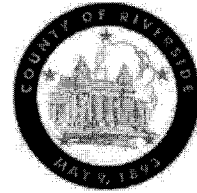


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM  
16.6  
(ID # 3805)

**MEETING DATE:**

Tuesday, March 21, 2017

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: GENERAL PLAN INITIATION PROCEEDINGS FOR GENERAL PLAN AMENDMENT NO. 1186 (Foundation) – APPLICANT: Dream House USA, LLC – ENGINEER/REPRESENTATIVE: Matthew Fagan Consulting – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural Residential (R-R) POLICY AREA: Highway 79 – LOCATION: Generally located north of Vino Way, south of Buck Road, east of Pourroy Road, and west of Anza Road – PROJECT SIZE: 145.63 gross acres – REQUEST: Adopt an order initiating the proceedings for General Plan Amendment No. 1186, that proposes to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and to amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres. APNs: 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150-009, and 964-180-015. Applicant Fees 100%.

**RECOMMENDED MOTION:** Staff recommends that the Board of Supervisors:

1. **Adopt** an order initiating proceedings for **General Plan Amendment No. 1186**, based on information provided by the applicant and comments received from the Planning Commission and General Plan Advisory Committee.

**ACTION: (Policy)**

Juan O. Pineda, Director of Transportation & Land Management

3/10/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Washington, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter is approved as recommended to adopt an order initiating the proceedings to allow further review.

Ayes: Jeffries, Tavaglione and Washington  
Nays: None  
Absent: Ashley  
Date: March 21, 2017  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS:</b> Applicant Fees 100%			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

*Project Scope*

General Plan Amendment No. 1186 is a General Plan Foundation Component Amendment to change the project site's Foundation Component from Open Space (OS) to Community Development (CD) and to amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres. The project site is generally located north of Vino Way, south of Buck Road, east of Pourroy Road, west of Anza Road, and is within the Southwest Area Plan. The application for this Foundation Component General Plan Amendment was submitted during the application window for the 2016 General Plan Review Cycle.

*General Plan Initiation Process*

Prior to a private application for a General Plan Regular Foundation Component Amendment being processed by the Planning Department, the application is required to go through the General Plan Initiation Process (GPIP) process. The GPIP process includes receiving comments on the proposed amendment from the General Plan Advisory Committee (GPAC) and the Planning Commission. These comments are then provided to the Board of Supervisors. At this initial stage of the process, specific details of the Foundation General Plan Amendment and any accompanying implementing project are not considered, and public hearings are not required before the Planning Commission or the Board of Supervisors. The GPIP process provides an opportunity for the applicant to hear comments related to his or her proposed project before embarking on the land use and environmental review process. At this time, the Board of Supervisors will only be considering whether to initiate proceedings for the proposed Foundation Component General Plan Amendment. If the Board of Supervisors adopts an order initiating proceedings for the proposed Amendment, the proposed Amendment will then go through the land use review process including applicable environmental review, Tribal consultation, and public hearings. The initiation of proceedings by the Board of Supervisors does not commit the County to a certain course of action and shall not imply any such amendment will be approved. The Board retains full discretion under the California Environmental Quality Act when reviewing the proposed Amendment during the land use review process.

*Justification for Foundation Component Amendment*

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

Pursuant to the Riverside County General Plan, Chapter 11: Administration Element and Article II, Section 2.5 of Ordinance No. 348, related to General Plan Regular Foundation Component Amendments, specific findings are required to approve a Foundation Component Amendment. These include findings that new conditions or circumstances exist that justify modifying the General Plan, that the modification does not conflict with the overall County Vision and that the modification would not create an internal inconsistency among the other General Plan Elements. The application for Foundation Component Amendments requires the applicant to provide information describing a new condition or circumstance that justifies modifying the General Plan. Such information has been provided by the applicant and is included with this report package.

*General Plan Advisory Committee*

This application was considered by the General Plan Advisory Committee (GPAC) during a public meeting on August 25, 2016, Agenda Item 3.5, where it was continued to the September 8, 2016 meeting, Agenda Item 2.1 and was subsequently recommended for initiation to the Planning Commission.

During the GPAC meeting, the members discussed the feasibility of developing the site, as it pertains to access and environmental constraints, due to the uniquely configured parcels and their location. During the meeting, the applicant requested a continuance to further discuss the proposal with planning staff, as he believed that the site's General Plan Land Use Designation was previously erroneously changed to Open Space.

Prior to the next hearing, staff discussed the Land Use change with County Counsel and the applicant. As a result of the Johnson Ranch Specific Plan area to the north being entirely conveyed for conservation and reverting back to an Open Space Land Use Designation, the subject property under this General Plan Amendment was also purposely designated as Open Space. However, the viability as suitable habitat and the quality of the existing native plant material of the subject site, is somewhat in question.

During the second GPAC meeting on September 8, 2016, the members again discussed the viability of developing the site. The GPAC members suggested that there could be some limited development opportunity within the southeast area as it may be easier to provide access and utilities, but with the lack of analysis and a better understanding of site constraints, the GPAC members still had concerns. After further discussions during the meeting, the GPAC did recommend this project for initiation to the Planning Commission by a majority, with two abstentions, and one vote of no. The GPAC members further recommended that the northern parcels were probably not suitable for development and should remain in their current Land Use Designation, but the southern area might be. The exact limits of development and the specific location and extent of the land use change can be further defined during the implementing process. The GPAC members also recommended that a density transfer could be applied to the area that is potentially developable.

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

*Planning Commission*

This application was considered by the Planning Commission during a public meeting on November 2, 2016, Agenda Item 2.6, and the following comments were provided by the Planning Commissioners:

During the Planning Commission meeting, similar discussions regarding the feasibility of development on the site occurred. Staff conveyed the history of the site and the GPAC's recommendation to the Commission. The applicant also provided additional information about the site and that any future proposed development would be limited to the southeast area. The Planning Commission considered the project and felt that there was at least some, albeit limited, development potential within the southeast area. The Planning Commission further stated that the areas to the west and north should remain under the current General Plan designation and to consider a density transfer.

**Impact on Citizens and Businesses**

None at this time. Should the Board of Supervisors initiate this General Plan Foundation Component Amendment application, an appropriate level of land use review and environmental analysis will be conducted in conjunction with the amendment and with any implementing project.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

All fees are paid by the applicant. There is no general fund obligation.

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS:**

- Attachment A – Exhibits**
- Attachment B – BOS Report Package**
- Attachment C – PC Report Package**
- Attachment D – GPAC Report Package**

**RIVERSIDE COUNTY PLANNING DEPARTMENT**  
**GPA01186**  
**VICINITY/POLICY AREAS**

Supervisor: Washington  
 District 3

Date Drawn: 07/19/2016  
 Vicinity Map



Author: Vinnie Nguyen



THIS MAP IS THE PROPERTY OF THE PLANNING DEPARTMENT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE PLANNING DEPARTMENT. THE PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL ENGINEER OR ARCHITECT. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL LANDSCAPE ARCHITECT. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL SURVEYOR. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL CIVIL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL ELECTRICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL MECHANICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL CHEMICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL ENVIRONMENTAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL INDUSTRIAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL METALLURGICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL NUCLEAR ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL AERONAUTICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL AGRICULTURAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL MARINE ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL CHEMICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL CIVIL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL ELECTRICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL MECHANICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL CHEMICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL ENVIRONMENTAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL INDUSTRIAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL METALLURGICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL NUCLEAR ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL AERONAUTICAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL AGRICULTURAL ENGINEER. THE PLANNING DEPARTMENT IS NOT A PROFESSIONAL MARINE ENGINEER.

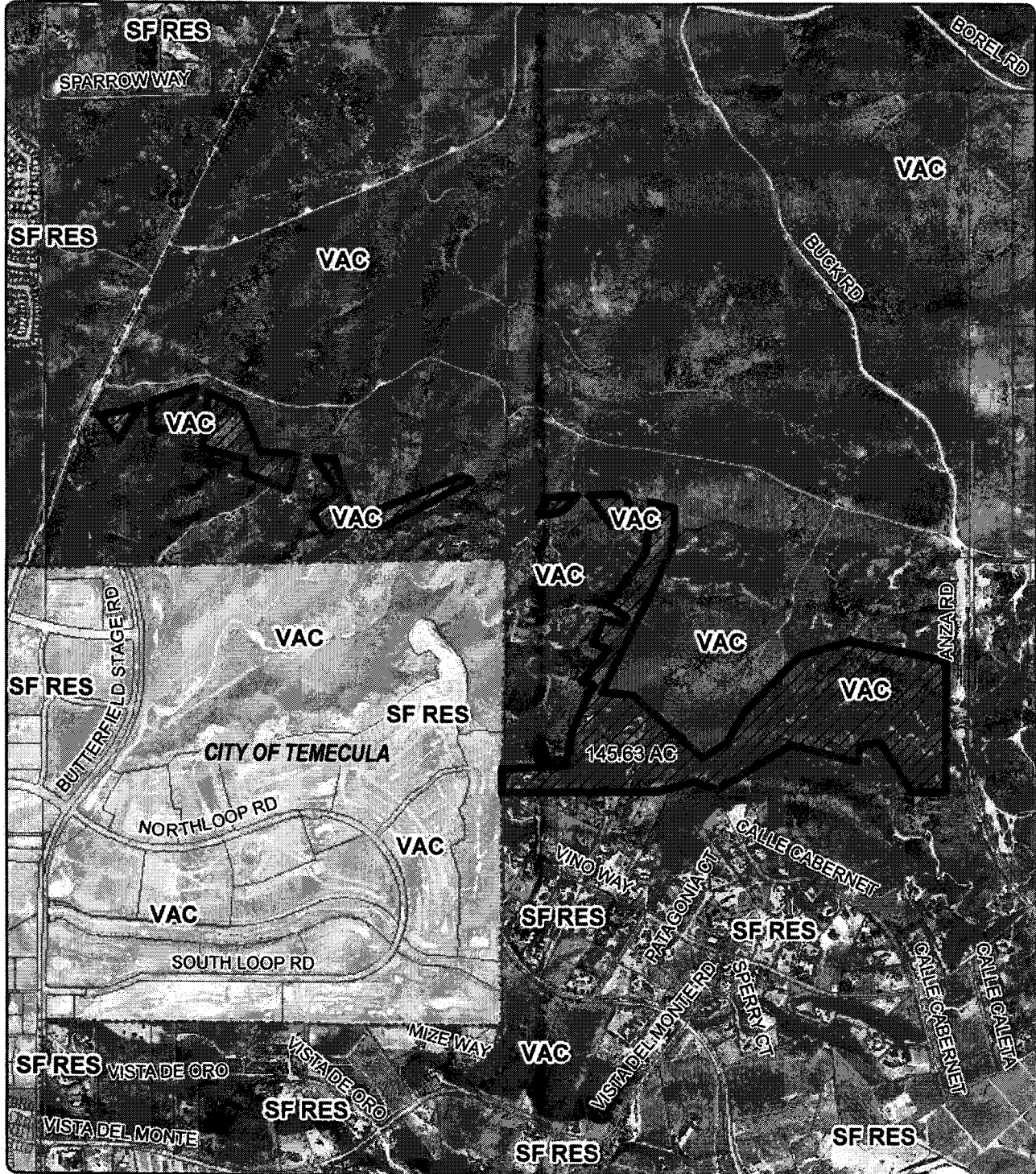
RIVERSIDE COUNTY PLANNING DEPARTMENT

GPA01186

LAND USE

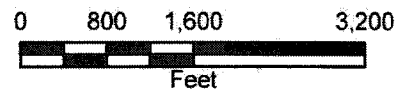
Supervisor: Washington  
District 3

Date Drawn: 07/19/2016  
Exhibit 1



Zoning Area: Rancho California

Author: Vinnie Nguyen



**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 type 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 Palm Desert at (760)863-8277 (Eastern County) or Website <http://www.palmdesert.com>

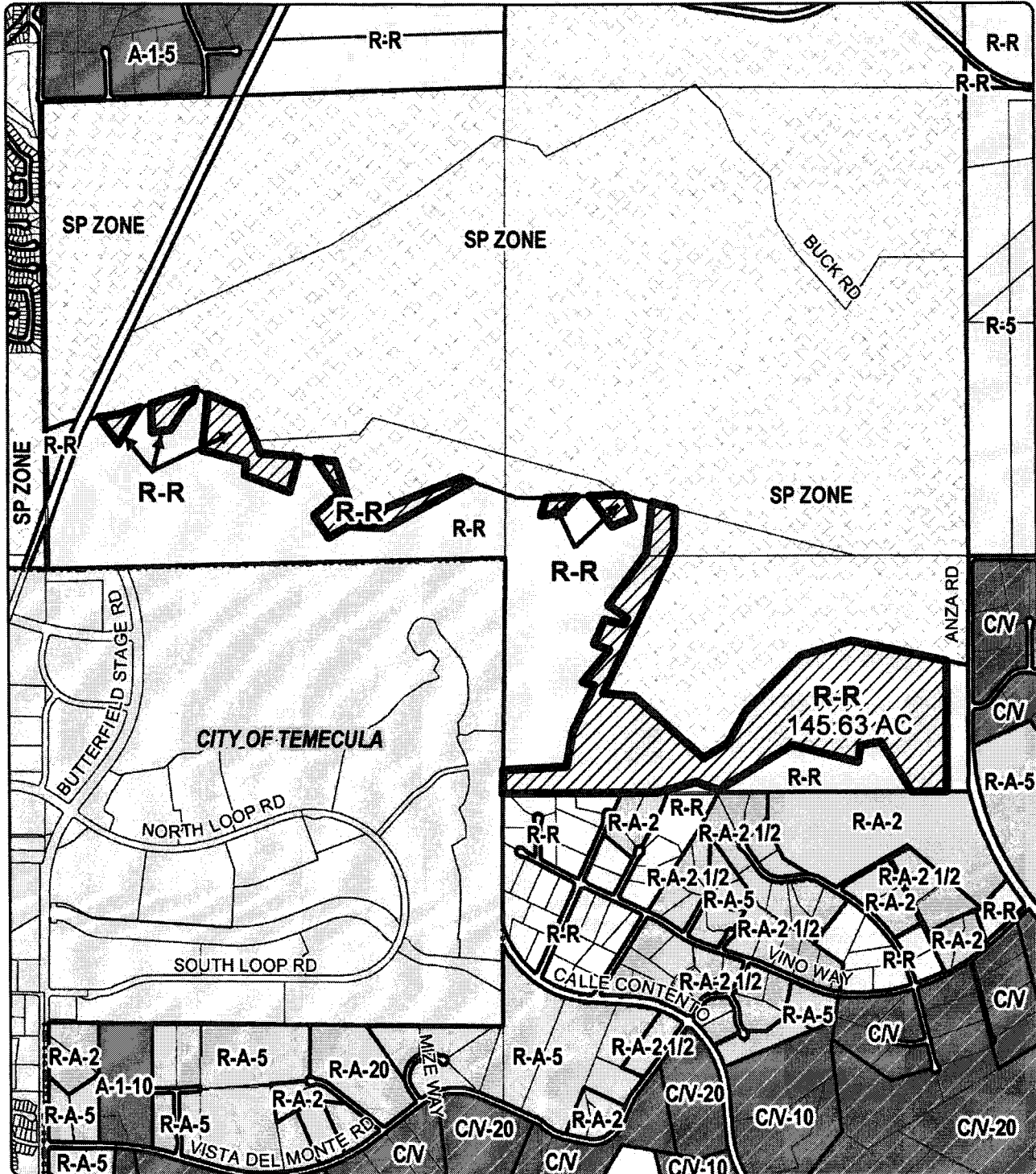
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

### EXISTING ZONING

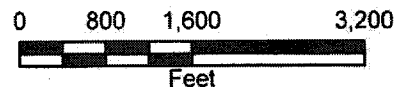
Supervisor: Washington  
District 3

Date Drawn: 07/19/2016  
Exhibit 2



Zoning Area: Rancho California

Author: Vinnie Nguyen



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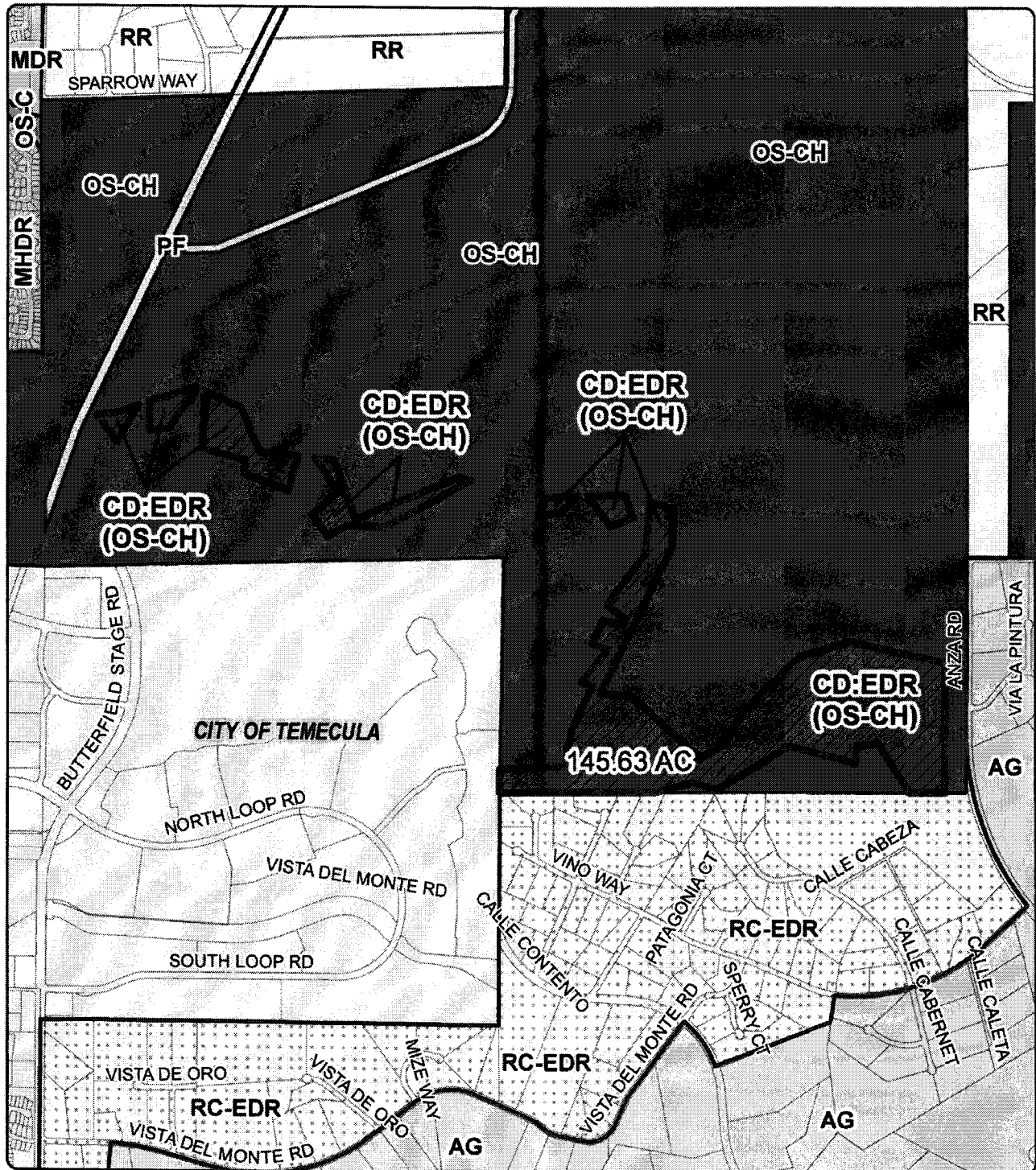
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

