

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

712B



REVIEWED BY EXECUTIVE OFFICE

DATE 5/16/11 TMB
Tina Grande

Departmental Concurrence

FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 28, 2011

SUBJECT: GENERAL PLAN AMENDMENT NO. 1106 – Applicant: UHC 550 Oasis, LP – Engineer/Representative: Rick Engineering – Fourth Supervisorial District – Eastern Coachella Valley Area Plan - Community Development: Commercial Retail (CD:CM) and Community Development: Medium High Density Residential (CD:MHDR) – Location: Northerly of Middleton Street, southerly of Harrison Street and westerly of Tyler Street – 9.43 Gross Acres – Zoning: Controlled Development Areas (W-2) and General Commercial (C-1/C-P) – **REQUEST:** The General Plan Amendment proposes to amend the Riverside County General Plan Land Use Element from Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio) Land Use Designation to Community Development: Medium High Density Residential (CD:MHDR) (5-8 Dwelling Units per Acre).

RECOMMENDED MOTION: The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 1106 from Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio) Land Use Designation to Community Development: Medium High Density Residential (CD:MHDR) (5-8 Dwelling Units per Acre). 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 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

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:th

(continued on next page)

Dept's Recomm.: Policy Policy
Per Exec. Ofc.: Consent Consent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione 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: May 24, 2011
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref. | **District:** Fourth | **Agenda Number:**

15.1

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.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

712B

DATE: April 18, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office *D.M.*

SUBJECT: GENERAL PLAN AMENDMENT NO. 1106

(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:
(4th Dist) Desert Sun and Press Enterprise

Need Director's signature by 4/28/11
Please schedule on the 05/24/2011 BOS Agenda

Documents to be sent to County Clerk's Office for Posting within five days:
NONE - GPIP

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

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

"Planning Our Future... Preserving Our Past"

Agenda Item No.:
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisory District: Fourth
Project Planner: Wendell Bugtai
Planning Commission: April 6, 2011

GENERAL PLAN AMENDMENT NO. 1106
(Entitlement/Policy Amendment)
Applicant: UHC 550 Oasis LP
Engineer/Representative: Rick Engineering

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. 1039 from Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio) Land Use Designation to Community Development: Medium High Density Residential (CD:MHDR) (5-8 Dwelling Units per Acre) 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 commented on the concern for potential neighborhood compatibility and the larger lots surrounding the southwest area.

Commissioner John Snell: No Comment

Commissioner John Petty: No Comment

Commissioner Jim Porras: Commissioner Porras indicated the mobile housing within the area and requested more information on the type of construction. The applicant described the project as single story and two story affordable housing apartment units. Commissioner Porras had a concern about the higher density and the safety of the roads as it related to Harrison Street.

Commissioner Jan Zuppardo: No Comment

Agenda Item No.: **2 . 1**
Area Plan: Eastern Coachella Valley
Zoning District: Lower Coachella Valley
Supervisory District: Fourth
Project Planner: Wendell Bugtai
Planning Commission: April 6, 2011

GENERAL PLAN AMENDMENT NO. 1106
(Entitlement/Policy Amendment)
Applicant: UHC 550 Oasis LP
Engineer/Representative: Rick Engineering

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1106 proposes to amend the Riverside County General Plan Land Use Element from Community Development: Commercial Retail (CD:CR) (0.20-0.35 Floor Area Ratio) Land Use Designation to Community Development: Medium High Density Residential (CD:MHDR) (5-8 Dwelling Units per Acre).

The proposed Amendment is located in the Eastern Coachella Valley Area Plan; more specifically, the project is located northerly of Middleton Street, southerly of Harrison Street and westerly of Tyler Street.

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 all GPA applications and submit them to the Board of Supervisors. Prior to the submittal to the Board, comments on the applications will be requested from the Planning Commission, and the Planning Commission comments will be included in the report to the Board. The Board will either approve or disapprove the initiation of the proceedings for the GPA requested in the applications.

