

Scan

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

DATE: April 22, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: GPA00925

(Charge your time to these case numbers)

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

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

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

Please schedule on the May 4, 2010 BOS Agenda

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

NONE - GPIP

This sent 4/22/10

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

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

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 19, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 925 - Foundation-Regular – Applicant: Lubec Properties, LLC – Engineer/Representative: David Jeffers Consulting Inc. - Third Supervisorial District - French Valley Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) – Location: Northerly of Pat Road, southerly of Scott Road, easterly of Leon Road and westerly of Pourroy Road - 230.72 Gross Acres - Zoning: Rural Residential - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and the General Plan Land Use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) to Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size) - APN('s) 472-090-005, 472-090-007, 472-090-008, 472-090-010, 472-090-017, 472-090-018, 472-090-019, 472-090-020, 472-090-021, 472-090-022, 472-090-023, 472-090-024, 472-090-026, 480-030-001, 480-030-002, 480-030-003, 480-030-004, 480-030-005, 480-030-006, 480-030-007, 480-030-008, 480-030-009, 480-030-010, 480-030-011, 480-030-012, 480-030-014, 480-030-015, 480-030-019, 480-030-021, 480-030-006, 480-030-007, 480-030-008, 480-030-009, 480-030-010, 480-030-011, 480-030-012, 480-030-014, 480-030-015, 480-030-019, 480-030-021.

RECOMMENDED MOTION: The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for the above referenced general plan amendment as modified by staff to be included within the "Specific Plan Required Policy Area" based on the attached report. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

Jerry Jolliffe, Deputy Planning Director for,

Ron Goldman
Planning Director

Initials:
RG:

(continued on attached page)

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

Prev. Agn. Ref.

District: Third

Agenda Number:

BACKGROUND: The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

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

- I. **AGENDA ITEM 7.2: GENERAL PLAN AMENDMENT NO. 925** - Foundation / Regular - Applicant: Lubec Properties, LLC - Engineer/Representative: David Jeffers Consulting Inc. - Third Supervisorial District - French Valley Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) - Location: Northerly of Pat Road, southerly of Scott Road, easterly of Leon Road and westerly of Pourroy Road - 230.72 Gross Acres - Zoning: Rural Residential
- II. **PROJECT DESCRIPTION**
This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and the General Plan Land Use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) to Low Density Residential (CD:LDR) (1/2 Acre Minimum Lot Size)
- III. **MEETING SUMMARY**
The following staff presented the subject proposal:
Project Planner: Tamara Harrison, Ph: (951) 955-9721 or E-mail tharriso@rctlma.org

The following did not wish to speak but want to be recorded in favor of the subject proposal:
Dave Jeffers, Applicant's Representative

No one spoke in a neutral position or in opposition of the subject proposal.
- IV. **CONTROVERSIAL ISSUES**
NONE
- V. **PLANNING COMMISSION ACTION**
The Planning Commission, recommended to the Board of Supervisors;

INITIATION of the **GENERAL PLAN AMENDMENT** with modifications
- VI. **CD**
The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 7.2
Area Plan: Southwest Area Plan
Zoning District: French Valley
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission:

General Plan Amendment No. 925
Applicant: Paul Attyah / Lubec Properties
Engineer/Representative: David Jeffers Consulting

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended that the Board of Supervisors adopt an order initiating proceedings for GPA00925 as modified by staff to add the subject site to the "Specific Plan Required Policy Area" and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board adopt an order initiating proceedings for the general plan amendment. For additional information regarding this case, see the attached Planning Department Staff Report(s).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: Commissioner Roth indicated that the proposal was another case of gerrymandering a rural area and that he is not in favor of the proposal.

Commissioner John Snell: No Comments

Commissioner John Petty: Commissioner Petty commented that a Specific Plan is not warranted under this proposal. He stated that a Specific Plan would be too complicated given the number of parcels within the assemblage. In response to Commissioner Roth, Commissioner Petty stated that the reason the proposal is gerrymandered is because multiple owners in the area are interested in the proposal and are willing to bear the cost of processing whereas other owners may not have wanted to bear the cost. He stated that it was logical to initiate proceedings and that the proposal should be expanded. Commissioner Petty indicated that if the Board of Supervisors adopts an order initiating proceedings, with or without a Specific Plan, the boundaries of the proposed area should be squared off in order to provide a more logical sequence of density.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 7.2
Area Plan: Southwest
Zoning Area: French Valley
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 925
Applicant: Lubec Properties, LLC
Engineer/Representative: David Jeffers

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component and Land Use designations of the subject site from "Rural: Rural Residential" (RUR:RR) (5 acre minimum lot size) to "Community Development: Low Density Residential" (CD:LDR) (1/2 acre minimum lot size) on approximately 230.72 acres. The project is located northerly of Pat Road, southerly of Scott Road, easterly of Leon Road and westerly of Pourroy Road.

POTENTIAL ISSUES OF CONCERN:

The subject site is located in the "French Valley" community within the Southwest Area Plan and is also located within the City of Murrieta's Sphere of Influence. The proposal includes 28 parcels totaling approximately 230.72 acres. Many of the parcels are adjacent to each other; however, some parcels amidst the proposal have not been included. Rural Residential can be found to the north and the east of the site and Community Development Foundation designations can be found to the south and the west of the subject site.

Many of the parcels that are included in the proposal and many that surround the proposed site remain vacant at this time although urbanization trends seem to be moving toward the area of the subject site. Much of the urbanization in the area is found to the south of the subject site, where multiple tracts have been approved or are currently under review by the Planning Department. The incorporation of the City of Menifee which lies to the west of the site across Leon Road also serves as a sign of urbanization and change for the area. Keller Road divides the site into a northern and southern section. The Circulation Element of the General Plan identifies Keller Road as a Secondary Roadway, ultimately having a 100' right-of-way and improving circulation within the area.

County mapping has identified a number of the parcels included within the proposal as being located within Cells 5174 and 5175 under the County's Multiple Species Habitat Conservation Plan. Conservation within Cell 5174 will range from 35%-45% of the Cell and will focus on the northern portion of the cell according to the plan. Those proposed parcels that fall within Cell 5174 are located in the southern and northeastern portions of the Cell. Conservation within Cell 5175 will range from 35%-45% of the Cell and will also be focused in the northern portion of the cell. Those proposed parcels that fall within Cell 5175 are located in the southeastern and northeastern portions of the Cell.

Cells 5174 and 5175 will contribute to Proposed Constrained Linkage 17 (Paloma Valley), which according to the plan, will provide Habitat for species and will also provide for the movement of species. The plan recognizes that this linkage is currently constrained by existing urban development and agricultural uses; however, many of the land uses surrounding the Constrained Linkage are currently rural. According to the Environmental Programs Department, the northern portion of the subject site is located within the area identified for Proposed Constrained Linkage 17 and conservation may be required within this area. The proposed project will have to complete the Habitat Assessment and

Negotiation Strategy, if the general plan amendment is initiated by the Board of Supervisors and as part of the project review process. The site will also be required to conform to additional plan wide requirements of the MSHCP such as Riparian/Riverine Policies (currently, a Blue Line Stream transects the southern portion of the site), Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable.

