

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

321 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 17, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 946 – Foundation-Regular - Applicant: JVRL 220, LLC. – Engineer/Representative: ACD Engineering, Inc. - Third Supervisorial District – Winchester Zoning Area – Sun City/Menifee Valley Area Plan: Policy Area(s) – Highway 79 Policy Area; Estate Density Residential & Rural Residential Policy Area: Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) – Location: East of Heinz Lane, south of Garbani Road, west of Leon Road and north of Wickerd Road – 175.4 Gross Acres – Zoning: Residential Agricultural-5 Acre Minimum Lot Size (R-A-5) **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 General Plan Land use designation from Rural Residential (RUR: RR) (5 acre minimum lot size), to Medium Density Residential (CD: MDR) (2-5 du/ac) and to remove the site from the General Plan's "Estate Density Residential and Rural Residential Policy Area" - APNs: 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035

RECOMMENDED MOTION: The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for the above referenced general plan amendment as modified by staff and as shown in Exhibit #7 and 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

Jerry Jolliffe, Deputy Planning Director for,

Ron Goldman
Planning Director

Initials:
RG:th
th

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: June 29, 2010
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.

District: Third

Agenda Number:

15.4

REVIEWED BY EXECUTIVE OFFICE

DATE

6/23/10
Tina Grande

Departmental Concurrence

Policy

Policy

Consent

Consent

Dep't Recomm.:

Per Exec. Ofc.:

to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

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

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (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

3218

DATE: June 15, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: General Plan Amendment No. 946

(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

**PLANNING COMMISSION
MINUTE ORDER NOVEMBER 4, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. AGENDA ITEM 5.6: GENERAL PLAN AMENDMENT NO. 946 - Foundation / Regular - Applicant: JVRL 220, LLC. - Engineer/Representative: ACD Engineering, Inc. - Third Supervisorial District - Winchester Zoning Area - Sun City/Menifee Valley Area Plan: Policy Area(s) - Highway 79 Policy Area; Estate Density Residential & Rural Residential Policy Area: Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum Lot Size) - Location: East of Heinz Lane, south of Garbani Road, west of Leon Road and north of Wickerd Road - 175.4 Gross Acres - Zoning: Residential Agricultural-5 Acre Minimum Lot Size (R-A-5) – APN(s): 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035.

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 General Plan Land use designation from Rural Residential (RUR: RR) (5 Acre Minimum Lot Size), to Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre).

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 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.

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.: 5.6
Area Plan: Sun City/Menifee Valley
Zoning District: Winchester Area
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: November 4, 2009

General Plan Amendment No. 946
Applicant: JVRL 220, LLC
Engineer/Representative: ACD Engineering

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 946 as modified by staff from Rural Community: Estate Density Residential to Community Development: Estate Density Residential. Staff's recommendation would add the following properties not included in the original application, Assessor Parcel Numbers: 466-210-021, 466-210-022, 466-210-023, 466-210-024, 466-210-036 and 466-210-037. The Planning Commission made the comments below. The Planning Director continues to recommend to adopt an order initiating proceedings as modified by staff. 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 expressed his opposition to prematurely converting rural areas into urbanized lands within the Community Development Foundation Component. He indicated that the County and its residents were involved in a lengthy process that created the General Plan and the five-year certainty system and that the certainty system has somewhat been bypassed with policy areas, overlays and cases such as General Plan Amendment No. 946. He indicated that we are speeding up the process of urbanization of rural areas. Finally, Mr. Roth stated that he has some concerns with both the applicant's proposal and with staff's proposal.

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty agreed with staff's recommendation to initiate General Plan Amendment No. 946 from Rural Community: Estate Density Residential to Community Development: Estate Density Residential and stated that staff's proposal should be allowed to proceed with caution. Commissioner Petty noted that the City of Menifee is currently working on its General Plan and that it may have some impact on the current County designations in the area. He also stated that including the four additional parcels located at the southwest corner of Garbani Road and Leon Road and the two parcels directly south of the subject site but north of Wickerd Road in staff's proposal was appropriate as well.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 5.6
Area Plan: Sun City/ Menifee Valley
Zoning District: Winchester Area
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: November 4, 2009

General Plan Amendment No. 946
Applicant: JVRL 220, LLC
Engineer/Rep.: ACD Engineer INC.

