SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA 1188

REVIEWED BY EXECUTIVE OFFICE
DATE 9/10/10 Tina Grande
Departmental Concurrence

FROM: TLMA - Planning Department

SUBMITTAL DATE: August 19, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 1030 – Foundation-Regular – Applicant: Greg McCafferty – Engineer/Representative: Greg McCafferty - First Supervisorial District - Temescal Zoning Area - Elsinore Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size), Open Space: Rural (OS:RUR) (20 Acre Minimum), Open Space: Water (OS-W) – Location: Northeasterly of Interstate 15, southerly of El Hermano Road, and westerly of Lake Street - 445.85 Gross Acres - Zoning: Natural Asset (N-A), Rural Residential (R-R), 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 Rural and Open Space to Community Development and to amend the land use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum), Open Space: Rural (OS:RUR) (20 Acre Minimum) and Open Space: Water (OS:W) to Open Space: Conservation Habitat (OS:CH), Community Development: Very High Density Residential (CD:VHDR) (14-20 D.U./Ac.), Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio), and Rural Community: Low Density Residential (RC:LDR) (½ Acre Minimum) - APN(s): 391-050-002, 391-050-007, 391-070-007, 391-040-003, 391-050-008, 391-060-010, 391-070-008

RECOMMENDED MOTION: The Planning Director's recommendation is to adopt an order initiating proceedings for the above referenced General Plan Amendment (GPA) as modified by staff and as shown on 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.

BACKGROUND: The initiation of proceedings for any GPA requires the adoption of an order

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:th

(continued on attached page)

☒ Policy ☐ Consent
☒ Policy ☐ Consent
Dep't Recomm.:
Per Exec. Ofc.:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Stone 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:	September 14, 2010
xc:	Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

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

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

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.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Carolyn Syms Luna · Planning Director

118 B

DATE: August 19, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office P.M.

SUBJECT: General Plan Amendment No. 1030

(Charge your time to these case numbers)

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

- ☐ Place on Administrative Action (Receive & File; EOT)
  - ☐ Labels provided If Set For Hearing
    - ☐ 10 Day ☐ 20 Day ☐ 30 day
- ☐ Place on Consent Calendar
- ☐ Place on Policy Calendar (Resolutions; Ordinances; PNC)
- ☒ Place on Section Initiation Proceeding (GPIP)
- ☐ Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- ☐ Publish in Newspaper:
  - **SELECT Advertisement**
- ☐ **SELECT CEQA Determination**
  - ☐ 10 Day ☐ 20 Day ☐ 30 day
- ☐ Notify Property Owners (app/agencies/property owner labels provided)

Controversial: ☐ YES ☒ NO

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

Need Director's signature by 8/19/10

Please schedule on the ~~August 31, 2010~~ BOS Agenda

September 14, 2010

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

Agenda Item No.: 6.3
Area Plan: Elsinore
Zoning District: Temescal Area
Supervisorial District: First
Project Planner: Adam Rush
Planning Commission: July 14, 2010

GENERAL PLAN AMENDMENT NO. 1030
Applicant: Greg McCafferty
Engineer/Representative: Greg McCafferty

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS TO THE BOARD OF SUPERVISORS

RECOMMENDATIONS:

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 1030 as modified by staff and as shown in Exhibit 7 and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board 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 was concerned about the protection of the wash that currently exists on site and questioned what the distance was between the wash and the areas proposed as Very High Density Residential (VHDR) and Commercial Retail (CR). The applicant was uncertain of the exact distance from the wash to those areas proposed for VHDR and CR but did note that the proposed area is south of the wash. Commissioner Roth also inquired as to whether or not the applicant had consulted with the County of Riverside Environmental Programs Department (EPD) in regards to the proposal. The applicant stated that discussions have taken place with EPD and that they are now aware of those areas that EPD has concerns about. Ron Goldman, Planning Director, also noted that the subject site has already been through the Habitat Acquisition and Negotiation Strategy (HANS) process and that staff's "Recommended General Plan" exhibit reflects those areas that EPD determined were suitable for development. Mr. Roth finally noted that the proposal is a tough proposal with regards to the number of potential environmental issues that exist on site. Mr. Roth commented to move the case forward with staff's proposal and suggested that the applicant be prepared to justify why the proposal should be allowed to move forward given all of the environmental issues.

Commissioner John Snell: No Comment

Commissioner John Petty: No Comment

Commissioner Jim Porras: No Comment

Commissioner Jan Zuppardo: No Comment

PLANNING COMMISSION
MINUTE ORDER JULY 14, 2010
EASTERN MUNICIPAL WATER DISTRICT

I. **AGENDA ITEM 6.3: GENERAL PLAN AMENDMENT NO. 1030** – Applicant: Greg McCafferty – Engineer/Representative: Greg McCafferty - First Supervisorial District - Temescal Zoning Area - Elsinore Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum), Open Space: Rural (OS:RUR) (20 Ac. Min.), Open Space: Water (OS-W) – Location: Northeasterly of Interstate 15, southerly of El Hermano Road, and westerly of Lake Street - 445.85 Gross Acres - Zoning: Natural Asset (N-A), Rural Residential (R-R), and Watercourse, Watershed, and Conservation Areas (W-1).

II. **PROJECT DESCRIPTION**

Propose to amend General Plan from Rural: Rural Residential (RUR:RR) (5 Ac. Min.), Open Space: Rural (OS:RUR) (20 Ac. Min.), Open Space: Water (OS:W) to Open Space: Conservation Habitat (OS:CH), Community Development: Very High Density Residential (CD:VHDR) (14-20 D.U./Ac.), Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio), and Rural Community: Low Density Residential (RC:LDR) (½ Ac. Min.) - APN(s): 391-050-002, 391-050-007, 391-070-007, 391-040-003, 391-050-008, 391-060-010, 391-070-008.

III. **MEETING SUMMARY**

The following staff presented the subject proposal:
Project Planner: Mike Harrod, (951) 955-1881 or E-mail mharrod@rctlma.org

The following were in favor of the subject proposal:
Greg McCafferty, Applicant's Representative, 901 Dove St. Ste. 140, Newport Beach, CA 92660
(Did not wish to wish to speak)

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 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 Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at dbowie@rctlma.org.

Agenda Item No.: 6.3
Area Plan: Elsinore
Zoning District: Temescal Area
Supervisorial District: First
Project Planner: Mike Harrod
Planning Commission: July 14, 2010

General Plan Amendment No. 1030
(Foundation – Regular)
E.A. Number: 41862
Applicant: Greg McCafferty
Engineer/Rep.: Greg McCafferty

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component from Rural and Open Space to Community Development and to amend the land use designation from Rural Residential (RR) (5 Ac. Min.), Open Space: Rural (OS-RUR) (20 Ac. Min.), and Open Space: Water (OS-W) to Open Space: Conservation Habitat (OS-CH), Community Development: Very High Density Residential (VHDR) (14-20 du/ac), Community Development: Commercial Retail (CR) (0.20-0.35 FAR), and Rural Community: Low Density Residential (RC-LDR) (½ ac. min.) for an approximately 445.85-acre property. The project is located northerly of Interstate 15/Temescal Canyon Road, southeasterly of El Hermano Road, and westerly of Lake Street.