### PROPOSED GENERAL PLAN

Supervisor: Washington  
District 3

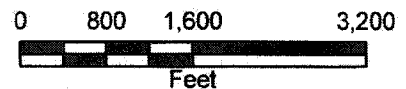
Date Drawn: 07/19/2016  
Exhibit 6



Zoning Area: Rancho California

Author: Vinnie Nguyen

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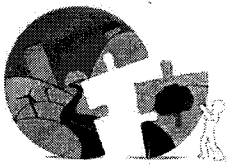




# **BOS**

## **Report Package**

Meeting Date: Tuesday, March 21, 2017



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

**PLANNING COMMISSION  
MINUTE ORDER  
NOVEMBER 2, 2016**

**I. AGENDA ITEM 2.6**

**GENERAL PLAN AMENDMENT NO. 1186 (FOUNDATION AND ENTITLEMENT/POLICY) –**  
APPLICANT: Dream House USA, LLC – ENGINEER/REPRESENTATIVE: Matthew Fagan Consulting –  
Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural  
Residential (R-R) POLICY AREA: Highway 79 – LOCATION: Generally located north of Vino Way,  
south of Buck Road, east of Pourroy Road, and west of Anza Road – PROJECT SIZE: 145.63 gross  
acres.

**II. PROJECT DESCRIPTION:**

Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to  
Community Development (CD) and amend its Land Use Designation from Conservation Habitat  
(CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres.

**III. MEETING SUMMARY:**

The following staff presented the subject proposal:

Project Planner: John Hildebrand at (951) 955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org).

Matthew Fagan, Applicant's Representative, 42011 Avenida Vista Laders, Temecula 92591 (951)  
265-5428 spoke in favor of the proposal. No one spoke in opposition or in a neutral position.

**IV. CONTROVERSIAL ISSUES:**

None.

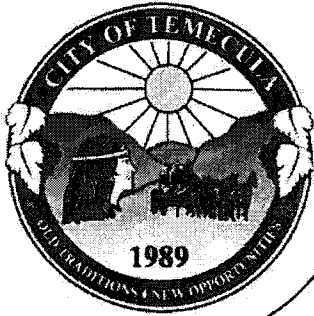
**V. PLANNING COMMISSION ACTION:**

Public Comments: Closed

The Planning Commission Comments to the Board of Supervisors are:

**RECOMMEND INITIATION WITH CAUTION.**

**CD** The entire discussion of this agenda item can be found on CD. For a copy of the CD, please  
contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at  
[mcstark@rctlma.org](mailto:mcstark@rctlma.org).



# City of Temecula

## Community Development

41000 Main Street • Temecula, CA 92590  
Phone (951) 694-6400 • Fax (951) 694-6477 • TemeculaCA.gov

November 7, 2016

Mr. John Hildebrand  
Riverside County Planning Department  
P.O. Box 1409  
Riverside, CA 92502-1409

**SUBJECT: Foundation General Plan Amendment No. 1186.**

Dear Mr. Hildebrand:

The November 2, 2016 agenda packet for the Planning Commission included the above mentioned project, which is to amend the project site's General Plan Foundation Component from Open Space to Community Development and amend its Land Use Designation from Conservation Habitat to Estate Density Residential on a total of 145.63 acres (Agenda Item No. 2.6).

The City has concerns with the proposed Foundation Component amendment, as the project site has been designated Open Space Conservation for a number of years and the proposed GPA is not consistent nor compatible with surrounding land uses. Additionally, the November 2, 2016 Planning Commission staff report states, "The CD-EDR land use designation would also mesh well with the low-density residential land use designation (0.5 to 2 dwelling units per acre) adopted by the City of Temecula (Roripaugh Ranch Specific Plan) for the land to the west of the large parcel". To clarify, the majority of the adjacent land use west of the referenced large parcel is designated as Open Space in both the City of Temecula (Roripaugh Ranch Specific Plan) as well as in the unincorporated part of the County of Riverside.

The proposed GPA land use designation of CD-EDR would place the proposed project parcels in the middle of conservation land, effectively disrupting intended conservation efforts of the area.

The City does not support GPA No. 1186. The City concurs with the Riverside County General Plan Amendment Committee's recommendation from their August 25, 2016 and September 8, 2016 discussion, that Community Development – Estate Density Residential is the wrong General Plan Foundation Component and Land Use designation for this area.

Should you have any questions, please contact me by telephone at (951) 694-6415 or by email at [luke.watson@TemeculaCA.gov](mailto:luke.watson@TemeculaCA.gov).

Sincerely,

Luke Watson  
Director of Community Development

cc: Temecula City Council  
Aaron Adams, City Manager  
Greg Butler, Assistant City Manager  
Steve Weiss, Riverside County Planning Director

# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



October 28, 2016

Planning Commission  
County of Riverside  
4080 Lemon St  
Riverside CA 92501

**RE: Items 2.1 – 2.11; 4.1: General Plan Initiation Proceedings, November 2, 2016**

Dear Chair and Members of the Commission

Endangered Habitats League (EHL) appreciates the opportunity to submit written testimony on the General Plan Initiation Proceedings. We served on the General Plan Advisory Committee (GPAC) but, in some cases, EHL positions have been refined since the GPAC votes.

Proposals before you that do not have compelling planning merit and that do not reflect significant changes in circumstances should not move forward to full environmental review. The burden of proof is upon the applicant and/or Planning Department to affirmatively establish such facts.

## **General comments**

EHL is concerned that the Planning Department has not provided 1) basic information as to whether more intensive uses are justified or 2) guidelines to determine whether the proposals – individually or collectively – move the County in the right direction.

Basic and necessary information includes the *housing capacity* present but unbuilt in the County and Cities' General Plans. Prior information indicates that there is a huge *overcapacity* of housing that argues against all but the most strategic increases. Other missing information includes the cumulative traffic implications of the proposed General Plan amendments. We urge you to request such information before considering these proposals.

Factors in assessing proposals should include whether the jobs-housing balance is improved or worsened, whether the greater intensity of use will be served by transit now or realistically in the future, whether vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory, whether the new development will be subject to high fire hazard, and whether it conflicts with the MSHCP. We hope that the Planning Department will offer its professional guidance. If not, the Commission should independently formulate a series of *guiding principles* for GPA initiation. A piecemeal approach is not adequate.

EHL's recommendations are based upon compelling planning rationale, jobs-housing balance, transit availability, vehicle miles traveled and GHG emissions, the folly of putting more and more homes in the path of wildfire, and biological considerations. In some cases, we have identified missing information needed for justification or suggested modifications. We hope that this Commission will take a hard look at the County's future and chart a more sustainable path for the County's present and future citizens than simply perpetuating current trends.

Also, we are disappointed in the staff reports for these items. There is only a brief staff recommendation and complete deferral to applicants for justification in terms of the requisite General Plan findings. In contrast, during the last GPA cycle, staff provided its own independent and reasoned analyses, and its recommendations were grounded in facts and discussion. This was far more valuable.

### **Specific comments**

**2.1 GENERAL PLAN AMENDMENT NO. 1174 (FOUNDATION AND ENTITLEMENT/POLICY)** – Temescal Canyon Area Plan – West Corona Zoning Area – Zone: One-Family Dwellings (R1) – LOCATION: Generally located south of the 91 Freeway, east of Palisades Drive, west of Kirkwood Drive, and includes Mountain View Golf Course – PROJECT SIZE: 82 gross acres – REQUEST: Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Recreation (R) to Medium Density Residential (MDR), Medium High Density Residential (MHDR), and High Density Residential (HDR), on 11 parcels, totaling 82 gross acres

#### **Oppose initiation**

While eventual redesignation from the current recreational use may well be appropriate, much more work with the community should precede such change. In any case, we recommend a joint approval process with the City of Corona.

**2.2 GENERAL PLAN AMENDMENT NO. 1176 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – Rancho California Zoning Area – ZONE: Residential Agriculture-2.5 Acre Minimum (R-A-2.5) – LOCATION: Northerly of Avenida Lestonnac, southerly of Rancho California Road, easterly of Avenida Olgita, and westerly of Avenida Bordeaux – PROJECT SIZE: 17.07 gross acres – REQUEST: Proposal to remove an existing K-8 private school from the boundaries of the Temecula Valley Wine Country Policy Area – Residential District, on one parcel, totaling 17.07 gross acres

#### **Support Initiation**

This remedies a non-conforming use.

**2.3 GENERAL PLAN AMENDMENT NO. 1177 (FOUNDATION AND ENTITLEMENT/POLICY)** – REMAP Area Plan – Anza Zoning Area – ZONE: Rural Residential- 2.5 Acre Minimum (R-R-2.5) – LOCATION: Northerly of Wellman Road, southerly of Highway 371, easterly of Kirby Road, and westerly of Rolling Hills – PROJECT SIZE: 7.74 gross acres – REQUEST: Proposal to amend the project site’s Foundation Component from Rural Community (RC) to Community Development (CD) and amend its Land Use Designation from Estate Density Residential (EDR) to Commercial Retail (CR), on one parcel, totaling 7.74 gross acres

**More information needed**

The Planning Department should provide an objective determination of whether additional commercial retail capacity beyond that already in the General Plan is needed in this location.

**2.4 GENERAL PLAN AMENDMENT NO. 1181 (FOUNDATION AND ENTITLEMENT/POLICY)** – Harvest Valley/Winchester Area Plan – Winchester Zoning Area – ZONE: Heavy Agriculture (A-2) (10 acre minimum) – LOCATION: Generally located north of Stowe Road, east of Richmond Road, south of Stetson Avenue, and west of Stueber Lane – PROJECT SIZE: 99 gross acres – REQUEST: Proposal to amend the parcel’s General Plan Foundation Component from Rural Community (RC) to Community Development (CD) and amend its Land Use Designation from Estate Density Residential (EDR) to Medium Density Residential (MDR), totaling 99 gross acres

**Oppose initiation**

This proposal for piecemeal urbanization lacks an appropriate planning rationale according to the criteria above (jobs-housing balance is improved, the greater intensity of use will be served by transit now or realistically in the future, vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory). It would result in an *incoherent* pattern of development that perpetuates the worst trends of the past in terms of piecemeal tract maps rather than true community planning. There has been no showing of changed circumstances that justifies initiation; the mere presence of highway infrastructure cannot justify development.

**2.5 GENERAL PLAN AMENDMENT NO. 1184 (FOUNDATION AND ENTITLEMENT/POLICY)** – Sun City/Menifee Valley Area Plan – Winchester Zoning Area – ZONE: Light Agriculture (A-1-5) – POLICY AREAS: Estate Density Residential and Rural Residential and Highway 79 – LOCATION: Generally located north of Scott Road, south of Wickerd Road, and west of Leon Road – PROJECT SIZE: 39.09 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Rural (R) to Community Development (CD) and to amend its Land Use Designation from Rural Residential (RR) to Medium Density Residential (MDR) and remove the project site from the Estate Density Residential & Rural Residential Policy Area, on one parcel, totaling 39.09 gross acres

**Oppose initiation**

Upon review, this proposal is one of an ill-considered series of GPAs that have subjected a rural community separator to piecemeal urbanization. It lacks an appropriate planning rationale according to the criteria above (jobs-housing balance is improved, the greater intensity of use will be served by transit now or realistically in the future, vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory). It would result in an *incoherent* pattern of development that perpetuates the worst trends of the past in terms of piecemeal tract maps rather than true community planning. There has been no showing of changed circumstances that justifies initiation.

**2.6 GENERAL PLAN AMENDMENT NO. 1186 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural Residential (R-R) POLICY AREA: Highway 79 – LOCATION: Generally located north of Vino Way, south of Buck Road, east of Pourroy Road, and west of Anza Road – PROJECT SIZE: 145.63 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres

**Oppose initiation unless modified**

These “inholdings” in the Johnson Ranch conservation area reflect mapping errors that should be the subject of a Technical Amendment. The proposed Community Development is out of place in this rural and environmentally sensitive location. EHL recommends a lower Rural density combined with density transfer between the parcels, so as to remove density from the interior of the preserve and locate it in the southeast.

**2.7 GENERAL PLAN AMENDMENT NO. 1187 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – Rancho California Zoning Area – ZONE: Light Agriculture (A-1-5) – Location: North of Mazoe Street, south of Auld Road, east of Dickson Path, and west of Maddalena Road – PROJECT SIZE: 14.48 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Rural (RUR) to Community Development (CD) and amend its Land Use Designation from Rural Residential (RR) to Estate Density Residential (EDR), on three parcels, totaling 14.48 gross acres

**Oppose initiation**

This proposal to change from Rural to CD/Estate Residential lacks an appropriate planning rationale according to the criteria above (jobs-housing balance is improved, the greater intensity of use will be served by transit now or realistically in the future, vehicles miles traveled would be below current averages and put

greenhouse gas (GHG) emissions on a lowered trajectory). The proposed estate density neither retains rural character (it intrudes into a block of rural land) nor achieves an efficient, higher density use of the land (if that could be justified). The change to CD is a strategy linked to future highway improvements (Butterfield Stage Rd.) yet future infrastructure alone cannot justify new development.

**2.8 GENERAL PLAN AMENDMENT NO. 1191 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – French Valley Zoning Area – ZONE: Rural Residential (R- R) – POLICY AREAS: Highway 79 and Leon Keller – LOCATION: Generally located north of Aaron Road, south of Scott Road, east of Leon Road, and west of Fowler Drive – PROJECT SIZE: 2.49 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Rural Community (RC) to Community Development (CD) and amend its Land Use Designation from Estate Density Residential (EDR) to Light Industrial (LI) on one parcel, totaling 2.49 gross acres

**Oppose initiation**

While locations for RV and boat storage are important, the Planning Department should objectively assess actual need and then identify the most suitable parcels.

**2.9 GENERAL PLAN AMENDMENT NO. 1194 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – Rancho California Zoning Area – ZONE: Manufacturing – Service Commercial (M-SC) and Rural Residential (R-R) – LOCATION: Generally located northeast of Interstate 15, west of Sparta Lane, east of Rainbow Canyon Road, and south of the City of Temecula within the Rainbow Canyon Community – PROJECT SIZE: 36.70 gross acres – REQUEST: Proposal to amend a portion of the project site’s General Plan Foundation Component from Rural (R) to Community Development (CD) and amend its Land Use Designation from Rural Mountainous (RM) to Light Industrial (LI), on one parcel, totaling 36.70 gross acres

**Support initiation**

This proposal involves remedying a non-confirming use and retaining Rural Mountainous in the remainder.

**2.10 GENERAL PLAN AMENDMENT NO. 1197 (Foundation and Entitlement/Policy)** – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural Residential (R-R), and Wine Country-Equestrian (WC-E) – LOCATION: Generally located south of De Portola Road, east of Los Caballos Road and west of Pauba Road – PROJECT SIZE: 238.5 gross acres – REQUEST: Proposal to remove four of the five project site parcels from the Temecula Valley Wine Country – Equestrian District Policy Area and establish them in the Temecula Valley Wine Country – Winery District Policy Area and establish the fifth parcel, which exists



outside of a Policy Area, in the Temecula Valley Wine Country – Winery District Policy Area, on five parcels, totaling 238.5 gross acres

**Support initiation**

This proposal would result in a less intensive Rural Mountainous designation, more compatible with rural and habitat uses.

**2.11 GENERAL PLAN AMENDMENT NO. 1202 (FOUNDATION AND ENTITLEMENT/POLICY)** – Southwest Area Plan – Rancho California Zoning Area – ZONE: Citrus Vineyard (C/V-10) – LOCATION: Generally located north of Los Nogales Road, south of Monte de Oro Road, west of Camino del Vino, and east of Anza Road – PROJECT SIZE: 48.52 gross acres – REQUEST: Proposal to remove the project site from the Temecula Valley Wine Country – Wine District Policy Area and establish in the Temecula Valley Wine County – Residential District Policy Area, on one parcel, totaling 48.52 gross acres

**Support initiation**

The argument is adequately made that the rural residential use is more appropriate to the site.

**4.1 GENERAL PLAN AMENDMENT NO. 1166 (TECHNICAL)** – Intent to Adopt a Negative Declaration – Elsinore Area Plan – Temescal Wash Policy Area – Alberhill Area Zoning Region – Zoning: Manufacturing Service Commercial (M-SC) – Location: Between Interstate 15 and Temescal Canyon Road, east of Hostettler Road and west of Larson Avenue – 7.03 acres – REQUEST: A General Plan Amendment to change the project site's General Plan Foundation Component from Rural (RUR) to Community Development (CD) and to change the site's General Plan Land Use from Rural Residential (RR) 5 Acre Minimum to Light Industrial (LI).

**Support**

This fixes a mapping error.

Thank you for considering our views.

