

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

515B



FROM: County Counsel/Planning

SUBMITTAL DATE:
November 19, 2014

SUBJECT: Ordinance No. 348.4794
District 3/District 3

RECOMMENDED MOTION: That the Board of Supervisors:
Adopt Ordinance No. 348.4794 amending the zoning in the Winchester Area shown on Map No. 2.2368 Change of Zone Case No. 7709.

BACKGROUND:

Summary

The public hearing for Change of Zone Case No. 7709 was scheduled as Agenda Item No. 16.3 and was held on January 12, 2010. At the conclusion of public testimony, the Board of Supervisors closed the public hearing, adopted a Mitigated Negative Declaration for Environmental Assessment No. 41906 and tentatively approved Change of Zone Case No. 7709. Pursuant to Article IV, Section 4.1 of Ordinance No. 348, the County's unincorporated area is placed in mapped zoning districts. The adoption of Ordinance No. 348.4794 will finalize the Board's tentative action, formally change the property's zoning classification and amend the County's zoning map to reflect the new zoning classification.

Departmental Concurrence

Juan C. Perez
Interim Planning Director

Gregory P. Priamos
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS:	Budget Adjustment:
	For Fiscal Year:

C.E.O. RECOMMENDATION: APPROVE

BY: Tina Granda

County Executive Office Signature

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 Ordinance 348.4794 is adopted as recommended with waiver of the reading.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
Nays: None
Absent: None
Date: December 9, 2014
xc: Planning, Co.Co., MC, COB

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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

FORM 11: Ordinance No. 348.4794 - District 3/District 3

DATE: November 19, 2014

PAGE: Page 2 of 2

Summary Continued

The project associated with Change of Zone No. 7709 consisted of the following four applications: a General Plan Amendment, a Change of Zone, a Plot Plan and a Parcel Map.

The Parcel Map and the Plot Plan were approved by the Board of Supervisors on August 5, 2014, pending adoption of General Plan Amendment No. 1050 and Change of Zone No. 7709. The Tentative Parcel Map proposed a Schedule E subdivision of 23.66 acres into six (6) parcels for commercial purposes. The Plot Plan proposed a 160,680 square foot commercial center consisting of drugstore, bank, gas station/convenience store, day care facility, market, restaurants, and retail uses in buildings ranging from 3,000 to 55,000 square feet with 1,014 parking spaces.

GPA No. 1050 was tentatively approved by the Board on January 12, 2010 and is scheduled for final adoption as a separate item on December 9, 2014. General Plan Amendment No. 1050 proposes to amend the existing General Plan land use designation from Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio).

Change of Zone No. 7709 proposes to change the zoning classification from Rural Residential (R-R) to General Commercial (C-1/C-P). Today's action will finalize the Board's tentative action that was taken on January 12, 2010 pursuant to Agenda Item No. 16.3 and formally change the property's zoning classification.

All four applications were heard by the Planning Commission at the same time on August 19, 2009, where they were subsequently continued to the September 30, 2009 Commission hearing. At that hearing, the Commission recommended approval of the GPA and CZ, but the Parcel Map and the Plot Plan were continued off calendar until department corrections were addressed and the site plan was cleared by all departments. The General Plan Amendment and the Change of Zone then advanced to the Board on January 12, 2010 and were tentatively approved. The Plot Plan and Parcel Map received a Fast Track authorization since 2010 and advanced to the Board directly for a hearing on August 5, 2014, receiving approval on that date, pending adoption of the General Plan Amendment and Zone Change.

Impact on Citizens and Businesses

The impacts of processing Change of Zone Case No. 7709 and adoption of this ordinance have been evaluated through the environmental review and public hearing process by staff, the Planning Commission and the Board of Supervisors. The opportunity for public review and comment was provided during the public hearings scheduled for this change of zone and any verbal or written testimony provided by the public was considered by the hearing body at that time.

SUPPLEMENTAL:

Additional Fiscal Information

There is no fiscal impact to the County because the cost for processing Change of Zone Case No. 7709 has been born by the applicant.

Contract History and Price Reasonableness

N/A

ATTACHMENTS:

A. Ordinance No. 348.4794

1 ORDINANCE NO. 348.4794

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 348 RELATING TO ZONING

4 The Board of Supervisors of the County of Riverside ordains as follows:

5 Section 1. Section 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as
6 amended, are further amended by placing in effect in the Winchester Area, the zone or zones as shown on
7 the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2368,
8 Change of Zone Case No. 7709" which map is made a part of this ordinance.