POTENTIAL ISSUES:

The subject site is located within the community of Horsethief Canyon which accommodates potential population growth and yet provides for conservation of open space. Land use designations to the north of the subject site are largely designated as Conservation Habitat within the Open Space Foundation Component. To the south of the proposed site are parcels designated Community Development: Light Industrial and the I-15 Freeway. On the opposite side of the I-15 Freeway are two specific plans – Specific Plan No. 256 (Sycamore Canyon) and Specific Plan 152 (Horsethief Canyon). Specific Plan No. 256 includes 1,765 dwelling units, commercial, recreational, and open space uses. Specific Plan No. 152 is a 957-acre specific plan including 583 acres of residential uses, 5 acres of commercial uses, and 328 acres of open space uses.

The project site is located immediately east of the recently approved Toscana Specific Plan and the East Temescal Hillside Policy Area. This policy area establishes additional policies to ensure that development of this area is consistent with the Riverside County Vision and requires that the area be designed and developed as one specific plan of land use. Specific Plan No. 327, Toscana, is the result. This 960-acre specific plan has been approved for 1,443 dwelling units, 4.4 acres of retail commercial uses, 14 acres of parks, 70 acres of fuel modification zones, and 510 acres of permanent open space. The subject parcels are not located within the specific plan or the policy area, but the specific plan and policy area provide an essential change to the area since the adoption of the General Plan in 2003 and development of this site may be more appropriate given this change.

The proposed site is also located within the City of Lake Elsinore's sphere of influence. According to the city's Preferred Land Use Plan map, the parcels are primarily designated as Open Space land uses, with parcels adjacent to the I-15 Freeway designated as Tourist Commercial and Hillside Residential. Plot Plan 8069 was approved for parcels 391-070-006 and 391-070-007 in November 1984 and allowed for a recreational fishing facility at Lee Lake. The facility is still

operational and the applicant proposes to build upon the popularity of the lake with additional commercial and recreational uses.

The proposed site is located within several MSHCP cell groups and is associated with the Temescal Wash and associated habitat. The site is being reviewed under the Habitat Assessment and Negotiation Strategy (HANS), HANS No. 724 (PAR00607). According to the County's Environmental Programs Department, a potential conservation area for the MSHCP has been identified. Other areas along the north side of Temescal Canyon Road have been identified as areas, where potential development could occur. Although the HANS process has not been finalized, an agreement on the part of the applicant to set aside those areas identified for conserve would constitute a new condition or circumstance and a foundation change on those areas identified for development would be appropriate. Planning staff would support a change similar to the one shown in Exhibit 7. This exhibit shows the area identified for development under the preliminary HANS process as Commercial Retail and Very High Density Residential (14-20 du/acre). If the general plan amendment is initiated by the Board of Supervisors, the most appropriate mix of designations would be determined as the proposed amendment and associated development projects move through the entitlement process.

Walker Canyon Fault transects the south eastern portion of the site, posing a potential threat to life and property and creating an increased potential for seismic hazards and fault rupture. According to the General Plan's Safety Element, the primary technique used to mitigate said hazards is to setback from, and avoid, active faults. If an active fault is present, any structure used for human occupancy shall be setback a minimum of 50' unless otherwise determined by the County Engineering Geologist. Very High Density Residential uses (14-20 du/acre) have been proposed to the south of this County fault line while Low Density Residential (LDR-RC) uses have been proposed to the north. Any development proposal on the site would have to meet setback and other seismic requirements to maintain consistency with the Safety Element of the General Plan.

The subject parcels are within a 100-year flood zone, requiring a flood plain management review. Policies within the Elsinore Area Plan of the General Plan (LU 20.1) allow for proposed developments if the proposal has been reviewed and approved by the Riverside County Flood Control and Water Conservation District. Policy S4.1 of the Safety Element of the General Plan also allows for development within 100-year floodplains if the approved project can mitigate the hazard to the satisfaction of responsible County agency. Therefore, upon mitigation, the subject parcels would not create an inconsistency between the Land Use Element, the Area Plan, or the Safety Element of the General Plan.

According to the General Plan, much of the area is subject to a "high risk" of fire hazards including the parcels in question. Access to the site is available at Temescal Canyon Road. Secondary access exists at Horsethief Canyon Road to the southeast and is easily reached by way of Temescal Canyon Road. Indian Truck Trail, at the southwest corner of the subject parcels, also provides secondary access from Temescal Canyon Road. There is no access existing from the north of the subject site. Policy S 5.1 of the Safety Element of the General Plan requires that "proposed developments in Hazardous Fire areas shall provide secondary public access, unless determined otherwise by the County Fire Chief." The proposal is consistent with the Land Use Element and the Safety Element of the General Plan given the availability of primary and secondary access points to the subject parcels.

RECOMMENDATIONS:

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 1030 as modified by staff 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. The project was filed with the Planning Department on February 15, 2008.

2. Deposit based fees charged for this project as of June 7, 2010, total, $5,848.37.

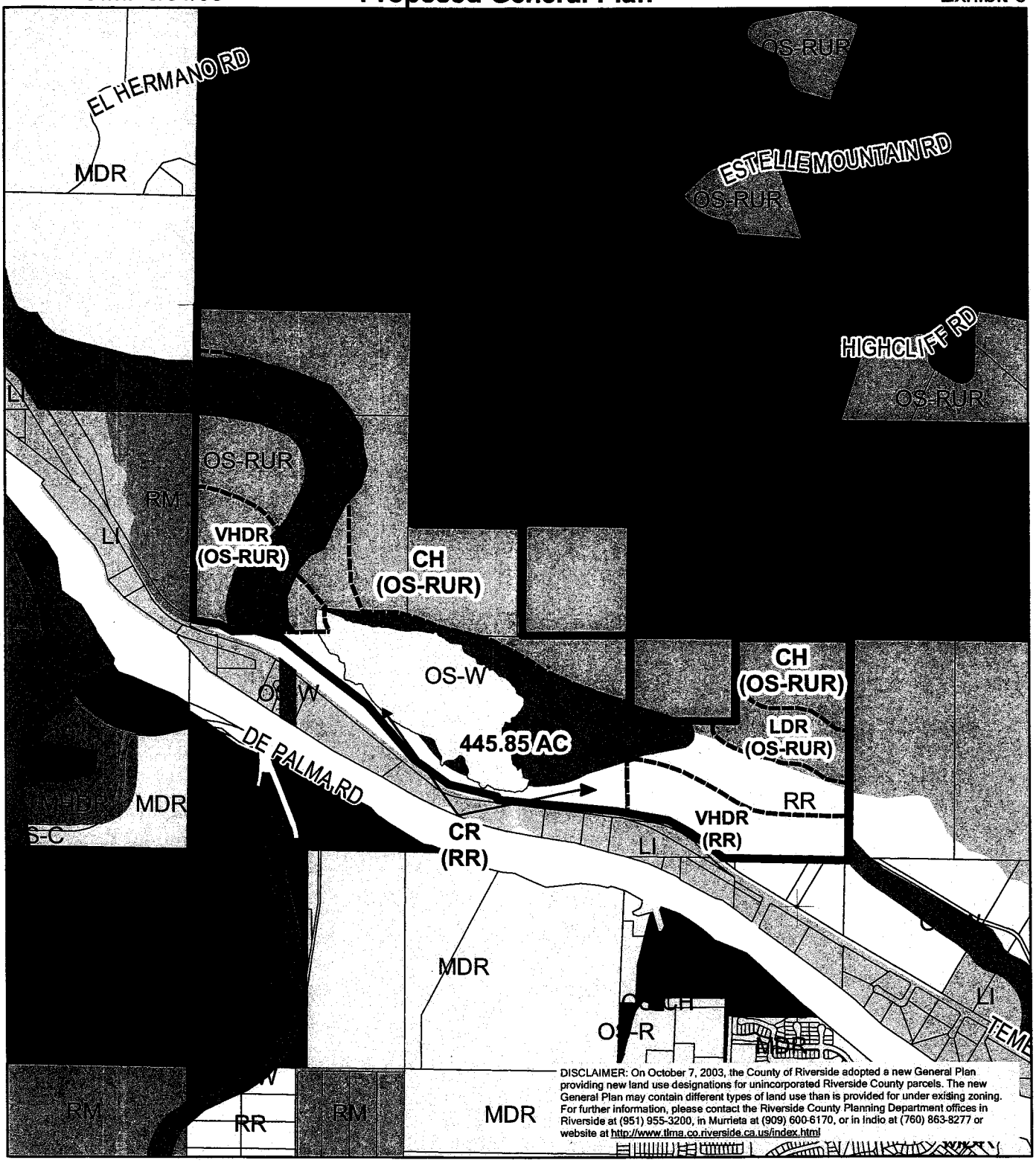
3. The project site is currently designated as Assessor's Parcel Numbers 391-050-007, 391-070-007, 391-040-003, 391-050-008, 391-060-010, and 391-070-008.