Yours truly,



Dan Silver  
Executive Director


# PC

## Report Package

Meeting Date: Wednesday, November 2, 2016

Agenda Item No.: 2.6  
Area Plan: Southwest  
Supervisorial District: Third  
Project Planner: John Earle Hildebrand III  
Planning Commission: November 2, 2016

General Plan Amendment No. 1186  
Property Owner: Dream House USA, LLC  
Applicant:  
Engineer/Representative: Dream House USA, LLC.

  
Steve Weiss, AICP  
Planning Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

**PROJECT DESCRIPTION:** General Plan Amendment No. 1186 is a General Plan Regular Foundation Component Amendment to change the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and to amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres. The application for this Foundation General Plan Amendment was submitted during the application window for the 2016 General Plan Review Cycle

**LOCATION:** The project site is generally located north of Vino Way, south of Buck Road, east of Pourroy Road, west of Anza Road, and within the Southwest Area Plan.

**PROJECT APNs:** 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150-009, and 964-180-015

**GENERAL PLAN INITIATION PROCESS (GPIP):** Prior to a private application for a General Plan Regular Foundation Component Amendment being processed by the Planning Department, the application is required to go through the GPIP process. This process includes receiving comments on the proposed amendment from the General Plan Advisory Committee (GPAC) and the Planning Commission. These comments are then provided to the Board of Supervisors. At this initial stage of the process, specific details of the Foundation General Plan Amendment and any accompanying implementing project are not considered, and public hearings are not required before the Planning Commission or the Board of Supervisors. The Board of Supervisors will only be considering whether to initiate proceedings for the proposed Foundation General Plan Amendment. If the Board of Supervisors adopts an order initiating proceedings for the proposed Amendment, the proposed Amendment will then go through the land use review process including applicable environmental review, Tribal consultation, and public hearings. The initiation of proceedings by the Board of Supervisors does not commit the County to a certain course of action and shall not imply any such amendment will be approved. The Board retains full discretion under the California Environmental Quality Act when reviewing the proposed Amendment during the land use review process.

**JUSTIFICATION FOR FOUNDATION COMPONENT AMENDMENT – APPLICANT PROVIDED:** Pursuant to the Riverside County General Plan, Chapter 11: Administration Element, "Required and Optional Findings" subsection, evidence demonstrating new conditions or circumstances is required to justify a Foundation Component Amendment. Article II, Section 2.5 of Ordinance No. 348 related to General Plan Foundation Component Amendments – Regular, provides further details regarding the General Plan Initiation ("GPIP") process and restates the requirement to provide new circumstances or conditions as consideration for a Foundation Component General Plan Amendment. Each Foundation Component Amendment application includes information

describing a new condition or circumstance, which has been provided by the applicant, and is restated below:

Dream House USA, LLC owns eight (8) parcels, totaling approximately 145.63 acres on the former Johnson Ranch property. These parcels were purchased by Dream House USA, LLC from the University of California, Riverside (UCR) on June 25, 2015. These parcels are identified as the following Assessor's Parcel Numbers (hereafter "FGPA Parcels"):

- 964-180-015;
- 964-150-003;
- 964-150-004;
- 964-150-005;
- 964-150-006;
- 964-150-007;
- 964-150-008; and
- 964-150-009.

It is the belief of Dream House USA, LLC (as well as the prior owner UCR) that the FGPA Parcels have been erroneously assigned a land use designation of "Open Space-Conservation Habitat" (OS-CH) as part of the County's 2003 revisions to its General Plan.

To remedy this situation, Dream House USA, LLC requests that the General Plan land use designation for the FGPA Parcels be changed to Community Development-Estate Density Residential ("CD-EDR") (two-acre minimum parcel size for single-family homes) or a similarly suitable land use designation.

Dream House USA, LLC is now petitioning the County, under the current 8-year General Plan Amendment Cycle, to rectify this mapping error.

### **Chronology**

UCR did make a petition to the County under GPA No. 960 to rectify this mistake; however, this petition was submitted not in a manner timely to be included within the GPA No. 960 Cycle. The UCR letter, and County response to this letter, are included as part of this FGPA Application.

The following is a brief chronology prior to the land purchase by Dream House USA, LLC:

- The land in question was gifted to UCR in 1996 for the purpose of supporting the academic and research initiatives of UC Riverside's College of Natural and Agricultural Sciences and College of Engineering (the "Colleges").
- At the time of the gift, the County's General Plan allowed rural residential development on the parcels.
- UCR owned approximately 145 acres of and original 383-acre gift having sold approximately 237 to the Riverside County Regional Park and Open Space District ("Park District") in 2000 for the purpose of habitat protection.
- The Park District did not buy the remainder of the UCR property based on its finding that it lacked sufficient habitat qualities.
- The acreage remaining in UCR ownership consisted primarily of degraded uplands previously devoted to dry farming, and approximately 21 acres of riparian habitat surrounding a streambed.

The 2003 General Plan Land Use Designation of OS-CH appears to have resulted from a misunderstanding about the extent of the Park District's purchase of UCR owned parcels within the former Johnson Ranch. Although the Park District bought only 60% of the acreage of the UCR's Johnson Ranch holdings, the 2003 General Plan seems to have assumed that the Park District purchased the entirety of the UCR's holdings for habitat preservation. Specifically, the 2003 General Plan's Southwest Area Plan noted that the Johnson Ranch Specific Plan (No. 307), adopted in 1999, had become moot because the ranch had supposedly "been purchased for habitat conservation." (2003 General Plan, Southwest Area Plan, "Specific Plans.") Apparently based on this assumption, the 2003 General Plan designated all of Johnson Ranch as OS-CH. However, this wholesale designation of Johnson Ranch was improper for two reasons:

1. The Johnson Ranch Specific Plan did not encompass all of the UCR (at that time) property; and
2. Only 60% of the UCR property had been purchase by the Park District for habitat conservation. Unfortunately, the nuances of these transactions and the prior UCR ownership of the properties became lost in the 2003 General Plan.

#### **Additional Substantiation**

The existing General Plan Foundation Component and Land Use Designation are not only inappropriate but also deprives Dream House USA, LLC of any use or economic return on its property. The FGPA Parcels were conveyed by UCR to Dream House USA, in order to allow UCR the ability to fulfill its donor's intent and any marketability of the parcels for revenue to support the Colleges. For these reasons, Dream House USA, LLC requests that the pre-2003 land use designation assigned to the FGPA Parcels, or other similar designation, be reinstated on the FGPA Parcels.

It should be noted that this request is consistent with other modifications proposed as part of the prior GPA No. 960, which included an entire category of changes to correct erroneously applied OS-CH land use designations.

According to p. 11 of 27 of the November 10, 2015 Board of Supervisors Staff Report, under "2. *Criteria-Based Parcel-Specific Land Use Changes*":

"This category addresses privately owned lands that were incorrectly designated as "Open Space - Conservation Habitat," (OS-CH) which is normally used to designate publicly held lands being conserved for their habitat value. This category affects a total of 3,261 acres in Riverside County."

The CD-EDR land use designation would be appropriate for the FGPA Parcels, because it would match the CD-EDR land use designation of the developed parcels that border the southern side of the FGPA Parcels, and would therefore not present any incompatibility with adjacent development on unincorporated County land. The CD-EDR land use designation would also mesh well with the low-density residential land use designation (0.5 to 2 dwelling units per acre) adopted by the City of Temecula (Roripaugh Ranch Specific Plan) for the land to the west of the large parcel. Furthermore, the low intensity of development allowable within the CD-EDR land use designation would not conflict with the agricultural land uses on the eastern side of the University large parcel or with the open space that borders the parcel to the north. Several Figures have been included with the FGPA Application, which show the surrounding land use designations within the County of Riverside and the City of Temecula.

In addition, access is provided to the largest parcel as demonstrated on the following Grant Deeds, which are also included as part of the FGPA Application:

SDSIX1-22-101-December4, 2001; and  
Instrument No. 299817-March 22, 1966.

Ultimately, Dream House USA, LLC may pursue dedicating some portion(s) of the property for conservation, and potential buffers, while developing the remaining portion(s) in whatever mix otherwise meets the County's requirements, as determined through the entitlement process.

We appreciate the opportunity to submit the current application to rectify the mapping errors.

**GENERAL PLAN ADVISORY COMMITTEE ACTION:** This application was considered by the General Plan Advisory Committee ("GPAC") during a public meeting on August 25, 2016 and was continued to the September 8, 2016 GPAC meeting. During the GPAC meeting, the members discussed the feasibility of developing the site, as it pertains to access and environmental constraints, due to the uncommonly configured parcels. During the meeting, the applicant requested a continuance to further discuss the proposal with staff, as he believed that the site's General Plan Land Use Designation was previously erroneously changed to Open Space.

Prior to the next hearing, staff discussed the Land Use change with County Counsel. As a result of the Johnson Ranch Specific Plan area to the north being conveyed for conservation and reverting to an Open Space Designation, the subject property under this General Plan Amendment was also designated as Open Space. However, the viability as suitable habitat and the quality of the existing native plant material of the subject site, is in question.

During the September 8, 2016 GPAC meeting, the members again discussed the viability of site development. The GPAC members suggested that there could be some limited development opportunity within the southeast area as it may be easier to provide access and utilities. However, with the lack of analysis and a better understanding of site constraints, the GPAC members still had concerns. After discussions concluded, the GPAC recommended this project for initiation to the Planning Commission by a majority, with two abstentions, and one vote of no. The members further recommended that the northern area were probably not suitable to develop, but the southern areas may be able to. The members also recommended that a density transfer could be applied to the potential developable area. Staff and the applicant will continue to work on defining a development footprint for the southeast area.

**PROJECT SITE INFORMATION:**

- |   |   |
|---|---|
| 1. Existing Foundation Component:         | Open Space(OS)  |
| 2. Proposed Foundation Component:         | Community Development (CD)  |
| 3. Existing General Plan Designation:     | Conservation Habitat (CH)   |
| 4. Proposed General Plan Designation:     | Estate Density Residential (EDR)  |
| 5. Surrounding General Plan Designations: | North: Conservation Habitat (CH), East: Agriculture (AG), South, Estate Density Residential (EDR), and West: City of Temecula   |
| 6. Existing Zoning Classification:        | R-R Rural Residential   |
| 7. Surrounding Zoning Classifications:    | North: SP (Specific Plan) – Johnson Ranch SP00307, East: C/V (Citrus/Vineyard) and R-A-5 (Residential Agricultural), South: R-A-5 (Residential Agricultural) and R-R (Rural |

- Residential), West: City of Temecula
8. Existing Land Use: Vacant land
9. Surrounding Land Uses: North and East: Vacant Land, South: Residential, West: City of Temecula
10. Project Size (Gross Acres): 145.63 gross acres

**RECOMMENDATION:** Based upon the information provided with the initial application package and discussions about the project during the GPAC meeting, the Planning Director is in concurrence with the GPAC's recommendation of an order to initiate proceedings for General Plan Amendment No. 1186 and seeks comments from the Planning Commission on the amendment, which will be provided to the Board of Supervisors. Should the Board of Supervisors take action to initiate this General Plan Amendment, or any element thereof, the action shall not imply any such amendment will be approved.

**INFORMATIONAL ITEMS:**

1. During the time of Planning Commission staff report preparation, no public correspondence in support or opposition had been received; however, the applicant has provided additional documentation in support of this project, which includes letters and emails to County Council pertaining to the property's General Plan Land Use Designation. Those documents are attached to this report.
2. The project site is not located within:
  - a. An agricultural preserve; or
  - b. A special flood hazard area; or
  - c. A MSHCP criteria cell or conservation boundary; or
  - d. An airport influence area; or
  - e. A CSA.
3. The project site is located within:
  - a. The City of Temecula sphere of influence; and
  - b. A high and moderate fire hazard area; and
  - c. A State responsibility area for fire protection services; and
  - d. A half-mile of a fault line or fault zone; and
  - e. The Highway 79 Policy Area.



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

**GENERAL PLAN AMENDMENT COMMITTEE  
MINUTE ORDER  
SEPTEMBER 8, 2016**

**I. AGENDA ITEM 2.1** (Continued from August 25, 2016)

**GENERAL PLAN AMENDMENT NO. 1186 (Foundation and Entitlement/Policy)** – APPLICANT: Dream House USA, LLC – ENGINEER/REPRESENTATIVE: Matthew Fagan Consulting – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural Residential (R-R) POLICY AREA: Highway 79 – LOCATION: Generally located north of Vino Way, south of Buck Road, east of Pouroy Road, and west of Anza Road – PROJECT SIZE: 145.63 gross acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres – PROJECT PLANNER: John Hildebrand at (951) 955-1888 or email [jhildebr@rctima.org](mailto:jhildebr@rctima.org) – APNs: 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150- 009, and 964-180-015. **(Continued from Thursday, August 25, 2016 GPAC Meeting)**

**II. DISCUSSION:**

- Mr. Silver: RCA said that this is a technical/mapping error. This needs a technical amendment. Doubts this is estate density. A density transfer needs to be from the north to the south.
- Mr. Roos: This should be Rural, not estate density.
- Ms. Donemigoni: Community Development is a wrong jump. She would support Rural Community.
- Ms. Trover: Concerned with the small island. Opposed, creating zoning is creating problems and fire access issues.

**III. GPAC ACTION:**

Motion by Mr. Miller, second by Mr. Kroenke.

**ALL MEMBERS RECOMMEND MOVING FORWARD WITH A TRANSFER OF DENSITY FROM THE NORTH TO THE SOUTH TO CLUSTER; and DESIGNIATE AS RURAL.**





**GENERAL PLAN AMENDMENT COMMITTEE  
MINUTE ORDER  
AUGUST 25, 2016**

**RIVERSIDE COUNTY  
PLANNING DEPARTMENT**

**I. AGENDA ITEM 3.5**

**GENERAL PLAN AMENDMENT NO. 1186 (Foundation and Entitlement/Policy) – APPLICANT:** Dream House USA, LLC – **ENGINEER/REPRESENTATIVE:** Matthew Fagan Consulting – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – **ZONE:** Rural Residential (R-R) **POLICY AREA:** Highway 79 – **LOCATION:** Generally located north of Vino Way, south of Buck Road, east of Pouroy Road, and west of Anza Road – **PROJECT SIZE:** 145.63 gross acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres – **PROJECT PLANNER:** John Hildebrand at (951) 955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org) – **APNs:** 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150- 009, and 964-180-015.

**II. DISCUSSION:**

Mr. Silver: RCA may need to be involved; this is not a good idea.  
Mr. Cousins: This conflicts with open space; needs clarity.

**III. GPAC ACTION:**

Motion by Mr. Cousins; second by Mr. Miller.

**CONTINUED** to September 8, 2016.

GPAØ1186

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  
OFFICE OF THE GENERAL COUNSEL



1111 Franklin Street, 8th Floor • Oakland, California 94607-5200 • (510) 987-9800 • FAX (510) 987-9757

Charles F. Robinson  
GENERAL COUNSEL AND VICE PRESIDENT - LEGAL AFFAIRS

Writer's direct line: (510) 987-0976  
E-mail: barton.lounsbury@ucop.edu

August 22, 2014

**BY U.S. MAIL AND ELECTRONIC MAIL**

Shellie Clack, Deputy County Counsel  
3960 Orange Street, Suite 500  
Riverside, CA 92501

Re: General Plan Land Use Designation for the University of California's Johnson Ranch Property

Dear Ms. Clack:

It was a pleasure to speak with you on July 29<sup>th</sup>. I am writing in response to your July 31<sup>st</sup> email to Ms. Lovelady regarding the need for facts to demonstrate that the Riverside County General Plan's land use designation for the University's property was based on inaccurate information. In this letter, we provide an explanation of the error and the sequence of events that led to the mis-designation. We hope that this information will assist you in ensuring the most expeditious and cost-effective resolution for both Riverside County and the University.

In sum, the University believes that the General Plan land use designation assigned to the University's property—Open Space – Conservation Habitat ("OS-CH")—is incorrect for two reasons. First, this designation is due to a technical error rooted in a mistaken assumption by County staff that the entirety of the University's Johnson Ranch property would be included within habitat conservation lands. This assumption arose as early as March 2000, yet the County's Regional Park and Open Space District later (in November 2000) decided to purchase only three-fifths of the University's land. After that purchase, the County never corrected its mistaken assumption that the entirety of the University's property had become conserved habitat. The land not purchased by the County created several small landlocked parcels and one large parcel with access from Anza Road. Second, the OS-CH designation is—by its own definition—inapplicable to the University's property and fundamentally conflicts with the Western Riverside County Multiple Species Habitat Conservation Plan and the property's management status.

These two concerns, elaborated below, have led to the University's request for a correction in the land use designation for its property.

**I. Events Surrounding the County's Incorrect General Plan Land Use Designation**

**A. The MSHCP Process**

Following our meeting last month, the University has endeavored further to determine the events that led to the incorrect General Plan land use designation approved in October 2003. While we do not have access to the County's internal files, the University's files and historical materials on the County's website nonetheless evidence a variety of interactions and agreements between the University, the County, and other parties that largely explain why the County incorrectly applied the OS-CH designation to the portion of the University's land that the County did not purchase.<sup>1</sup> The root of the misunderstanding goes back to the Johnsons' decision to gift a portion of the family's ranch to the University. In early December 1996, as the Johnsons and the University were negotiating the terms of the gift, the County and the University were also discussing an agreement through which the County would pay the University for the entirety of the gifted land, which the County would set aside as open space to be included within a multiple species habitat conservation plan ("MSHCP")—then in the conceptual stages—funded by developers' impact fees. That MSHCP was intended to shift away from the single-species-focused plans then in existence.

At the end of December 1996, the Johnsons (through the Johnson Machinery Company) donated approximately 386 acres to the University, and the agreement between the University and the Johnsons explicitly recognized the possibility of selling the land for habitat conservation purposes, but the agreement did not mandate that the land be devoted to such purposes.<sup>2</sup> By mid-1999, the County was still in the early stages of developing an MSHCP, and the University began pursuing the creation of a formally recognized habitat mitigation bank. The U.S. Fish and Wildlife Service ("USFWS"), however, expressed concern about the long-term viability of the property as an ecological preserve, given then-existing development projects in the works,

<sup>1</sup> We have electronic scans of most of the documents referenced in this letter, and we would be happy to provide those to the County, if desired. Please contact me if you would like copies.