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component from "Rural Community" (RC) to "Community Development" (CD) and the General Plan Land Use designation from "Estate Density Residential" (EDR) (2 acre minimum lot size) to "Medium Density Residential" (MDR) (2-5 du/ac) for an approximately 175.74 acre site. The project is located northerly of Wickerd Road, southerly of Garbani Road, easterly of El Centro Lane and westerly of Leon Road.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "Winchester" community within the Sun City/ Menifee Valley Area Plan. Rural Community: Estate Density Residential can be found to the north and the west of the site. Community Development: Medium Density Residential is found to the east of the site and Rural: Rural Residential can be found to the south of the site. Those parcels in the area that are currently designated as Medium Density Residential are vacant for the most part. Efficient land use practices would see those areas develop prior to additional Medium Density Residential being added to the area.

The current proposal would substantially increase the density currently allowed on the site. Staff recognizes that conditions in the area are likely to change with the incorporation of the City of Menifee. Therefore, staff recommends that the site's designation be changed from Rural Community: Estate Density Residential to Community Development: Estate Density Residential as opposed to Community Development: Medium Density Residential. Staff's recommendation would maintain the current density and would also allow the applicant to apply for a General Plan Amendment sooner than the Five-year limitation that is currently placed on Foundation Change Amendments. Staff's recommendation would also be consistent with the General Plan's "Estate Density Residential and Rural Residential Area East of Interstate 215" policy area which the subject site is a part of. This policy area recognizes that the area has a well established rural character that the local residents support and requires that "residential development in this area shall retain its existing estate density and rural character." The proposed change to Medium Density Residential is inconsistent with this policy (SCMVAP 6.1).

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

RECOMMENDATION:

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 946 as modified by staff from Rural Community: Estate Density Residential to Community Development: Estate Density Residential and to include the 4 parcels that are located at the southwest corner of Garbani Road and Leon Road (APN's: 466-210-021, 466-210-022, 466-210-023 and 466-210-024) as well as the two parcels located directly south of the subject site but north of Wickerd Road APN's: 466-210-036 and 466-210-037). 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:

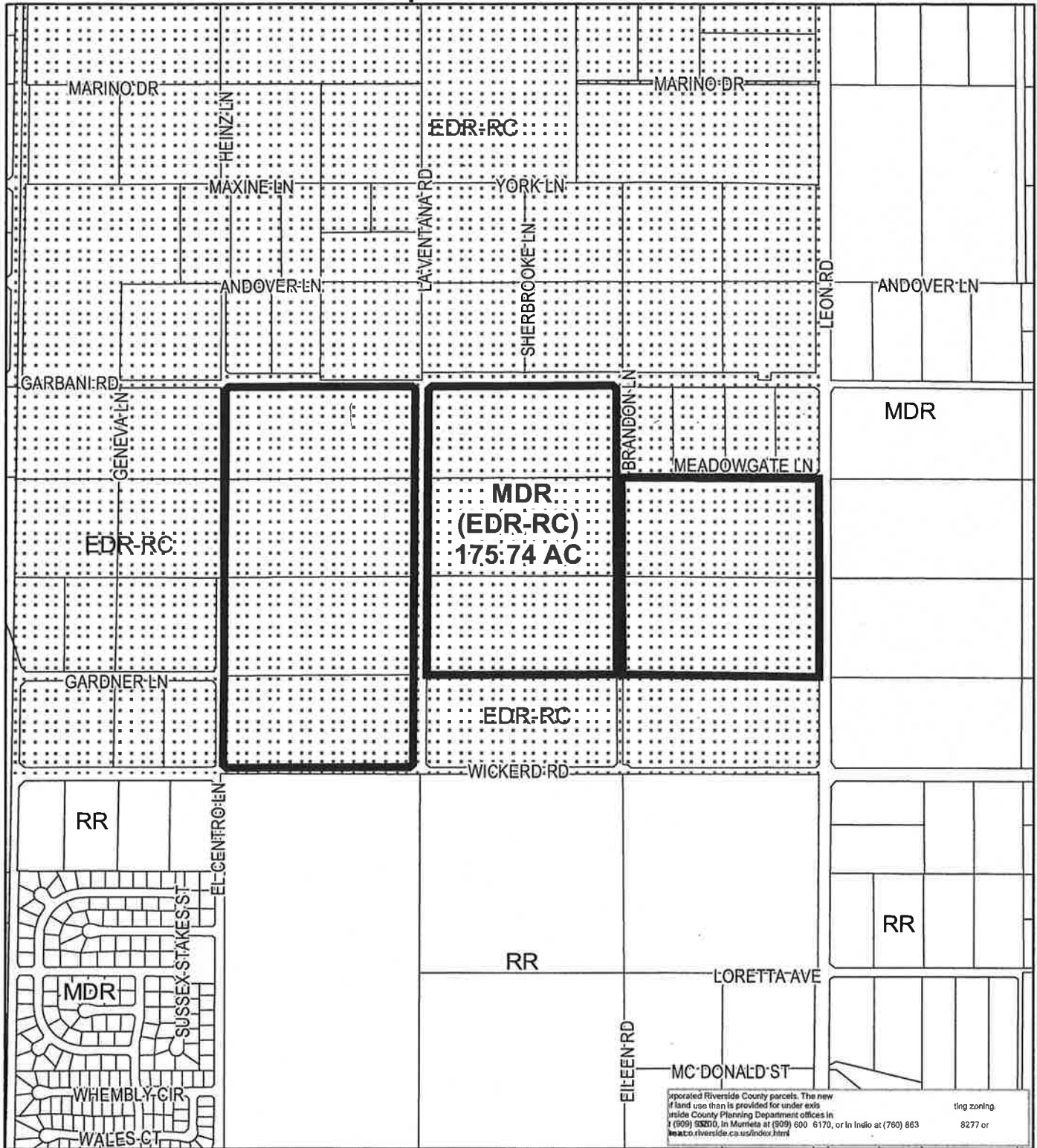
1. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$7,232.58.
3. The project site is currently designated as Assessor's Parcel Number: 466-210-008, 466-210-009, 466-210-029, 466-210-030, 466-210-031, 466-210-032, 466-210-033, 466-210-034 and 466-210-035.

