

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

6.15B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
April 22, 2010

REVIEWED BY EXECUTIVE OFFICE

DATE 4/22/2010  
Tina Grande

Departmental Concurrence

**SUBJECT: GENERAL PLAN AMENDMENT NO. 970** – Foundation-Regular – Applicant: Altfillisch Construction Company – Engineer/Representative: Proactive Engineering Consultants - Second Supervisorial District - Prado Mira-Loma Zoning District - Eastvale Area Plan: Community Development: Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size) and Open Space: Recreation (OS-R) – Location: Northerly of Santa Ana River, southerly of Citrus Street, easterly of Harrison Avenue, and westerly of Cleveland Avenue – 187.20 Gross Acres - Zoning: Residential Agriculture, One Acre Minimum Lot Size (R-A-5) and Watercourse, Watershed and Conservation Areas (W-1) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Open Space to Community Development and to amend the land use designation of the subject site from Open Space Recreation (OS-R) and Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size) to Open Space: Recreation (OS-R), Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size), Medium Density Residential (CD:MDR) (2-5 dwelling units/acre) and Medium High Density Residential (CD: MHDR) (5-8 dwelling units/acre)- APN(s): 130-060-007, 152-040-033, and 152-040-034

**RECOMMENDED MOTION:** **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, 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

Jerry Jolliffe, Deputy Planning Director for,

  
Ron Goldman  
Planning Director

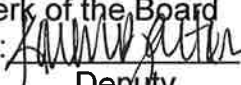
Initials:  
RG:yc

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Stone, Benoit, and Ashley  
Nays: None  
Absent: None  
Date: July 13, 2010  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

Prev. Agn. Ref.

District: Second

Agenda Number:

15.2

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 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.

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



15.1

1:30 p.m. being the time set for General Plan Amendment Initiation Proceedings for General Plan Amendment No. 970 – Altfillisch Construction Company/Proactive Engineering Consultants – Prado/Mira-Loma Zoning District – Eastvale Area Plan – 2<sup>nd</sup> District to amend the General Plan Foundation Component of the subject site from Open Space to Community Development and to amend the land use designation of the subject site from Open Space Recreation and Low Density Residential (½ acre minimum) to Open Space: Recreation, Low Density Residential (½ acre minimum), Medium Density Residential (2 – 5 dwelling units per acre) and Medium High Density Residential (5 – 8 dwelling units per acre).

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is continued to Tuesday, July 13, 2010 at 1:30 p.m.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on June 15, 2010 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors  
Dated: June 15, 2010  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: Kecia Harper-Ihem Deputy

AGENDA NO.  
15.1

xc: Planning, Applicant, ~~COB~~

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



15.1

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the recommendation by the Planning Director to adopt an order initiating proceedings for General Plan Amendment No. 970 submitted by Altfillisch Construction Company/Proactive Engineering Consultants to amend the General Plan Foundation Component of the subject site from Open Space to Community Development and to amend the land use designation of the subject site from Open Space Recreation and Low Density Residential (½ acre minimum) to Open Space: Recreation, Low Density Residential (½ acre minimum), Medium Density Residential (2 – 5 dwelling units per acre) and Medium High Density Residential (5 – 8 dwelling units per acre), 2<sup>nd</sup> District is continued to Tuesday, June 15, 2010 at 1:30 p.m.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on May 4, 2010 of Supervisors Minutes.

(seal) WITNESS my hand and the seal of the Board of Supervisors  
Dated: May 4, 2010  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

By: [Signature] Deputy

AGENDA NO.  
15.1

xc: Planning, Applicant, COB

# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

### Planning Department

Ron Goldman · Planning Director

615B

**DATE:** April 22, 2010

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

**FROM:** Planning Department - Riverside Office

**SUBJECT:** GPA00970

(Charge your time to these case numbers)

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

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

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

**Please schedule on the <sup>4</sup>May 3, 2010 BOS Agenda**

**Documents to be sent to County Clerk's Office for Posting:**

NONE - GPIP

Fish & Game Receipt (CFG05146)

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  
4-22-10

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

**I. AGENDA ITEM 6.2: GENERAL PLAN AMENDMENT NO. 970** - Foundation / Regular - Applicant: Altfillisch Construction Co. - Engineer/Representative: Proactive Engineering Consultant - Second Supervisorial District - Prado-Mira Loma Zoning District - Eastvale Area Plan: Community Development: Low Density Residential (CD-LDR) (1/2 acre minimum lot size) and Open Space : Recreation (OS-R) - Location: North of the Santa Ana River, south of Citrus Street, west of Cleveland Avenue and east of Harrison Avenue - 187.2 Acres - Zoning: Residential Agriculture with a 1 acre minimum lot size (R-A-1); Watercourse, Watershed & Conservation Areas (W-1); and Heavy Agriculture with a 1 acre minimum lot size (A-2-1)

**II. PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend the General Plan Foundation Component from Open Space (OS) to Community Development (CD) and the General Plan Land Use designation from Open Space Recreation (OS-R) and Low Density Residential (CD: LDR) to Open Space Recreation (OS-R), Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size), Medium Density Residential (CD: MDR) (2-5 Dwelling Units per Acre), and Medium High Density Residential (CD:MHDR) (5-8 Dwelling Units per Acre).

**III. MEETING SUMMARY**

The following staff presented the subject proposal:

Project Planner: Mike Harrod, Ph: (951) 955-1881 or E-mail [mharrod@rctlma.org](mailto:mharrod@rctlma.org)

The following spoke in favor of the subject proposal:

John Ohanian, Applicant's Representative

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

**IV. CONTROVERSIAL ISSUES**

NONE

**V. PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

**INITIATION** of the **GENERAL PLAN AMENDMENT** with modifications

**VI. CD**

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

**Agenda Item No.: 6.2**  
**Area Plan: Eastvale**  
**Zoning District: Prado-Mira Loma**  
**Supervisory District: Second**  
**Project Planner: Michael Harrod**  
**Planning Commission: February 3, 2010**

**General Plan Amendment No. 970**  
**Applicant: Altfillisch Construction Co.**  
**Engineer/Representative: Proactive**  
**Engineering Consultants**

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

### **RECOMMENDATIONS:**

The Planning Director recommended that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 970 as modified by staff from Community Development: Low Density Residential (1/2 acre minimum lot size) to Community Development: Medium Density Residential (2-5 du/ac) on the northern portion of the site and as shown in Exhibit 7 and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board of Supervisors adopt an order initiating proceedings as modified by staff 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 asked what the acreage would be for each designation under staff's modified recommendation. Mike Harrod stated that under staff's proposal approximately 63 acres would be designated Medium Density Residential on the northern portion of the site and the remainder of the parcel would remain Open Space-Recreation. Commissioner Roth also commented that the proposal as modified by staff does have some merits given the density and urbanization that has taken place to the west of the site.