<sup>2</sup> Specifically, the Johnsons encouraged the University to seek economic return through the sale or use of the land for its highest and best use, potentially including MSHCPs, open space recreational land programs, or mitigation land banks. However, the gift agreement *did not impose any restrictions on the property's potential development*; the Johnsons intended that the University would use the gift property to support the University of California, Riverside ("UCR"). Pursuant to the gift agreement, any proceeds from the property's sale must be placed in the University's permanent endowment fund as principal, and income from the property or the endowment principal must be paid in equal shares to the UCR College of Natural and Agricultural Sciences and to the UCR College of Engineering.

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including the County's Johnson Ranch Specific Plan (No. 307), which would have allowed the development of up to 3,500 residences on portions of the former Johnson Ranch that form the northern border of the University's property.

In 2000, while the County continued to draft what would become the currently operative Western Riverside County MSHCP, a group of landowners around Johnson Ranch created their own sub-regional habitat conservation plan within Assessment District 161 (the "AD 161 HCP") as mitigation for development on their properties. The AD 161 HCP included preservation of 674 acres of non-University-owned Johnson Ranch land (within the area of Specific Plan No. 307); the County had acquired this land partially through funds contributed by the participating AD 161 HCP landowners. The AD 161 HCP also included preservation of approximately 220 acres<sup>3</sup> of the University's land, which the participating landowners paid the County to acquire. Apparently anticipating that the remainder of the University's property might later be acquired for habitat mitigation, and desiring to preserve that property's habitat qualities, the participating landowners committed to pay for access control and trash removal on the University's remaining property. However, the remainder was *not* purchased from the University and was *not* included within the AD 161 HCP's conserved area, and the University's development rights on that land were *not* restricted in any fashion. USFWS approved a permit for the AD 161 HCP on December 4, 2000.

Consistent with the AD 161 HCP, the County did purchase 220 acres of the University's land, and the University transferred that land to the Riverside County Regional Park and Open Space District on November 13, 2000. The remainder of the University's land remained in University ownership, with *no* conservation requirements or development limitations.

## **B. The County's General Plan**

Preparation of the AD 161 HCP and the Western Riverside County MSHCP overlapped with the County's preparation of a new General Plan, leading to mistaken assumptions. In fact, draft General Plan and MSHCP documents on the County's website show that the County's staff had, by March 2000, already mapped the entirety of the University's 386 acres as conservation

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<sup>3</sup> The AD 161 HCP documents are inconsistent in their references to the amount of land conserved. Some AD 161 HCP documents refer to the acquisition of approximately 180 acres of the University's land, while other documents refer to 210 acres of land. It appears that the lower figure derived from an assumption that a conservation easement over a 31-acre parcel would be sold to another entity and therefore would not be included in the land purchased for the AD 161 HCP. However, that conservation easement sale did not take place, and the County ended up buying both the anticipated 180 acres and the land that would have become subject to the separate conservation easement, thus totaling approximately 210 acres. In reality, the acreage calculations themselves were slightly wrong (it is unclear why), and the total acreage conveyed to the County was approximately 220 acres.

land nine months *before* the County had even purchased any of that land from the University. Clearly, the County's planners were a few steps ahead of the actual transactions and made early, mistaken assumptions about the extent of the County's subsequent acquisition from the University. While the County's early assumptions were eventually corrected in the Western Riverside County MSHCP (published on June 17, 2003, and approved by USFWS on June 22, 2004), they were never corrected in the General Plan documents. Indeed, whereas the initial MSHCP maps included all of the University's property, the current MSCHP maps now accurately show that the University's remaining property is *not* part of the MSHCP's conserved lands and is *not* managed pursuant to the MSHCP.<sup>4</sup>

Those early assumptions almost certainly derived from the County's stated interest in acquiring all of the University's Johnson Ranch property, and the County did continue periodically to approach the University on that subject.<sup>5</sup> However, a further acquisition never materialized and while the Western Riverside County Regional Conservation Authority has corrected its MSHCP maps to reflect the University's ownership, the General Plan's land use designation remains inconsistent with both the property's status and the MSHCP.

In sum, our review of materials from the last 18 years has revealed a complicated sequence of events surrounding the approval of the AD 161 HCP, the Western Riverside County MSHCP, and the General Plan that led to the County's mistaken designation of the entirety of the University's Johnson Ranch property as OS-CH. At *no* time, however, did the University agree to relinquish its development rights on that land, and the County's mistaken land use designation has unfortunately now made the property unsaleable.

## **II. Inconsistency Between the OS-CH Land Use Designation and the MSHCP**

The General Plan's definition of the Open Space – Conservation Habitat land use designation highlights the incorrectness of this designation for the University's remaining property. "The Open Space – Conservation Habitat land use designation applies to public and private lands *conserved and managed in accordance with adopted MSHCPs.*" (General Plan

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<sup>4</sup> See [http://www.wrc-rca.org/webimages/Habitat\\_Conservation\\_Summary\\_Map\\_300dpi.pdf](http://www.wrc-rca.org/webimages/Habitat_Conservation_Summary_Map_300dpi.pdf).

<sup>5</sup> For instance, in November 2003 (one month after the County approved the General Plan and its incorrect land use designation for the University's remaining property), the County approached the University to inquire about purchasing the property as mitigation for a cemetery. The County stated that it might have \$500,000-750,000 available to pay for the land, but the County never followed through. In December 2005, the County again approached the University to purchase the remaining acreage for \$750,000 as mitigation land, and discussions continued until late 2006 but were broken off by the County. Of course, soon thereafter, the real estate market crashed; development ceased; and the market has only recently revived, prompting renewed interest in the University's land.

Shellie Clack, Deputy County Counsel  
August 22, 2014  
Page 5


2008, ch. 8, p. LU-51 (emphasis added).) Quite simply, the University's land is *not* conserved and managed in accordance with an adopted MSHCP. The Western Riverside County MSHCP's maps of conserved lands clearly exclude the University's remaining Johnson Ranch property,<sup>6</sup> and the University has never granted any conservation rights over that property to the Western Riverside County Regional Conservation Authority or to any other entity. While the maps do show the 220 acres acquired by the County in November 2000 as "MSHCP Public/Quasi-Public Land," the maps show the University's remaining property as excluded from both conserved lands and "criteria cells." The County's GIS database confirms this status and does not list the University's land as being within any MSHCP's conserved area.

Given that the OS-CH designation includes only those lands "conserved and managed in accordance with adopted MSHCPs," the status of the University's property creates a definitional conflict with the OS-CH designation. Thus, independent of the mapping errors in the General Plan, this definitional conflict alone requires a re-designation of the property.

For the foregoing reasons, we are seeking a correction of the General Plan's OS-CH land use designation for the University's remaining Johnson Ranch property. The evidence documents that the error occurred during a time when multiple, complex planning efforts were underway, and external factors influencing the County's decision to acquire only a portion of the University's property resulted in a technical error in the General Plan when the County approved that plan in October 2003. Given that the current problem has resulted from the County's error, the University respectfully requests the County's assistance in correcting this error in the most expeditious and cost-effective manner for both parties.

We appreciate your attention to helping the University of California determine how to achieve a correction of the General Plan land use designation assigned to the University's Johnson Ranch property and look forward to working further with you in rectifying this situation. Please feel free to contact me at 510-987-0976 or [barton.lounsbury@ucop.edu](mailto:barton.lounsbury@ucop.edu) if you have any follow-up questions regarding the information in this letter.

Sincerely,



Barton Lounsbury  
Staff Counsel

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<sup>6</sup> See footnote 4, *supra*.

Shellie Clack, Deputy County Counsel

August 22, 2014

Page 6

Cc: Aaron Gettis, Deputy County Counsel, County of Riverside  
Juan Perez, Interim Planning Director, County of Riverside  
Kristi Lovelady, Principal Planner, County of Riverside  
Olivia Barnes, Legislative Team Member, Supervisor Jeff Stone, Third District  
Allen Meacham, Assistant Director, Real Estate Services Group, University of California



**From:** Allen Meacham [<mailto:Allen.Meacham@ucop.edu>]  
**Sent:** Friday, February 28, 2014 9:59 AM  
**To:** Beck, Brian  
**Subject:** Johnson Ranch, French Valley

Brian,

We met in 2010, with respect to property owned by the University of California, Johnson Ranch, located on the edge of Temecula, north of Rancho California Road (APN 964-180-015 and seven smaller parcels). We had the property in escrow for a couple of years to a developer, for use as mitigation lands, however that transaction failed to close last year and I'm now turning my attention to putting it back on the market again. Before doing so, would the Conservation Authority would have any interest in purchasing the property at this time?

Thank you,

--A.M.

**Allen Meacham**  
**Assistant Director**  
**Real Estate Services Group**  
**510:987-9060**

**From:** [Allen Meacham](#)  
**To:** [Lovelady, Kristi](#)  
**Subject:** FW: Johnson Ranch, French Valley  
**Date:** Thursday, June 26, 2014 9:37:38 AM

---

Kristi,

I'm further responding to your voicemail. I'm forwarding below an e-mail I received earlier this year from Brian Beck, on the property. As I mentioned in my voicemail, I believe I also have a hard copy of a similar e-mail from a few years ago.

I will try to give you a call later this morning.

Thanks,

--A.M.

**Allen Meacham**  
**Assistant Director**  
**Real Estate Services Group**  
**510:987-9060**

**From:** Beck, Brian [mailto:[BRBeck@wrcrca.org](mailto:BRBeck@wrcrca.org)]  
**Sent:** Friday, February 28, 2014 11:17 AM  
**To:** Allen Meacham  
**Subject:** RE: Johnson Ranch, French Valley

Hi Allen,

Good to hear from you. Hope all is well.

Unfortunately, since this property is not located within an MSHCP criteria cell, it is not as high a priority for us as are other properties that are in cells. We are not therefore interested in this property at this time.

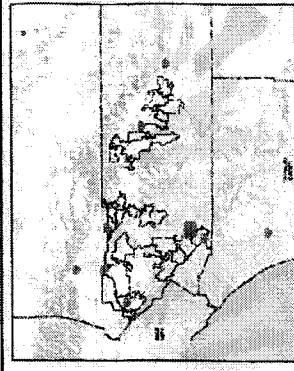
Thank you for offering the property to us.

Brian



Brian Beck  
Analyst  
Western Riverside County  
Regional Conservation Authority  
3403 10th St, Ste 320  
Riverside, CA 92501-3627  
[brbeck@wrcrca.org](mailto:brbeck@wrcrca.org)  
(951) 955-0039

# 964-180-015



**Legend**

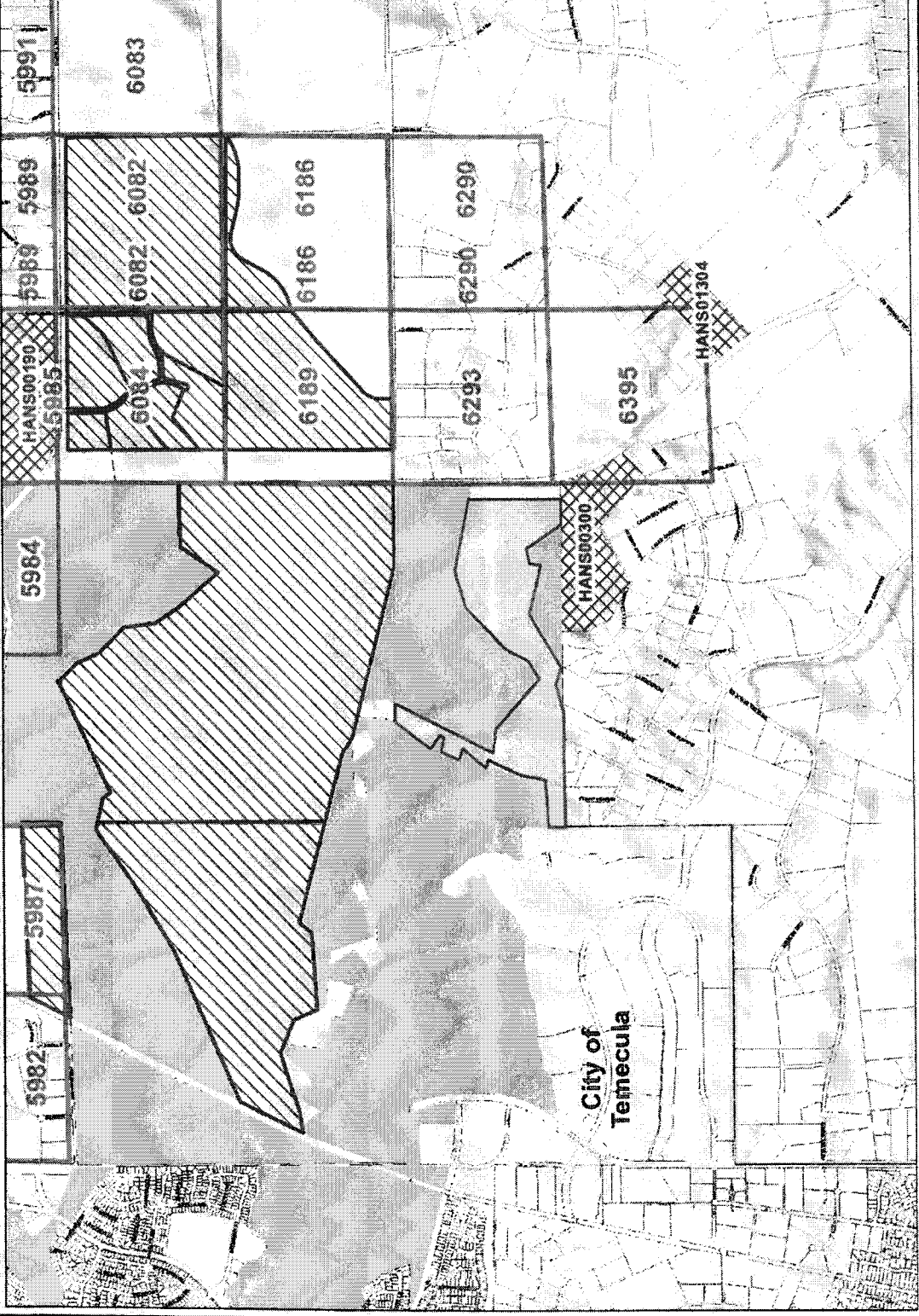
- HANS Inactive
- ERP Case Inprogress
- HANS Case Inprogress
- HANS Proposed Conservation
- HANS Available
- Criteria Cells
- WRC RCA Conserved Lands
- WRC PQP Conserved Lands
- <small><all other values></small>
- CONSERVATION EASEMENT
- PQP CONSERVED LANDS
- PREEXISTING CONSERVATION /
- City Boundaries