Supervisor Stone
District 3
Date Drawn: 2/27/08

GPA00946

Proposed General Plan

Planner: Amy Aldana
Date: 3/10/08
Exhibit 6



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Winchester
Township/Range: T6SR2W
Section: 18



Assessors
Bk. Pg. 466-21
Thomas
Bros. Pg. 869 B6

Incorporated Riverside County parcels. The new
if land use than is provided for under exists
Riverside County Planning Department offices in:
(909) 526-0100, in Murietta at (909) 600 6170, or In Indio at (760) 863 8277 or
www.riverside.ca.us/index.html

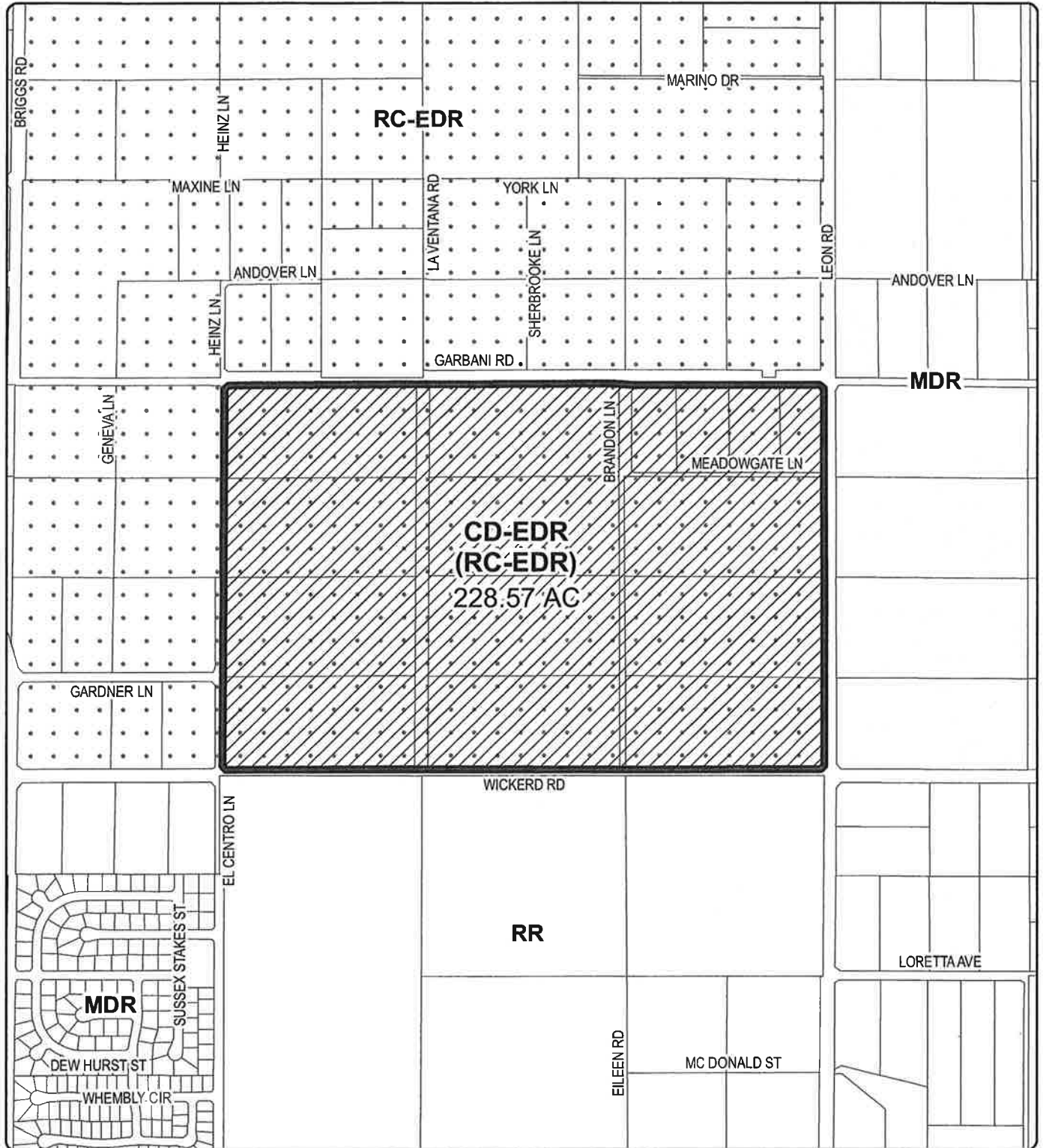
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA00946