**Commissioner John Snell:** Commissioner Snell was not opposed to staff's recommendation; however, he commented that he would be strongly opposed to the Medium Density Residential designation over the entire parcel.

**Commissioner John Petty:** No Comments

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

**Agenda Item No.: 6.2**  
**Area Plan: Eastvale**  
**Zoning District: Prado-Mira Loma**  
**Supervisorial District: Second**  
**Project Planner: Mike Harrod**  
**Planning Commission: February 3, 2010**

**General Plan Amendment No. 970**  
**Applicant: Altfillisch Construction Co.**  
**Engineer/Rep.: Proactive Eng. Consultants**

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT  
STAFF REPORT**

**PROJECT DESCRIPTION AND LOCATION:**

The applicant proposes to amend the General Plan Foundation Component from Open Space (OS) to Community Development (CD) and the General Plan land use designation from Open Space Recreation (OS-R) and Low Density Residential (CD: LDR) to Open Space Recreation (OS-R), Low Density Residential (CD:LDR) (1/2 acre minimum lot size), Medium Density Residential (CD: MDR) (2-5 dwelling units/acre), and Medium High Density Residential (CD:MHDR) (5-8 dwelling units/acre) on an approximately 187.2 acre site. The project is located north of the Santa Ana River, south of Citrus Street, west of Cleveland Avenue and east of Harrison Avenue.

**POTENTIAL ISSUES OF CONCERN:**

The site is located just north of the Santa Ana River, the southern boundary of the Eastvale Area Plan. The Santa Ana River represents a significant watershed, recreational, habitat and visual resource. This portion of the river is just upriver from the noteworthy Prado Basin, a habitat area of statewide significance. The site is designated Low Density Residential within the Community Development Foundation at the north end of the site and Open Space Recreation at the south end of the site adjacent to the river. The area north and west of the site is designated Medium Density Residential and consists of established neighborhoods. There is also an area of Medium High Density Residential located to the west. Norco Unified School District's Roosevelt High School is located across Citrus Street for the site. The area south of the site, within the river bottom is designated Open Space Conservation (OS-C) and Open Space Water (OS-W).

The site is located within Cell #875 of the Multiple Species Habitat Conservation Plan (MSHCP). Conservation within this Cell will contribute to assembly of Existing Core A, the environs along the Santa Ana River. Conservation within this Cell will focus on riparian scrub, woodland and forest and water habitats associated with the Santa Ana River. Areas conserved within this cell will be connected to riparian habitat proposed for conservation to the south in Cell #965, to the east in Cell #876 and to the portions of these Cells with the City of Norco to the south. Conservation within this Cell will range from 10%-20% of the southern and eastern portion of the Cell. To date, no Habitat Assessment and Negotiation Strategy review has occurred on the site. However, staff has reviewed the proposal with the Environmental Programs Department. The Department has indicated that areas may need to be conserved within the flood plain of the Santa Ana River. However, this would not be expected to preclude development elsewhere on the site. As applicable, the site may also be required to conform to additional plan wide requirements such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP).

Flood plain review is required on a majority of the site. The site is also located within the Santa Ana River Corridor Policy Area (SAPA). Of particular relevance here is the fact that the proposal to increase the height of the Prado Dam would cause inundation of land below an elevation of 566 feet in this area and much of the site lies between the 560 and 580 elevation contours. Among SAPA policies relevant to the site are the following: (1) protect the multipurpose open space attributes of the Santa Ana River



Corridor through adherence to policies in the Flood & Inundation Hazards section of the Safety Element, the MSHCP section of the Multipurpose Open Space Element, and the Open Space, Habitat & Natural Resource Preservation section of the Land Use Element; (2) require development, where allowable, to be set back an appropriate distance from the top of bluffs, to protect the natural and recreation values of the river and to avoid public responsibility for property damage that could result from soil erosion or future floods; (3) minimize the disruption of sensitive vegetation and species, especially, in and near the 566-foot elevation contour; and (4) preserve areas subject to erosive flooding in a natural state.

The General Plan identifies the area south of Citrus Street as having very high liquefaction susceptibility, as well as susceptible to subsidence. Any development within these areas would have to address and mitigate these potential hazards.

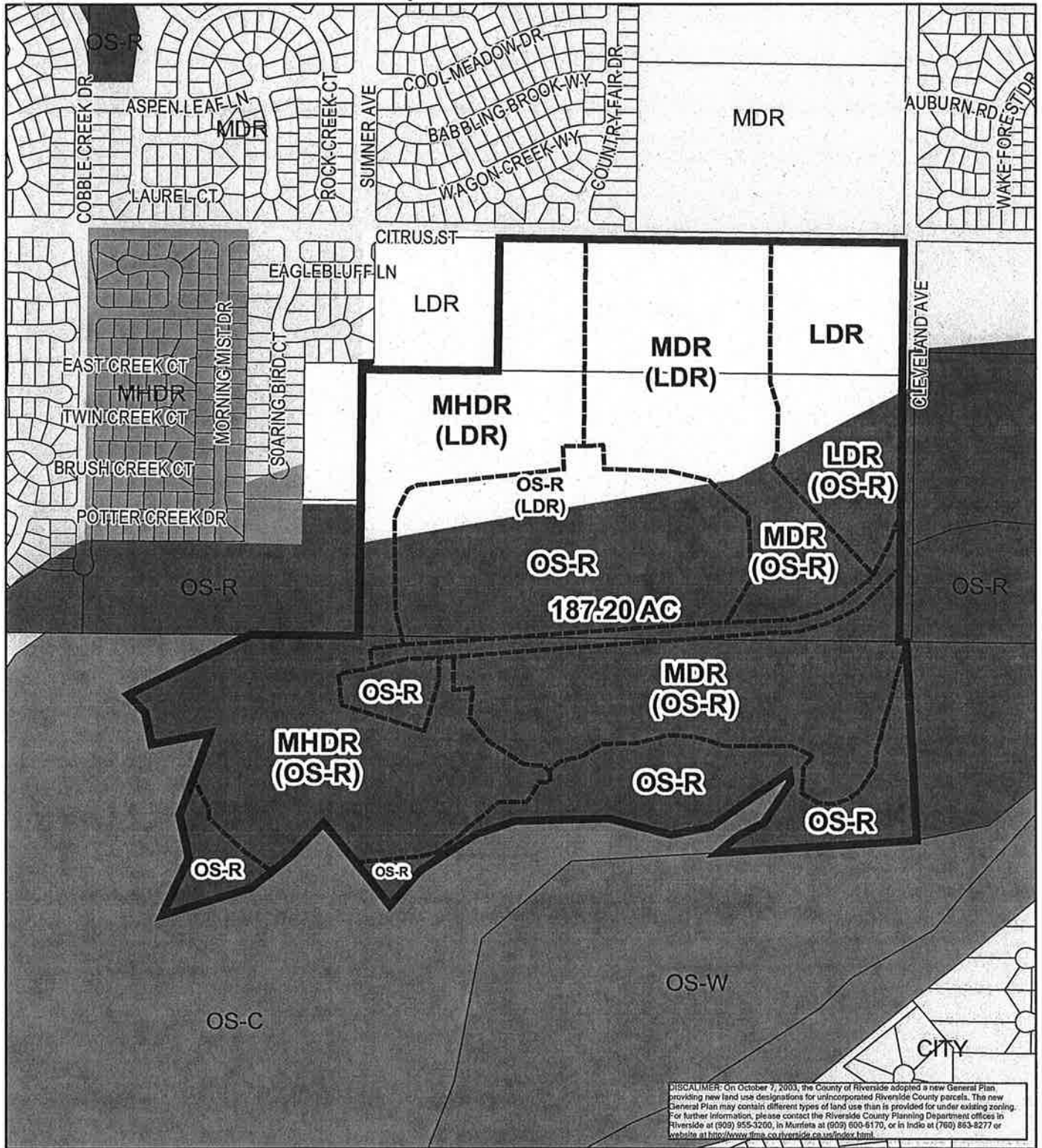
Based on the development of the High School, adjacent residential development, the availability of water and sewer, Medium Density Residential may be appropriate at the north end of the site. Staff has met with the Riverside County Flood Control and Water Conservation District regarding the proposal and it has indicated that the northern portion of the site could be flood proofed. However, excessive flood proofing in the southern portion of the site would be contrary to the SAPA policies of the Eastvale Area Plan and the policies identified above within the Safety Element, Multipurpose Open Space Element, and the Land Use Element. Placing Medium Density Residential and Medium High Density Residential in this area would conflict with the vision for this area and may create an internal inconsistency between the Land Use Element and the Safety Element and the Multipurpose Open Space Element of the General Plan.