The consideration of the initiation of proceedings pursuant to this application by the Planning Commission and the Board of Supervisors will not involve a noticed public hearing. The Planning Department, however, did notify the applicant by mail of the time, date and place when the Planning Commission will 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 of 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. This particular GPA application is an Entitlement/Policy Amendment GPA, under Section 2.4.

Additionally, refer to the attached Worksheets for General Plan Amendment Initiation Consideration Analysis.

GENERAL PLAN ADMINISTRATIVE ELEMENT FINDINGS:

In order to support the initiation of a proposed General Plan Amendment it must be established that the proposal could possibly satisfy certain required findings subject to the development review process and

D.M.

final CEQA determination. The Administration Element of the General Plan explains that there are four categories of amendments, Technical, Entitlement/Policy, Foundation, and Agriculture. Each category has distinct required findings that must be made by the Board of Supervisors at a noticed public hearing.

General Plan Amendment No. 1106 falls into the Entitlement/Policy category, because it is changing within the same Foundation-Component, Community Development.

The Administration Element of the General Plan explains that two findings must be made, and at least one of five additional findings must be made to justify an entitlement/policy amendment. The two findings are:

- a. The proposed change does not involve a change in or conflict with:
 - (1) The Riverside County Vision;
 - (2) Any General Plan Principle; or,
 - (3) Any Foundation Component designation in the General Plan.
- b. The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The additional findings, only one of which need be made include:

- c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
- e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.
- f. An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.
- g. An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.

Consideration Analysis:

First Required Finding: The first finding per the General Plan Administrative element explains that the proposed Amendment must not involve a change in or conflict with the Riverside County Vision; any General Plan Principle; or any Foundation Component designation in the General Plan.

- A. The proposed change does not conflict with:
 - (1) The Riverside County Vision. The proposed General Plan Amendment is consistent with the County Vision as it relates to one of the most basic individual needs and values of a growing and

diversified job base within which our residents may find a wide range of income opportunities in the agricultural, commercial, industrial, office, tourism, and institutional sectors of our economy.

(2) Any General Plan Principle. The proposed General Plan meets the General Plan Principle of creating community centers with mixed or integrated commercial, residential, employment, parks, and civic, recreational and cultural uses.

(3) Any Foundation Component designation in the General Plan. Given the Foundation component of the proposed amendment would be within the same Foundation, the proposal would be consistent with the Community Development Foundation.

Second Required Finding: The second General Plan Administrative Element finding explains that the proposed Amendment must either contribute to the achievement of the purposes of the General Plan or, not be detrimental to them. The Land Use Element of the General Plan encourages a “balanced mixture of land uses, including commercial, office, industrial, agriculture, and open space, as well as a variety of residential product types, densities, and intensities in appropriate locations that respond to a multitude of market segments.” The surrounding land use plan accommodates a variety of commercial, industrial and residential developments with residential, industrial, office and commercial uses. The proposed Amendment provides a diversity of residential uses creating employment opportunities and a variety of residential product types, reducing commute times for the Eastern Coachella Valley residents and the surrounding community. The findings can be made that the proposed Amendment contributes to the purposes of the General Plan.

Third Required Finding: In addition to the two, the General Plan indicates that an additional finding, from a list of five, must also be made. The appropriate additional finding for the proposed Amendment to “...shelter as one of the most basic community needs and value the willingness of our communities and their leaders to accept housing for our growing population in our communities...” The Land Use Element of the General Plan acknowledges “...ongoing shortage of affordable housing and its negative impacts on our communities.” This finding can be made for the proposed Amendment.