Supervisor Stone
District: 3

STAFF'S RECOMMEDATION GENERAL PLAN

Date Drawn: 11/17/09
Exhibit 7

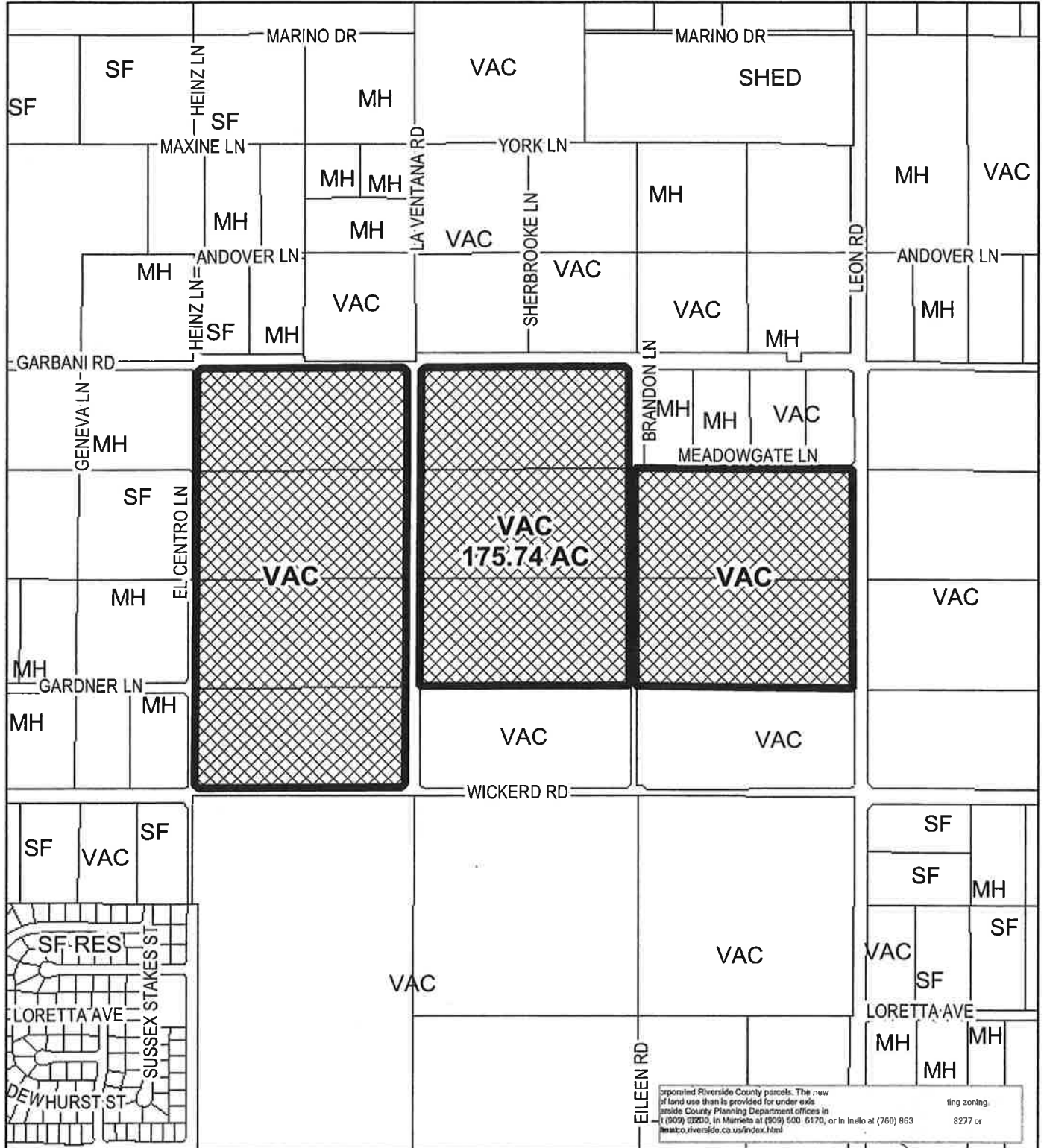


Zoning Area: Winchester
Township/Range: T6SR2W
Section: 18

Assessors Bk. Pg. 466-21
Thomas Bros. Pg. 869 B6
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 Area: Winchester
 Township/Range: T6SR2W
 Section: 18