The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

Staff recognizes that urbanization is moving toward the subject site in the future. Staff recommends that a specific plan be required to develop the site and that it be added to the General Plan's "Specific Plan Required Policy Area." This will allow for comprehensive development of this and many of the surrounding sites that are currently seeking Foundation Change General Plan Amendments. No change in the General Plan designation is proposed by staff at this time. The Specific Plan Required Policy Area will also be recommended for the following General Plan Amendments in the area: 926, 974, 976, and 998.

RECOMMENDATION:

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 925 as modified by staff to be added to the Specific Plan Required Policy Area. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

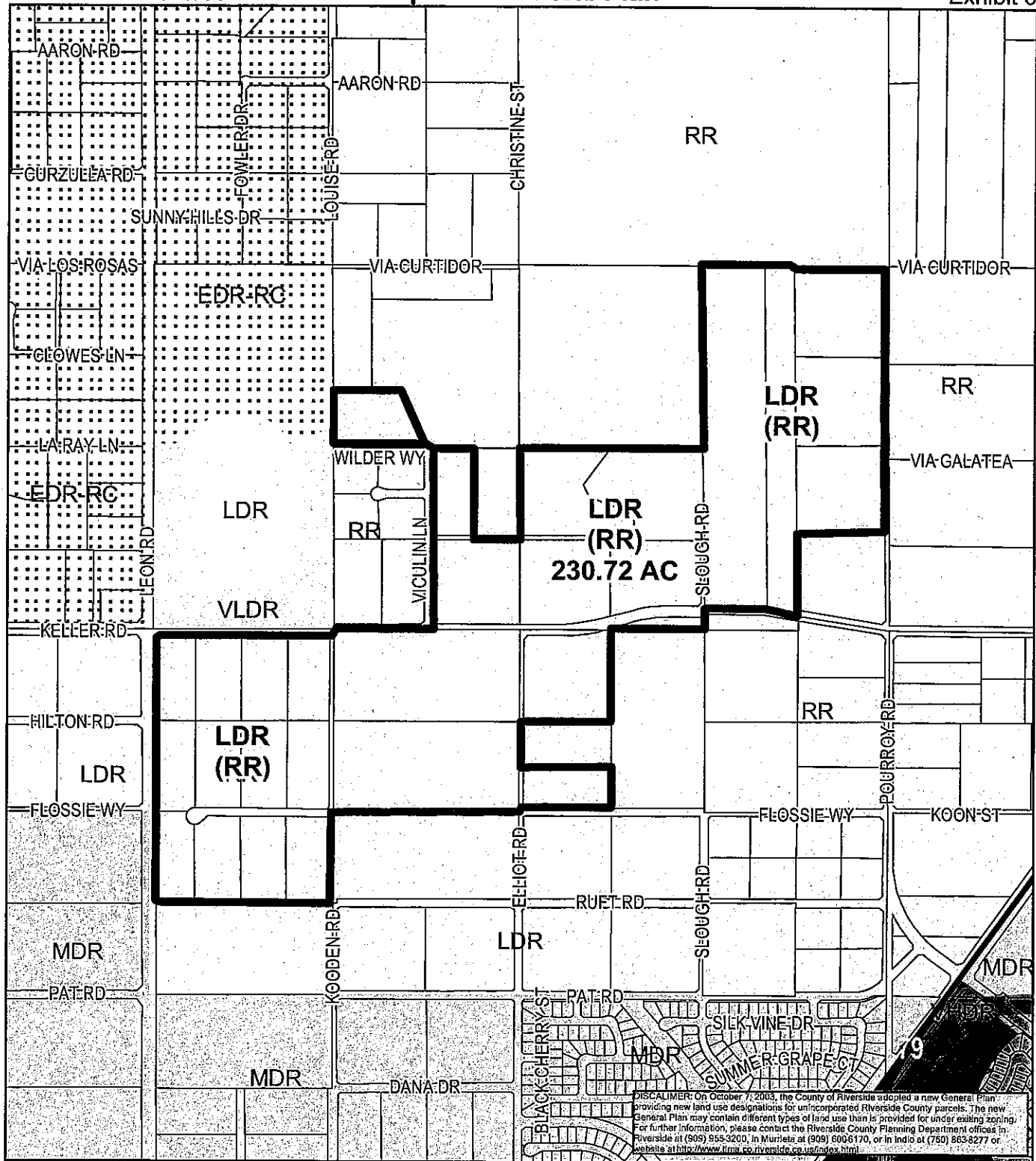
1. This project was filed with the Planning Department on February 7, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$4,861.72.
3. The project site is currently designated as Assessor's Parcel Numbers: 472-090-005, 472-090-007, 472-090-008, 472-090-010, 472-090-017, 472-090-018, 472-090-019, 472-090-020, 472-090-021, 472-090-022, 472-090-023, 472-090-024, 480-030-001, 480-030-002, 480-030-003, 480-030-004, 480-030-005, 480-030-006, 480-030-007, 480-030-008, 480-030-009, 480-030-010, 480-030-011, 480-030-012, 480-030-014, 480-030-015, 480-030-019 and 480-030-021.

Supervisor Stone
District 3
Date Drawn: 2/20/08

GPA00925

Planner: Amy Aldana
Date: 2/21/08
Exhibit 6

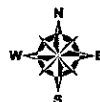
Proposed General Plan



Zone
Area: French Valley
Township/Range: T6SR2W
Section: 20 & 29

RIVERSIDE COUNTY PLANNING DEPARTMENT

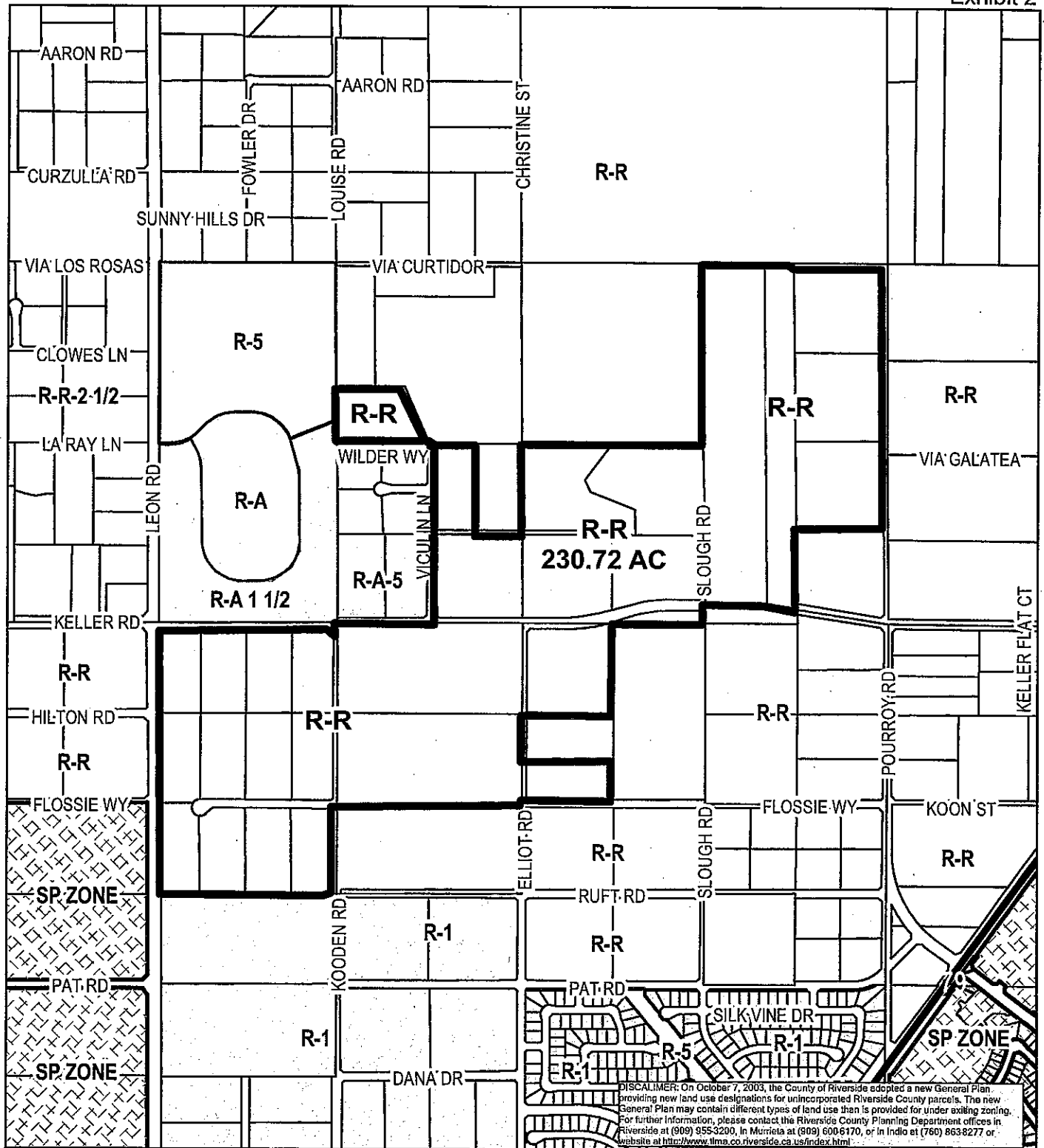
Assessors
Bk.Pg. 472-09 &
480-03
Thomas
Bros. Pg. 899 D3