SUMMARY OF FINDINGS:

- | | |
|------------------------------------|---|
| 1. General Plan Land Use (Ex. #5): | Commercial Retail (CR) and Medium High Density Residential (MHDR) |
| 2. Proposed General Plan Land Use: | Commercial Retail (CR) |
| 3. Existing Zoning (Ex. #2): | Controlled Development Areas (W-2) |
| 4. Surrounding Zoning (Ex. #2): | North: Controlled Development Areas (W-2)
East: General Commercial (C-1 & C-P)
South: Manufacturing – Service Commercial (M-SC)
West: Controlled Development Areas (W-2) |
| 5. Existing Land Use (Ex. #1): | Vacant and Mobile Home Park |
| 6. Surrounding Land Use (Ex. #1): | North: Vacant
East: Commercial
South: Manufacturing |

West: Single Family Residences

7. Project Data:

Total Acreage: 9.43-Acres

RECOMMENDATIONS:

Staff recommends that the appropriate findings per the General Plan Administration Element can be made and that the Planning Commission recommend to the Board of Supervisors to adopt an order initiating proceedings for General Plan Amendment No. 1106. 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. As of this writing, no letters, in support or opposition have been received.
2. The project site is not located within:
 - a. An Agricultural Preserve
 - b. An Airport Influence Area
 - c. A Fault Zone
 - d. A High Fire Area
 - e. Ord. No. 663.10 Stephen's Kangaroo Rat Fee Area
3. The project site is located within:
 - a. A Redevelopment Area: DCPA
 - b. A Flood Zone
 - c. Ord. No. 655 Mount Palomar Lighting Influence Area, Zone B (42.22 miles).
4. The subject site is currently designated as Assessor's Parcel Numbers 751-130-019 and 751-130-020.

RIVERSIDE COUNTY PLANNING DEPARTMENT
GPAU1106
VICINITY/POLICY AREAS

Supervisor Benoit
District 4

Date Drawn: 12/07/10
Vicinity Map



Zoning Dist: Lower Coachella Valley
Township/Range: T7SR38E
Section: 17

Assessors Bk. Pg. 751-13
Thomas Bros. Pg. 5651 D1
Edition 2009



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



RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01106

LAND USE

Supervisor Benoit
District 4

Date Drawn: 12/07/10
Exhibit 1



Zoning Dist: Lower Coachella Valley
Township/Range: T7SR*E
Section: 17

Assessors Bk. Pg. 751-13
Thomas Bros. Pg. 5651 D1
Edition 2009



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RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01106 EXISTING ZONING