Assessors
 Bk. Pg. 466-21
 Thomas
 Bros. Pg. 869 B6



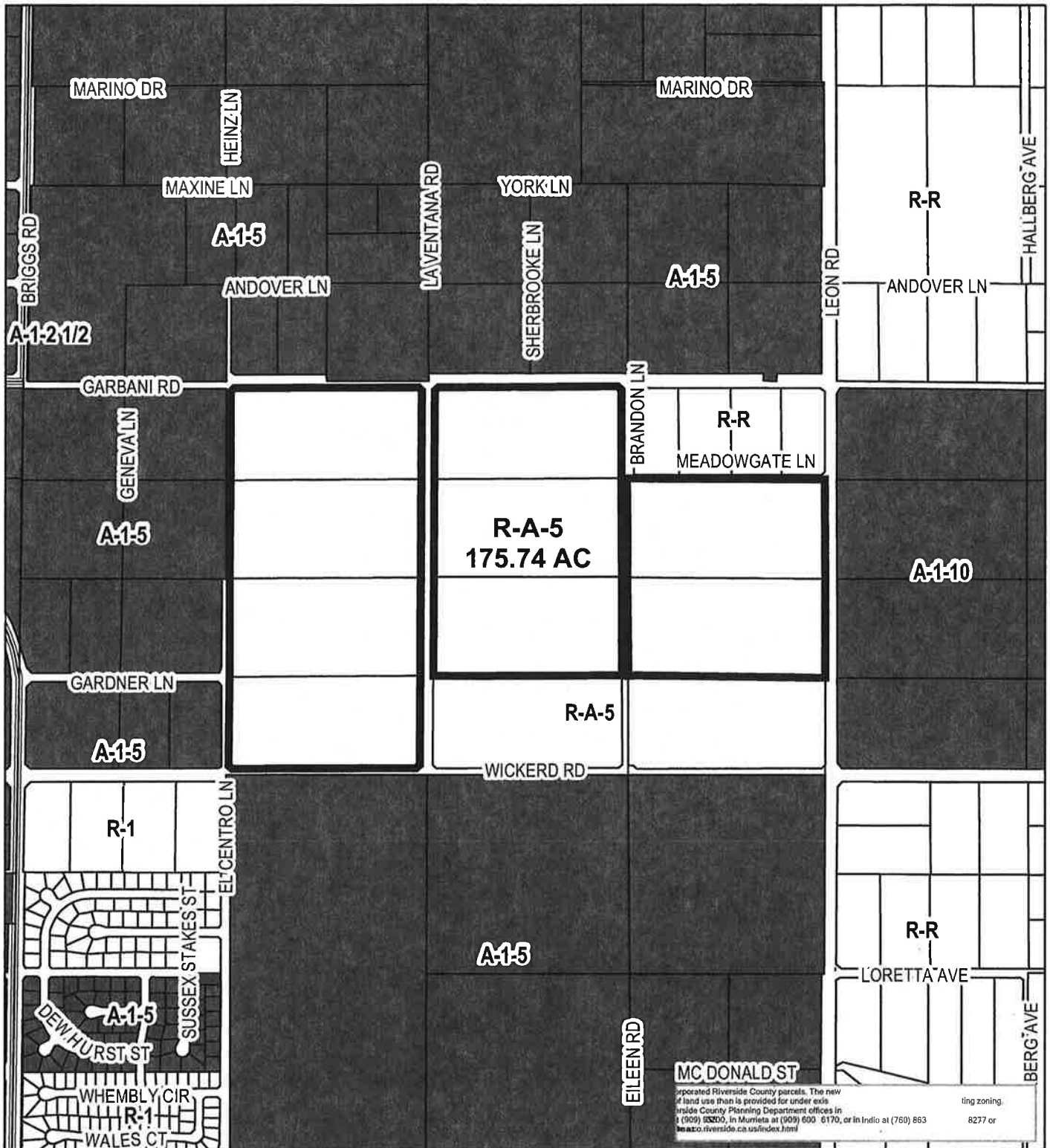
incorporated Riverside County parcels. The new
 of land use than is provided for under exis
 Riverside County Planning Department offices in
 (909) 93200, in Murrieta at (909) 600 6170, or in Inlo at (760) 863
planning.riverside.ca.us/index.html 8277 or