Supervisor Stone
 District 3
 Date Drawn: 2/20/08

GPA00925
EXISTING ZONING

Planner: Amy Aldana
 Date: 2/21/08
 Exhibit 2

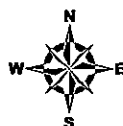


DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (909) 955-3200, in Murrieta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.lma.co.riverside.ca.us/index.html>

Zone
 Area: French Valley
 Township/Range: T6SR2W
 Section: 20 & 29

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors 472-09 &
 Bk. Pg. 480-03
 Thomas
 Bros. Pg. 899 D3



Supervisor Stone
District 3
Date Drawn: 2/20/08

GPA00925

DEVELOPMENT OPPORTUNITY

Planner: Amy Aldana
Date: 2/21/08
Exhibit Overview

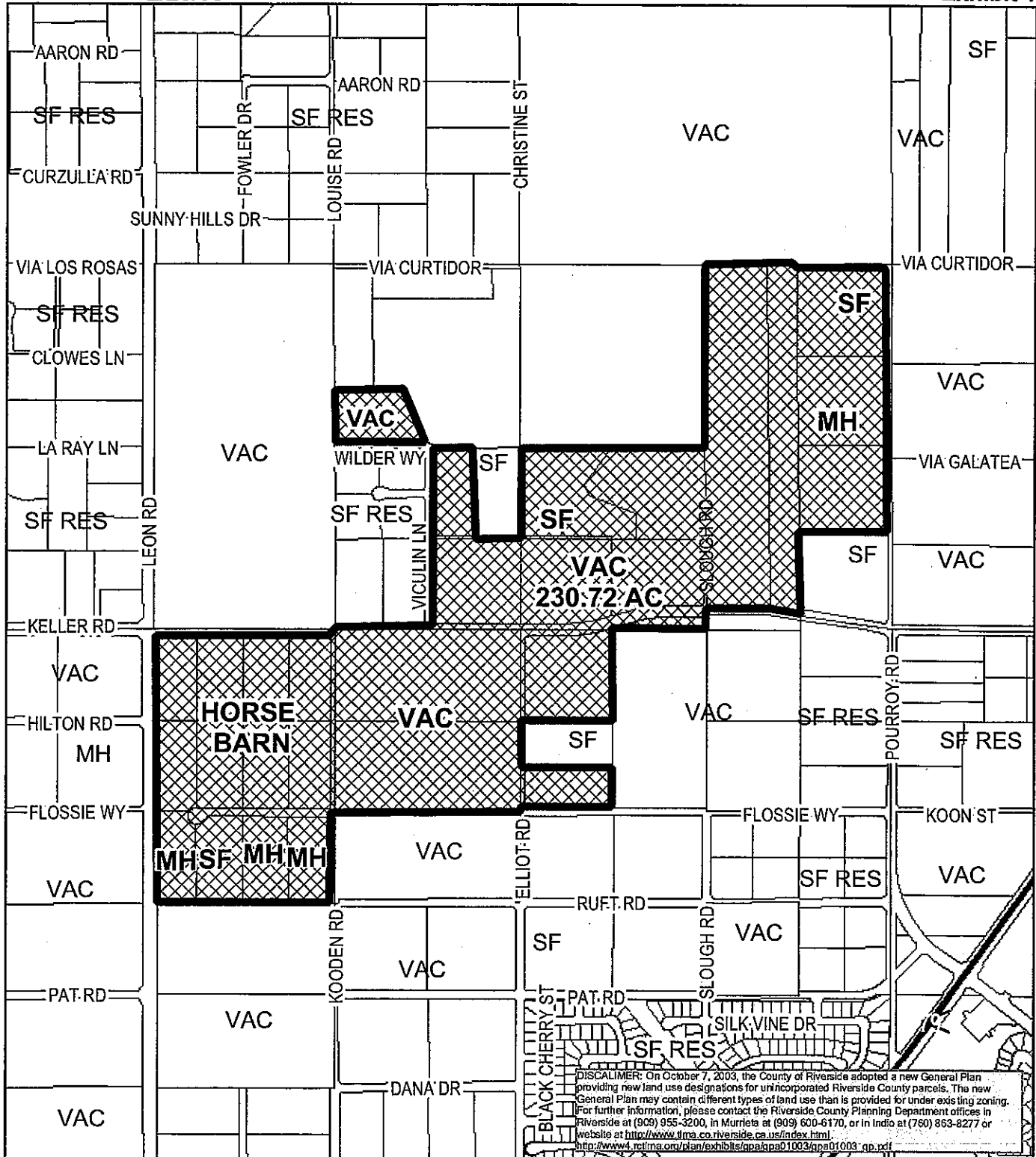


Area
Plan: French Valley
Township/Range: T6SR2W
Section: 20 & 29

RIVERSIDE COUNTY PLANNING DEPARTMENT



Assessors 472-09 &
Bk. Pg. 480-03
Thomas
Bros. Pg. 899 D3



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone

Area: French Valley

Township/Range: T6SR2W

Section : 20 & 29



Assessors

Bk. Pg. 472-09 &

Thomas 480-03

Bros. Pg. 899 D3

Planner: Amy Aldana
Date: 2/21/08
Exhibit 8

Exhibit 8



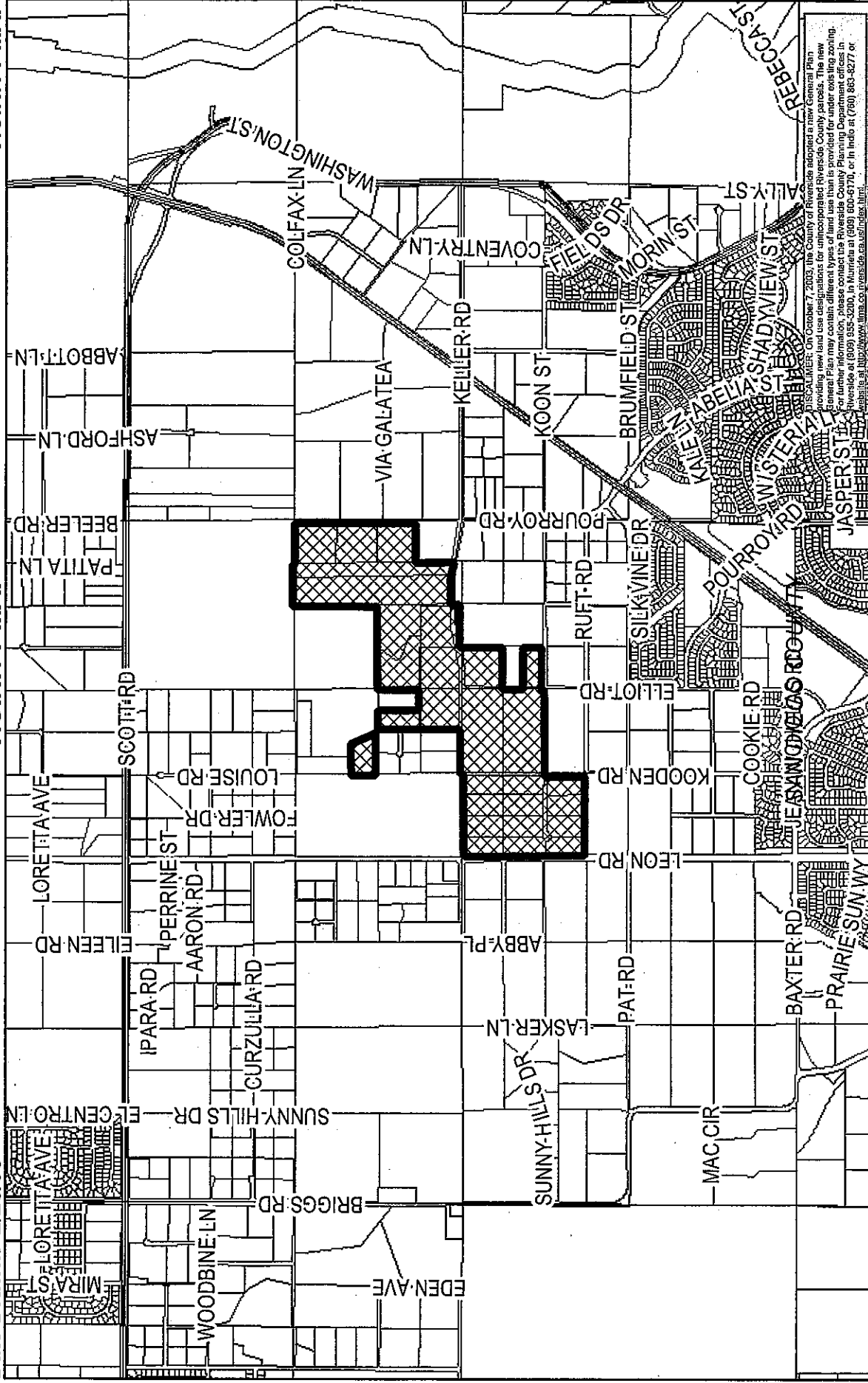
Supervisor Stone
District 3

Date Drawn: 2/20/08

GPA00925

VICINITY MAP

Planner: Amy Aldana
Date: 2/21/08
VICINITY MAP



Zone

Area: French Valley

Township/Range: T6SR2W

Section : 20 & 29

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors

Bk. Pg. 472-09 &

Thomas 480-03

Bros. Pg. 899 D3

2,450

4,900

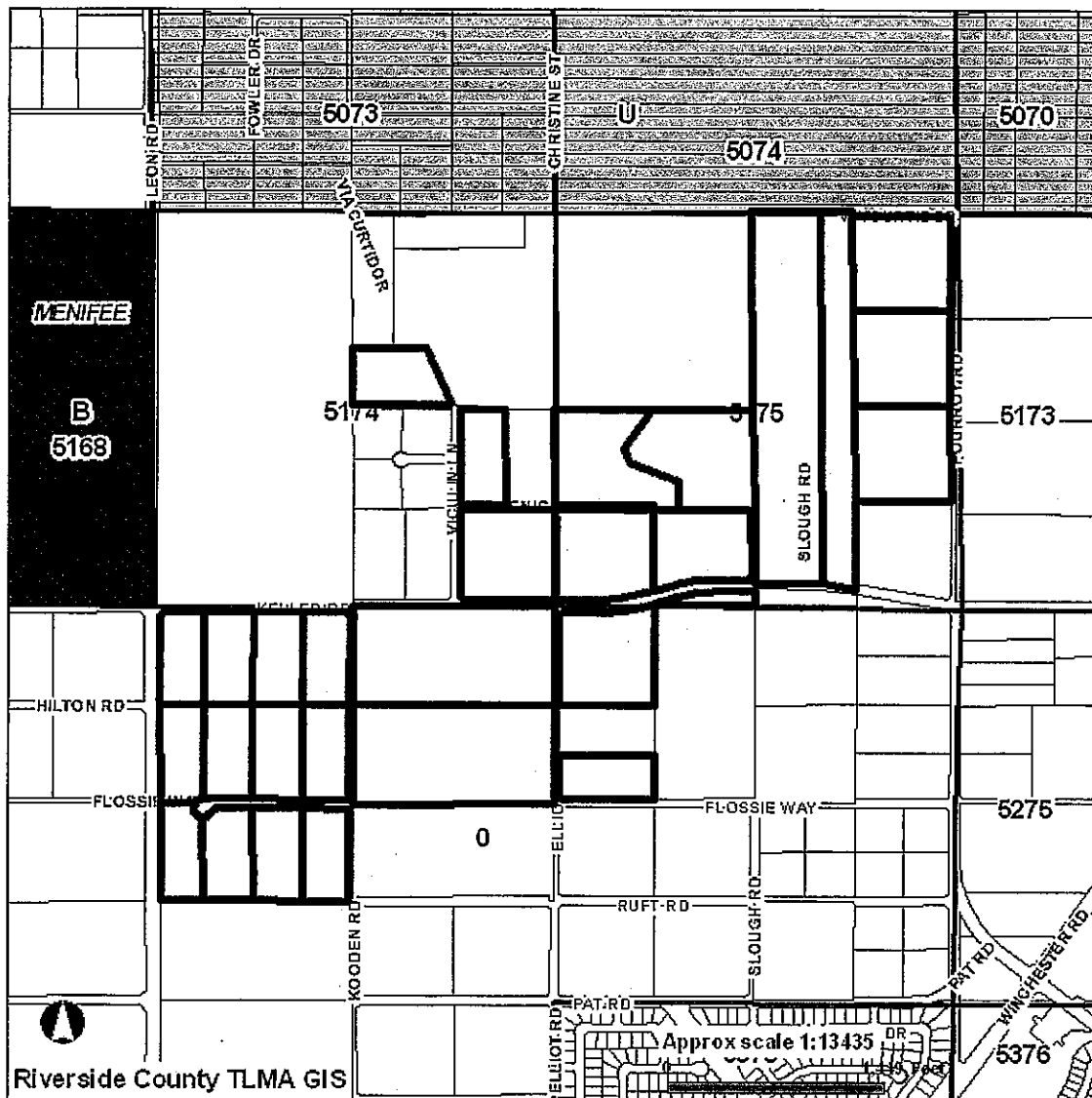
9,800

14,700

Feet

Map of Riverside County, California, adopted by the Board of Supervisors on October 7, 2003. The County Planning Department provides 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) 555-3200, in Murietta at (951) 600-6170, or in Indio at (760) 863-8277 or visit the website at <http://www.ltrm.co.us/riverside.ca.us/index.html>.