**roads**

- Major Roads
- Arterial
- Collector
- Residential

**highways**

- HWY
- INTERCHANGE
- INTERSTATE
- OFFRAMP
- ONRAMP
- USHWY



**Notes**

\*IMPORTANT\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

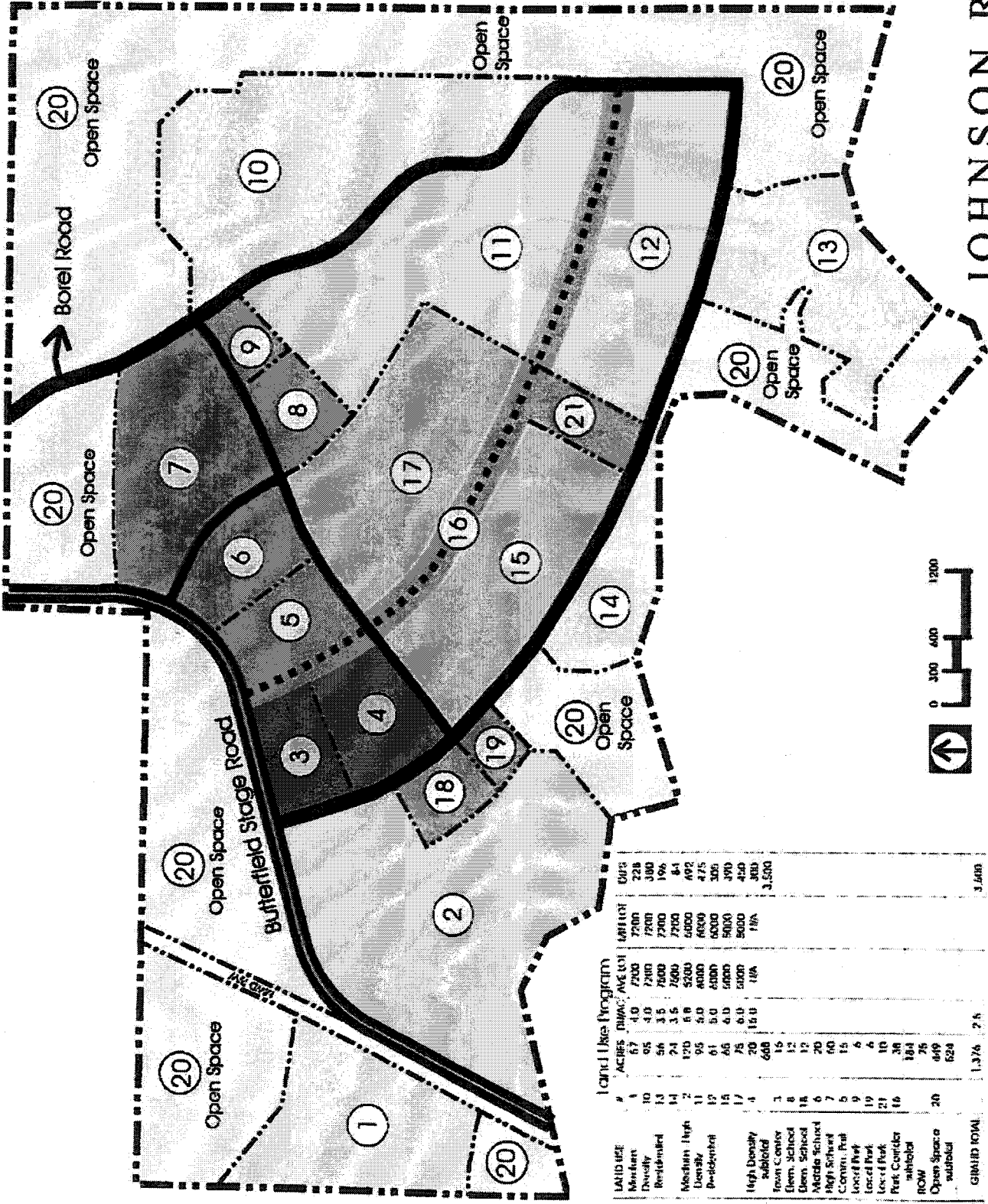


0 2,926 5,851 Feet



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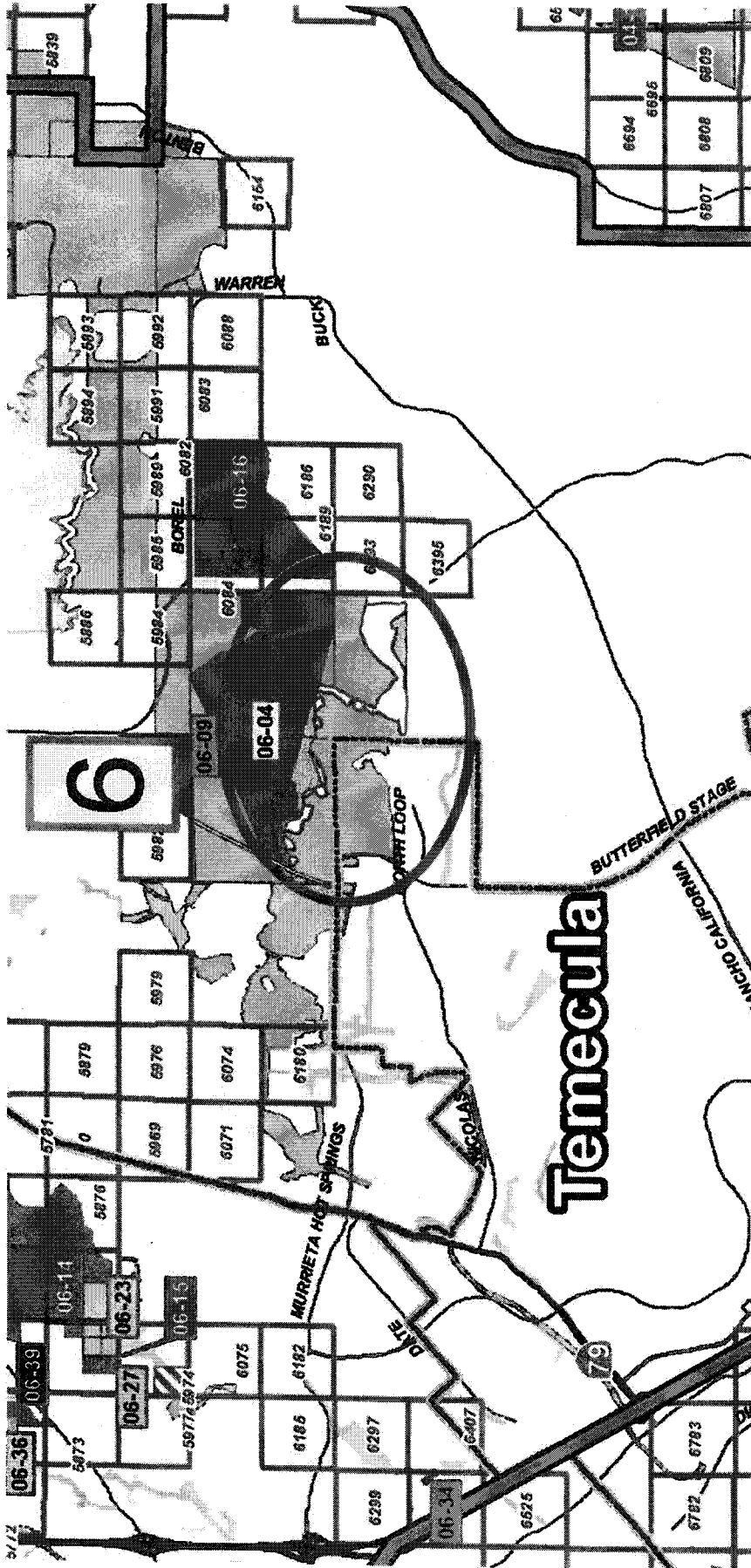
© Riverside County TLMA GIS



JOHNSON RANCH

Specific Plan No. 307/E.I.R. No. 402

LAND USE		ACRES		DENSITY		AVG. DENSITY		AVG. DENSITY		TOTAL	
1	High Density Residential	1	15	15	15	15	15	15	15	15	15
2	Medium Density Residential	2	15	15	15	15	15	15	15	15	15
3	Low Density Residential	3	15	15	15	15	15	15	15	15	15
4	High Density Residential	4	15	15	15	15	15	15	15	15	15
5	Medium Density Residential	5	15	15	15	15	15	15	15	15	15
6	Low Density Residential	6	15	15	15	15	15	15	15	15	15
7	High Density Residential	7	15	15	15	15	15	15	15	15	15
8	Medium Density Residential	8	15	15	15	15	15	15	15	15	15
9	Low Density Residential	9	15	15	15	15	15	15	15	15	15
10	High Density Residential	10	15	15	15	15	15	15	15	15	15
11	Medium Density Residential	11	15	15	15	15	15	15	15	15	15
12	Low Density Residential	12	15	15	15	15	15	15	15	15	15
13	High Density Residential	13	15	15	15	15	15	15	15	15	15
14	Medium Density Residential	14	15	15	15	15	15	15	15	15	15
15	Low Density Residential	15	15	15	15	15	15	15	15	15	15
16	High Density Residential	16	15	15	15	15	15	15	15	15	15
17	Medium Density Residential	17	15	15	15	15	15	15	15	15	15
18	Low Density Residential	18	15	15	15	15	15	15	15	15	15
19	High Density Residential	19	15	15	15	15	15	15	15	15	15
20	Open Space	20	15	15	15	15	15	15	15	15	15
21	High Density Residential	21	15	15	15	15	15	15	15	15	15
<b>GRAND TOTAL</b>		<b>137.6</b>	<b>2.5</b>	<b>3,400</b>	<b>3,500</b>	<b>3,500</b>	<b>3,500</b>	<b>3,500</b>	<b>3,500</b>	<b>3,500</b>	<b>3,500</b>



# Temecula

BUTTERFIELD STAGE  
ANGIO CALIFORNIA

BUCK

WARREN

WHY LOOP

MURRIETA HOT SPRINGS

DATE

79

6

66

66

## NOTICE OF PUBLIC MEETING

A PUBLIC MEETING has been scheduled before the RIVERSIDE COUNTY PLANNING COMMISSION for the following:

**The General Plan Initiation Proceedings ("GPIP") for GENERAL PLAN AMENDMENT NO. 1186 (Foundation and Entitlement/Policy)** – APPLICANT: Dream House USA, LLC – ENGINEER/REPRESENTATIVE: Matthew Fagan Consulting – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – ZONE: Rural Residential (R-R) POLICY AREA: Highway 79 – LOCATION: Generally located north of Vino Way, south of Buck Road, east of Pourroy Road, and west of Anza Road – PROJECT SIZE: 145.63 gross acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres – PROJECT PLANNER: John Hildebrand at (951) 955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org) – APNs: 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150-009, and 964-180-015.

**TIME OF MEETING:** 9:00am (or as soon as possible thereafter)  
**DATE OF MEETING:** **Wednesday, November 2, 2016**  
**PLACE OF MEETING:** RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET  
RIVERSIDE, CA 92501

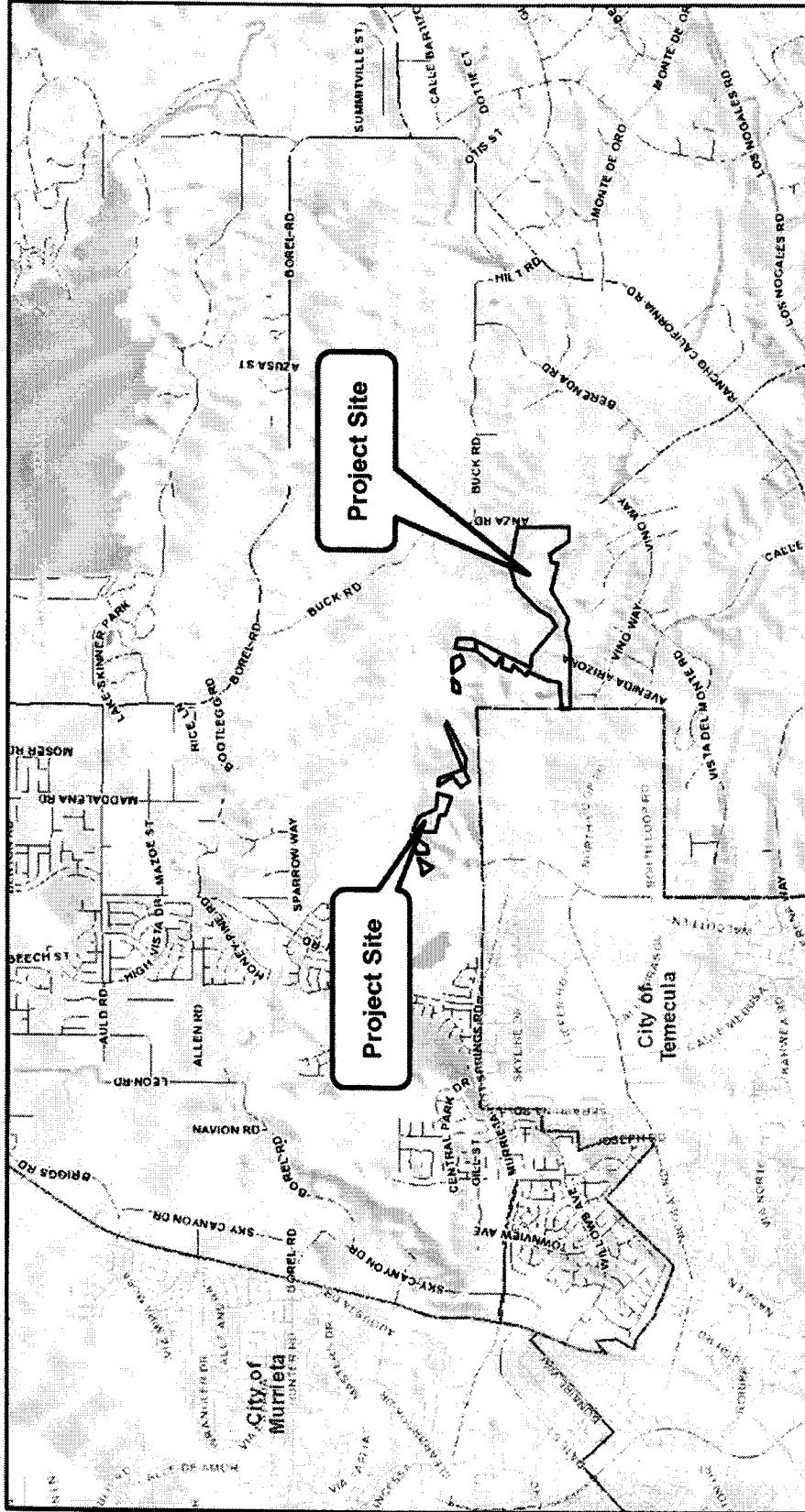
For further information regarding this application, please contact Project Planner John Earle Hildebrand III at (951) 955-1888 or e-mail [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org), or go to the County Planning Department's Planning Commission agenda web page at: <http://planning.rctlma.org/PublicHearings.aspx>

The case file for the proposed application may be viewed Monday through Friday, from 8:30 A.M. to 5:00 P.M. at the County of Riverside Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on the proposed application may do so in writing between the date of this notice and the public meeting; or, may appear and be heard at the time and place noted above. All comments received prior to the public meeting will be submitted to the Planning Commission, who will consider such comments, in addition to any oral testimony, before providing comments on the proposed application.

Prior to a private application for a **General Plan Regular Foundation Component Amendment** being processed by the Planning Department, the application is required to go through the GPIP process. This process includes receiving comments on the proposed amendment from the General Plan Advisory Committee ("GPAC") and the Planning Commission ("PC"). These comments are then provided to the Board of Supervisors ("BOS"). At this initial stage of the process, specific details of the Foundation General Plan Amendment and any accompanying implementing project are not considered, and public hearings are not required before the Planning Commission or the Board of Supervisors. The Board of Supervisors will **ONLY** be considering whether to initiate proceedings for the proposed Foundation General Plan Amendment.

**Please send all written correspondence to:**  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: John Earle Hildebrand III  
P.O. Box 1409, Riverside, CA 92502-1409



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On: Wednesday, Oct 19, 2016

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# THE PRESS-ENTERPRISE

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### Account Information

Phone #: 951-955-5132  
Name: TLMA/COUNTY OF RIVERSIDE  
Address: PO BOX 1605  
RIVERSIDE, CA 92502

Account #: 1100143932  
Client:  
Placed By: Mary C. Stark  
Fax #:

### Ad Information

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Publication: PE Riverside, PE.com

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Stop Date: 10/24/2016  
Insertions: 1 print / 1 online

Rate code: County Ad Lgl-PE  
Ad type: C Legal

Size: 2 X 135 Li  
Bill Size: 270.00

Amount Due: \$391.50

### Ad Copy:

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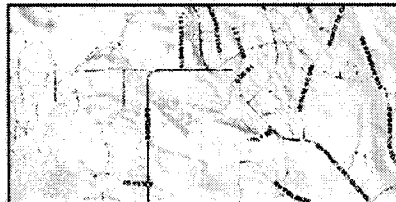
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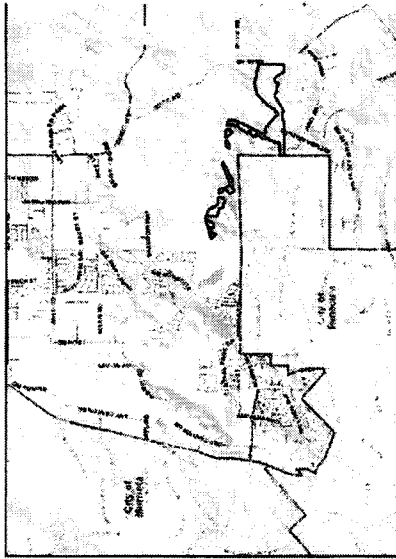
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Attn: John Earle Hildebrand III  
P.O. Box 1409, Riverside, CA 92502-1409







10/24

# **GPAC**

## **Report Package**

Meeting Date: Thursday, August 25, 2016



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

# GENERAL PLAN ADVISORY COMMITTEE GPIP REPORT

August 25, 2016

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**Foundation GPA No.:** 1186  
**Supervisorial District:** Third  
**Area Plan:** Southwest  
**Zoning Area/District:** Rancho California Area  
**Property Owner(s):** Dream House USA, LLC  
**Project Representative(s):** Dream House USA, LLC

---

**PROJECT DESCRIPTION:** Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres.

**LOCATION:** Generally located north of Vino Way, south of Buck Road, east of Pouroy Road, and west of Anza Road.

**PROJECT APN(s):** 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150-009, and 964-180-015

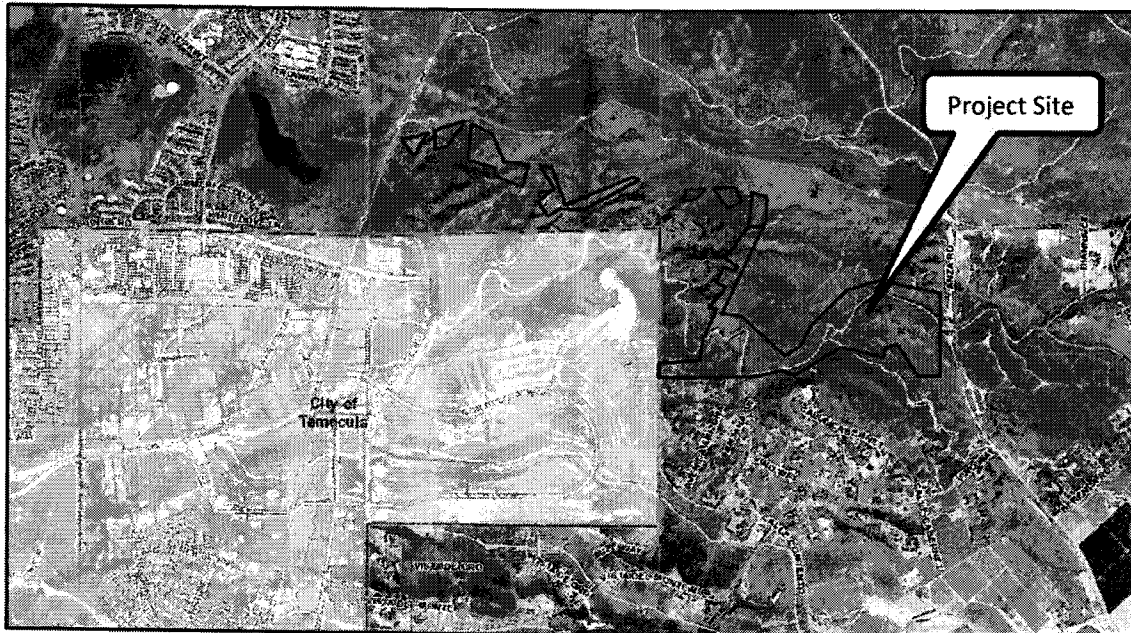


Figure 1: Project Location Map

**PROJECT DETAILS:**

This project includes a Foundation General Plan Amendment application to change the site's eight parcels, 145.63 gross acres, to Estate Density Residential. This General Plan Amendment does not include an accompanying implementing project.

**LAND USE CHANGE DISCUSSION – APPLICANT PROVIDED:**

**GENERAL PLAN FOUNDATION COMPONENT AMENDMENT JUSTIFICATION**

Pursuant to the Riverside County General Plan, Chapter 11. Administration Element, "Required and Optional Findings" subsection, evidence demonstrating new conditions or circumstances is required to justify a Foundation Component Amendment. The following are the details of the new conditions or circumstances that would satisfy these required Foundation Component Amendments findings.