Supervisor Stone
District 3
Date Drawn: 2/27/08

GPA00946

EXISTING ZONING

Planner: Amy Aldana
Date: 3/10/08
Exhibit 2



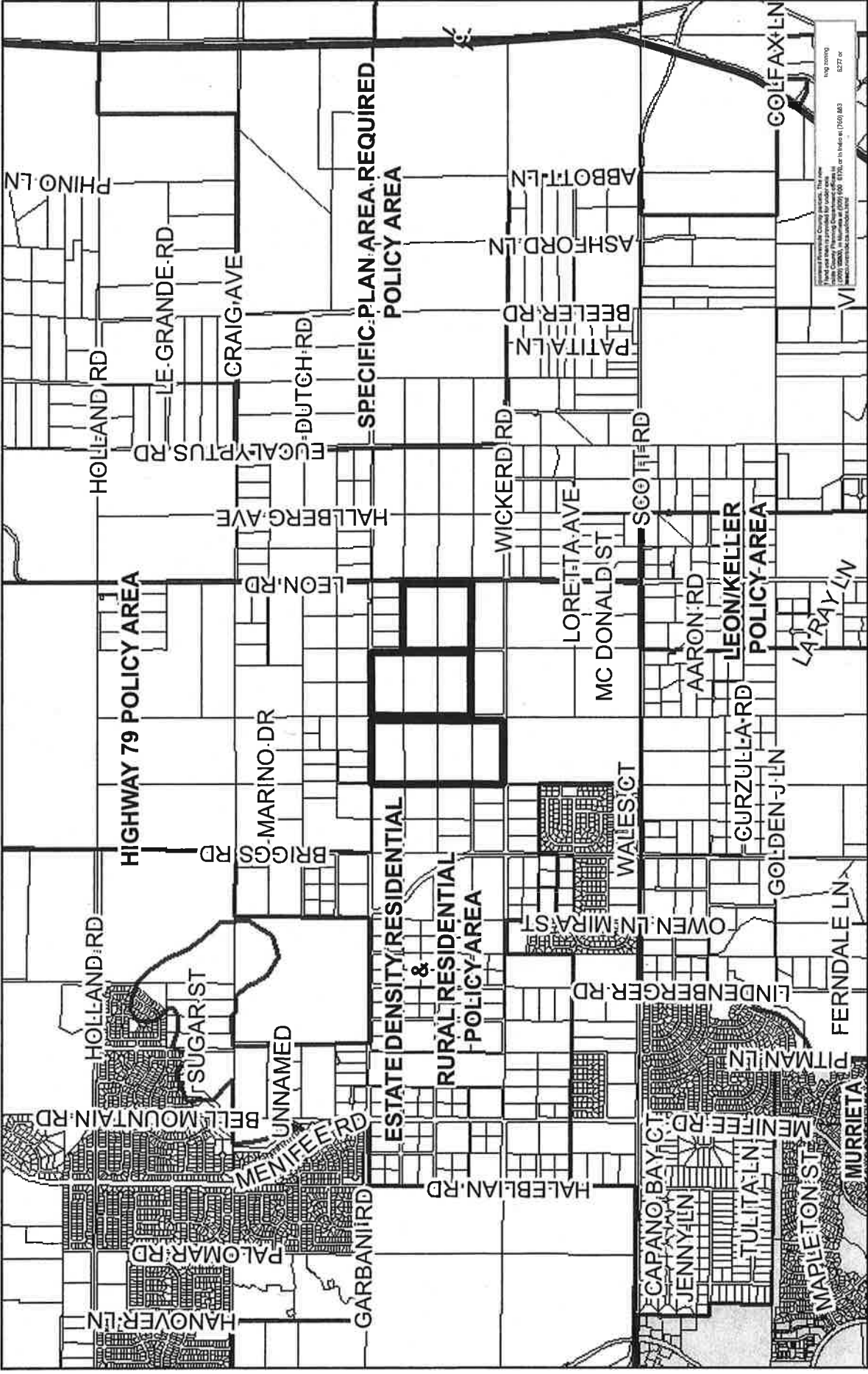
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Winchester
Township/Range: T6SR2W
Section: 18