RIVERSIDE COUNTY GIS



Selected parcel(s):

472-090-005	472-090-007	472-090-008	472-090-010	472-090-017	472-090-018	472-090-019
472-090-020	472-090-021	472-090-022	472-090-023	472-090-024	472-090-026	480-030-001
480-030-002	480-030-003	480-030-004	480-030-005	480-030-006	480-030-007	480-030-008
480-030-009	480-030-010	480-030-011	480-030-012	480-030-014	480-030-015	480-030-019
480-030-021						

WRCMSHCP CELL/CELL GROUP

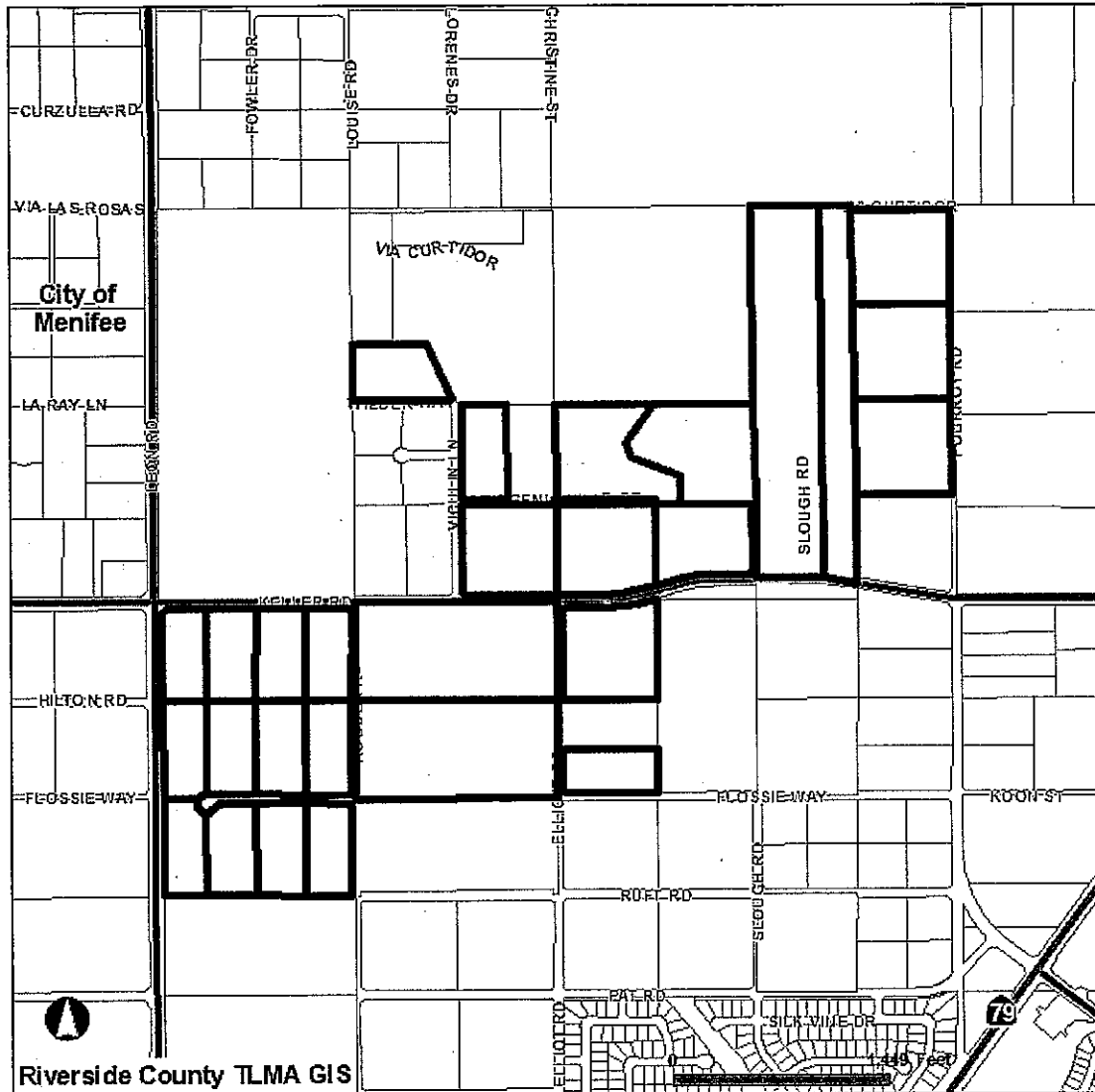
SELECTED PARCEL	PARCELS	36: CRITERIA CELL NUMBER	CRITERIA CELL	SOUTHWEST AREA
SUN CITY/MENIFEE	B	U	CITY BOUNDARY	

IMPORTANT

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

REPORT PRINTED ON...Fri Oct 31 09:12:34 2008

RIVERSIDE COUNTY GIS



Selected parcel(s):

472-090-005	472-090-007	472-090-008	472-090-010	472-090-017	472-090-018	472-090-019
472-090-020	472-090-021	472-090-022	472-090-023	472-090-024	480-030-001	480-030-002
480-030-003	480-030-004	480-030-005	480-030-006	480-030-007	480-030-008	480-030-009
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CIRCULATION ELEMENT ROADS