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030

Proposed General Plan

Planner: Amy Aldana
Date: 3/13/08
Exhibit 6



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Temescal
Township/Range: T5SR5W
Section : 6, 7 & 8

Assessors Bk.Pg. 391-04,05,06&07

Thomas Bros. Pg. 835 A1

0 1,125 2,250 4,500 6,750
Feet

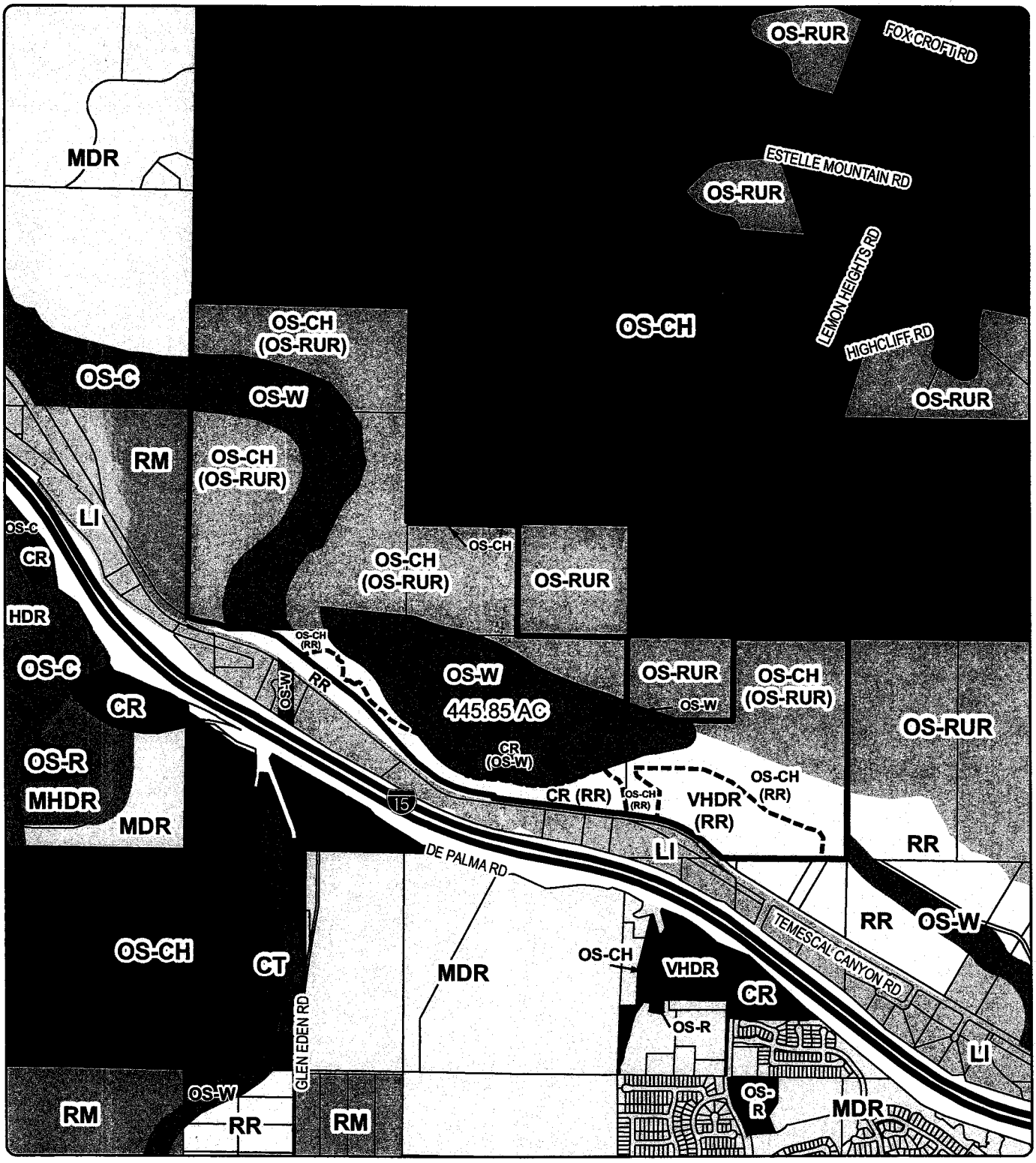
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01030