Assessors
Bk. Pg. 466-21
Thomas
Bros. Pg. 869 B6

incorporated Riverside County parcels. The new
of land use than is provided for under existing zoning.
inside County Planning Department offices in
1 (909) 932000, in Murrieta at (909) 600 6170, or in Indio at (760) 863 8277 or
beaco.riverside.ca.us/index.html



Highland Riverside County parcels. The new
Riverside County Planning Department Office is
located at 10000 Main St., Suite 100, Riverside, CA 92504.
Map Date: 3/10/08
Map Scale: 1" = 18,000'

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 466-21
Thomas
Bros. Pg. 869 B6

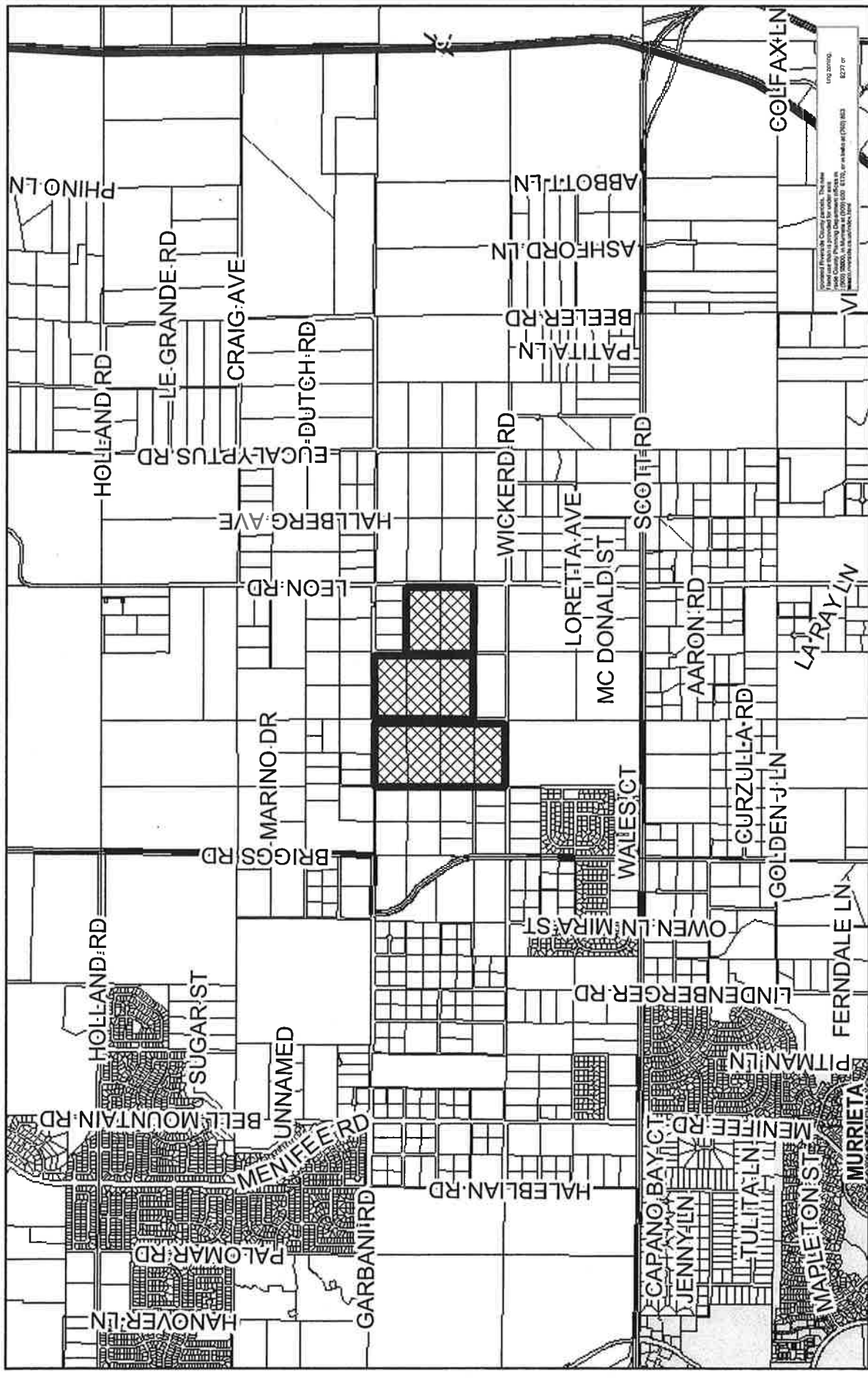


Zone
Area: Winchester
Township/Range: T6SR2W
Section: 18

Supervisor Stone
 District 3
 Date Drawn: 2/27/08

GPA00946
 VICINITY MAP

Planner: Arny Aldana
 Date: 3/10/08
 VICINITY MAP



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Winchester
 Area: T6SR2W
 Section: 18

Assessors: 466-21
 Thomas Bros. Pg. 869 B6

0 3,000 6,000 12,000 18,000 Feet

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

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

The surrounding areas adjacent to this project comprise a mixture of medium to low density. Within the foundation component of the rural community, EDR-RC covers a majority of the immediate region. R-1 land use would provide a link between the low density regions surrounding the property and the R-1 regions east of the site.

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: N/A Area Plan: N/A

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

N/A

C. PROPOSED POLICY (Attach more pages if needed): N/A

November 1, 2009

VIA ELECTRONIC MAIL AND FACSIMILE

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

**RE: Item 5.0, General Plan Amendment Initiation Proceedings
(November 4, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals.

Item 5.1, GPA 1033 (SWAP)

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

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

Item 5.2, GPA 1000 (SWAP)

Concur with previous staff recommendation to decline to initiate. Conversion of this 379-acre rural location to Community Development/Specific Plan would defy all relevant planning principles. It would urbanize an intact rural area discontinuous from urban infrastructure and services, maximize greenhouse gas emissions, and, contrary to

the recommendation of the Fire Hazard Reduction Task Force, place development in a rugged, high fire hazard location. No new circumstance justifies this Foundation change, which would thus conflict with the Administrative Element of the General Plan. According to the staff report, this increase in intensity “would be contrary to the existing character and land use pattern in the area.”