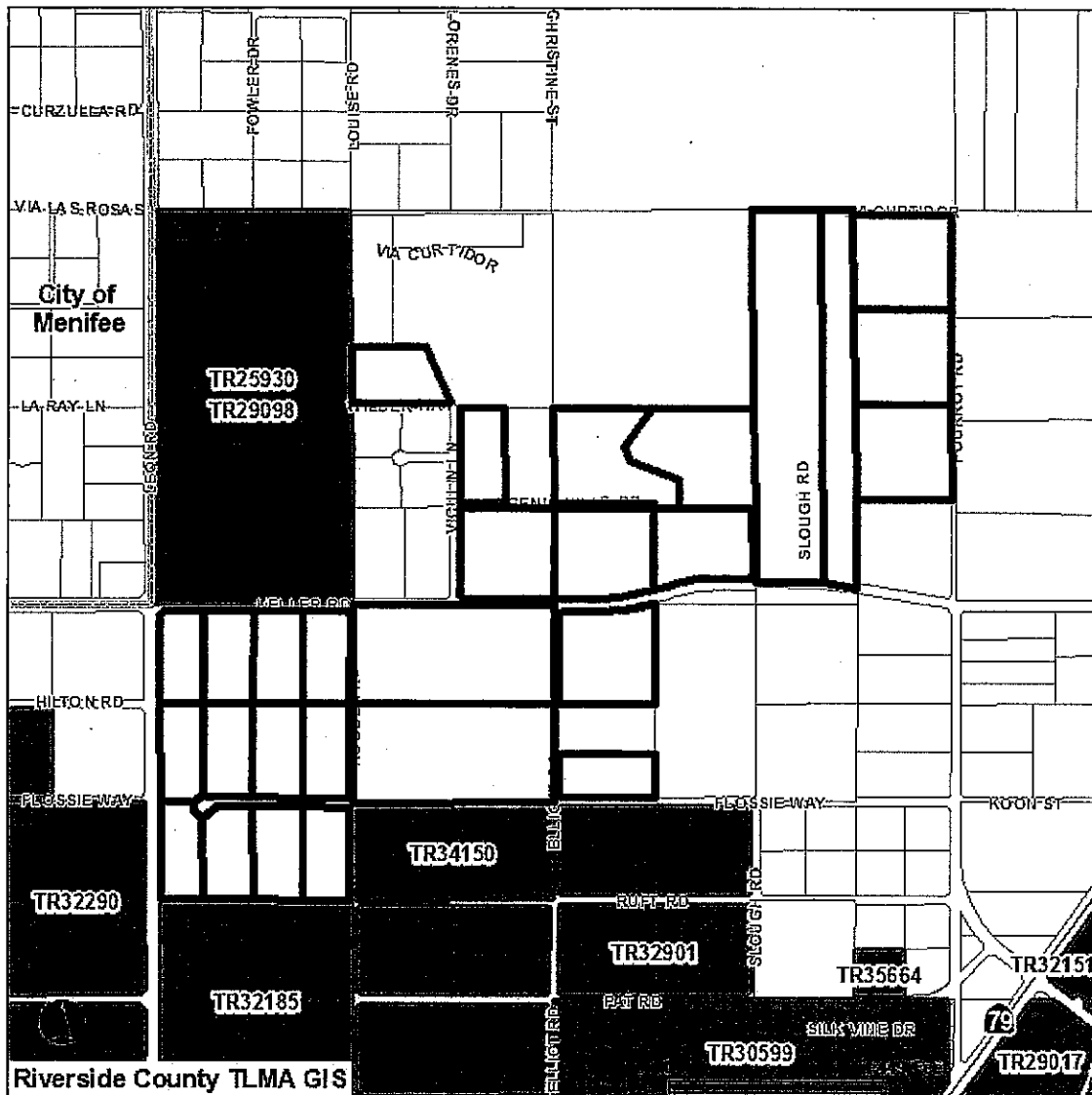
- | | | | |
|----------------------------------|----------------------|----------|-------------------------------|
| SELECTED PARCEL | INTERSTATES | HIGHWAYS | EXPRESSWAY (184' TO 220' ROW) |
| MAJOR (118' ROW) | SECONDARY (100' ROW) | CITY | PARCELS |
| CIRCULATION ELEMENT RIGHT-OF-WAY | | | |

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.

REPORT PRINTED ON...Tue Jan 12 15:24:11 2010

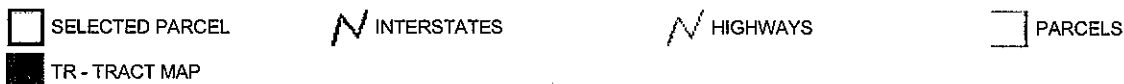
RIVERSIDE COUNTY GIS



Selected parcel(s):

472-090-005	472-090-007	472-090-008	472-090-010	472-090-017	472-090-018	472-090-019
472-090-020	472-090-021	472-090-022	472-090-023	472-090-024	480-030-001	480-030-002
480-030-003	480-030-004	480-030-005	480-030-006	480-030-007	480-030-008	480-030-009
480-030-010	480-030-011	480-030-012	480-030-014	480-030-015	480-030-019	480-030-021

TRACT MAP



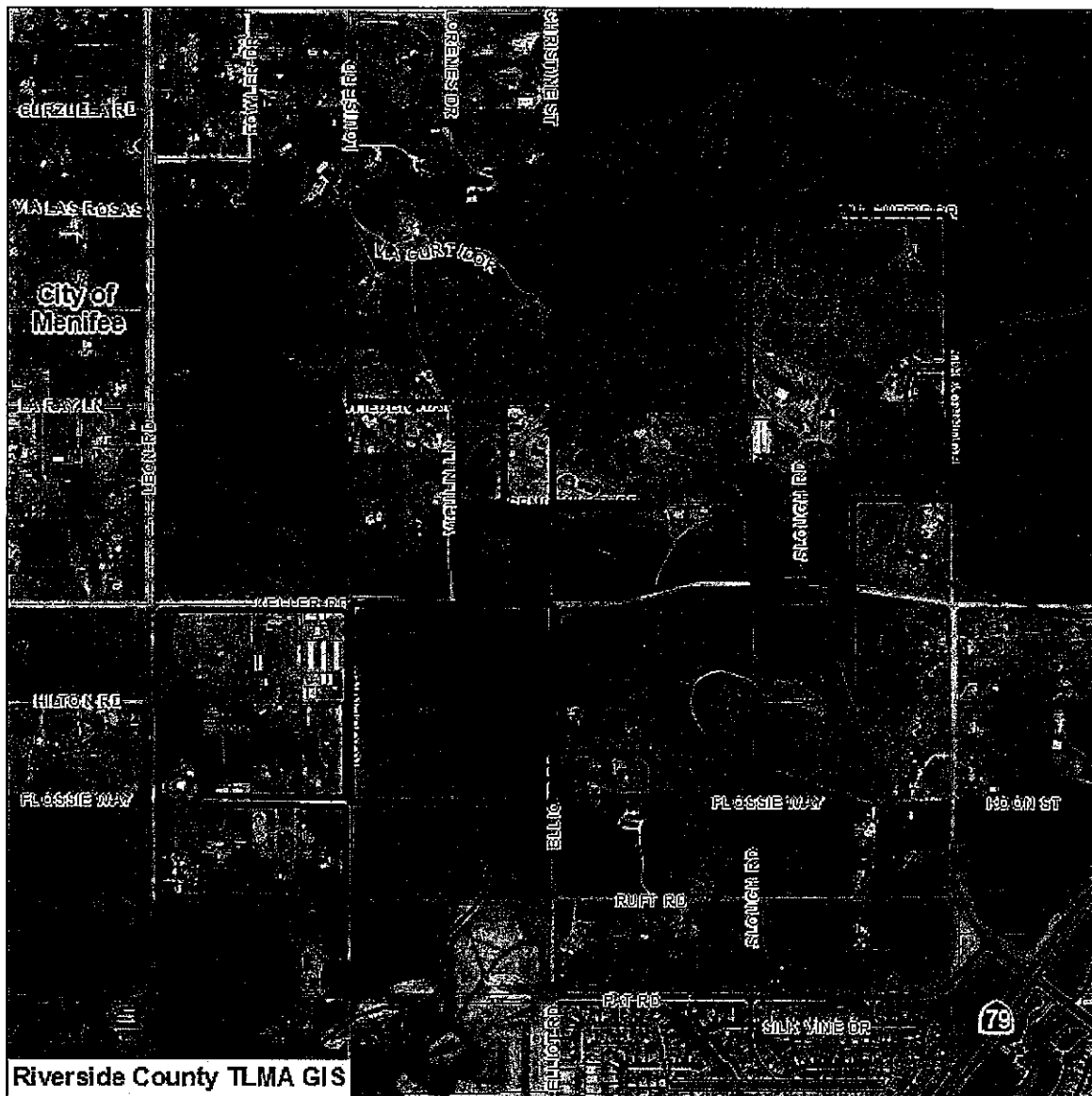
IMPORTANT

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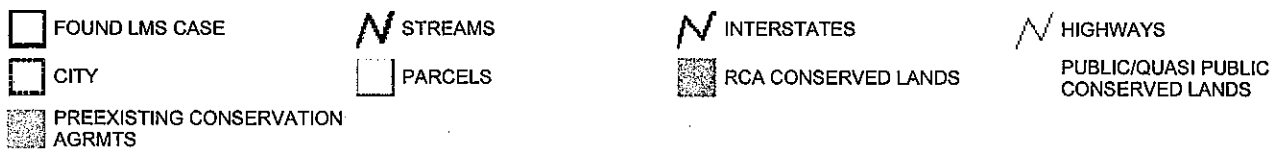
REPORT PRINTED ON...Tue Jan 12 15:24:36 2010