#### **RECOMMENDATIONS:**

The Planning Director recommends the adoption of an order initiating proceedings for General Plan Amendment No. 970 as modified by staff from Community Development: Low Density Residential to Community Development: Medium Density Residential on the northern portion of the site and as shown in Exhibit 7. 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 14, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$3838.84.
3. The project site is currently designated as Assessor's Parcel Number(s): 130-060-007, 152-040-033, 152-040-034.



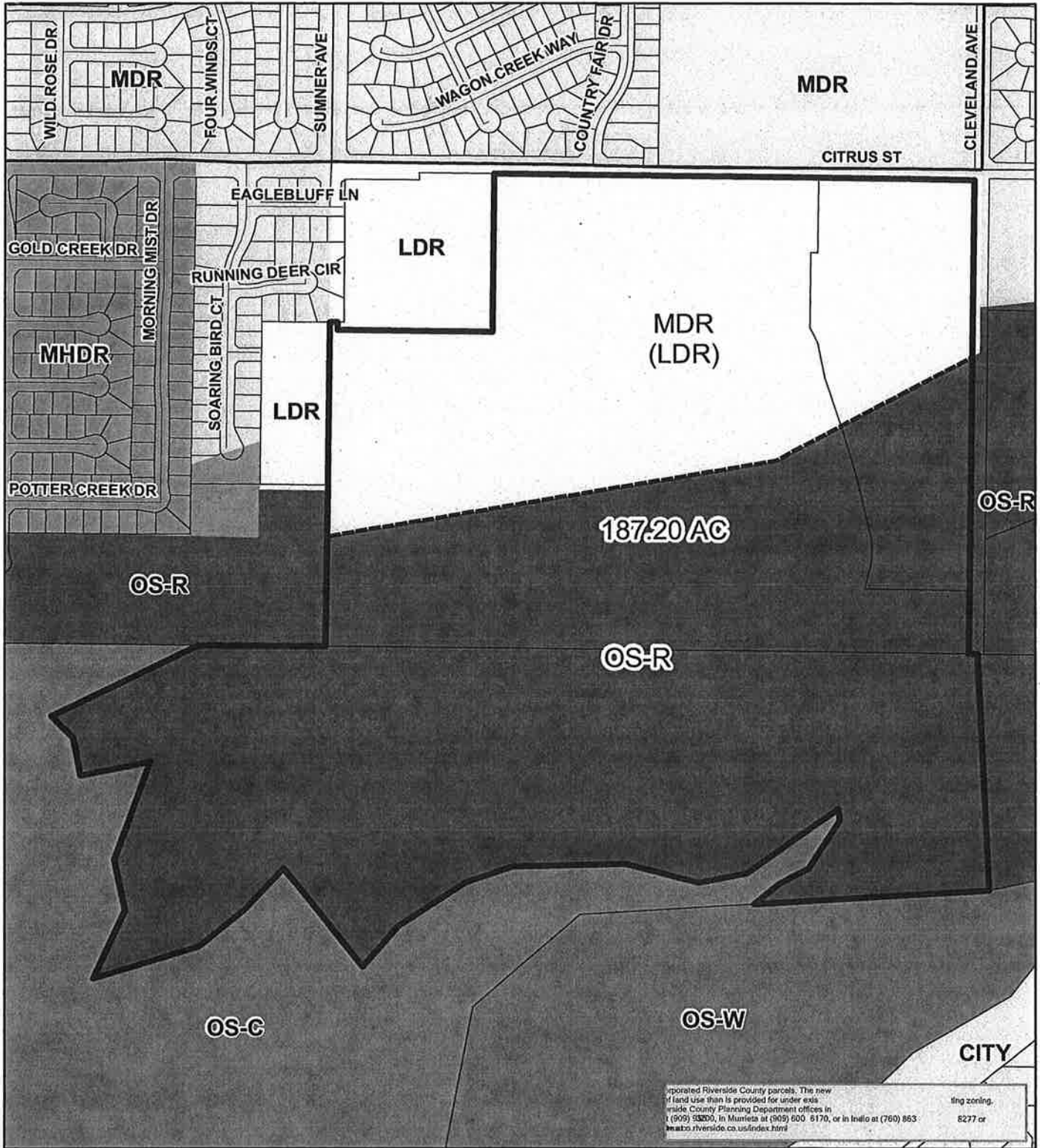
**RIVERSIDE COUNTY PLANNING DEPARTMENT**