RECOMMENDED GENERAL PLAN

Supervisor Buster
District: 1

Date Drawn: 6/9/2010
Exhibit 7



Zoning Area: Temescal
Township/Range: T5SR5W
Section: 6, 7 & 8

Assessors Bk. Pg. 391-04,05,06 & 07
Thomas Bros. Pg. 835 A1
Edition 2009

N

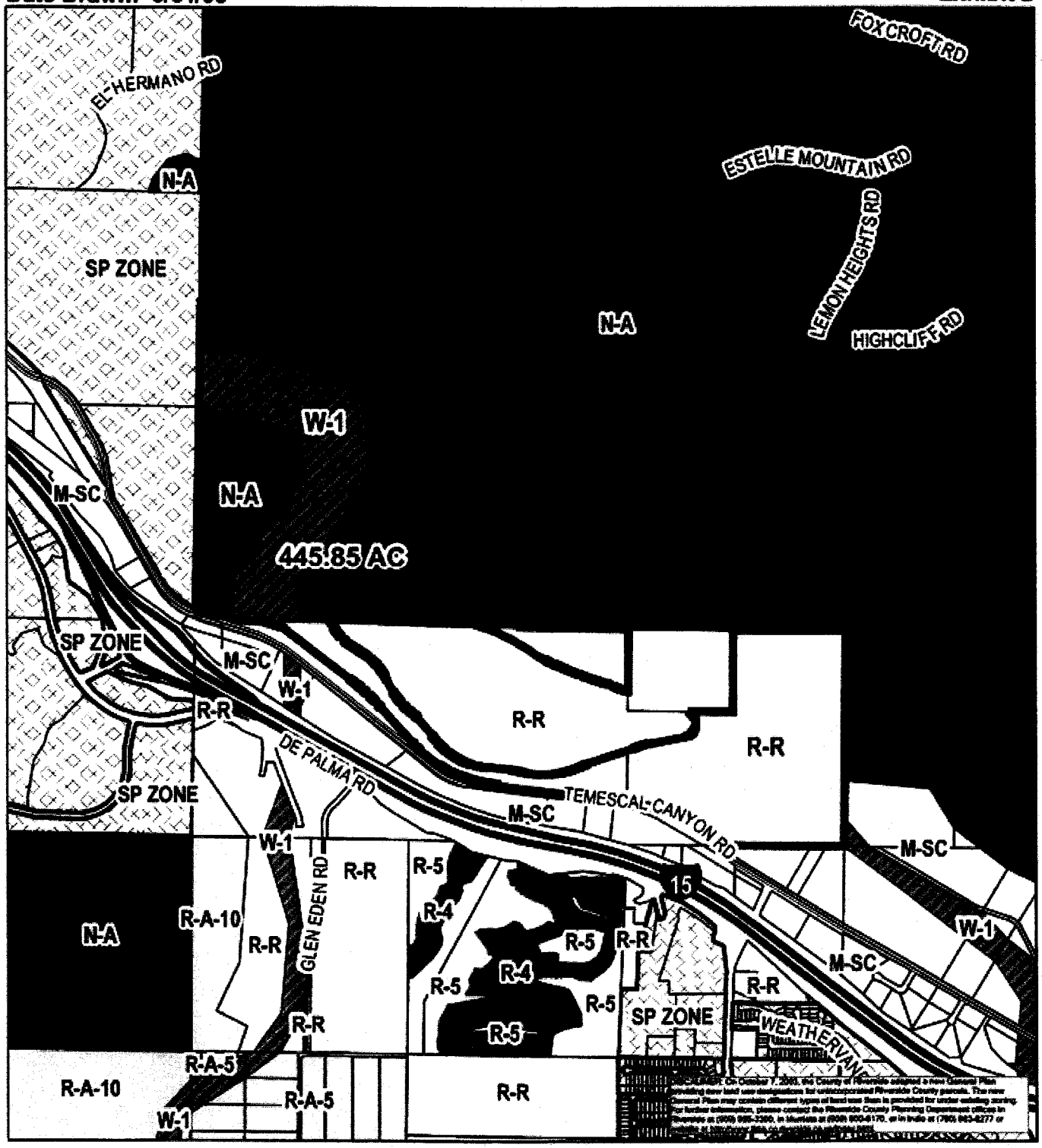
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under exis ting zoning. For further information, please 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

0 850 1,700 3,400 5,100
Feet

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030
EXISTING ZONING

Planner: Amy Aldana
Date: 3/13/08
Exhibit 2



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Temescal
Township/Range: T5SR5W
Section : 6, 7 & 8

Assessors
Bk. Pg. 391-04,05,06&07
Thomas
Bros. Pg. 835 A1

0 1,100 2,200 4,400 6,600
Feet

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030
DEVELOPMENT OPPORTUNITY

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

RIVERSIDE COUNTY PLANNING DEPARTMENT

Area Plan: Temescal
Township/Range: T5SR5W
Section: 6, 7 & 8

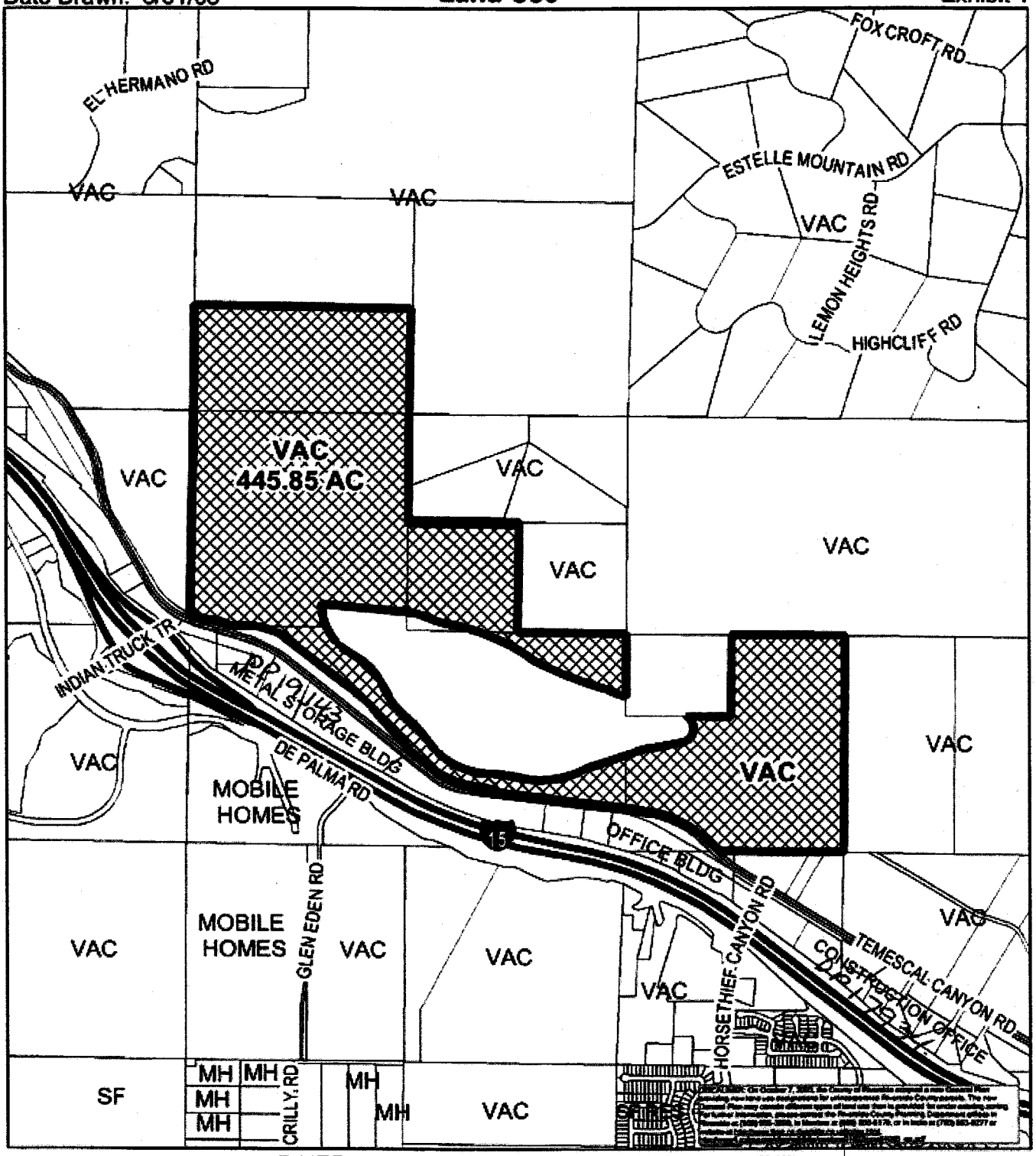
Assessors Bk. Pg. 391-04,05,06&07
Thomas Bros. Pg. 835 A1

0 1,600 3,200 6,400 9,600
Feet

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030
Land Use

Planner: Amy Aldana
Date: 3/13/08
Exhibit 1



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Temescal
Township/Range: T5SR5W
Section : 6, 7 & 8

Assessors
Bk. Pg. 391-04,05,06&07
Thomas Bros. Pg. 835 A1

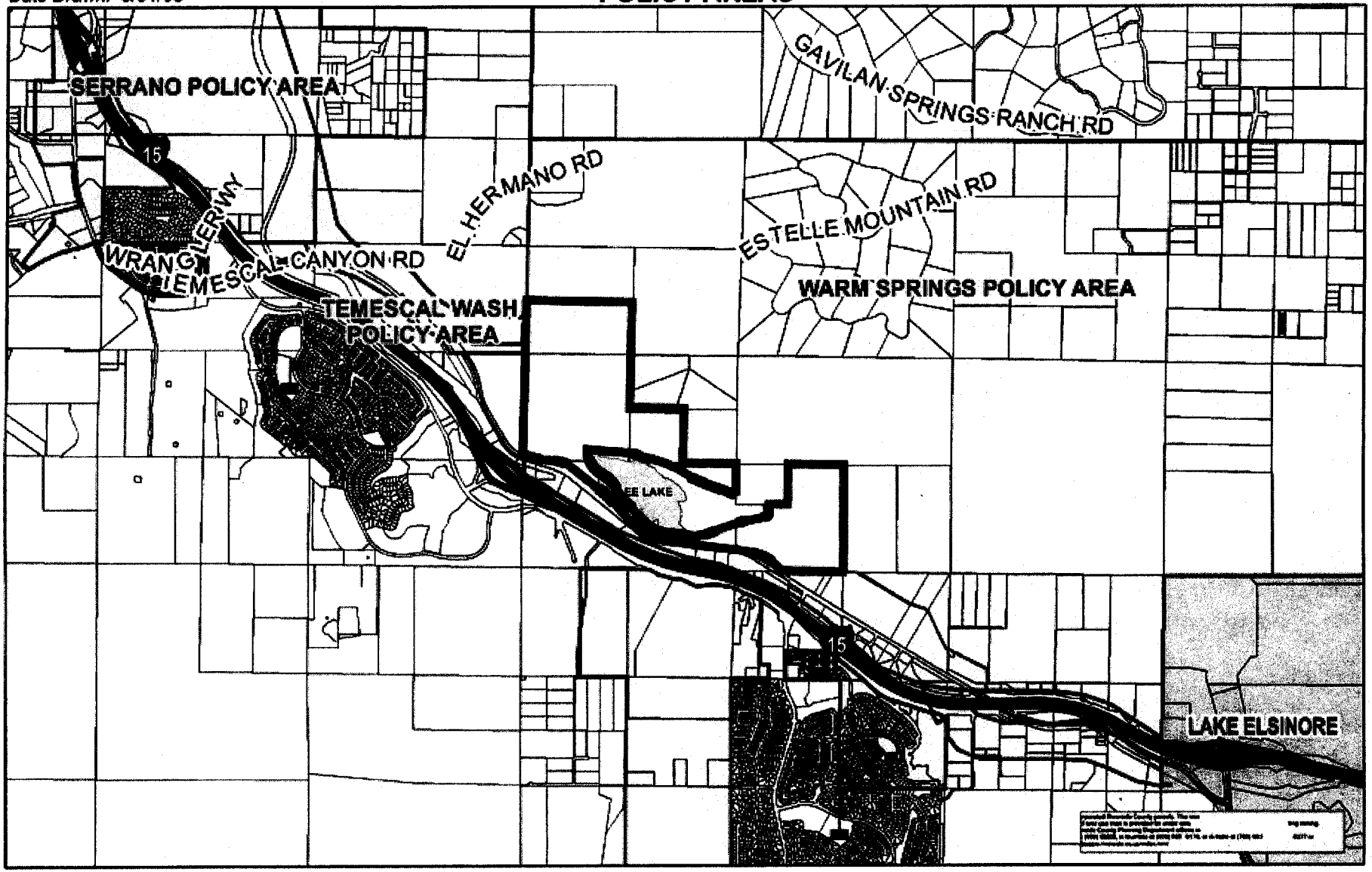
0 1,100 2,200 4,400 6,600
Feet

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030

POLICY AREAS

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



Zone
Area: Temescal
Township/Range: T5SR5W
Section : 6, 7 & 8

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 391-04,05,06&07
Thomas
Bros. Pg. 835 A1

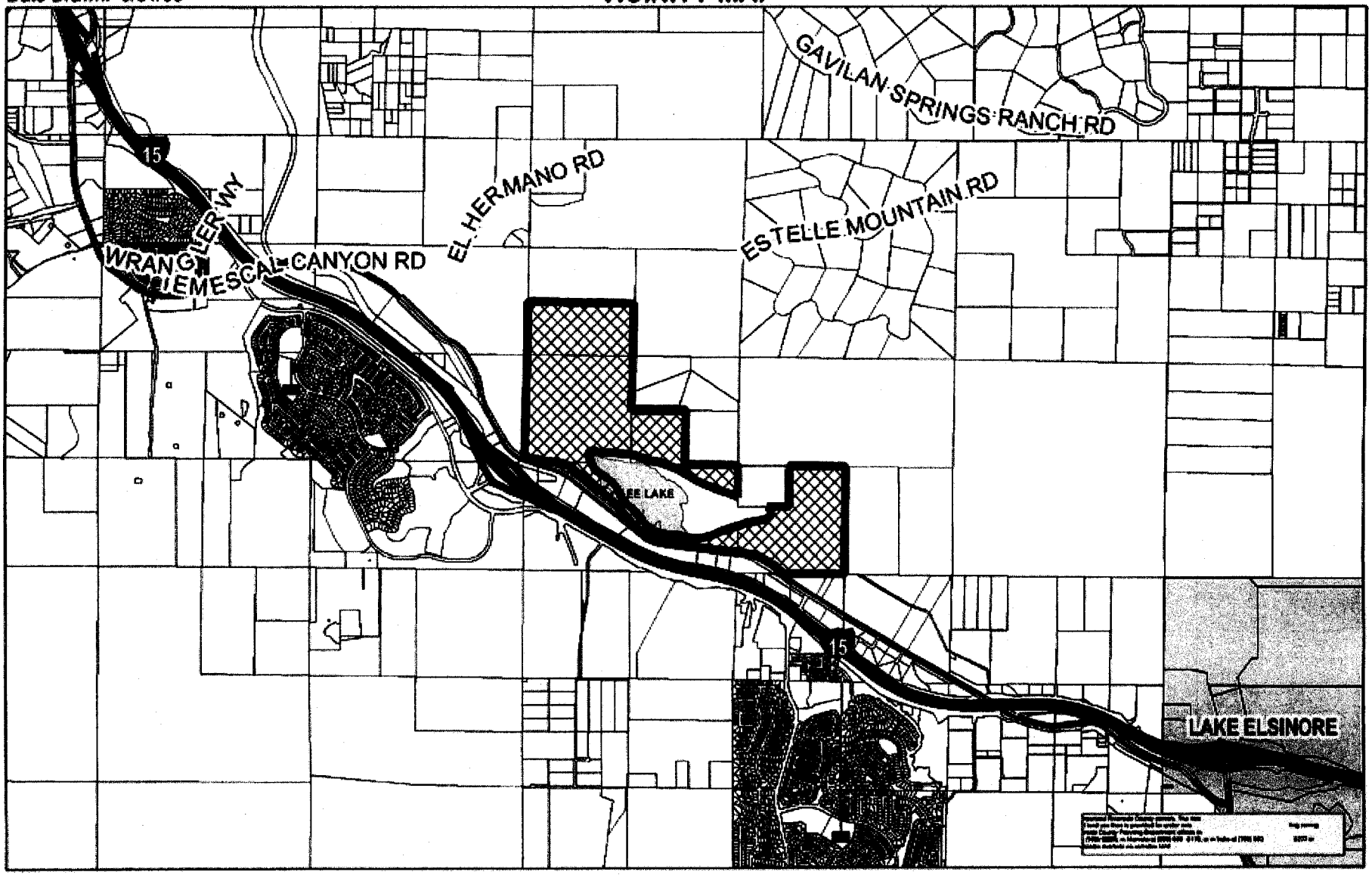
0 3,625 7,250 14,500 21,750
Feet

Supervisor Buster
District 1
Date Drawn: 3/31/08

GPA01030

VICINITY MAP

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



Zone
Area: Temescal
Township/Range: T5SR5W
Section : 6, 7 & 8

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
Bk. Pg. 391-04,05,06&07
Thomas
Bros. Pg. 835 A1

0 3,625 7,250 14,500 21,750
Feet

The subject property encompasses approximately 445.85 acres on the north side of Temescal Canyon Road, south of El Hermano Road The subject property surrounds Corona Lake, an irrigation and recreational fishing facility. The topography of the site ranges from relatively flat (elevations of 1130 to 1150 feet) to steep slopes (elevations of 1550 to 1725 feet) on the north side of the lake and drainage. The project site is accessed via Temescal Canyon Road, a County Arterial Highway.

EXISTING FOUNDATION COMPONENT LAND USE DESIGNATIONS

The existing Foundation Component land use designations for the site include: Open Space – Rural, Open Space – Water, Open Space – Conservation Habitat and Rural Residential. Please refer to Exhibit 1, Existing General Plan Land Use.

Open Space Foundation

The Open Space Foundation Component is intended to create a comprehensive open space system that provides a framework for community development and encompasses the needs of humans for active and passive recreation, as well as the needs of multiple species for survival and sustenance. Within this Foundation Component the following Area Plan designations apply to the subject site:

Open Space-Conservation Habitat (OS-CH) - The Open Space-Conservation Habitat land use designation applies to public and private lands conserved and managed in accordance with the adopted MSHCP. Ancillary structures or uses may be permitted for the purpose of preserving or enjoying open space. This designation applies to only a very small (0.6 acre) parcel located north of the lake (APN 391-050-002).

Open Space-Water (OS-W) - Open Space-Water designated areas include bodies of water and major floodplains and natural drainage corridors. Ancillary structures or uses may be permitted for flood control or recreational purposes. The extraction of mineral resources subject to an approved surface mining permit may be permissible, provided that the proposed project can be undertaken in a manner that does not result in increased flooding hazards and that is consistent with maintenance of long-term habitat and riparian values. This designation applies to a portion of the parcels immediately northwest of the lake (APN's 391-050-007 and 391-040-003).

Open Space-Rural (OS-RUR) - The Open Space-Rural land use designation is applied to remote, privately owned open space areas with limited access and a lack of public services. Single-family residential uses are permitted at a density of one dwelling unit per 20 acres. Mineral extraction is also permitted under certain conditions. This designation applies to parcels located northwest (APN 301-040-002), north (APN 391-050-008) and southeast (APN 391060010) of the lake.

Rural Foundation

The Rural General Plan Foundation Component is intended to identify and preserve areas where the rural lifestyle is the desired use, including areas of remote cabins, residential estates, limited agriculture, equestrian, and animal keeping uses. Within this Foundation Component following Area Plan Designation applies to the subject site:

Rural Residential (RR) - The Rural Residential land use designation allows one single family residence per five acres, as well as limited animal-keeping and agricultural activities. For multi-lot developments, the minimum lot size per residential unit is 2.5 acres, though the overall density of the development must not exceed 0.2 dwelling units per acre. Limited recreational uses, compatible resource development (not including the commercial extraction of mineral resources) and associated uses, and governmental uses are also allowed within this designation. This designation applies to parcels south and southeast of the lake (APN's 391-060-010 and 391-070-007).

PROPOSED FOUNDATION COMPONENT AMENDMENT

With the provision of Foundation Component Amendments (FCA) occurring once every five years, the property owner is interested in beginning the planning process to allow for development of a portion of the property in the future. The FCA is the first step in that process. An opportunities and constraints analysis was conducted in order to determine the appropriate land uses for the property. This analysis considered the site's location, access, topography, and habitat value. Based on this analysis, the table below outlines the proposed Foundation Component amendments on a parcel by parcel basis, followed by an analysis and justification of the requested land use designations.

APN	ACREAGE	EXISTING FOUNDATION COMPONENT	PROPOSED FOUNDATION COMPONENT
391-040-003	79.2	OS-RUR/OS-W	OS-CH/OS-W
391-050-002	0.6	OS-CH	NO CHANGE
391-050-007	156.7	OS-RUR/OS-W	OS-CH/OS-W/RC-LDR
391-050-008	36.9	OS-RUR	RC-LDR
391-060-010	116.6	OS-RUR/RR	OS-CH/CD
391-070-007	36.5	RR	CD
391-070-008	19.1	OS-RUR	RC-LDR

The proposed designation changes reflect the desire of the property owner to develop a high quality project consistent with the goals of the General Plan and with careful consideration to

potential MSHCP issues. Please refer to Exhibit 2, Proposed General Plan Land Use. The following discussion details the specific designations and provides a justification for each.

Open Space-Conservation Habitat (OS-CH) - The Open Space-Conservation Habitat land use designation applies to public and private lands conserved and managed in accordance with adopted MSHCP's. Ancillary structures or uses may be permitted for the purpose of preserving or enjoying open space. This designation would apply to the most habitat-sensitive portions of the property.

Riverside County is known for its extraordinary environmental setting, which provides recreational, ecological, and scenic value. This open space, found in remote regions of the County as well as within Community Development areas, is one of the primary defining aspects of the County's livability and character. In some instances, it is this open space that provides the separations between communities, helping to enhance the distinctiveness of communities in the County.

Poorly planned growth and development would threaten to eliminate or degrade this essential feature of the County. The Multipurpose Open Space Element addresses this issue in great detail. The policies below are supportive of our proposal to designate portions of the property as Open Space – Conservation Habitat as this would directly relate to preserving and enhancing open space through land use related methods. They include restrictions on development of open space, focusing urban growth, providing recreational and open space opportunities within the built environment, and achieving a balance between urban uses and open space/habitat. The following policies support this change.

Policies:

LU 8.1 Provide for permanent preservation of open space lands that contain important natural resources, hazards, water features, watercourses, and scenic and recreational values. (AI 10)

LU 8.3 Incorporate open space, community greenbelt separators, and recreational amenities into Community Development areas in order to enhance recreational opportunities and community aesthetics, and improve the quality of life. (AI 9, 28)

LU 8.4 Allow development clustering and/or density transfers in order to preserve open space, natural resources, and/or biologically sensitive resources. (AI 1, 9)

Rural Community Foundation

Rural areas comprise one of the most distinctive and attractive segments of the County and are the expressed lifestyle choice for many residents. Rural uses include a range of choices, from agricultural, to equestrian, to estate, to remote cabins and resorts. Like agricultural uses, rural uses define the unique character of many communities in Riverside County and help to define their edges and provide separation between developed areas. Rural areas are also valuable in providing important wildlife habitat and habitat linkages.

The Rural Community Foundation Component is intended to identify communities and neighborhoods having a rural lifestyle, where animal - keeping uses and limited infrastructure (compared with Community Development areas) are prevalent. Agriculture is permitted in these areas.

These communities often define their rural lifestyle in part through a desire to maintain particular lot sizes, such as 1 acre or 2 acres. The major challenges for these areas in planning for the future include maintaining their rural character even as other areas in the County experience rapid urban development, providing adequate public services in a rural context, and ensuring that buffers are provided between these areas and other uses that could be incompatible with their animal - keeping and agricultural nature. This Foundation Component contains three Area Plan Designations: Estate Density Residential, Very Low Density Residential and Low Density Residential. The FCA proposes the Low Density Residential designation.

Rural Community – Low Density Residential (RC-LDR) - The Low Density Residential land use designation provides for the development of detached single family residential dwelling units and ancillary structures on large parcels. In the Rural Community Foundation Component (unlike the Community Development Foundation Component, which also permits the application of the Low Density Residential Foundation Component), equestrian and other animal - keeping uses are expected and encouraged. Agriculture is permitted in this designation. The density range is from 2 dwelling units per acre to 1 dwelling unit per acre. This designation would apply to the flatter portions of the property located on the north side of the lake (APN's 391-050-008, 391-070-008 and a portion of 391-050-007)

Community Development Foundation

The Community Development General Plan Foundation Component depicts areas where urban and suburban developments are appropriate. It is the intent of this Foundation Component to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings. The goal is to accommodate a balance of jobs, housing, and services within communities to help achieve other aspects of the RCIP Vision, such as mobility, open space, and air quality goals. It is the expressed goal of the General Plan to focus future growth into those areas designated for Community Development and in a pattern that is adaptive to transit and reduces sprawl.

The Community Development General Plan land use designation consists of seventeen (17) area plan land use designations are grouped within five broad categories; Residential, Commercial, Industrial/Business Park, Public Facility, and Community Centers. The subject proposal is to implement the Commercial category by using the Commercial Retail Area Plan designation.

Commercial Area Plan Land Use Designation

Commercial land uses are critical to the long term economic and fiscal stability of the County. Commercial uses help to provide jobs for local residents, contribute to enhancing and balancing communities economically, and facilitate a tax base that aids in providing needed public facilities and services. It is the goal of this General Plan to accommodate commercial demand, stimulate

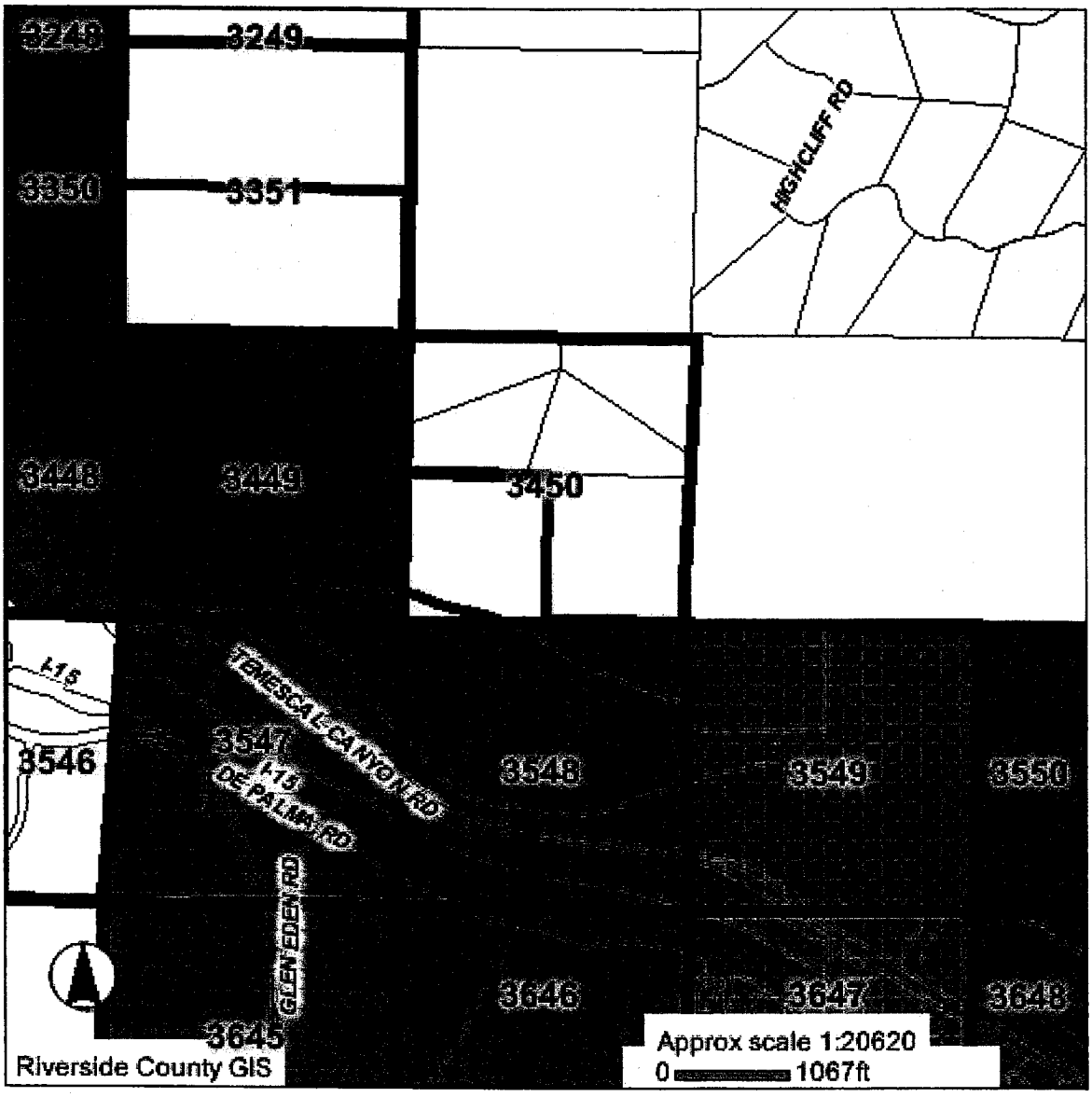
focused commercial centers, accommodate a variety and range of uses, and ensure that new or rehabilitated commercial structures and centers enhance the character of the area and are integrated into the community they are intended to service. The project site's unique location and environmental setting provides an opportunity to develop a land use plan that is both sensitive to habitat issues while providing housing and retail opportunities to County residents. Potential uses could be themed retail establishments, such as outdoor sporting and fishing goods stores and "Tom's Farms" type produce and farmers markets. The following Area Plan designation supports this concept.