9 Section 2. This ordinance shall take effect 30 days after its adoption.

10
11 BOARD OF SUPERVISORS OF THE COUNTY
12 OF RIVERSIDE, STATE OF CALIFORNIA

13 By: Marion Ashley
14 Chairman, Board of Supervisors
Marion Ashley

15 ATTEST:
16 KECIA HARPER-IHEM
17 Clerk of the Board

18
19 By: [Signature]

20
21 (SEAL)

22
23 APPROVED AS TO FORM
24 December 1, 2014

25
26 By: [Signature]
27 MICHELLE CLACK
Deputy County Counsel

28 MPC:sk
11/10/14

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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on December 9, 2014, the foregoing ordinance consisting of 2 Sections was adopted by the following vote:

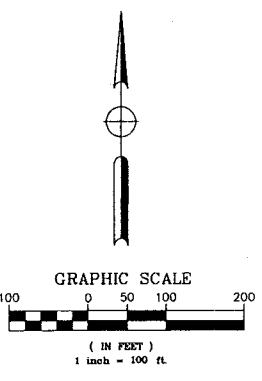
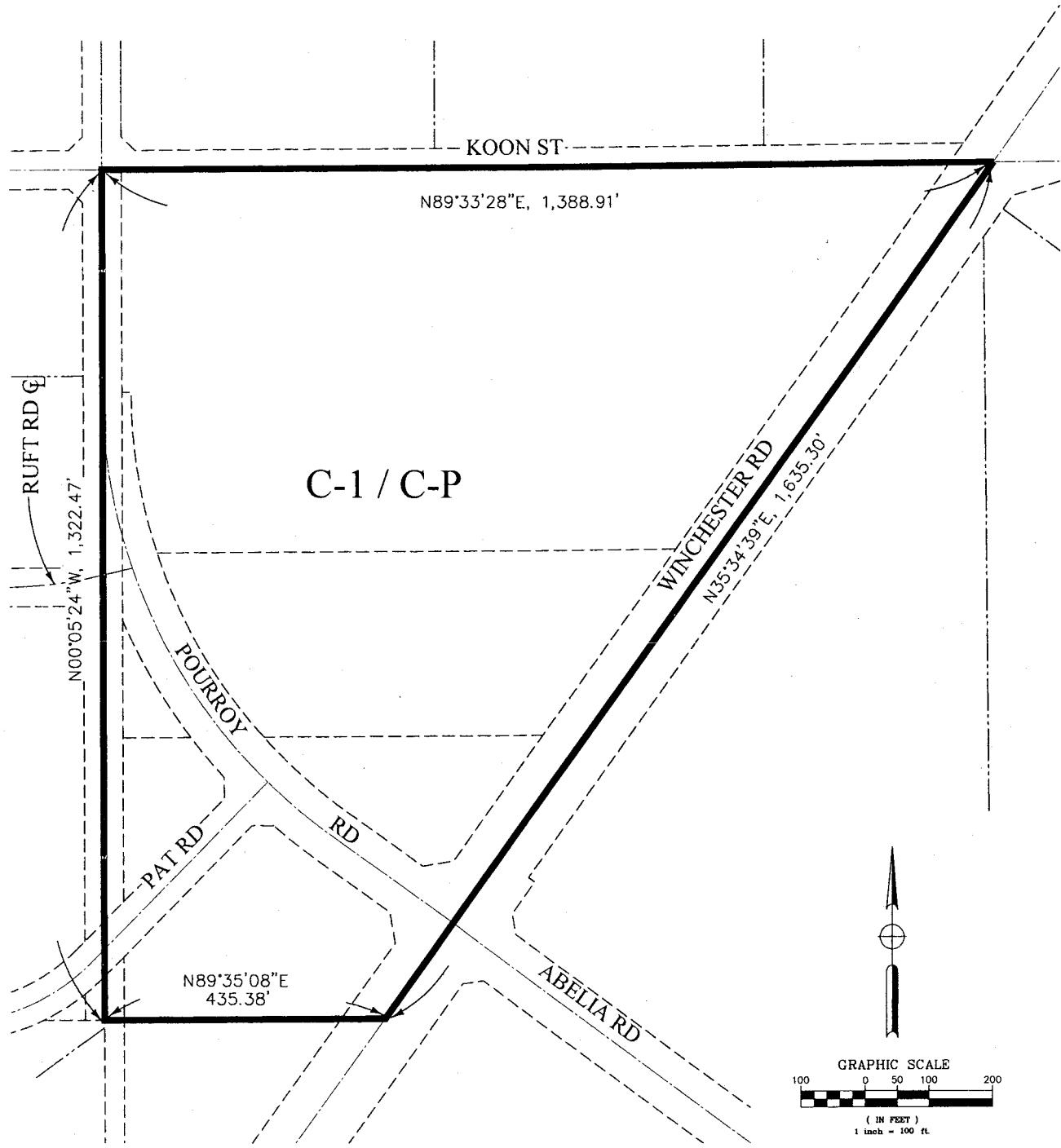
AYES: Jeffries, Tavaglione, Benoit and Ashley
NAYS: None
ABSENT: None