**Zone**  
**District:** Prado-Mira Loma  
**Township/Range:** T2SR7W & T3SR7W  
**Section:** 36 & 1



**Assessors**  
**Bk. Pg. 130-06 & 152-04**  
**Thomas**  
**Bros. Pg. 713 C2**





separated Riverside County parcels. The new  
 of land use than is provided for under exist  
 Riverside County Planning Department offices in  
 (909) 538000, in Murietta at (909) 600 6170, or in Inlio at (760) 863 8277 or  
[www.riverside.co.us/index.html](http://www.riverside.co.us/index.html)

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

**Zone**  
**District:** Prado-Mira Loma  
**Township/Range:** T2SR7W & T3SR7W  
**Section:** 36 & 1



**Assessors**  
**Bk. Pg. 130-06 & 152-04**  
**Thomas**  
**Bros. Pg. 713 C2**

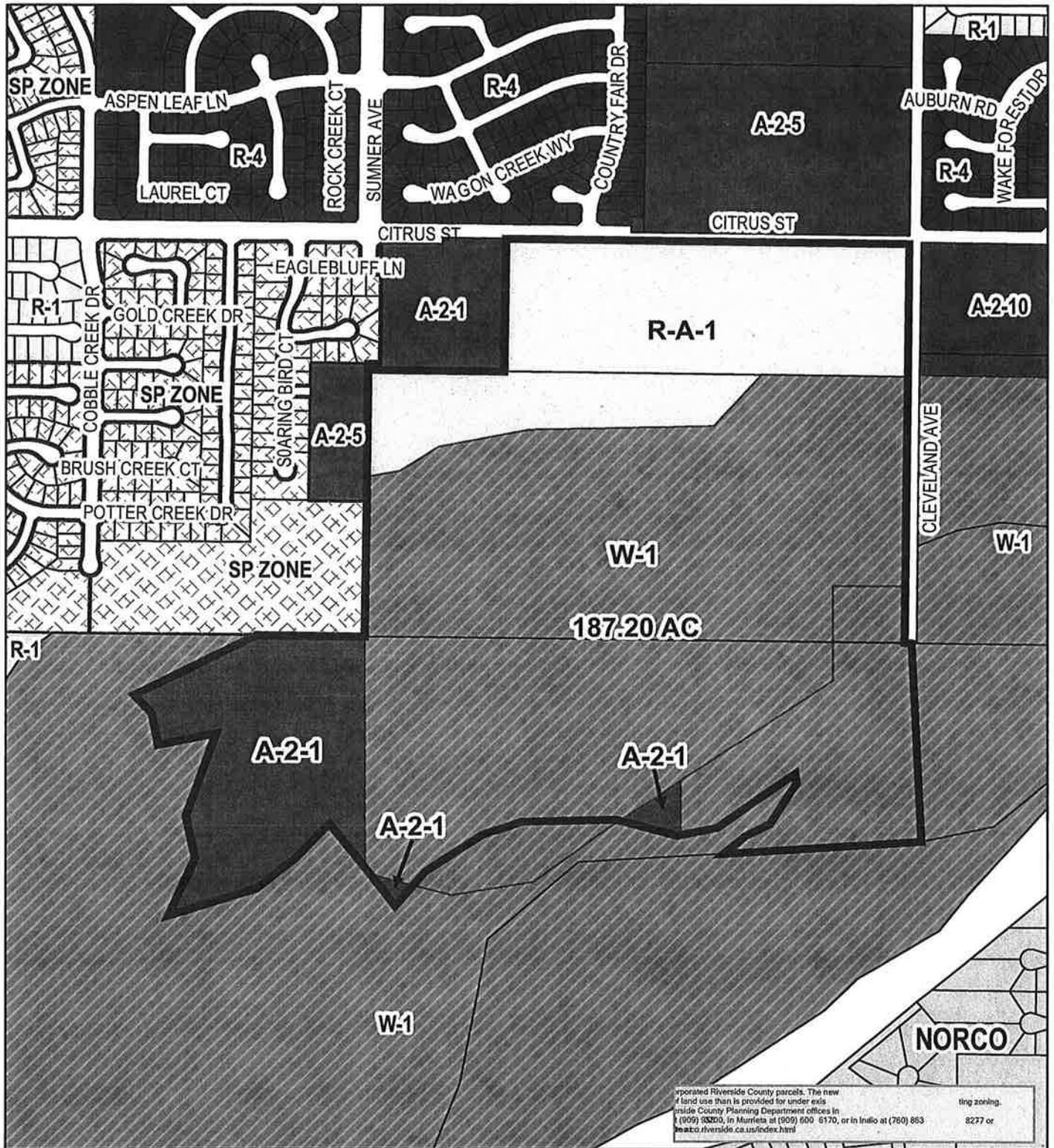


Supervisor Tavaglione  
District 2  
Date Drawn: 3/04/08

# GPA00970

## EXISTING ZONING

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



### RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Prado-Mira Loma  
Township/Range: T2SR7W & T3SR7W  
Section: 36 & 1



Assessors  
Bk. Pg. 130-06 & 152-04  
Thomas  
Bros. Pg. 713 C2



**DEVELOPMENT OPPORTUNITY**



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

District  
 Plan: Prado-Mira Loma  
 Township/Range: T2SR7W & T3SR7W  
 Section: 36 & 1