925

RIVERSIDE COUNTY GIS



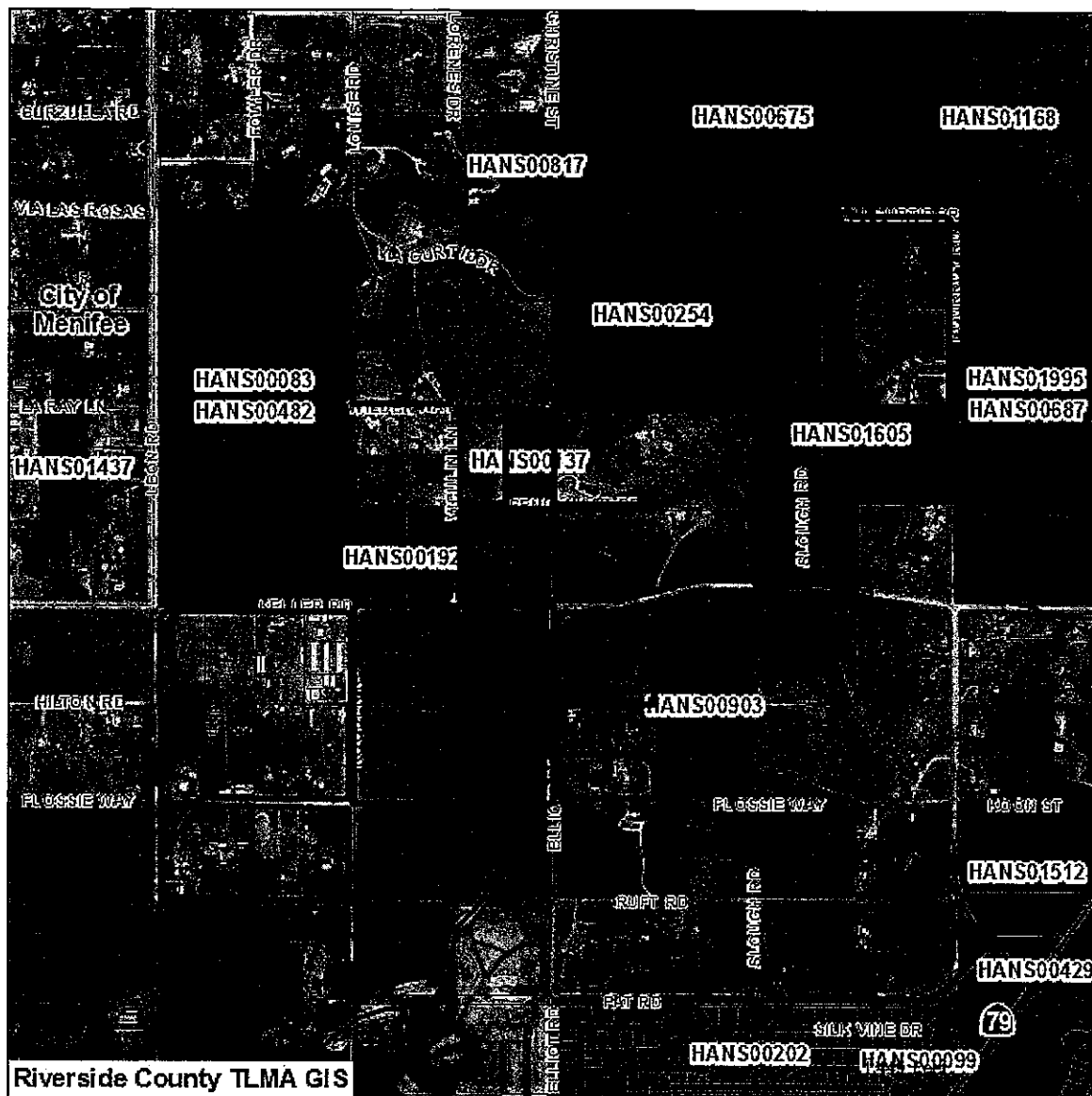
PQP/WRCRCA CONSERVED LANDS

***IMPORTANT***

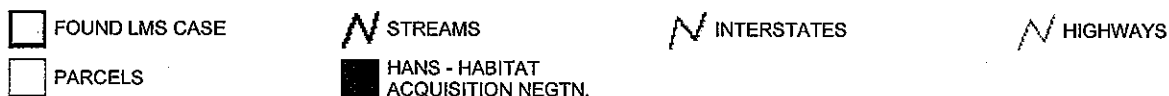
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REPORT PRINTED ON...Tue Jan 19 10:43:31 2010

RIVERSIDE COUNTY GIS



HABITAT ACQUISITION NEGTN.



IMPORTANT

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REPORT PRINTED ON...Tue Jan 19 10:34:35 2010