Commercial Retail (CR) - The Commercial Retail land use designation allows for the development of commercial retail uses at a neighborhood, community and regional level, as well as for professional office and tourist-oriented commercial uses.

Potential Alternative

The County General Plan contains a provision that allows Community Development Overlays that would allow Community Development land use designations to be applied through General Plan Amendments in the future within specified areas lying within Rural, Rural Community, Agriculture, or Open Space Foundation Component areas, while maintaining the underlying land use designations of these other foundation components until such time as the Community Development land uses are approved. Typically, such overlays will contain special policies within the appropriate area plan texts that address important local issues, such as buffering between existing uses and designations and proposed new Community Development designations, and the permitted density and intensity of development. Community Development Overlays established at the time of General Plan adoption are mapped on the affected Area Plan Land Use Plan maps. This may be an appropriate alternative to allow for the development of a comprehensive land use plan that recognizes the unique opportunities and characteristics of the site.

GPA01030



WRCMSHCP CELL/CELL GROUP

PARCELS
36 CRITERIA CELL NUMBER
CRITERIA CELL
ELSINORE
TEMESCAL CANYON
A
C
D
E
F
I
CITY BOUNDARY

IMPORTANT
This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

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February 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 6.0, General Plan Amendment Initiation Proceedings (February 4, 2009)

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) remains deeply concerned over the landowner-initiated GPAs. The process is profoundly flawed, without formal stakeholder input or adequate community outreach. Dozens of GPAs affecting Foundation elements are being considered in a piecemeal manner, without integration with the County-initiated GPA 960 process.

A high degree of planning discipline is needed during this important Five-Year Update. However, rigor is often lacking in the Planning Dept. recommendations. We are reluctantly reaching the conclusion that the Planning Dept. is not functioning at a level commensurate with the task.

As a reminder, the General Plan Administrative Element provides the operative standard for such decisions:

> a. The foundation change is based on ample evidence that *new conditions or circumstances* disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan. (Emphasis added.)

Instead of a "mapped" General Plan that provides stability for land use and for infrastructure and service provision, many recommendations threaten to revert to the pre-2003 era, when open space was treated as a "holding zone" for any development that water and sewer lines could reach. We therefore urge the Commission and Board to supply the discipline necessary to realize the benefits of the Certainty System and to ensure that new development is both needed and optimally sited.

Comments on specific items follow.

Item 6.1, GPA 621 (Lakeview Nuevo)

No position.

Item 6.2, GPA 770 (Lakeview Nuevo)

No position.

Item 6.3, GPA 841 (Lakeview Nuevo)

No position.

Item 6.4, GPA 957 (REMAP)

This proposed change from Rural and Open Space-Rural to 1-acre Rural Community is of concern to EHL and will be monitored.

Item 6.5, GPA 959 (Mead Valley)

Concur with the staff recommendation for non-initiation on land use and public safety grounds.

Item 6.6, GPA 1030 (Temescal)

Disagree with the staff recommendation to initiate the change of 446 acres within MSHCP Criteria Cells from the most restrictive designations of Open Space-Rural and Rural to a mixture of high and low density residential and commercial retail. This land is obviously critically important wildlife habitat, with Temescal Wash as an outstanding feature. While nearby urbanization exists, this does not in and of itself constitute justification to convert all surrounding land to the same use. No planning need for additional urban land has been provided.

Most importantly, despite this being a critical area for the MSHCP, virtually no information has been provided by staff as to the how the proposed redesignation would affect MSHCP preserve assembly. Would it advance or hinder it? If land acquisition is needed, the proposed up-planning might constitute a gift of public funds. *What is the opinion of the Environmental Programs Department of this proposed change?* At best, initiation is premature and much additional information is necessary.

Item 6.7, GPA 1037 (Lake Mathews)

Disagree with the staff recommendation to convert 38 acres of intact Rural land to estate lots. Staff has *not* addressed the required finding that new conditions or circumstances compel a change. If every Rural property on the border of Rural-Rural Community converts to Rural Community on the basis of adjacency, then that is a prescription for the progressive elimination of Rural.

Item 6.8, GPA 920 (Southwest Area Plan) (72 acres)
Item 6.9, GPA 986 (Southwest Area Plan) (19 acres)
Item 6.10, GPA 1026 (Southwest Area Plan) (150 acres)

Disagree with the staff recommendation to initiate the change of a total of 241 acres of Rural, Rural Mountainous, and Agricultural land to Community Development on the basis of a "trend" that appears to be nothing other than the trend of sprawl. The land involved now comprises a block of highly intact rural and agricultural land on the eastern edge of Highway 79 urbanization. These very lands now form a border or urban edge that *defines* communities, with urban to the west and rural and open space to the east.

Without planning justification, staff is recommending a series of GPAs that would transform this area and push development further east along the scenic Highway 79 corridor. Traffic alone would give pause to this recommendation. The "progression of Community Development land use designations" referred to in the staff report is simply a progression of *requests* for GPAs that is being confused with real planning.

What is the vision for this region, and how was it arrived at? What community outreach occurred? What is the absorption capacity (in years of growth) of the current General Plan? Is more urban land needed, and on what basis? What growth accommodation alternatives were considered other than greenfield development? If more urban land is needed, where is it optimally sited given transportation, open space, and greenhouse gas considerations? *These questions are never asked let alone answered.* While adjacency is *one* legitimate factor, it is not *sufficient* to justify land conversion.

The landowner-initiated GPAs have become a piecemeal process that fails to consider the "big picture" questions posed above. This series of GPAs typifies the loss of rural, agricultural, and open space without planning justification. Where will the eastward progression of rural conversion stop? How far behind are requests – and Planning Dept. acquiescence – for the land adjacent to these GPAs to follow the "trend" and follow suit? The care needed to conduct a successful Five-Year Update is missing.

Item 6.11, GPA 1042 (Southwest Area Plan)

Concur with concerns expressed by staff but do not fully understand the proposal or the "tentatively decline" recommendation. What uses would Commercial Tourist allow? Clearly, the scenic hillside visual character needs to be protected, but the staff report does not compare the impacts of Commercial Tourist with any residential lots that could be graded under the current Rural Mountainous. As noted in the staff report, MSHCP assembly is also an important factor.

Item 6.12, GPA 807 (Prado-Mira Loma)

No position.

Item 6.13, GPA 887 (Prado-Mira Loma)

No position.

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

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Members
George Johnson, TLMA
Ron Goldman, Planning Dept.
Carolyn Luna, Environmental Programs Dept.
Charles Landry, Regional Conservation Authority
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