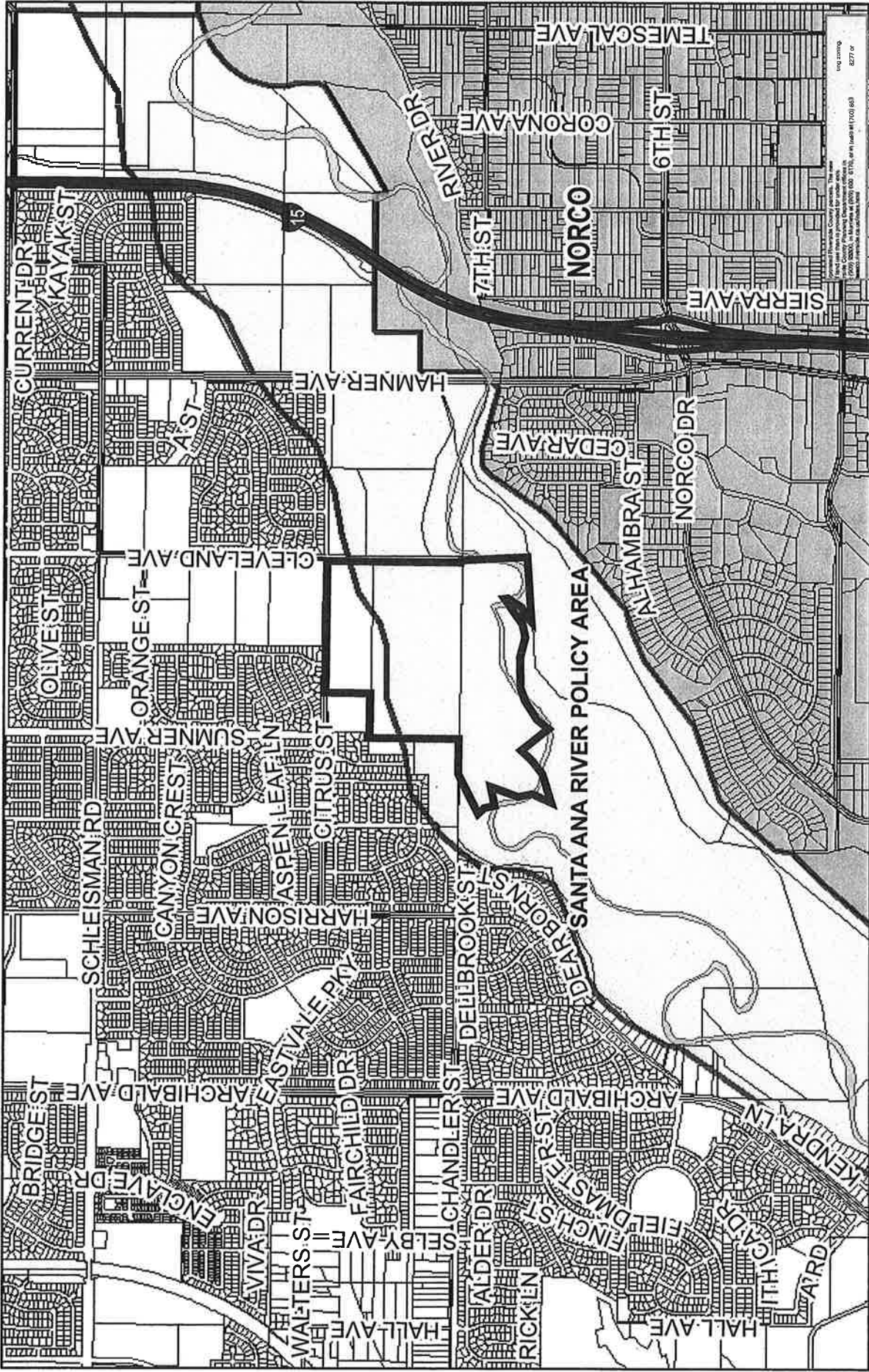
Assessors  
 Bk. Pg. 130-06 & 152-04  
 Thomas  
 Bros. Pg. 713 C2



Supervisor Tavaglione  
District 2  
Date Drawn: 3/04/08

# GPA00970 POLICY AREAS

Planner: Amy Aldana  
Date: 3/10/08  
Exhibit 8



## RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone  
District: Prado-Mira Loma  
Township/Range: T2SR7W & T3SR7W  
Section: 36 & 1

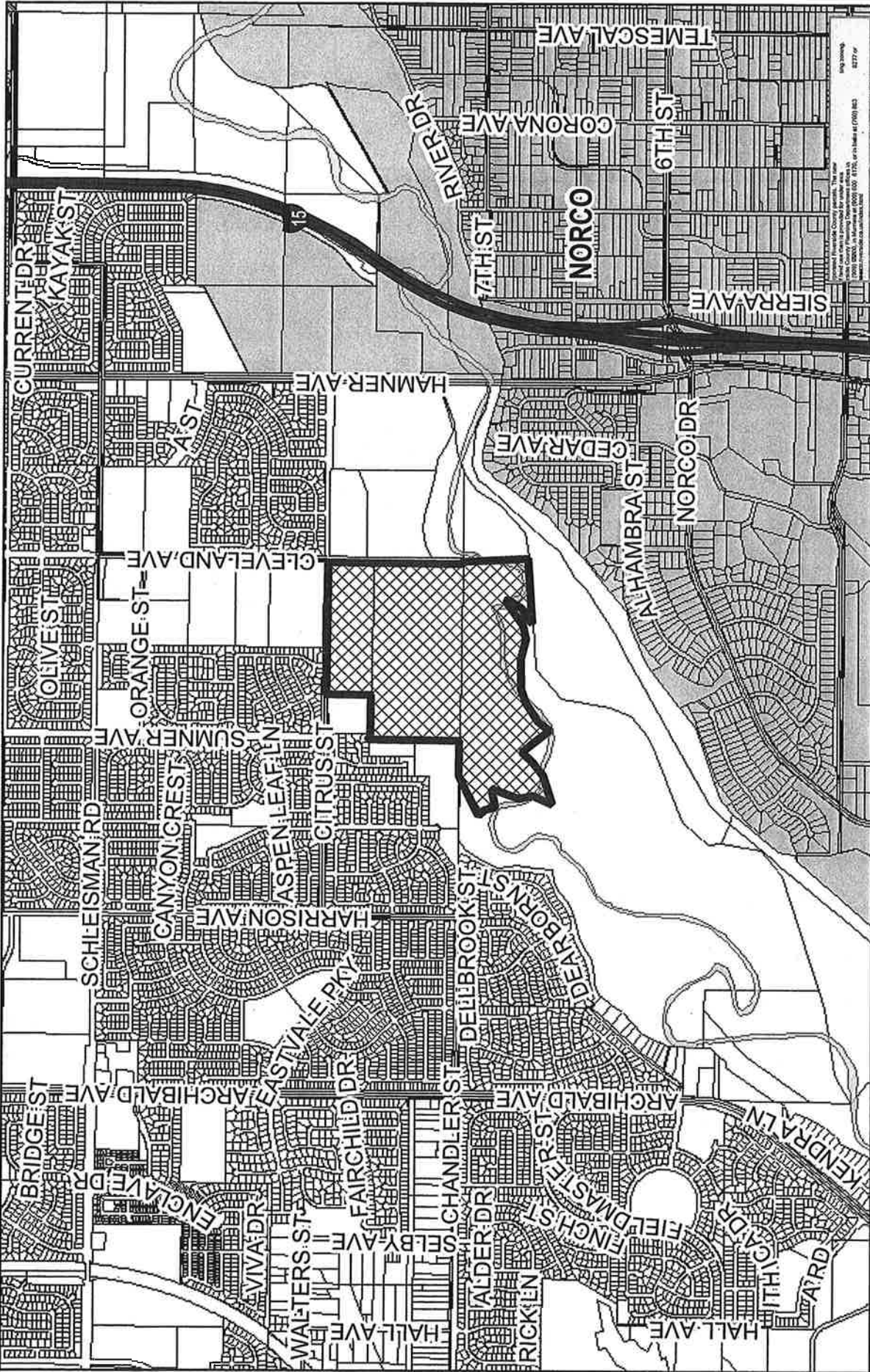
Assessors  
Bk. Pg. 130-06 & 152-04  
Thomas  
Bros. Pg. 713 C2