Proposed Constrained Linkage 17

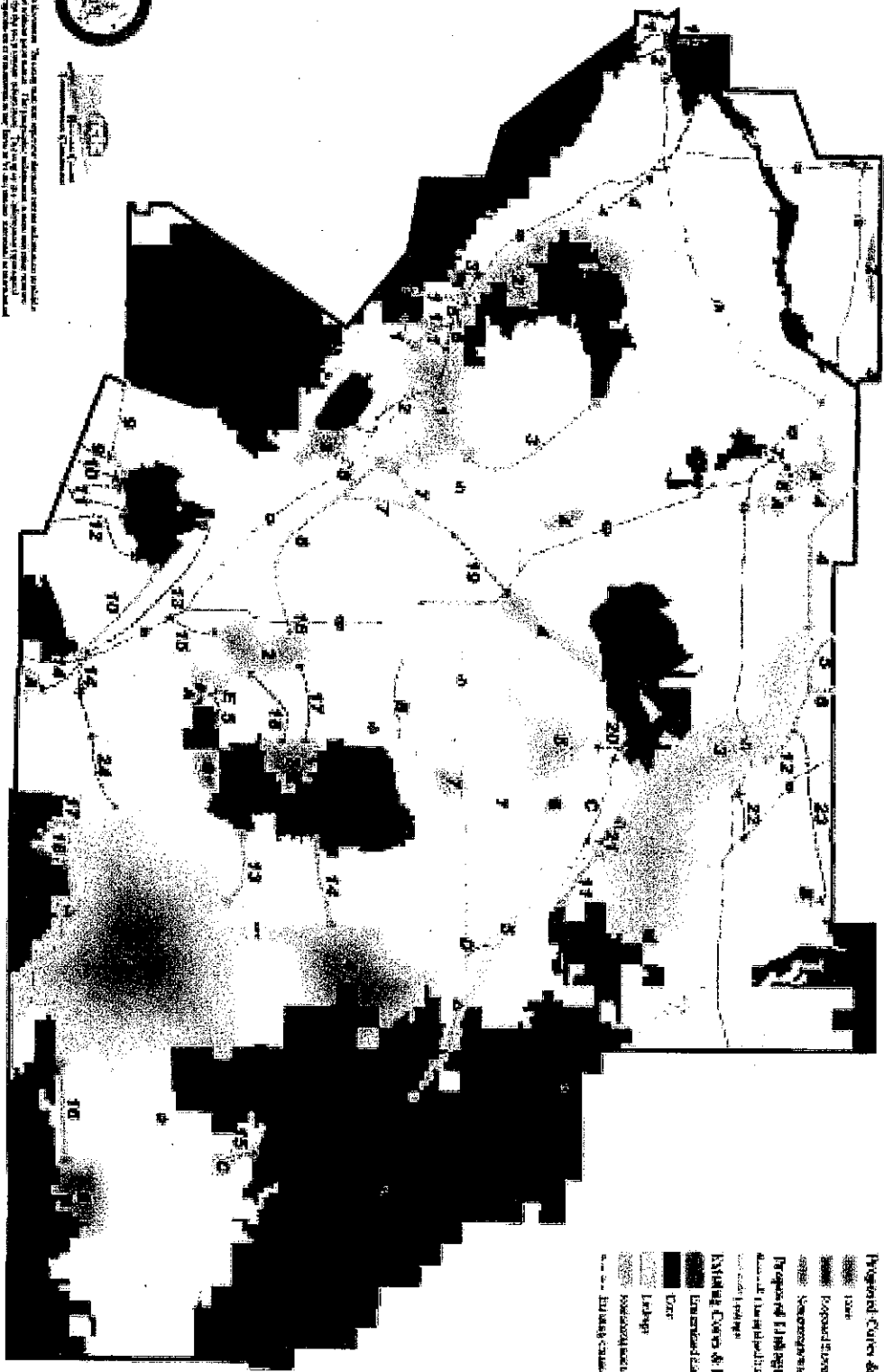
Proposed Constrained Linkage 17 (Paloma Valley) is located in the south-central region of the Plan Area. Proposed Extension of Existing Core 7 (Lake Skinner/Diamond Valley Lake Extension) is located to the east of this Linkage. The Linkage provides Habitat for species and also provides for movement of species. Although this Linkage is constrained by existing urban Development and agricultural use along much of its length, planned land uses surrounding the Constrained Linkage are nearly entirely rural. In addition, the Constrained Linkage has a comparatively low P/A ratio. Thus, Edge Effects on this Constrained Linkage may be substantially lower than for other Constrained Linkages.

Nonetheless, treatment and management of edge conditions along this Linkage will be necessary to ensure that it provides Habitat and movement functions for species using the Linkage, since several major Covered Activities are proposed for extension or widening within or adjacent to the Linkage. Guidelines Pertaining to Urban/Wildlands Interface for the management of edge factors such as lighting, urban runoff, toxics, and domestic predators are presented in *Section 6.1* of this document. An adequate wildlife underpass or overpass may need to be implemented to insure movement of species in this area and to reduce the chance of mortality from vehicle collision.




 Scale: 1 inch = 10 miles

This map is a schematic representation of the land use patterns in the study area. It is not a photograph or an aerial view. The map is intended to show the general location and shape of the land use patterns, not the specific details of the land use. The map is based on the best available information and is subject to change.



- Legend:**
- Core
 - Proposed Divisions of Districts
 - Existing Divisions of Districts
 - Proposed Linkages
 - Existing Linkages
 - Existing Cores & Linkages
 - Existing Cores
 - Core
 - Linkage
 - Proposed Linkage
 - Boundary

Schematic Cores and Linkages Map

APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY GENERAL PLAN

Justification for Amendment: (attachment to page 5 of 8)

**APNs: 472-090-005 & all
480-030-001 & all**

The GPA-requested area is an assemblage of many property owners covering approximately 230.7 acres and is surrounded by existing higher density land uses on three sides. The proposed GPA request is more in keeping with the various densities surrounding the property in question. The current southerly boundary of the area of the General Plan Amendment request abruptly changes density from 2 DU/AC to 0.2 DU/AC. There are no logical reasons, other than existing lot lines, for this Low Density Residential designation to change so abruptly. Utilities and services are available to the GPA requested area which are adjacent and to the south. Also, access and circulation are readily available in the GPA requested area: Keller road, a 100-foot right of way, exists through this GPA area and connects to Leon Road on the west and Winchester Road on the east. The GPA area, as requested by Commission Petty, generally follows the flatter topographic features of the area. The hilly areas are to remain unchanged at 5-acre minimum. Lastly, the overwhelming majority of the existing property owners in the GPA-requested area are in favor of this General Plan Amendment request/change, as witnessed by the signed applications and that this could affect the lifestyle in the area.

It should be noted that this application is part of several applications that have been submitted during this current 5-year GPA cycle that are all linked by having common boundaries consisting of approximately just less than 1,000 acres of land. This just less than 1,000 acres of land would "fill-in" the area with a Community Development Foundation classification similar to what exists in the current General Plan (which was changed in the previous cycle for those properties) surrounding this approximately just less than 1,000-acre area.

January 27, 2010

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
County of Riverside
4080 Lemon St., 9th Floor
Riverside, CA 92501

**RE: Items 6.0 and 7.0, General Plan Amendment Initiation Proceedings
(February 3, 2010)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals. In contrast to several of the staff recommendations, we urge the Commission to uphold the integrity of the current General Plan and to respect the MSHCP.

Item 6.1, GPA 958 (Mead Valley)

Disagree with recommendation for initiation. For convoluted reasons, staff has reversed its previous recommendation to deny encroachment of higher density into a Rural area. Specifically, staff states that because infrastructure from a previous subdivision has induced *unplanned* growth, that unplanned growth should move forward. Although only 5 acres, this is simply a reversion to the "service-based" growth that characterized the County prior to the 2003 Integrated Project.

Item 6.2, GPA 970 (Eastvale)

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

Item 6.3, GPA 1008 (Temescal Canyon)

Disagree with recommendation for initiation. New industrial uses are being proposed for a mining site in Temescal Wash, an important habitat area included in the MSHCP. Much of the site (totaling 328 acres) is now designated Open Space-Rural. It would seem obvious that the *only* new uses the County should consider would be those consistent with the County's adopted MSHCP. *However, this proposal is overtly acknowledged to be inconsistent with the approved MSHCP.*

Conservation within this Cell Group will range from 65%-75% of the Cell Group focusing on the central portions of the Cell Group. The site, much of it disturbed, is located within this central portion of the Cell Group.

According to the staff report, a "Criteria Refinement" or "Plan Amendment" would be required to alter the MSCHP to fit the applicant's proposal. Such changes to the MSHCP are typically politically rather than biologically driven, and are fraught with problems. We are extremely skeptical that alterations to the MSHCP would be beneficial or even acceptable, due to habitat depletion and lack of options. If initiated, the stage would be set for serious conflicts between the project and the MSHCP, the conservation community, and the state and federal wildlife agencies. