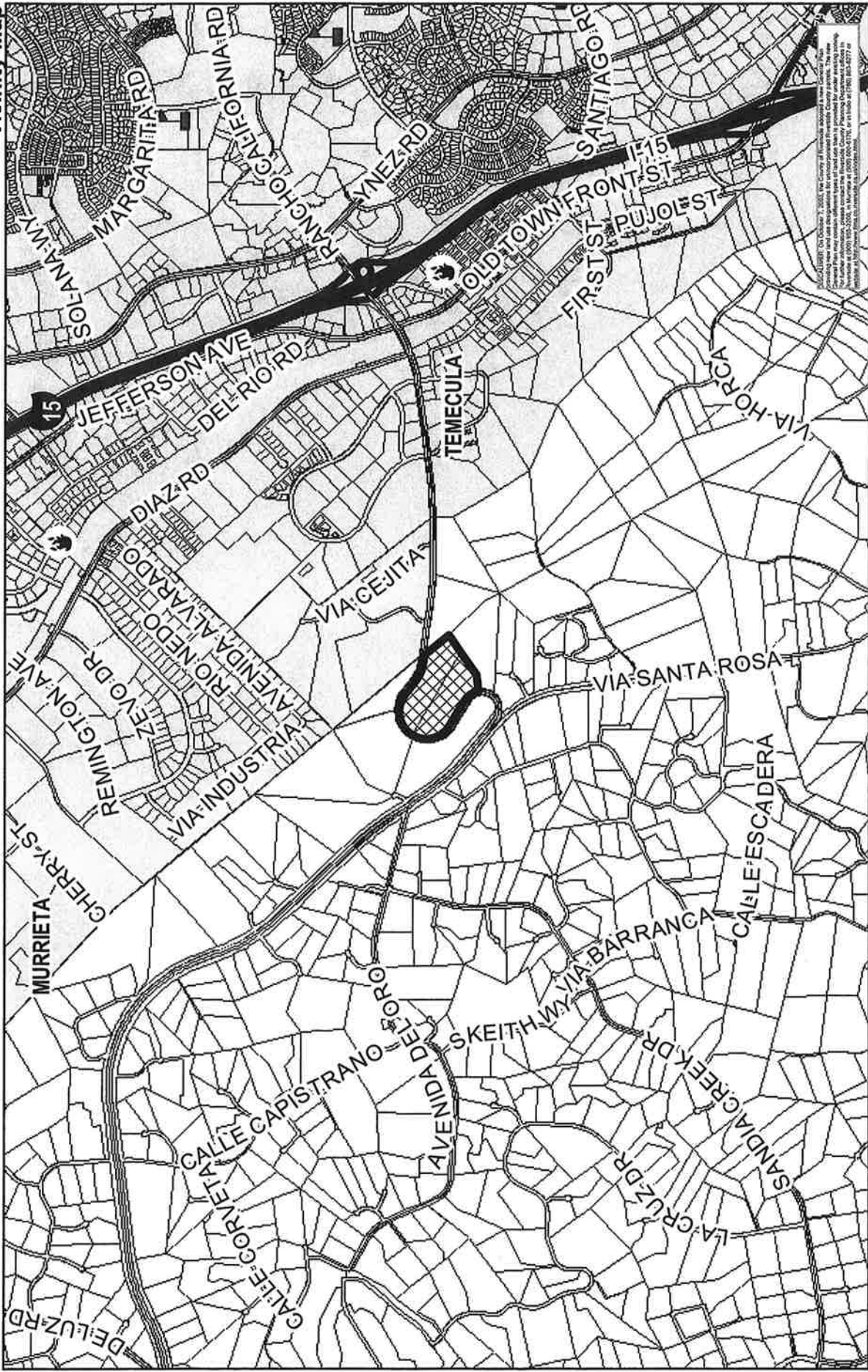
Supervisor Buster
District 1

Date Drawn: 3/21/08

GPA01042 VICINITY MAP

Planner: Amy Aldana
Date: 3/12/08

Vicinity Map



Zone
Area: Rancho California
Township/Range: T8SR3W
Section : 10

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 940-02
Thomas
17,700 Bros. Pg. 958 E7



© 2008 Riverside County Planning Department. This map is a vicinity map and does not constitute an official record. The information shown on this map is for informational purposes only. Riverside County Planning Department is not responsible for any errors or omissions on this map. For more information, please contact the Riverside County Planning Department at (951) 261-3333.



LAND USE

Figure LU-3 Land Use Policy Map

Adopted April 12, 2005

Map Prepared February 28, 2008

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

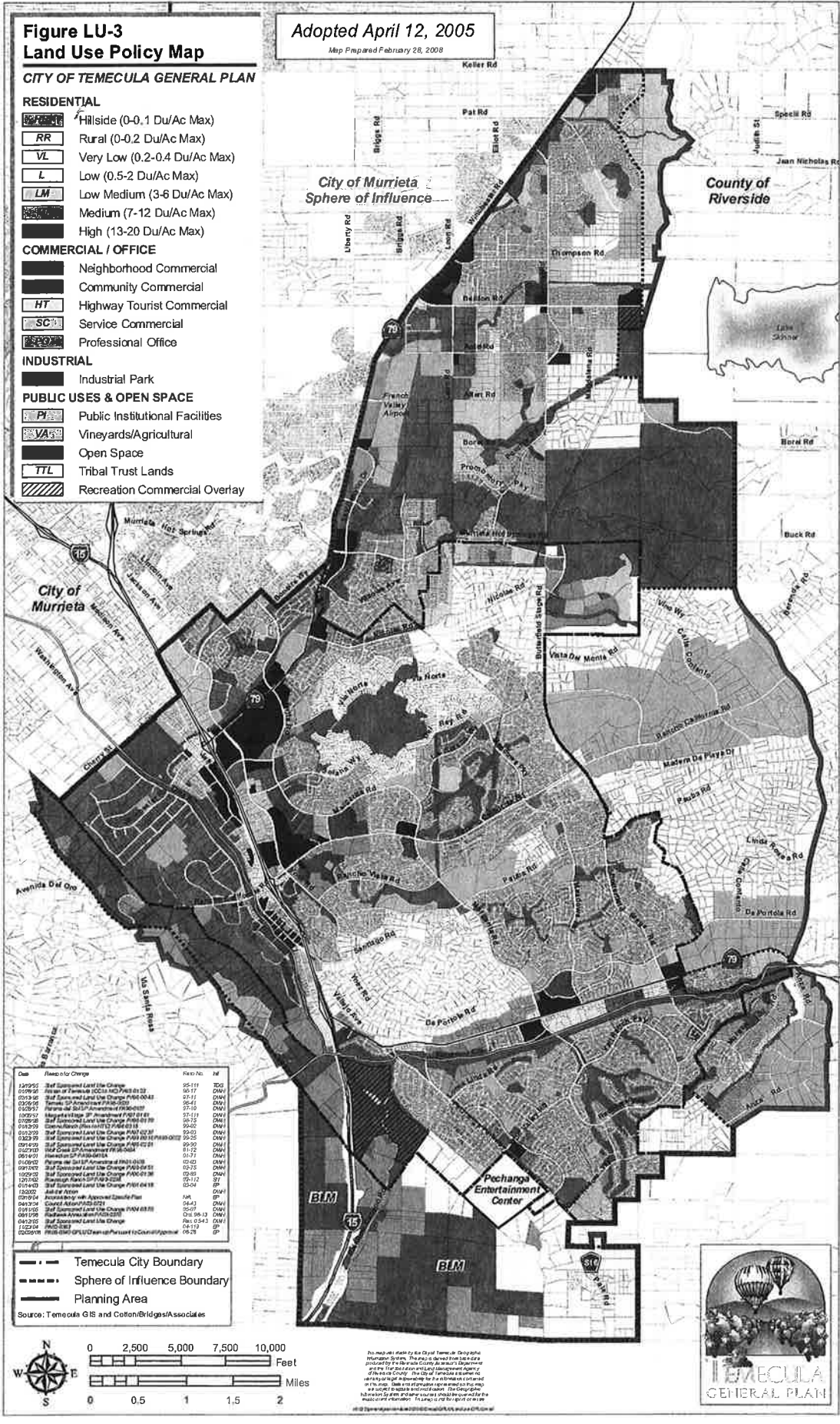
- Neighborhood Commercial
- Community Commercial
- Highway Tourist Commercial
- Service Commercial
- Professional Office

INDUSTRIAL

- Industrial Park

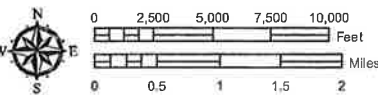
PUBLIC USES & OPEN SPACE

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



Date	Reason for Change	Revised	By
12/29/92	Staff Recommended Land Use Change	05-119	TCG
01/09/95	Review of Temecula CCRA/UCP/Plan 00-02	05-117	DNA
01/19/96	Staff Recommended Land Use Change P100-00-03	01-11	DNA
02/28/96	Temecula City Council Resolution P100-00-03	05-41	DNA
02/28/97	Review of City Council Resolution P100-00-03	07-10	DNA
02/28/98	Staff Recommended Land Use Change P100-00-03	17-11	DNA
01/29/99	Staff Recommended Land Use Change P100-00-03	06-12	DNA
01/29/99	City Council Resolution P100-00-03	05-02	DNA
01/29/99	Staff Recommended Land Use Change P100-00-03	05-03	DNA
01/29/99	Staff Recommended Land Use Change P100-00-03	05-02	DNA
02/19/99	Staff Recommended Land Use Change P100-00-03	09-20	DNA
02/19/99	Staff Recommended Land Use Change P100-00-03	11-12	DNA
02/19/99	Review of City Council Resolution P100-00-03	01-31	DNA
01/29/00	Review of City Council Resolution P100-00-03	02-02	DNA
09/18/00	Staff Recommended Land Use Change P100-00-03	02-25	DNA
10/22/02	Staff Recommended Land Use Change P100-00-03	02-05	DNA
12/16/02	Review of Staff Recommended Land Use Change P100-00-03	05-12	ST
01/14/03	Staff Recommended Land Use Change P100-00-03	02-04	ST
12/02/02	Staff Recommended Land Use Change P100-00-03	04-13	ST
02/19/04	Review of City Council Resolution P100-00-03	04-13	ST
04/13/04	Staff Recommended Land Use Change P100-00-03	05-13	DNA
04/13/04	Staff Recommended Land Use Change P100-00-03	04-13	DNA
12/12/04	Staff Recommended Land Use Change P100-00-03	04-13	DNA
02/25/05	Final City Council Resolution P100-00-03	04-28	ST

- Temecula City Boundary
 - Sphere of Influence Boundary
 - Planning Area
- Source: Temecula GIS and CottonBridges/Associates



This map was made by the City of Temecula using GIS software. The map is a digital file and is not a physical document. It is subject to change without notice. The City of Temecula is not responsible for any errors or omissions on this map. The City of Temecula is not responsible for any damages or losses resulting from the use of this map. The City of Temecula is not responsible for any claims or liabilities arising from the use of this map.



APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

~~The subject properties (Lot 147 and 148) were designated scenic highway commercial and changed to rural mountainous. We are requesting Lot 147 and 148 to be changed to commercial tourist. At Least, 12 acres of the 37 acres are suitable for building placement. The parcels are located from 1 to 2 parcels away from an existing industrial park and commercial designated land use. These lots have been on the market for over 20 years and there has not been any interest from a potential buyer for its residential and agricultural use. These two properties are not suitable for residential use, due to their close proximity and overlooking a sewage treatment plant, an industrial park, commercial property, traffic and road noise from Rancho California Road. A top quality commercial project in this location would be a definite asset to the County of Riverside and the City of Temecula.~~

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): _____

C. PROPOSED POLICY (Attach more pages if needed): _____

Submittal to the Board of Supervisors
County of Riverside, State of California
4080 Lemon Street
Riverside 92501-3657

Alois Wittmann
29017 Geronimo Drive
Rancho Palos Verdes
CA, 90275

Subject: Restitution of commercial (C-P-S) zoning for lot sites 147 and 148 bordered by the "S" curve of Rancho California Road in the Temecula area of Riverside County.

We, Mr. & Mrs. Cords and Mr. & Mrs. A. Wittmann, jointly acquired lots 147 and 148, Riverside County parcel map 6835, with the intent to efficiently use the promontory land site for a hotel/office park development. To realize this project, we applied for a zoning plan amendment from residential agriculture (R-A) to scenic highway commercial (C-P-S) which the Riverside County Board of Supervisors granted (ordinance # 348.2658) in December 1986.

To further our project, we commissioned in 1990 a site development study with Lohr & Associates Civil Engineering. This study determined that about 12 acres of approx 37 acres total are suitable for building placement; the remaining acreage will stay natural due to the topographically hilly character of the land. The identified building sites were then investigated by Leighton and Associates, Temecula for geotechnical subsurface and slope stability. Their findings (-project No. 11901077-01-) conclude that on geotechnical basis, the proposed commercial site development is entirely feasible.

After all this diligent, time and money consuming effort toward bringing the project to a conclusion, we learned in May of this year that Riverside County Planning had reverted the zoning for our property to residential GP-10, thereby voiding all our efforts. We are asking to reconstitute the C-P-S scenic highway commercial zoning for lots 147 & 148 and in fairness allow us to bring our project of twenty years to fruition. We have developers seeking out our promontory land for commercial use. A top quality project in this location would be a definite asset to the City of Temecula as well as the homeowners in the Santa Rosa Community Service District area. Both the topographical property character of lots 147 & 148, its nesting within the northern lobe of the Rancho California Road curve, and the closeness of the Temecula business park area are objectionable to residential land use, whereas these very features are integral to our planned commercial land use.

A timely and positive response to our request to reconstitute the C-P-S commercial zoning for lots # 147 and #148 is appreciated, and it would allow us to engage an interested land developer.

A. Wittmann
Nov. 26, 2004

ATTACHMENT
PG. 3A

John Kardum
26200 Avenida Del Oro
Temecula, CA 92590
Applicant/Owner- GPA 1042

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John Kardum
26200 Avenida Del Oro
Temecula, CA 92590
Applicant/Owner- GPA 1042

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FAX MEMO

June 27, 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, June 29, 2010

PAGES: 4 (including cover)

6/29/10 15.3
2010-06-10 541

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



June 27, 2010

VIA FACSIMILE AND ELECTRONIC MAIL

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

RE: Item 15, General Plan Amendment Initiation Proceedings (June 29, 2010)

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPAs. We urge that the integrity of the Foundation system be upheld, and that therefore that staff recommendations not be uniformly followed.

Item 15.1, GPA 985 (Elsinore)

Request additional information. Apparently, the proposal has been amended to limit conversion to Community Development to an 1.87-acre portion of a 34-acre site subject to flood hazard. We urge you to carefully evaluate any assurances that have been offered by the Flood Control District, including the effects of "flood proofing" on other properties. Also, no information has been provided as to whether MSHCP objectives would be prejudiced by the more limited proposal.

Item 15.2, GPA 988 (Elsinore)

Concur with staff recommendation to deny initiation. This 83-acre 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 15.3, GPA 1042 (SWAP)

Concur with staff recommendation to deny initiation. As noted in the staff report, the proposed commercial use of this 37-acre site is inconsistent with the vision and surrounding area, and no new circumstances justify new commercial in this location. Furthermore, the site falls within a portion of an MSHCP Criteria Cell needed to establish habitat connectivity, and the proposed intensification may conflict with the MSHCP.

Item 15.4, GPA 946 (Winchester)

Disagree with applicant's original proposal and with staff's modified recommendation for initiation. To change the designation of this large, 176-acre property from Rural Community to Community Development – or to *facilitate* such future conversion via staff's modified recommendation – are *both* inconsistent with maintaining the current rural policy area. There is also no MSHCP analysis. The larger question is that no absorption study has demonstrated the need for additional Community Development or, even if so, whether this is an optimal location. Indeed, the location appears discontinuous from other development and would represent a piecemeal and disorderly pattern of urbanization that maximizes greenhouse gas emissions.

Item 15.5, GPA 974 (French Valley)

Disagree with staff recommendation to initiate. For unspecified reasons, staff has *reversed* its prior sound recommendation for denial. The proposal would breach a Rural "Community Separator" for the City of Menifee and contribute to a larger group of unnecessary proposed urban conversions. No absorption study based upon existing General Plan capacity justifies additional development.

Item 15.6, GPA 976 (Winchester)

Disagree with staff recommendation to initiate. 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 15.7, GPA 1000 (Southwest Area Plan)

Request additional information. When this 379-acre GPA was before the Planning Commission, the proposal was to convert this rugged and fire-prone rural location to Specific Plan/Community Development. Staff recommended denial due to discontinuity from urban infrastructure and services and because conversion "would be contrary to the existing character and land use pattern in the area." Now, an amended proposal seeks a less dense Agriculture designation, consistent with proposed expansion of the Citrus Vineyard Policy Area. *However, such expansion has not been approved as yet.* GPA initiation may be premature. Should Policy Area expansion *precede* redesignation? What is the proper sequence so as not to prejudice objective Policy Area decision-making, consideration of water supply, etc? Also, if redesignation were approved at this time, what prevents urban conversion under the loophole-ridden Agriculture conversion process, especially in the event that Policy Area expansion does not occur? Given the applicant's previous request for far more intense development than

currently allowed, the possibility of an attempt to circumvent the Certainty System via an Agriculture designation warrants consideration.

Item 15.8. GPA 1099 (Southwest Area Plan)

Concur with staff recommendation to decline to initiate. To change this 23-acre site from Rural Community to Community Development Medium Density Residential would create an incompatible "spot zone." Greenhouse gas emissions would increase by placing more residents distant from employment centers. Finally, the thorough staff analysis has conclusively shown that the required findings cannot be met:

Staff concludes that the applicant's proposed findings are inadequate for the purposes of satisfying the requirements found under Riverside County Ordinance 348, Section 2.6.f relating to General Plan Foundation Component Extraordinary Amendments.

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
Jerry Jolliffe
Mike Harrod
Katherine Lind
Carolyn Luna
Charles Landry