Supervisor Tavaglione  
District 2  
Date Drawn: 3/04/08

**GPA00970**  
VICINITY MAP

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



Zone  
District: Prado-Mira Loma  
Township/Range: T2SR7W & T3SR7W  
Section: 36 & 1

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Assessors  
Bk. Pg. 130-06 & 152-04  
Thomas  
Bros. Pg. 713 C2



## **General Plan Amendment Proposal-ACI Property**

The purpose of this application is to propose an amendment to the current Foundation Component and General Plan Land Use for Assessor's Parcels 152-040-014, 152-040-015 and 130-060-007. In general, these parcels are located at the southwest corner of Cleveland Avenue and Citrus Drive and consist of approximately 187.2 total acres.

Currently the Land Use for these properties consists of approximately 62.2 acres of Low Density Residential (LDR) and 125 acres Open Space Recreational area. These Land Uses lie within the County's Rural Community and Open Space Foundation Component designations, respectively.

With respect to our proposed amendment which is depicted on Exhibit "A" herein, we are proposing a mixed land use plan for the site area. The purpose of this mix is to allow for various lot densities while at the same time reserving significant land area for open space and park site uses. This mixed land use will also serve well as a transition from the neighboring residential land uses to the north and west to the open space land uses to the south and east. The following represents our proposed Land Use and Foundation Component designation proposal for the subject property:

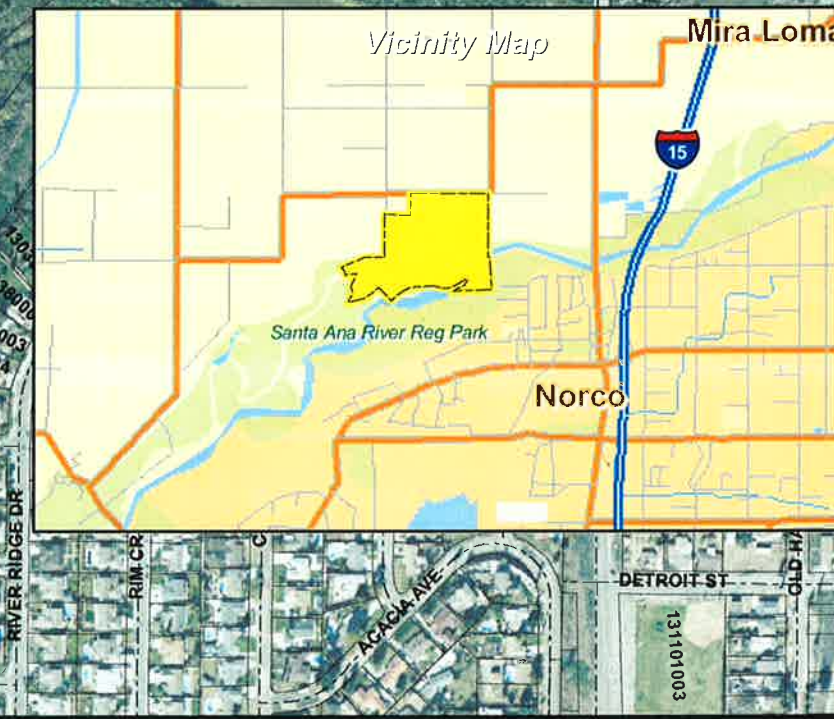
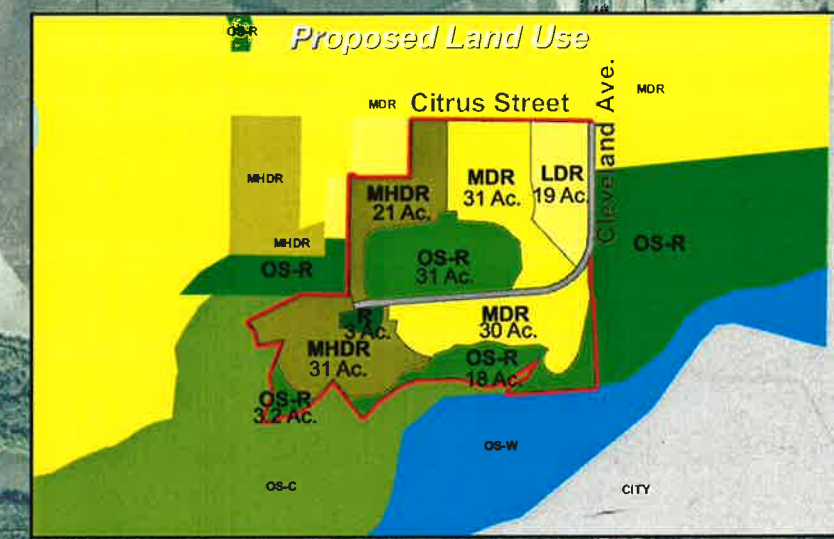
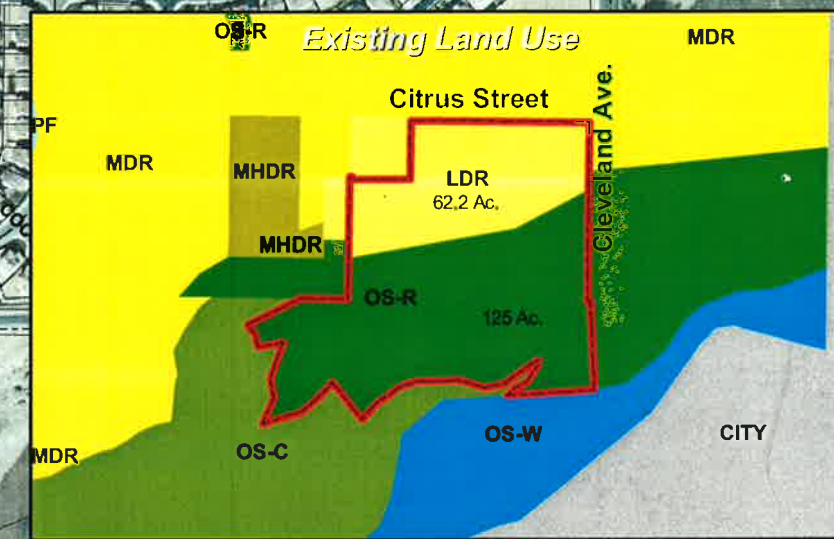
| <u>Land Use</u>                      | <u>Proposed Acreage</u> | <u>Foundation Component</u> |
|--------------------------------------|-------------------------|-----------------------------|
| Low Density Residential (LDR)        | 19                      | Rural Development           |
| Med. Density Residential (MDR)       | 61                      | Community Dev.              |
| Med. High Density Residential (MHDR) | 52                      | Community Dev.              |
| Open Space Recreation (OS-R)         | 55.2                    | Open Space                  |

Utilizing these densities will provide a variety of residential neighborhoods, public facilities, open space and recreational uses. Multiple park sites will be located throughout the community and designed to provide recreational opportunities, as well as trail and open space connections to other residents of the area. The resulting land use plan provides for a diverse community that enhances opportunities for preservation, conservation, recreation, trail systems, and housing variety which supports the justification for this amendment.