**Overview/Foundation Component General Plan Amendment (FGPA) Request**

Dream House USA, LLC owns eight (8) parcels, totaling approximately 145.63 acres on the former Johnson Ranch property. These parcels were purchased by Dream House USA, LLC from the University of California, Riverside (UCR) on June 25, 2015. These parcels are identified as the following Assessor's Parcel Numbers (hereafter "FGPA Parcels"):

- 964-180-015;
- 964-150-003;
- 964-150-004;
- 964-150-005;
- 964-150-006;
- 964-150-007;
- 964-150-008; and
- 964-150-009.

It is the belief of Dream House USA, LLC (as well as the prior owner UCR) that the FGPA Parcels have been erroneously assigned a land use designation of "Open Space-Conservation Habitat" (OS-CH) as part of the County's 2003 revisions to its General Plan.

To remedy this situation, Dream House USA, LLC requests that the General Plan land use designation for the FGPA Parcels be changed to Community Development-Estate Density Residential ("CD-EDR") (two-acre minimum parcel size for single-family homes) or a similarly suitable land use designation.

Dream House USA, LLC is now petitioning the County, under the current 8-year General Plan Amendment Cycle, to rectify this mapping error.

**Chronology**

UCR did make a petition to the County under GPA No. 960 to rectify this mistake; however, this petition was submitted not in a manner timely to be included within the GPA No. 960 Cycle. The UCR letter, and County response to this letter, are included as part of this FGPA Application.

The following is a brief chronology prior to the land purchase by Dream House USA, LLC:

- The land in question was gifted to UCR in 1996 for the purpose of supporting the academic and research initiatives of UC Riverside's College of Natural and Agricultural Sciences and College of Engineering (the "Colleges").
- At the time of the gift, the County's General Plan allowed rural residential development on the parcels.
- UCR owned approximately 145 acres of and original 383-acre gift having sold approximately 237 to the Riverside County Regional Park and Open Space District ("Park District") in 2000 for the purpose of habitat protection.
- The Park District did not to buy the remainder of the UCR property based on its finding that it lacked sufficient habitat qualities.
- The acreage remaining in UCR ownership consisted primarily of degraded uplands previously devoted to dry farming, and approximately 21 acres of riparian habitat surrounding a streambed.

The 2003 General Plan Land Use Designation of OS-CH appears to have resulted from a misunderstanding about the extent of the Park District's purchase of UCR owned parcels within the former Johnson Ranch. Although the Park District bought only 60% of the acreage of the UCR's Johnson Ranch holdings, the 2003 General Plan seems to have assumed that the Park District purchased the entirety of the UCR's holdings for habitat preservation. Specifically, the 2003 General Plan's Southwest Area Plan noted that the Johnson Ranch Specific Plan (No. 307), adopted in 1999, had become moot because the ranch had supposedly "been purchased for habitat conservation." (2003 General Plan, Southwest Area Plan, "Specific Plans.") Apparently based on this assumption, the 2003 General Plan designated all of Johnson Ranch as OS-CH. However, this wholesale designation of Johnson Ranch was improper for two reasons:

1. The Johnson Ranch Specific Plan did not encompass all of the UCR (at that time) property; and
2. Only 60% of the UCR property had been purchase by the Park District for habitat conservation. Unfortunately, the nuances of these transactions and the prior UCR ownership of the properties became lost in the 2003 General Plan.

#### **Additional Substantiation**

The existing General Plan Foundation Component and Land Use Designation are not only inappropriate but also deprives Dream House USA, LLC of any use or economic return on its property. The FGPA Parcels were conveyed by UCR to Dream House USA, in order to allow UCR the ability to fulfill its donor's intent and any marketability of the parcels for revenue to support the Colleges. For these reasons, Dream House USA, LLC requests that the pre-2003 land use designation assigned to the FGPA Parcels, or other similar designation, be reinstated on the FGPA Parcels.

It should be noted that this request is consistent with other modifications proposed as part of the prior GPA No. 960, which included an entire category of changes to correct erroneously applied OS-CH land use designations.

According to p. 11 of 27 of the November 10, 2015 Board of Supervisors Staff Report, under "2. *Criteria-Based Parcel-Specific Land Use Changes*":

"This category addresses privately owned lands that were incorrectly designated as "Open Space - Conservation Habitat," (OS-CH) which is normally used to designate publicly held lands being conserved for their habitat value. This category affects a total of 3,261 acres in Riverside County."

The CD-EDR land use designation would be appropriate for the FGPA Parcels, because it would match the CD-EDR land use designation of the developed parcels that border the southern side of the FGPA Parcels, and would therefore not present any incompatibility with adjacent development on unincorporated County land. The CD-EDR land use designation would also mesh well with the low-density residential land use designation (0.5 to 2 dwelling units per acre) adopted by the City of Temecula (Roripaugh Ranch Specific Plan) for the land to the west of the large parcel. Furthermore, the low intensity of development allowable within the CD-EDR land use designation would not conflict with the agricultural land uses on the eastern side of the University large parcel or with the open space that borders the parcel to the north. Several Figures have been included with the FGPA Application, which show the surrounding land use designations within the County of Riverside and the City of Temecula.

In addition, access is provided to the largest parcel as demonstrated on the following Grant Deeds, which are also included as part of the FGPA Application:

SDSIX1-22-101-December4, 2001; and  
Instrument No. 299817-March 22, 1966.

Ultimately, Dream House USA, LLC may pursue dedicating some portion(s) of the property for conservation, and potential buffers, while developing the remaining portion(s) in whatever mix otherwise meets the County's requirements, as determined through the entitlement process.

We appreciate the opportunity to submit the current application to rectify the mapping errors.

**TECHNICAL APPENDIX:**

**General Information:**

Project Area (Gross Acres):	145.63
Number of Parcels:	8
Sphere of Influence:	Yes – City of Temecula
Policy Area:	No
Overlay:	No

**Land Use and Zoning:**

Existing Foundation Component:	Open Space(OS)
Proposed Foundation Component:	Community Development (CD)
Existing General Plan Land Use:	Conservation Habitat(CH)
Proposed General Plan Land Use:	Estate Density Residential (EDR)

<b>Surrounding General Plan Land Use</b>	
North:	Conservation Habitat (CH)
East:	Agriculture (AG)
South:	Estate Density Residential(EDR)
West:	City of Temecula
<b>Existing Zoning Classification:</b> R-R Rural Residential	
<b>Change of Zone Required:</b> Yes	
<b>Surrounding Zoning Classification</b>	
North:	SP (Specific Plan) – Johnson Ranch SP00307
East:	C/V (Citrus/Vineyard) and R-A-5 (Residential Agricultural)
South:	R-A-5 (Residential Agricultural) and R-R (Rural Residential)
West:	City of Temecula
<b>Existing Development and Use:</b> Vacant Land	
<b>Surrounding Development and Use</b>	
North:	Vacant Land
East:	Vacant Land
South:	Residential
West:	City of Temecula

**Environmental Information:**

WRCMSHCP Criteria Cell:	<p>GPA01186 is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) plan area but not within a MSHCP Criteria Cell. The MSHCP does not describe conservation outside of Criteria Cells. Conservation may be required outside of Criteria Cells for species that are not adequately covered by the MSHCP or species whose conservation objectives have not been met.</p> <p>All projects within the MSHCP Plan Area must be in compliance with the MSHCP. The GPA area is adjacent to MSHCP Conservation Areas and therefore any projects that shall be developed within the GPA area will be subject to MSHCP Urban Wild lands Interface Guidelines (UWIG).</p>
CVMSHCP Conservation Boundary:	No
Airport Influence Area ("AIA"):	Yes – French Valley

General Plan Advisory Committee GPIP Report  
Foundation General Plan Amendment No.: 1186

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Agricultural Preserve:	No
Farmland Importance:	Yes – Local Importance Other Lands
Fire Hazard Area:	Yes – High Moderate
Fire Responsibility Area:	Yes – State Responsibility Area
Special Flood Hazard Area:	No
Liquefaction Area:	Yes – Low Moderate
Subsidence Area:	Yes – Susceptible
Fault Line:	Yes – Within a ½ mile of Buck Mesa Fault
Fault Zone:	Yes – Within a ½ mile of Buck Mesa Fault
Paleontological Sensitivity:	Yes – High Sensitivity

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**Utility Information:**

Water Service:	No – Eastern Municipal Water District
Sewer Service:	No – Eastern Municipal Water District

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# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

### VICINITY/POLICY AREAS

Supervisor: Washington  
District 3

Date Drawn: 07/19/2016  
Vicinity Map



Zoning Area: Rancho California

Author: Vinnie Nguyen



DISCLAIMER: The City of Rancho California, the County of Riverside and the State of California are not responsible for any errors or omissions in this map. The map is provided for informational purposes only. For more information, please contact the Planning Department at (951) 760-7000. (Riverside County or Rancho California)

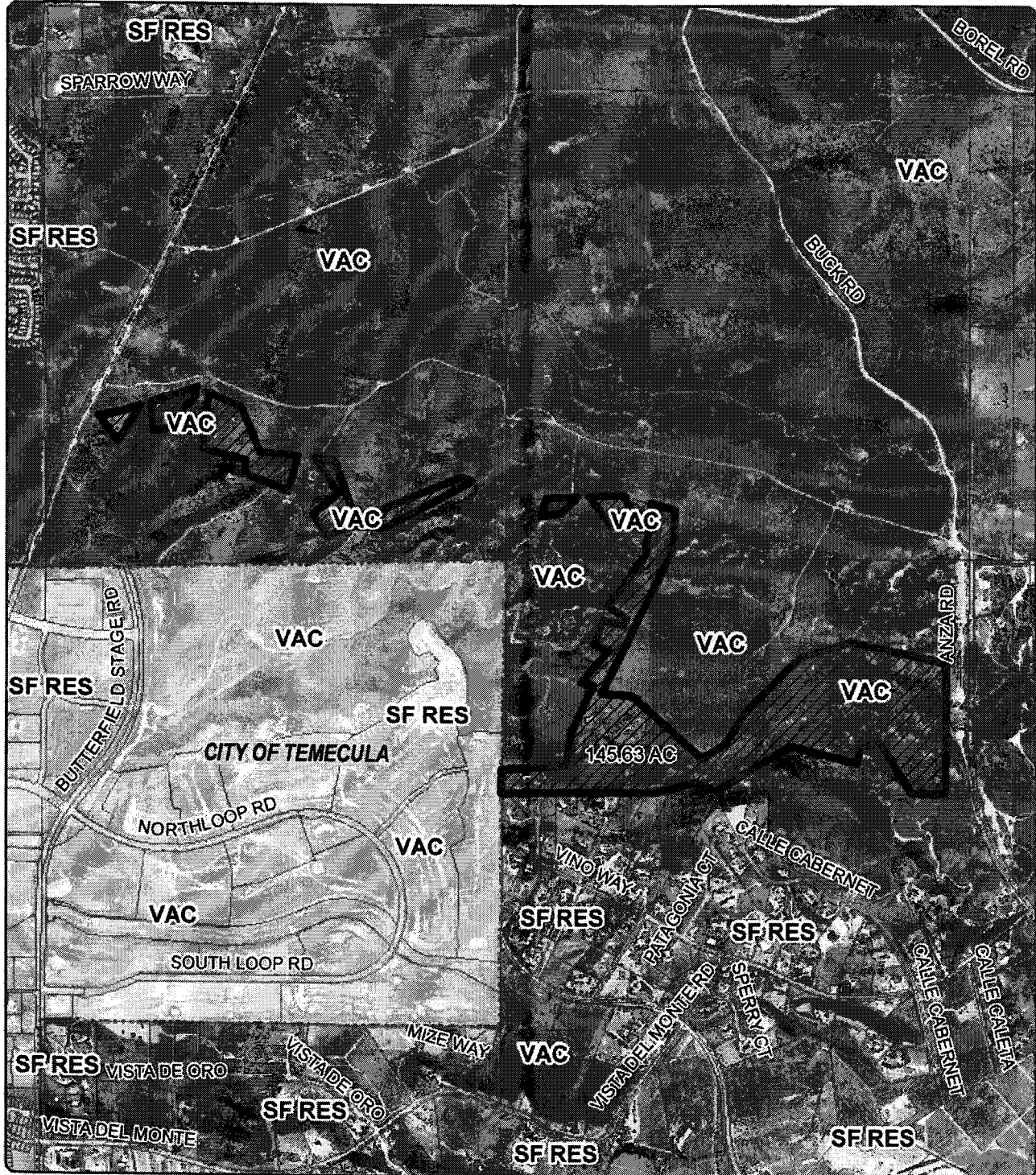
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

Supervisor: Washington  
District 3

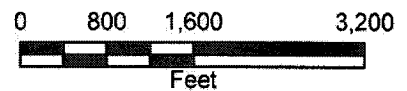
Date Drawn: 07/19/2016  
Exhibit 1

### LAND USE



Zoning Area: Rancho California

Author: Vinnie Nguyen



**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 type 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 Palm Desert at (760)863-6277 (Eastern County) or Website <http://www.riversidecounty.net>

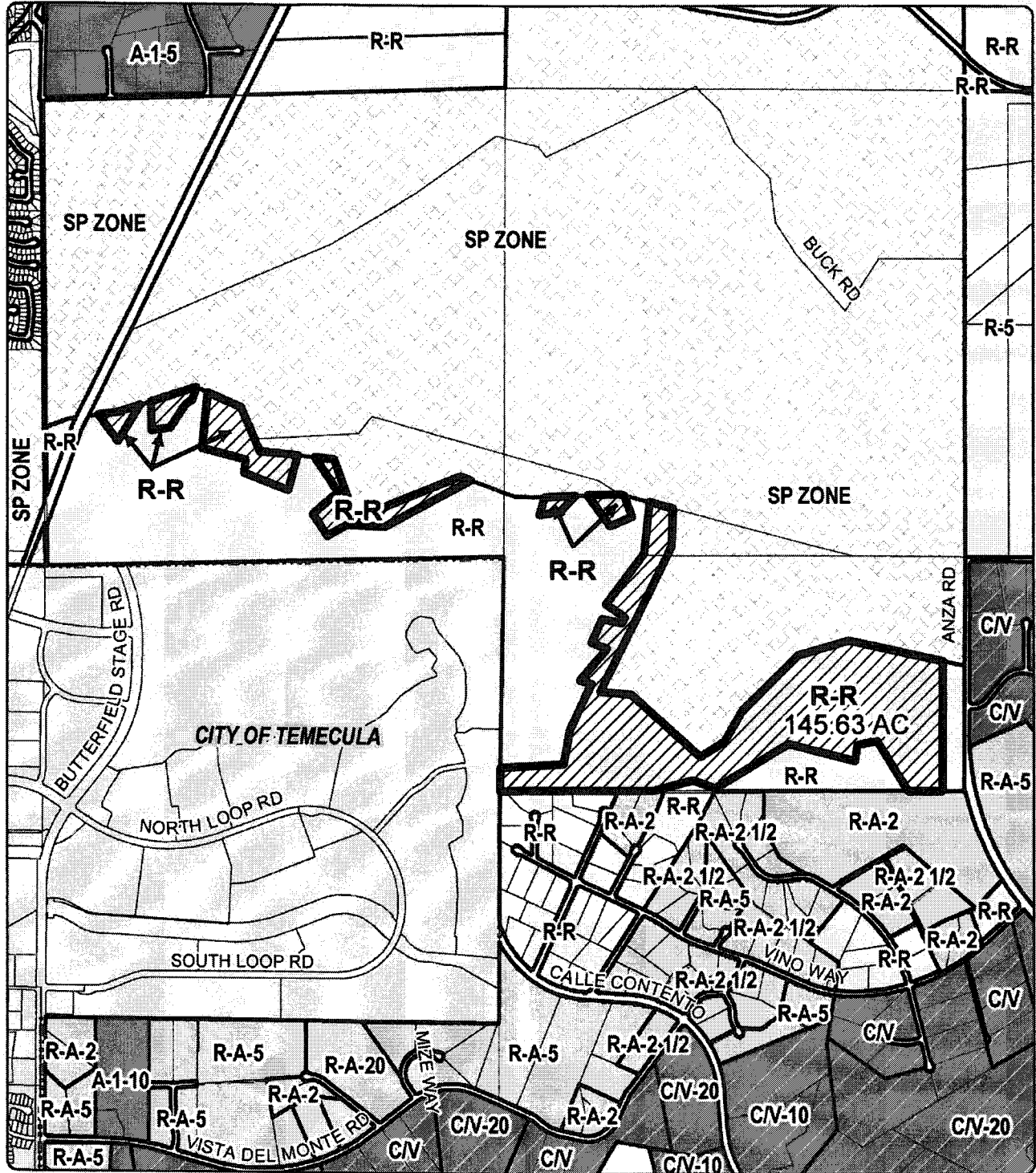
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

### EXISTING ZONING

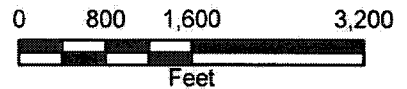
Supervisor: Washington  
District 3

Date Drawn: 07/19/2016  
Exhibit 2



Zoning Area: Rancho California

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2005, 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 type 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 Palm Desert at (760)863-8277 (Eastern County) or Website <http://www.riversidecounty.net>.