DATE: December 9, 2014

KECIA HARPER-IHEM
Clerk of the Board
BY *Karubayton*
Deputy

SEAL

WINCHESTER AREA
 SEC. 28, T6S, R2W, S.B.B. & M.



C-1 / C-P GENERAL COMMERCIAL

MAP NO. 2.2368
 CHANGE OF OFFICIAL ZONING PLAN
 AMENDING MAP NO. 2 ORDINANCE NO. 348
 CHANGE OF ZONE CASE NO. 7709
 ADOPTED BY ORDINANCE NO. 348.4794

A.P.N. 476-010-054
 A.P.N. 476-010-055
 A.P.N. 476-010-017

RIVERSIDE COUNTY BOARD OF SUPERVISORS



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

December 11, 2014

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 348.4794

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Wednesday, December 17, 2014**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PEC Legals Master <legalsmaster@pe.com>
Sent: Thursday, December 11, 2014 11:02 AM
To: Gil, Cecilia
Subject: Re: FOR PUBLICATION: Adoption of Ord. No. 348.4794

Received for publication on December 17. Proof with cost to follow.

Thank You!

Legal Advertising



Phone: 1-800-880-0345 / Fax: 951-368-9018 / E-mail: legals@pe.com

Please Note NEW Deadlines (effective 06/14): Deadline is 10:30 AM, three (3) business days prior to the date you would like to publish.

****Additional days required for larger ad sizes****

From: Gil, Cecilia <CCGIL@rcbos.org>
Sent: Thursday, December 11, 2014 9:25 AM
To: PEC Legals Master
Subject: FOR PUBLICATION: Adoption of Ord. No. 348.4794

Good morning! Attached is an Adoption of Ordinance, for publication on Wednesday, Dec. 17, 2014. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

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

(INSERT ORD. NO. 348.4794 AND MAP HERE)

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **December 9, 2014**, the foregoing Ordinance consisting of two (2) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

1 ORDINANCE NO. 348.4794

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 348 RELATING TO ZONING

4 The Board of Supervisors of the County of Riverside ordains as follows:

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7 the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 2.2368,
8 Change of Zone Case No. 7709" which map is made a part of this ordinance.

9 Section 2. This ordinance shall take effect 30 days after its adoption.

10
11 ~~BOARD OF SUPERVISORS OF THE COUNTY
12 OF RIVERSIDE, STATE OF CALIFORNIA~~


13 By: _____
14 ~~Chairman, Board of Supervisors~~

15 ATTEST:
16 KECIA HARPER-IHEM
17 Clerk of the Board

18
19 By: _____

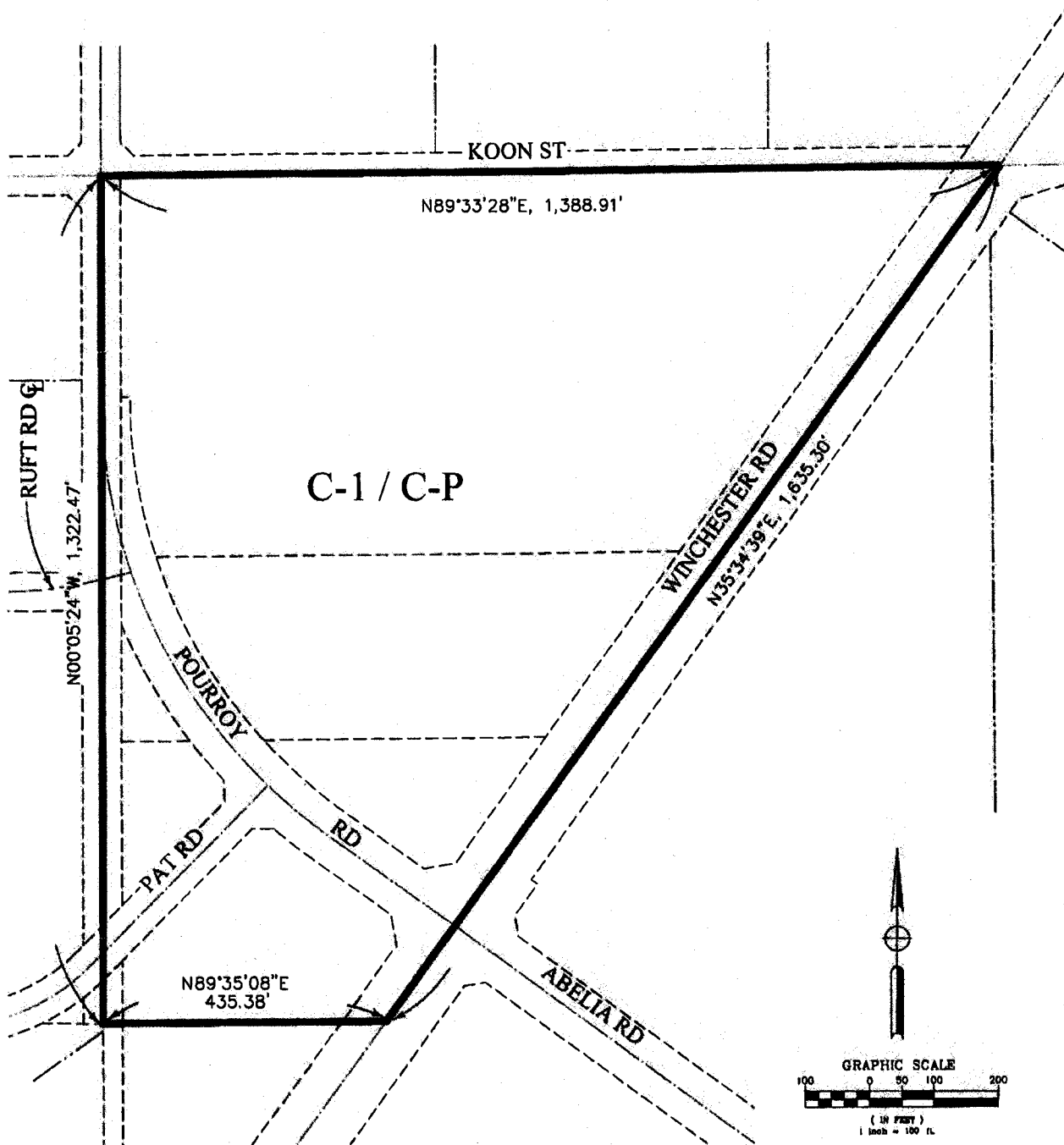
20
21 (SEAL)

22
23 APPROVED AS TO FORM
24 December 1, 2014

25
26 By: 
27 MICHELLE CLACK
28 Deputy County Counsel

MPC:sk
11/10/14

WINCHESTER AREA
 SEC. 28, T6S, R2W, S.B.B.& M.



LEGEND
C-1 / C-P GENERAL COMMERCIAL

MAP NO. 2.2368
 CHANGE OF OFFICIAL ZONING PLAN
 AMENDING MAP NO. 2 ORDINANCE NO. 348
 CHANGE OF ZONE CASE NO. 7709
 ADOPTED BY ORDINANCE NO. 348.4794

A.P.N. 476-010-054
 A.P.N. 476-010-055
 A.P.N. 476-010-017

RIVERSIDE COUNTY BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director
Planning Department
Ron Goldman · Planning Director

Original Negative Declaration/Notice of
Determination was routed to County
Clerks for posting on.

12/16/14 KO

TO: Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
 County of Riverside County Clerk

FROM: Riverside County Planning Department
 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

Date: 38686 El Cerrito Road Initial
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Pinnacle Winchester - GPA01050/CZ07709 - EA41906
Project Title/Case Numbers

Kinika Hesterly (951) 955-1888
County Contact Person Phone Number

N/A
State Clearinghouse Number (if submitted to the State Clearinghouse)

Pinnacle Winchester 8369 Vickers Street, Suite 101, San Diego, CA 92111
Project Applicant Address

The project is located in the French Valley community of the Southwest Area Plan in Western Riverside County, more specifically, southerly of Flossie Way, easterly of Pourroy Road, and westerly of Winchester Road.
Project Location

The General Plan Amendment proposes to amend the existing General Plan land use designation from Community Development: Low Density Residential (CD: LDR) (1/2 Acre Minimum) to Community Development: Commercial Retail (CD: CR) (0.20-0.35 Floor Area Ratio). The Change of Zone proposes to change the zoning classification from Rural Residential (R-R) to General Commercial (C-1/C-P).

Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on 12/9/14, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A Mitigated Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act. (\$\$2010.75 plus \$64.00)
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.