**Altfillisch Construction Company**  
**13300 Citrus Street**  
**Corona CA 92880**  
**Applicant/ Owner- GPA 970**

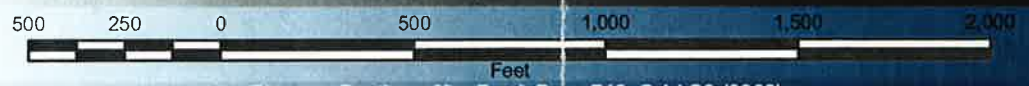
**Proactive Engineering Consultants**  
**1875 California Avenue**  
**Corona CA 9281**  
**Engineer- GPA970**



**PROACTIVE**  
ENGINEERING CONSULTANTS  
www.proactiveeng.net  
1675 CALIFORNIA AVE • CORONA, CA • 92781  
951-280-3300

**Applicant & Owner Address:**  
Allfilich Construction Company  
13300 Citrus Street  
Corona, CA 92880

**Legal Description:**  
APN 130-060-007 Portion of lot "O", MB.16/94-97.  
APN 152-040-014 & APN 152-040-015 Portion of Kingston Tract MB12/16



Thomas Brothers MapBook Page 713, Grid C2 (2003)  
Portions of Section 36, T.2.S./R.7.W & Portions of Sections 1&2, T.3.S./R.7.W.

February 13th, 2008 | Cartographic Design By: John Josenhans | Geographic Information Systems

**ACI Property**  
General Plan Amendment Application Exhibit A  
Amendment of ACI Property from Low Density Residential/Openspace to Residential



# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



May 2, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

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

**RE: Item 15, General Plan Amendment Initiation Proceedings (May 4, 2010)**

Dear Chairman Ashley and Members of the Board:

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

Item 15.1, GPA 970 (Eastvale)

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

Item 15.2, GPA 925 (French Valley)

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

Item 15.3, GPA 959 (Good Hope)

***Disagree with recommendation for initiation.*** This proposal would convert 10 acres of Rural land to 1-acre estate lots, as highly inefficient pattern of development that

15.1 - 15.3

2010-05-100337

maximizes greenhouse gas emissions. No evidence has been submitted that changed circumstances support such a change from Rural. Importantly, when presented to the Planning Commission on Feb. 4, 2009, staff recommended *denial* of initiation on compelling grounds of public safety, including *lack of secondary access* for fire evacuation. According to staff, "The proposed change would create an inconsistency between the land use map/element and the Safety Element of the General plan."

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

cc: Clerk of the Board

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

**FAX MEMO**

---

May 2, 2010

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

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

**RE:** Agenda Item 15, May 4, 2010

**PAGES:** 3 (including cover)

ORIGINAL - 3 PM 8: 22

RECEIVED WILSON COUNTY  
MAY 11 2010

TS: 8: 51 PM 05 02 2010

RECEIVED WILSON COUNTY  
MAY 11 2010

May 2, 2010

VIA FACSIMILE AND ELECTRONIC MAIL

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

**RE: Item 15, General Plan Amendment Initiation Proceedings (May 4, 2010)**

Dear Chairman Ashley and Members of the Board:

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

Item 15.1, GPA 970 (Eastvale)

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

Item 15.2, GPA 925 (French Valley)

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

Item 15.3, GPA 959 (Good Hope)

***Disagree with recommendation for initiation.*** This proposal would convert 10 acres of Rural land to 1-acre estate lots, as highly inefficient pattern of development that

*Submitted By: Planning Dept. 15.1*

maximizes greenhouse gas emissions. No evidence has been submitted that changed circumstances support such a change from Rural. Importantly, when presented to the Planning Commission on Feb. 4, 2009, staff recommended *denial* of initiation on compelling grounds of public safety, including *lack of secondary access* for fire evacuation. According to staff, "The proposed change would create an inconsistency between the land use map/element and the Safety Element of the General plan."

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

cc: Clerk of the Board

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



# MEMORANDUM

EXECUTIVE OFFICE, COUNTY OF RIVERSIDE

**Bill Luna**

County Executive Officer

**Jay E. Orr**

Assistant County Executive Officer

**TO:** Kecia Harper-Ihem, COB

**FROM:** Jay E. Orr, Assistant CEO

**DATE:** June 14, 2010

**RE: CONTINUANCE**

TLMA/Planning is requesting the item below be continued to July 13, 2010:

15.1 – TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: GENERAL PLAN AMENDMENT NO. 970 (FOUNDATION - REGULAR) – Altfillisch Construction Company/Proactive Engineering Consultants – Prado/Mira Loma Zoning District – Eastvale Area Plan – **2<sup>nd</sup> District**. The Planning Director recommends that the Board adopt an order initiating proceedings for the above-referenced general plan amendment to amend the General Plan Foundation Component of the subject site from Open Space to Community Development and to amend the land use designation of the subject site from Open Space Recreation and Low Density Residential (½ acre minimum) to Open Space: Recreation, Low Density Residential (½ acre minimum), Medium Density Residential (2 – 5 dwelling units per acre) and Medium High Density Residential (5 – 8 dwelling units per acre). (15.1 of 05/04/10)

H:\dGRANT\form 11s\continuance.doc



June 12, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

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

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

Dear Chairman Ashley and Members of the Board:

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

Item 15.1, GPA 970 (Eastvale)

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

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

# Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP  
Attorneys at Law  
1900 Main Street, 5<sup>th</sup> Floor | Irvine, CA 92614-7321  
Telephone: 949.553.1313 | Facsimile: 949.553.8354  
www.allenmatkins.com