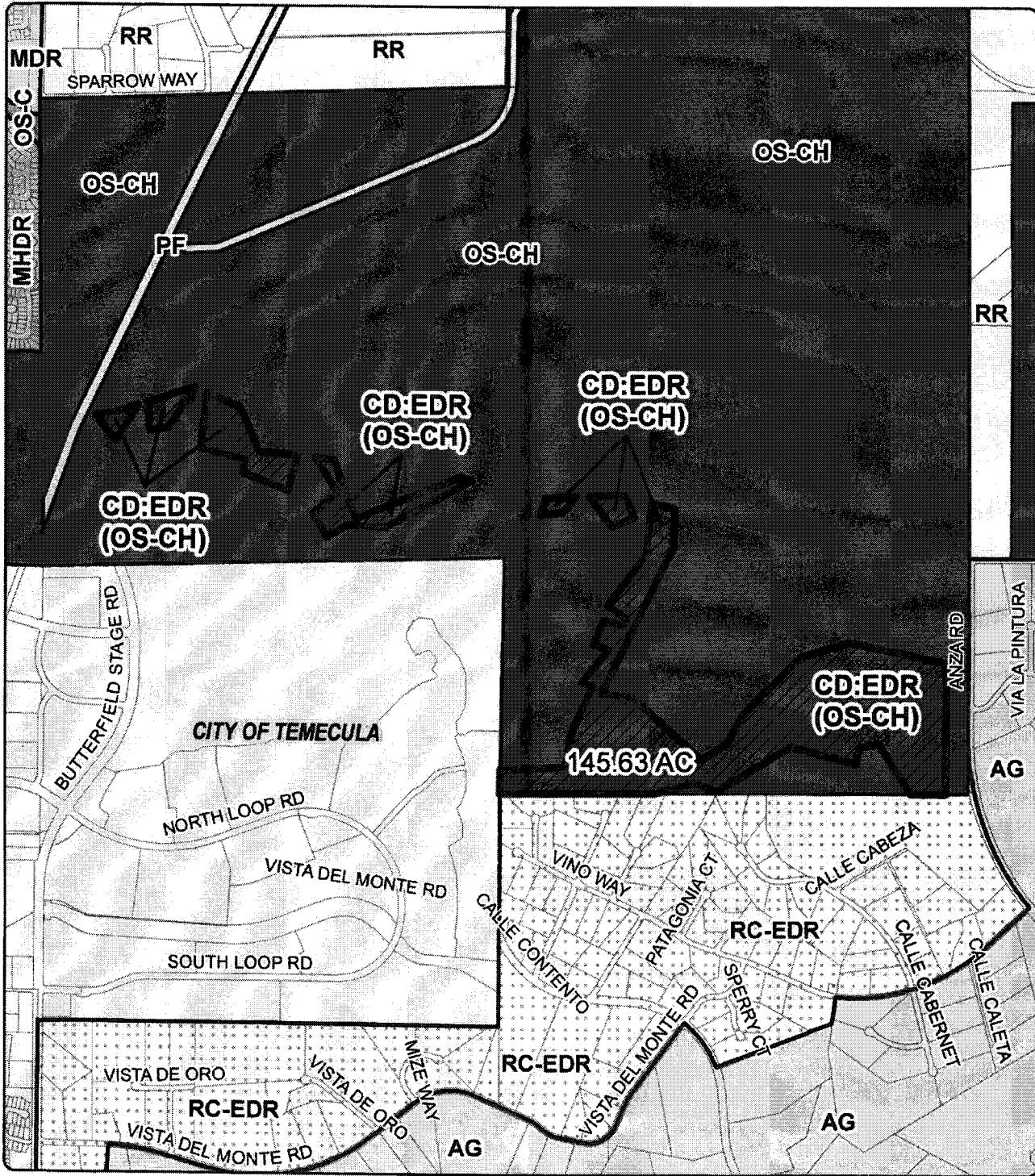
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA01186

Supervisor: Washington  
District 3

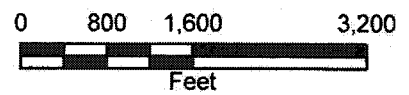
### PROPOSED GENERAL PLAN

Date Drawn: 07/19/2016  
Exhibit 6

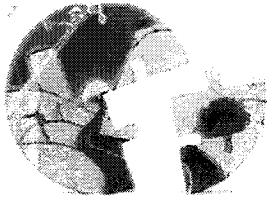


Zoning Area: Rancho California

Author: Vinnie Nguyen



**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 Palm Desert at (760)863-8277 (Eastern County) or Website: <http://www.riversidecounty.net>



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

## APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

### I. GENERAL INFORMATION:

#### APPLICATION INFORMATION:

Applicant Name: Dream House USA, LLC

Contact Person: Ming Yu Xu & Yu Lin (Angela) E-Mail: dreamhouseinusa@gmail.com

Mailing Address: 31576 Rosales Ave.  
Murrieta CA 92563  
City State ZIP

Daytime Phone No: (626) 512-1257 Fax No: ( )

Engineer/Representative Name: Matthew Fagan Consulting Services

Contact Person: Matthew Fagan E-Mail: Matthew.fagan@roadrunner.com

Mailing Address: 42011 Avenida Vista Ladera  
Temecula CA 92591  
City State ZIP

Daytime Phone No: (951) 265-5428 Fax No: ( )

Property Owner Name: Dream House USA, LLC

Contact Person: Same as Applicant E-Mail:

Mailing Address:   
    
Street City State ZIP

Daytime Phone No: ( ) Fax No: ( )

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

Desert Office · 77-588 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

**APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY  
GENERAL PLAN**

Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the General Plan Amendment type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the General Plan Amendment is ready for public hearing.)

MING XU XU

PRINTED NAME OF PROPERTY OWNER(S)

*Ming Xu Xu*

SIGNATURE OF PROPERTY OWNER(S)

Yu Liu (Angela)

PRINTED NAME OF PROPERTY OWNER(S)

*Yu Liu*

SIGNATURE OF PROPERTY OWNER(S)

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

**AUTHORIZATION FOR CONCURRENT FEE TRANSFER**

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

**APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN**

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s): 964-180-015; 964-150-003 - 009

Approximate Gross Acreage: 145.63

General location (nearby or cross streets): North of Vino Way South of Buck Rd. / Johnson Ranch East of City Terrace / Johnson Ranch West of Anza Rd.

Existing General Plan Foundation Component(s): Open Space

Proposed General Plan Foundation Component(s): Community Development / Open Space

Existing General Plan Land Use Designation(s): OS-CH

Proposed General Plan Land Use Designation(s): RC-EDR and OS-CH for APN: 964-180-015 (OS-CH: Santa Gertrudis Creek)  
RC-EDR for remaining parcels

General Plan Policy Area(s) (if any): HWY 79 Policy area

Existing Zoning Classification(s): R-R

Provide details of the proposed General Plan Amendment (attach separate pages if needed):

1. 964-180-015 Change the current, inaccurate GPP Designation from entirely OS-CH to a combination of RC-EDR and OS-CH, as appropriate.
2. Remaining parcels - change from OS-CH to RC-EDR

Are there previous development application(s) filed on the same site: Yes  No

If yes, provide Application No(s): \_\_\_\_\_  
 (e.g. Tentative Parcel Map, Zone Change, etc.)

Initial Study (EA) No. (if known) \_\_\_\_\_ EIR No. (if applicable): \_\_\_\_\_

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide signed copy(ies): \_\_\_\_\_

Name of Company or District serving the area the project site is located (if none, write "none.")	Are facilities/services available at the project site?	
	Yes	No
Electric Company	So Cal Edison	
Gas Company	So Cal Gas	
Telephone Company	Verizon	
Water Company/District	EDAWD	

**APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY  
GENERAL PLAN**

Name of Company or District serving the area the project site is located (if none, write "none.")	Are facilities/services available at the project site?	Yes	No
Sewer District	septic		

If "No," how far away are the nearest facilities/services? (No. of feet/miles):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is the Foundation Component General Plan Amendment located within any of the following watersheds?

- Santa Ana River/San Jacinto Valley
- Santa Margarita River
- Whitewater River

Please refer to Riverside County's Map My County website to determine if the subdivision is located within any of these watersheds (using the Geographic Layer – Watershed)  
([http://webintprod.agency.tlma.co.riverside.ca.us/MMC\\_View/Custom/disclaimer/Default.htm](http://webintprod.agency.tlma.co.riverside.ca.us/MMC_View/Custom/disclaimer/Default.htm))

If any of these watersheds are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.

**HAZARDOUS WASTE SITE DISCLOSURE STATEMENT**

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted as complete without this signed statement.

I (we) certify that I (we) have investigated our project with respect to its location on or near an identified hazardous waste site and that my (our) answers are true and correct to the best of my (our) knowledge. My (Our) investigation has shown that:

- The project is not located on or near an identified hazardous waste site.
- The project is located on or near an identified hazardous waste site. Please list the location of the hazardous waste site(s) on an attached sheet.

Owner/Representative (1)  Date May 30, 2016

Owner/Representative (2)  Date 05/30/16



**APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY  
GENERAL PLAN**

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**II. GENERAL PLAN FOUNDATION COMPONENT AMENDMENT JUSTIFICATION:**

Pursuant to the Riverside County General Plan, Chapter 11: Administration Element, "Required and Optional Findings" subsection, evidence demonstrating new conditions or circumstances is required to justify a Foundation Component Amendment. Provide details of the new conditions or circumstances that would satisfy these required Foundation Component Amendment findings.  
(Please be specific. Attach separate pages if needed.):

*See attached*

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**APPLICATION FOR FOUNDATION COMPONENT AMENDMENT TO THE RIVERSIDE COUNTY  
GENERAL PLAN**

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**III. OTHER TYPES OF GENERAL PLAN AMENDMENTS:**

Would the proposed Foundation Component Amendment result in a conflict with any part of the Riverside County General Plan? If so, describe in detail the conflict. (Attach separate pages if needed.)

N/A

**NOTES:**

1. Please see the 2016 property owner initiated Regular General Plan Foundation Component Amendment (FGPA) Process approved by the Riverside County Board of Supervisors on March 8, 2016.
2. Most Riverside County entitlement application fees are Deposit Based Fees ("DBF"). The FGPA initial application filing fee is **\$10,000.00**. This application fee includes the review of the FGPA through the GPIP process only. Each case is unique; therefore, additional funds may be requested should unanticipated circumstances arise during the course of the GPIP review process.

Furthermore:

- If an accompanying implementing project application is submitted concurrently, additional fees pursuant to Ordinance No. 348, which are specified on the Planning Department website and based upon the application type, shall be required upon submittal.
  - Should the FGPA application be initiated by the Board of Supervisors at the conclusion of the GPIP process, additional General Plan Amendment fees, to complete the adoption process, shall be required.
3. Application submittal items a for Foundation General Plan Amendment:
    - This completed application form.
    - Application filing fees.
    - Site map showing the project area and extent.
    - Any additional maps/plans relevant to illustrate the project area location.

## II. GENERAL PLAN FOUNDATION COMPONENT AMENDMENT JUSTIFICATION

Pursuant to the Riverside County General Plan, Chapter 11: Administration Element, "Required and Optional Findings" subsection, evidence demonstrating new conditions or circumstances is required to justify a Foundation Component Amendment. The following are the details of the new conditions or circumstances that would satisfy these required Foundation Component Amendment findings.

### Overview/Foundation Component General Plan Amendment (FGPA) Request

Dream House USA, LLC owns eight (8) parcels, totaling approximately 145.63 acres on the former Johnson Ranch property. These parcels were purchased by Dream House USA, LLC from the University of California, Riverside (UCR) on June 25, 2015. These parcels are identified as the following Assessor's Parcel Numbers (hereafter "FGPA Parcels"):

- 964-180-015;
- 964-150-003;
- 964-150-004;
- 964-150-005;
- 964-150-006;
- 964-150-007;
- 964-150-008; and
- 964-150-009

It is the belief of Dream House USA, LLC (as well as the prior owner, UCR) that the FGPA Parcels have been erroneously assigned a land use designation of "Open Space-Conservation Habitat" (OS-CH) as part of the County's 2003 revisions to its General Plan.

To remedy this situation, Dream House USA, LLC requests that the General Plan land use designation for the FGPA Parcels be changed to Rural Community-Estate Density Residential ("RC-EDR") (two-acre minimum parcel size for single-family homes) or a similarly suitable land use designation.

Dream House USA, LLC is now petitioning the County, under the current 8-year General Plan Amendment Cycle, to rectify this mapping error.

### Chronology

UCR did make a petition to the County under GPA No. 960 to rectify this mistake; however, this petition was submitted not in a manner timely to be included within the GPA No. 960 Cycle. The UCR letter, and County response to this letter, are included as part of this FGPA Application.

The following is a brief chronology prior to the land purchase by Dream House USA, LLC:

- The land in question was gifted to UCR in 1996 for the purpose of supporting the academic and research initiatives of UC Riverside's College of Natural and Agricultural Sciences and College of Engineering (the "Colleges").
- At the time of the gift, the County's General Plan allowed rural residential development on the parcels.
- UCR owned approximately 145 acres of and original 383-acre gift having sold approximately 237 to the Riverside County Regional Park and Open Space District ("Park District") in 2000 for the purpose of habitat protection.

- The Park District did not buy the remainder of the UCR property based on its finding that it lacked sufficient habitat qualities.
- The acreage remaining in UCR ownership consisted primarily of degraded uplands previously devoted to dry farming, and approximately 21 acres of riparian habitat surrounding a streambed.

The 2003 General Plan Land Use Designation of OS-CH appears to have resulted from a misunderstanding about the extent of the Park District's purchase of UCR owned parcels within the former Johnson Ranch. Although the Park District bought only 60% of the acreage of the UCR's Johnson Ranch holdings, the 2003 General Plan seems to have assumed that the Park District purchased the entirety of the UCR's holdings for habitat preservation. Specifically, the 2003 General Plan's Southwest Area Plan noted that the Johnson Ranch Specific Plan (No. 307), adopted in 1999, had become moot because the ranch had supposedly "been purchased for habitat conservation." (2003 General Plan, Southwest Area Plan, "Specific Plans.") Apparently based on this assumption, the 2003 General Plan designated all of Johnson Ranch as OS-CH. However, this wholesale designation of Johnson Ranch was improper for two reasons:

- (1) The Johnson Ranch Specific Plan did not encompass all of the UCR (at that time) property; and
- (2) Only 60% of the UCR property had been purchase by the Park District for habitat conservation. Unfortunately, the nuances of these transactions and the prior UCR ownership of the properties became lost in the 2003 General Plan.

#### **Additional Substantiation**

The existing General Plan Foundation Component and Land Use Designation are not only inappropriate but also deprives Dream House USA, LLC of any use or economic return on its property. The FGPA Parcels were conveyed by UCR to Dream House USA, in order to allow UCR the ability to fulfill its donor's intent and any marketability of the parcels for revenue to support the Colleges. For these reasons, Dream House USA, LLC requests that the pre-2003 land use designation assigned to the FGPA Parcels, or other similar designation, be reinstated on the FGPA Parcels.

It should be noted that this request is consistent with other modifications proposed as part of the prior GPA No. 960, which included an entire category of changes to correct erroneously applied OS-CH land use designations.

According to p. 11 of 27 of the November 10, 2015 Board of Supervisors Staff Report, under "2. *Criteria-Based Parcel-Specific Land Use Changes*":

"This category addresses privately owned lands that were incorrectly designated as "Open Space – Conservation Habitat," (OS-CH) which is normally used to designate publicly held lands being conserved for their habitat value. This category affects a total of 3,261 acres in Riverside County."

The RC-EDR land use designation would be appropriate for the FGPA Parcels, because it would match the RC-EDR land use designation of the developed parcels that border the southern side of the FGPA Parcels, and would therefore not present any incompatibility with adjacent development on unincorporated County land. The RC-EDR land use designation would also mesh well with the low-density residential land use designation (0.5 to 2 dwelling units per acre) adopted by the City of Temecula (Roripaugh Ranch Specific Plan) for the land to the west of the large parcel. Furthermore, the low intensity of development allowable within the

RC-EDR land use designation would not conflict with the agricultural land uses on the eastern side of the University's large parcel or with the open space that borders the parcel to the north. Several Figures have been included with the FGPA Application, which show the surrounding land use designations within the County of Riverside and the City of Temecula.

In addition, access is provided to the largest parcel as demonstrated on the following Grant Deeds, which are also included as part of the FGPA Application:

SDSIX1-22-101 – December 4, 2001; and  
Instrument No. 299817 – March 22, 1966.

Ultimately, Dream House USA, LLC may pursue dedicating some portion(s) of the property for conservation, and potential buffers, while developing the remaining portion(s) in whatever mix otherwise meets the County's requirements, as determined through the entitlement process.

We appreciate the opportunity to submit the current application to rectify the mapping errors.

Please feel free to contact the owner's representative, Matthew Fagan, at the contact provided on the application if you have any questions, comments, or need any additional information.

## NOTICE OF PUBLIC MEETING

A PUBLIC MEETING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY GENERAL PLAN ADVISORY COMMITTEE to consider the project shown below:

**GENERAL PLAN AMENDMENT NO. 1186 (Foundation and Entitlement/Policy) – APPLICANT:** Dream House USA, LLC – **ENGINEER/REPRESENTATIVE:** Matthew Fagan Consulting – Third Supervisorial District – Southwest Area Plan – Rancho California Zoning Area – **ZONE:** Rural Residential (R-R) **POLICY AREA:** Highway 79 – **LOCATION:** Generally located north of Vino Way, south of Buck Road, east of Pouroy Road, and west of Anza Road – **PROJECT SIZE:** 145.63 gross acres – **REQUEST:** Proposal to amend the project site's General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres – **PROJECT PLANNER:** John Hildebrand at (951) 955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org) – **APNs:** 964-150-003, 964-150-004, 964-150-005, 964-150-006, 964-150-007, 964-150-008, 964-150-009, and 964-180-015.