Item 5.3, GPA 998 (French Valley)

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

Item 5.4, GPA 977 (Mead Valley/Elsinore)

Concur with staff recommendation to decline to initiate. This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. 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 steep slopes, high fire hazard and no nearby fire stations, limited access, and subject to flooding. Increasing the density/intensity of allowable land use on the site, as proposed by this amendment, would also exacerbate potentially conflicts between such uses and the conservation requirements as set forth in the MSHCP, causing inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

Item 5.5, GPA 954 (French Valley)

Pending additional analysis, disagree with both applicant's proposal and with staff's modified recommendation for initiation. Adjacent to the property is a large block of conserved habitat (OS-CH). However, information on the relationship of the property to the MSHCP is not provided. No decision should be made until this information is available.

Item 5.6, GPA 946 (Winchester)

Disagree with applicant's 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 5.7, GPA 1089 (Jurupa)

Concur with staff recommendation to initiate. This is an appropriate intensification of existing Community Development to accommodate growth by providing a range of housing choices in a location near infrastructure and services.

In conclusion, we ask that you uphold the integrity of the Foundation System, the General Plan, and the MSHCP.

Sincerely,

Dan Silver, MD
Executive Director

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

Carolyn Luna, EPD
Interested parties

JVRL 220, LLC
41391 Kalmia St. Loop #100
Murrieta, CA 92562
GPA946-Applicant

ACD Engineering Inc.
43020 Blackdeer Loop #201
Temecula, CA 92590
GPA946-Engineer

Larry Uebersetzig
31568 Railraod Cyn Rd. #130
Canyon Lake, CA 92587
GPA946-Owner

JVRL 220, LLC
41391 Kaimia St. Loop #100
Murrieta, CA 92562
GPA946-Applicant

ACD Engineering Inc.
43020 Blackdeer Loop #201
Temecula, CA 92590
GPA946-Engineer

Larry Uebersetzig
31568 Railraod Cyn Rd. #130
Canyon Lake, CA 92587
GPA946-Owner



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 Giardini)
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 15.4
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 *facilltate* 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 discontiguous 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 discontiguity 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
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