**K. Erik Friess**  
E-mail: rfriess@allenmatkins.com  
Direct Dial: 949.851.5478 File Number: 116173-00004/OC902111.01

## **Via E-Mail (to the Clerk of the Board) and U.S. Mail**

June 7, 2010

Supervisor Marion Ashley, Chairman  
Supervisor Bob Buster, Vice Chairman  
Supervisor John J. Benoit  
Supervisor Jeff Stone  
Supervisor John F. Tavaglione  
Ms. Kecia Harper-Ihem, Clerk of the Board of Supervisors  
County of Riverside  
4080 Lemon Street, 1st Floor  
P.O. Box 1147  
Riverside, CA 92502-1409

**Re: Agenda Item No. 15.1: Application by Anheuser-Busch, Incorporated for General Plan Amendment No. 992 related to Warm Springs Ranch (APNs 384-270-001, 392-340-028, 392-350-021, and 392-350-022)**

Dear Supervisors and Ms. Harper-Ihem:

We represent Anheuser-Busch, Incorporated. Our representation includes defending Anheuser-Busch in the County of Riverside's litigation against Anheuser-Busch (Riverside Superior Court Case No. RIC 530137) relating to Anheuser-Busch's Warm Springs Ranch property. This letter concerns Anheuser-Busch's general plan amendment application, General Plan Amendment No. 992, also relating to Anheuser-Busch's Warm Springs Ranch. Proposed General Plan Amendment No. 992 is Item No. 15.1 on the agenda for your June 8, 2010, meeting. Anheuser-Busch requests that this letter be included in the administrative record for this matter.

For a full two years after Anheuser-Busch submitted its application in February 2008, the County took no action on this proposed general plan amendment. Now – finally – the County is contemplating acting on it. Yet the County's staff report provides no explanation as to why the County is finally acting. The existence of the litigation (in which Anheuser-Busch found itself forced by the County's actions to file a cross-claim for inverse condemnation) and the timing of the County's decision to finally process the proposed general plan amendment do not appear coincidental. Evidencing a lack of coincidence, the County's staff report reads much like a rebuttal to Anheuser-Busch's cross-claim allegations. It appears clear that the County is only acting now (and with a staff recommendation to refuse to initiate the general plan amendment process) for two

Supervisor Marion Ashley, Chairman  
June 7, 2010  
Page 2

reasons: (1) to further the County's litigation strategy and (2) to retaliate against Anheuser-Busch for its not acquiescing to the County's demands, including the County's demand that Anheuser-Busch donate its property.

As I am sure you are aware, Anheuser-Busch has owned its Warm Springs Ranch property for more than three decades and, since before 2002, has been working to develop that property. However, as then-Supervisor Venable first made clear to Anheuser-Busch in 2002, the County has other, non-development plans for Anheuser-Busch's property; the County's intent is to preserve Anheuser-Busch's property for the County's own conservation purposes. This conservation is meant to foster the County's ability to build its public infrastructure projects by gaining "take" authorization through the County's MSHCP, which calls for the acquisition of land, including Anheuser-Busch's, to meet pre-established acreage thresholds. In short, the County's intent is to sacrifice Anheuser-Busch's property at the altar of the County's infrastructure projects. Toward that end, the County has consistently placed roadblocks in the path of the property's development. Among other things, the County changed the property's general plan designation to restrict its use and value; the County placed restrictive "criteria" on Anheuser-Busch's property as part of the County's MSHCP; the County stalled the processing of Anheuser-Busch's 2005 development applications (including a proposed general plan amendment, zone change, and specific plan); the County identified all but 71 of Anheuser-Busch's 960 acres for acquisition under the MSHCP in connection with a HANS application; and the County walked away from a land swap that the County had championed as a way for Anheuser-Busch to obtain some value for its land. And, of course, the County has made no effort – until now – to process Anheuser-Busch's 2008 proposed general plan amendment.

That the County intends to punish Anheuser-Busch for contesting the County's litigation and for not acquiescing in the County's plan for conservation and its plan for building Clinton Keith Road through Anheuser-Busch's property is revealed by the County's staff report. This report specifically identifies as reasons for denying Anheuser-Busch's application (1) the County's MSHCP criteria for the Anheuser-Busch's property and (2) the fact that Clinton Keith Road has not yet been built (implicitly because Anheuser-Busch has not acquiesced in the County's condemnation). Of course, this retaliation by the County violates Anheuser-Busch's civil rights.

Likewise, that the County appears poised to refuse even to *initiate* proceedings to consider a general plan amendment is a violation of Anheuser-Busch's due process rights.

Allen Matkins Leck Gamble Mallory & Natsis LLP  
Attorneys at Law

Supervisor Marion Ashley, Chairman  
June 7, 2010  
Page 3

In short, Anheuser Busch requests, and always has requested, that the County process Anheuser-Busch's development applications, including the general plan amendment. However, Anheuser-Busch can only interpret the County's sudden activity on Anheuser-Busch's 2008 application for a general plan amendment (with a recommended refusal to initiate the process) as (1) a County litigation strategy meant to support the County's efforts to take Anheuser-Busch's property for conservation purposes without paying for it and (2) blatant retaliation for Anheuser-Busch's refusal to simply roll over and donate its property to the County.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Erik Friess', written in a cursive style.

K. Erik Friess

KEF:ld

cc: via e-mail:  
Pamela J. Walls, Esq.  
Glenn R. Beloian, Esq.  
Steven A. McKinley, Esq.

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



June 12, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

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

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

Dear Chairman Ashley and Members of the Board:

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

Item 15.1, GPA 970 (Eastvale)

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

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

2010 JUN 14 PM 3:38

**FAX MEMO**

---

June 12, 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 15, 2010

**PAGES:** 2 (including cover)

2010 JUN 17 AM 11:32

**FAX MEMO**

---

July 9, 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 Marlon Ashley (ATTN: Darcy Kuenzi)

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

**RE:** Agenda Item 15, July 13, 2010

**PAGES:** 3 (including cover)

SEARCHED 3/10

2010-07-10 788

7-13-10 15.2

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



July 9, 2010

*VIA FACSIMILE AND ELECTRONIC MAIL*

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

**RE: Item 15, General Plan Amendment Initiation Proceedings (July 13, 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 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 970 (Eastvale)

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

Item 15.3, 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 15.4, 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 15.5, 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  
Jerry Jolliffe  
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:** John Ohanian

**Address:** 10410 Roberts Rd.  
(only if follow-up mail response requested)

**City:** Calimesa **Zip:** 92320

**Phone #:** (909) 795-8941

**Date:** 5/4/10 **Agenda #** 15.1

**PLEASE STATE YOUR POSITION BELOW:**

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

**Support**       **Oppose**       **Neutral**

*Available to answer questions. No Comment Necessary*

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

**Support**       **Oppose**       **Neutral**

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

**7-13-10 15.2**