**TIME OF MEETING:** 1:00pm (or as soon as possible thereafter)  
**DATE OF MEETING:** Thursday, August 25, 2016  
**PLACE OF MEETING:** Riverside County Flood Control  
1995 Market Street  
Riverside, CA 92501

For further information regarding this project, please contact John Hildebrand at (951) 955-1888 or e-mail [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org), or go to the County Planning Department's GENERAL PLAN ADVISORY COMMITTEE agenda web page at:

<http://planning.rctlma.org/PublicHearings/GeneralPlanAdvisoryCommittee.aspx>

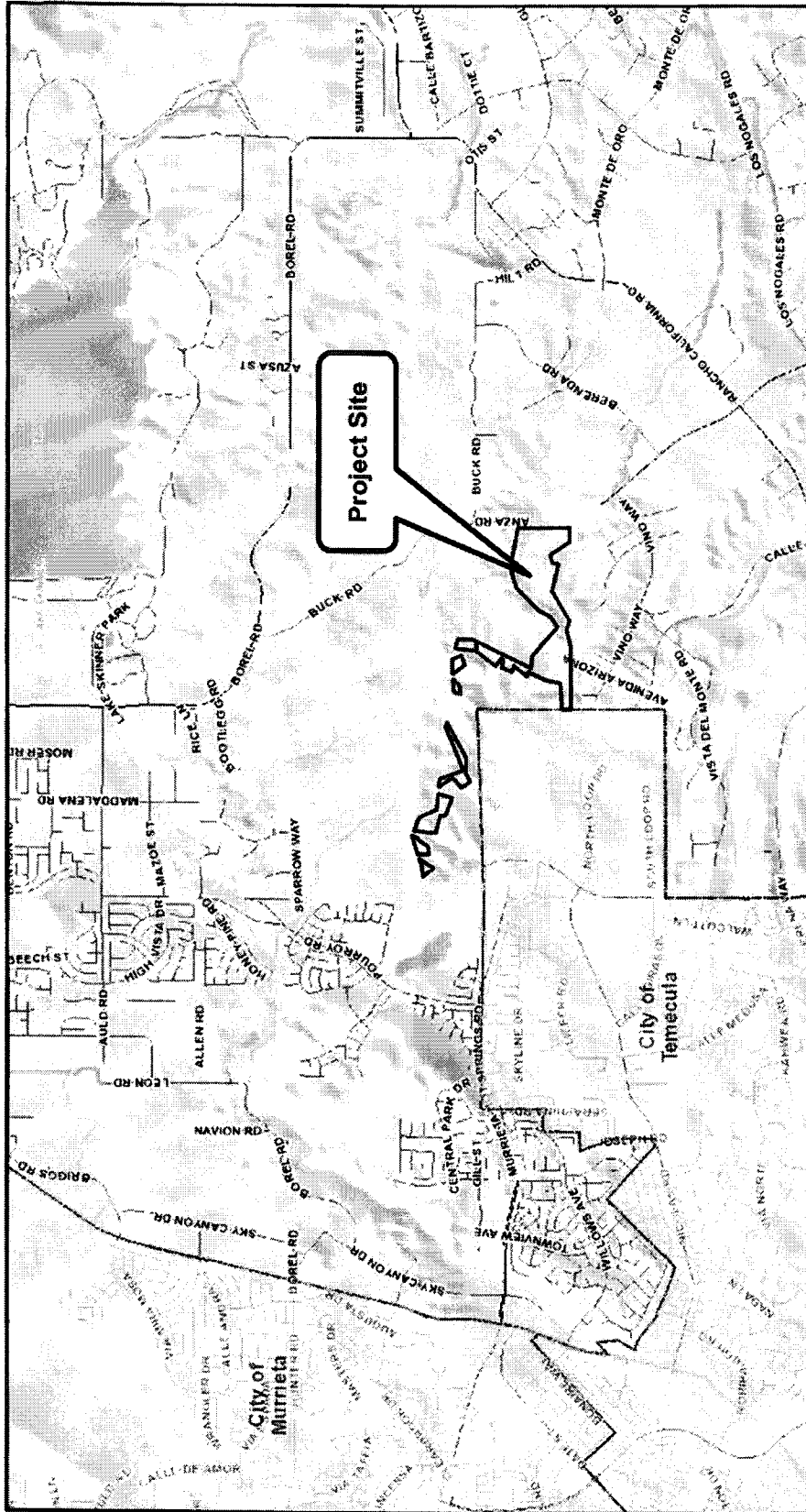
The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public meeting; or, may appear and be heard at the time and place noted above. All comments received prior to the public meeting will be submitted to the GENERAL PLAN ADVISORY COMMITTEE, who will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

Be advised that as a result of public meetings and comment, the GENERAL PLAN ADVISORY COMMITTEE may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

**Please send all written correspondence to:**

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: John Hildebrand  
P.O. Box 1409, Riverside, CA 92502-1409







# ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



March 16, 2017

*VIA ELECTRONIC MAIL*

The Hon. John Tavaglione, Chair  
Riverside County Board of Supervisors  
4080 Lemon St.  
Riverside CA 92501

**RE: Items 16.1-16.7, General Plan Initiation Proceedings, March 21, 2017**

Dear Chairman Tavaglione and Members of the Board:

Endangered Habitats League (EHL) appreciates the opportunity to submit written testimony on the General Plan Initiation Proceedings. We were honored to serve on the General Plan Advisory Committee (GPAC) which reviewed these proposals. Proposals that do not have compelling planning merit and that do not reflect significant changes in circumstances should not move forward to full environmental review.

## **General comments**

Prior to your consideration of initiating environmental review, EHL urges the Planning Department to provide: 1) the basic information necessary to determine whether the more intensive proposed uses are justified, and 2) guidelines to assess whether the proposals – individually or collectively – move the County in the right planning direction.

Basic and necessary information includes the *housing capacity* present but unbuilt in the County and Cities' General Plans. Prior information indicates that there is a huge *overcapacity* of housing that argues against all but the most strategic increases. Other missing information includes the cumulative traffic implications of the proposed General Plan amendments. We urge you to request such information.

Factors in assessing proposals should include whether the jobs-housing balance is improved or worsened, whether the greater intensity of use will be served by transit now or realistically in the future, whether vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory, proximity of infrastructure and services, whether the new development will be subject to high fire hazard, and whether it conflicts with the MSHCP or otherwise impacts intact natural lands. We hope that the Planning Department will offer its professional guidance. If not, your Board should independently formulate *guiding principles* for GPA initiation. A piecemeal approach is not adequate.

EHL's recommendations are based upon presence of a planning rationale, jobs-housing balance, transit availability, vehicle miles traveled and GHG emissions, the folly of putting more and more homes in the path of wildfire, and biological considerations. In some cases, we have identified missing information or suggested modifications. We hope that your Board will take a hard look at the County's future and chart a more sustainable path for the County's present and future citizens than simply perpetuating current trends.

Also, the staff reports for these items are brief and inappropriately defer to the applicants for the requisite findings, rather than providing independent staff analysis.

### **Specific comments**

16.1 GENERAL PLAN AMENDMENT NO. 1198 – Mead Valley – 23 gross acres – REQUEST: Proposal to amend the project site's General Plan Foundation Component from Rural Community (RC) to Community Development (CD) and to amend its Land Use Designation from Very Low Density Residential (VLDR) to Medium Density Residential (MDR), on one parcel

#### **More information needed**

This is a proposal to replace a dysfunction Rural Community designation with Community Development within Mead Valley. It could be considered "infill" of sorts that uses urbanized land more efficiently. However, a strong planning rationale has not been made in terms of this being a priority location for additional housing capacity, ameliorating jobs-housing imbalance, having access to current or future transit, and/or reducing average per capita vehicle miles traveled and GHG emissions. If this case can be made, then we would support initiation.

16.2 GENERAL PLAN AMENDMENT NO. 1197 – Southwest Area – 238.5 gross acres – REQUEST: Proposal to remove four of the five project site parcels from the Temecula Valley Wine Country – Equestrian District Policy Area and establish them in the Temecula Valley Wine Country – Winery District Policy Area and establish the fifth parcel, which exists outside of a Policy Area, in the Temecula Valley Wine Country – Winery District Policy Area, on five parcels

#### **Support initiation**

This proposal would result in a less intensive Rural Mountainous designation, more compatible with rural and habitat uses.

16.3 GENERAL PLAN AMENDMENT NO. 1194 – Southwest Area – 36.70 gross acres – REQUEST: Proposal to amend a portion of the project site's General Plan Foundation Component from Rural (R) to Community Development (CD) and amend its Land Use Designation from Rural Mountainous (RM) to Light Industrial (LI), on one parcel

**Support initiation**

This proposal involves remedying a non-confirming use and retaining Rural Mountainous in the remainder.

16.4 GENERAL PLAN AMENDMENT NO. 1191 – Southwest Area – 2.49 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Rural Community (RC) to Community Development (CD) and amend its Land Use Designation from Estate Density Residential (EDR) to Light Industrial (LI) on one parcel

**Oppose initiation**

While locations for RV and boat storage are important, the Planning Department should objectively assess actual need and then identify the most suitable parcels.

16.5 GENERAL PLAN AMENDMENT NO. 1187 – Southwest Area – 14.48 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Rural (RUR) to Community Development (CD) and amend its Land Use Designation from Rural Residential (RR) to Estate Density Residential (EDR), on three parcels

**Oppose initiation**

This proposal to change from Rural to CD/Estate Residential lacks an appropriate planning rationale according to the criteria above (jobs-housing balance is improved, the greater intensity of use will be served by transit now or realistically in the future, vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory). The proposed estate density neither retains rural character (it intrudes into a block of rural land) nor achieves an efficient, higher density use of the land (if that could be justified). The change to CD is a strategy linked to future highway improvements (Butterfield Stage Rd.) yet future infrastructure alone cannot justify new development.

16.6 GENERAL PLAN AMENDMENT NO. 1186 – Rancho California – 145.63 gross acres – REQUEST: Proposal to amend the project site’s General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend its Land Use Designation from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels

**Oppose initiation unless modified**

These “inholdings” in the Johnson Ranch conservation area reflect mapping errors that should be the subject of a Technical Amendment. The proposed Community

Development is out of place in this rural and environmentally sensitive location. EHL recommends a lower Rural density combined with density transfer between the parcels, so as to remove density from the interior of the preserve and locate it in the southeast.

16.7 GENERAL PLAN AMENDMENT NO. 1184 – Sun City/Menifee Valley – 39.09 gross acres – REQUEST: Proposal to amend the project site's General Plan Foundation Component from Rural (R) to Community Development (CD) and to amend its Land Use Designation from Rural Residential (RR) to Medium Density Residential (MDR) and remove the project site from the Estate Density Residential & Rural Residential Policy Area, on one parcel

**Oppose initiation**

Upon review, this proposal is one of an ill-considered series of GPAs that have subjected a rural community separator to piecemeal urbanization. It lacks an appropriate planning rationale according to the criteria above (jobs-housing balance is improved, the greater intensity of use will be served by transit now or realistically in the future, vehicles miles traveled would be below current averages and put greenhouse gas (GHG) emissions on a lowered trajectory). It would result in an *incoherent* pattern of development that perpetuates the worst trends of the past in terms of piecemeal tract maps rather than true community planning. There has been no showing of changed circumstances that justifies initiation.

Thank you for considering our views.

Yours truly,



Dan Silver  
Executive Director

**Aparicio, Ashley**

---

**From:** Dan Silver <dsilverla@me.com>  
**Sent:** Friday, March 17, 2017 9:17 AM  
**To:** Tavaglione, John; Jeffries, Kevin; Ashley, Marion; district3@rcbos.org; District4 Supervisor John J Benoit; COB  
**Cc:** Johnson, George; Perez, Juan; Scott Hildebrandt; Bowie, Desiree; Clack, Shellie; Balderrama, Olivia; Field, John; Magee, Robert; Pradetto, Joe; Balderrama, Olivia  
**Subject:** Items 16.1-16.7, General Plan Initiation Proceedings, March 21, 2017  
**Attachments:** EHL-BoS-Items16.1-16.7-GPIPs-3.21.17.pdf

*VIA ELECTRONIC MAIL*

March 17, 2017

The Hon John Tavaglione, Chair  
Riverside County Board of Supervisors  
4080 Lemon St  
Riverside CA 92501

**RE: Items 16.1-16.7, General Plan Initiation Proceedings, March 21, 2017**

Dear Chairman Tavaglione and Members of the Board:

Endangered Habitats League appreciates the opportunity to submit the enclosed written testimony.

Thank you for your consideration

Sincerely,  
Dan Silver

Dan Silver, Executive Director  
Endangered Habitats League  
8424 Santa Monica Blvd., Suite A 592  
Los Angeles, CA 90069-4267

213-804-2750  
[dsilverla@me.com](mailto:dsilverla@me.com)  
[www.ehleague.org](http://www.ehleague.org)



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

March 15, 2017

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

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

RE: NOTICE OF PUBLIC MEETING: GPA 1186

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, March 18, 2017.**

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

3/21/17  
16.6

**Gil, Cecilia**

---

**From:** Legals <legals@pe.com>  
**Sent:** Tuesday, March 14, 2017 4:07 PM  
**To:** Gil, Cecilia  
**Subject:** Re: FOR PUBLICATION: GPA 1186

Received for publication on 3/18. Proof with cost to follow.

Nick Eller

Legal Advertising Phone: **951-368-9222** / Fax: **951-368-9018** / E-mail: [legals@pe.com](mailto:legals@pe.com)  
Please Note: **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\*\***  
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On Tue, Mar 14, 2017 at 4:05 PM, Gil, Cecilia <[CCGIL@rivco.org](mailto:CCGIL@rivco.org)> wrote:

Attached is a Notice of Public Meeting, for publication on Saturday, March 18, 2017. Please confirm.  
THANK YOU!

*Cecilia Gil*

Board Assistant

Clerk of the Board of Supervisors

4080 Lemon St., 1st Floor, Room 127

Riverside, CA 92501

(951) 955-8464 Fax (951) 955-1071

Mail Stop# 1010

[ccgil@rivco.org](mailto:ccgil@rivco.org)

<http://rivcocob.org/>

## **CERTIFICATE OF POSTING**

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on March 15, 2017, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

### **NOTICE OF PUBLIC MEETING**

GPA 1186

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide confirmation of posting.

**Board Agenda Date:** March 21, 2017 @ 10:30 A.M.

SIGNATURE: *Cecilia Gil*      DATE: March 15, 2017  
Cecilia Gil



## Gil, Cecilia

---

**From:** Kennemer, Bonnie <bkenne@asrclkrec.com>  
**Sent:** Tuesday, March 14, 2017 4:21 PM  
**To:** Gil, Cecilia; Buie, Tammie; Garrett, Nancy; Meyer, Mary Ann  
**Subject:** RE: FOR POSTING: GPA 1186

Good Afternoon,

The notice has been received and will be posted today.

Thank you,  
Bonnie

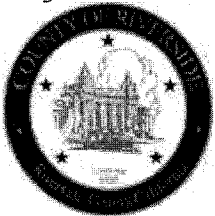
---

**From:** Gil, Cecilia [mailto:CCGIL@RIVCO.ORG]  
**Sent:** Tuesday, March 14, 2017 4:06 PM  
**To:** Buie, Tammie <tbuie@asrclkrec.com>; Garrett, Nancy <ngarrett@asrclkrec.com>; Kennemer, Bonnie <bkenne@asrclkrec.com>; Meyer, Mary Ann <MaMeyer@asrclkrec.com>  
**Subject:** FOR POSTING: GPA 1186

Attached is a Notice of Public Meeting, for POSTING. Please confirm. THANK YOU!

### *Cecilia Gil*

Board Assistant  
Clerk of the Board of Supervisors  
4080 Lemon St., 1st Floor, Room 127  
Riverside, CA 92501  
(951) 955-8464 Fax (951) 955-1071  
Mail Stop# 1010  
[ccgil@rivco.org](mailto:ccgil@rivco.org)  
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**NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A GENERAL PLAN INITIATION PROCEEDINGS FOR A GENERAL PLAN AMENDMENT IN THE SOUTHWEST – RANCHO CALIFORNIA AREA, THIRD SUPERVISORIAL DISTRICT**

NOTICE IS HEREBY GIVEN that a public meeting will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, March 21, 2017 at 10:30 A.M.** or as soon as possible thereafter, to consider initiation proceedings for the application submitted by Dream House USA, LLC – Matthew Fagan Consulting., on **General Plan Amendment No. 1186**, which proposes to amend the General Plan Foundation Component from Open Space (OS) to Community Development (CD) and amend the land use from Conservation Habitat (CH) to Estate Density Residential (EDR), on eight parcels, totaling 145.63 gross acres (“the project”). The project is located north of Vino Way, south of Buck Road, east of Pourroy Road and west of Anza Road in the Third Supervisorial District.

The Planning Commission recommended that the Board of Supervisors adopt an order initiating proceedings for **General Plan Amendment No. 1186**.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department at 4080 Lemon Street, 12<sup>th</sup> Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951) 955-1888 OR EMAIL [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org).

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public meeting, or may appear and be heard at the time and place noted above. All written comments received prior to the public meeting will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public meeting. Be advised that as a result of the public meeting and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063 or email at [LWagner@rivco.org](mailto:LWagner@rivco.org), 72 hours prior to the meeting.

Dated: March 15, 2017

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

RIVERSIDE COUNTY BOARD OF SUPERVISORS  
Request to Speak

Submit request to the Clerk of Board. Speakers are entitled to three (3) minutes, subject to Board Rules listed on the reverse side of this form.

Date: 3/21/17 Agenda #: 16.6

SPEAKER'S NAME: Matthew Fagan  
(Print Name)

Address: 42011 Avenida Vista Ladera  
(Only required if follow-up mail response is requested)

City: Temecula Zip: 92591

Phone #: 951.265.5420 Email: matthwufagan@roadrunner.com

I AM:

- The Applicant  A Neighbor  
 Applicant's Representative  Other Interested Party

PLEASE INDICATE YOUR POSITION BELOW:

- I wish to speak  I DO NOT wish to speak  
 I wish to speak with a Media Presentation  
 I YIELD my 3 minutes to the following speaker:  
(Maximum 2 Yields per Speaker)

\_\_\_\_\_  
(Name)

Position on Agenda Item:

- In Favor  Neutral  Opposed

## BOARD RULES

### **Requests to Address Board on "Agenda" Items:**

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

### **Power Point Presentations/Printed Material:**

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office, 24 hours in advance of the Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

### **Individual Speaker Limits:**

**Individual speakers are limited to a maximum of three (3) minutes.** Please step up to the podium when the Chairman calls your name and begin speaking immediately. The Chairman adheres to a strict three (3) minutes per speaker. ***Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.***

### **Group/Organized Presentations:**

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

### **Addressing the Board & Acknowledgement by Chairman:**

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in the front row to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.

**\*PLEASE TURN OFF ALL CELL PHONES AND PAGERS WHILE THE PUBLIC HEARING IS IN SESSION OR SWITCH THEM TO VIBRATE AND ANSWER CALLS AFTER LEAVING THE ROOM.**



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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, 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, to wit:

**03/18/2017**

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Date: March 18, 2017  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
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**NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A GENERAL PLAN INITIATION PROCEEDINGS FOR A GENERAL PLAN AMENDMENT IN THE SOUTHWEST - RANCHO CALIFORNIA AREA, THIRD SUPERVISORIAL DISTRICT**

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Dated: March 15, 2017  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

3/18

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