This is to certify that the Mitigated Negative Declaration, with comments, responses, and record of project approval is available to the general public at Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501.


Signature

Board Assistant
Title

12/9/14
Date

Date Received for Filing and Posting at OPR: _____

Y:\Planning Case Files-Riverside office\PP24054\DH-PC-BOS Hearings\9.30.09 PCNOD Form.PP24054.doc Revised 8/24/09

Please charge deposit fee case#: ZEA41906 ZCFG05254

FOR COUNTY CLERK'S USE ONLY

DEC 09 2014 3-29, 3-31

Empty rectangular box for County Clerk's use.

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
George A. Johnson · Agency Director
Planning Department
Ron Goldman · Planning Director

MITIGATED NEGATIVE DECLARATION

Project/Case Number: Pinnacle Winchester - GPA01050/CZ07709 - EA41906

Based on the Initial Study, it has been determined that the proposed project, subject to the proposed mitigation measures, will not have a significant effect upon the environment.

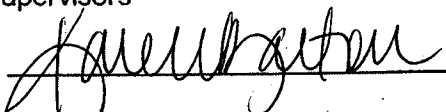
PROJECT DESCRIPTION, LOCATION, AND MITIGATION MEASURES REQUIRED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS. (see Environmental Assessment and Conditions of Approval)

COMPLETED/REVIEWED BY:

By: Kinika Hesterly Title: Project Planner Date: September 10, 2009

Applicant/Project Sponsor: Pinnacle Winchester Date Submitted: September 30, 2009

ADOPTED BY: Board of Supervisors

Person Verifying Adoption:  Date: 12/9/14

The Mitigated Negative Declaration may be examined, along with documents referenced in the initial study, if any, at:

Riverside County Planning Department 4080 Lemon Street, 9th Floor, Riverside, CA 92501

For additional information, please contact Kinika Hesterly at (951) 955-1888.

Revised: 9/10/09

Y:\Planning Case Files-Riverside office\PP24054\DH-PC-BOS Hearings\9.30.09 PC\Mitigated Negative Declaration.PP24054.doc

Please charge deposit fee case#: ZEA42126 ZCFG05481

FOR COUNTY CLERK'S USE ONLY

DEC 09 2014 3-29, 3-31

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

* REPRINTED * R0802541

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Second Floor
Riverside, CA 92502
(951) 955-3200

39493 Los Alamos Road
Suite A
Murrieta, CA 92563
(951) 600-6100

38686 El Cerrito Road
Palm Desert, CA 92211
(760) 863-8277

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\$64.00

paid by: CK 1056 & 617

paid towards: CFG05254 CALIF FISH & GAME: DOC FEE
CALIFORNIA FISH AND GAME FOR EA41906

at parcel #:

appl type: CFG3

By

MGARDNER

Mar 12, 2008 15:08

posting date Mar 12, 2008

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

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Ordered By: Cecilia Gil

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 CLERK / BOARD OF SUPERVISORS
 2014 DEC 19 AM 11:52

*Planning
 3-31 of 92/09/14
 207709*

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Balance
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Billing Account Name And Address

Remittance Address

BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE
 P.O. BOX 1147
 RIVERSIDE, CA 92502

The Press-Enterprise
 POST OFFICE BOX 12009
 RIVERSIDE, CA 92502-2209

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: ADOPTION OF ORDINANCE NO. 348.4794 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, under date of February 4, 2013, Case Number RIC 1215735, under date of July 25, 2013, Case Number RIC 1305730, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates,

12/17/2014

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 17, 2014
At: Riverside, California

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0010000135-01

P.O. Number:

Ad Copy:

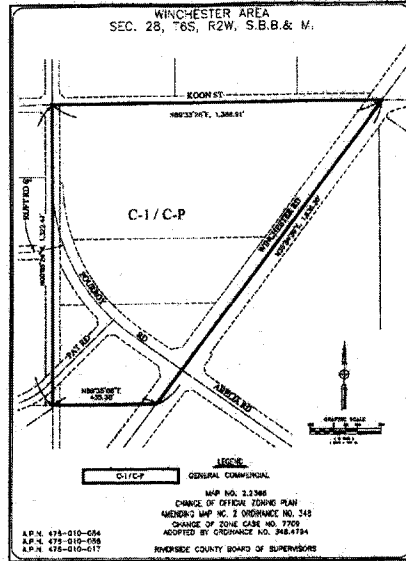
BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

ORDINANCE NO. 348.4794
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348
RELATING TO ZONING

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Section 2. This ordinance shall take effect 30 days after its adoption.



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AYES: Jeffries, Tavagione, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

12/17