Supervisor Benoit
District 4

Date Drawn: 12/07/10
Exhibit 2



Zoning Dist : Lower Coachella Valley
Township/Range: T7SR8E
Section: 17

Assessors Bk. Pg. 751-13
Thomas Bros. Pg. 5651 D1
Edition 2009



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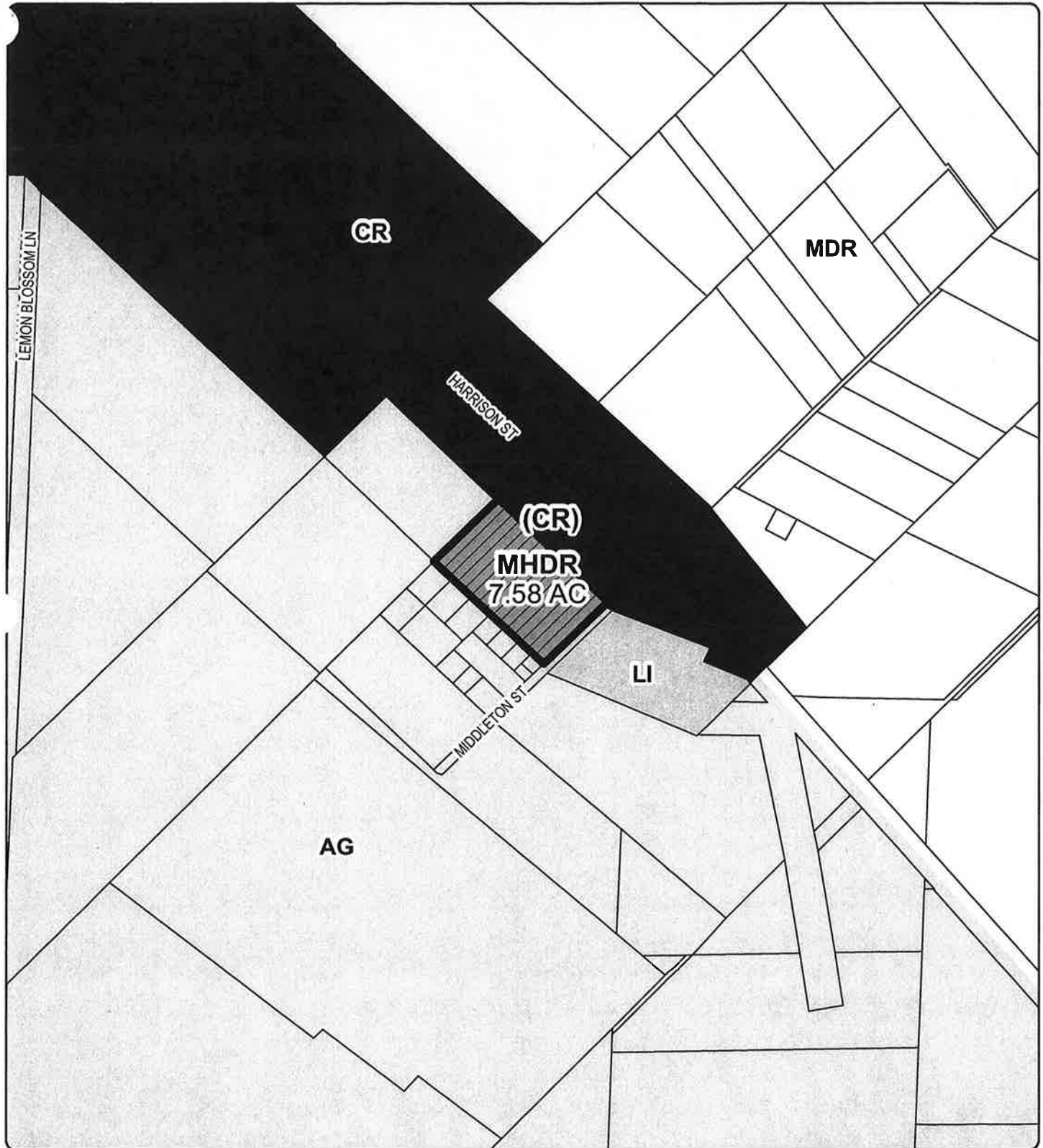
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01106

PROPOSED GENERAL PLAN

Supervisor Benoit
District: 4

Date Drawn: 12/07/10
Exhibit 6



Zoning Dist: Lower Coachella Valley
Township/Range: T7SR8E
Section: 17

Assessors Bk. Pg. 751-13
Thomas Bros. Pg. 5651 D1
Edition 2009



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January 10, 2011

SUBJECT: JUSTIFICATION FOR GENERAL PLAN AMENDMENT

Regarding the application for a General Plan Amendment for a portion of the property on the southwest corner of Harrison Street and Middleton Street in the unincorporated Thermal area of the County of Riverside.


The subject property comprises approximately 8.9 acres with current land use designations of Medium High Density Residential (MHDR) on 7.1 acres and commercial retail on 1.83 acres. This request is to revise the land use of the commercial retail portion to MHDR, which will allow for a 80 unit for rent affordable housing project on the entire site as proposed by the Redevelopment Agency (RDA) for the County of Riverside.

The Thermal area of the unincorporated County supports predominately agrarian and light industrial land uses. Subsequently the area has a large percentage of low-income households. In several areas of the General Plan the need to supply affordable housing to accommodate a variety of household incomes is discussed. In purchasing the subject property the RDA recognizes the need for quality housing for low-income households and the existing lack of such housing in the area.

The proposed land use change for this portion of the subject property conforms with several other objectives of the General Plan including:

- Compatibility with adjoining MHDR property
- Access to (adjacent to) arterial highway for transportation
- Existing school bus stop adjacent to project
- Clustering design of project
- Providing quality family orientated community
- Establishes an activity center orientated to children/families
- Buffers the residential area with open area adjacent to Harrison Street (Highway 86)

Based on all the above we believe the proposed General Plan Amendment is appropriate for this property/project.



MARK IRVING, Director of Land
UHC 00550 OASIS LP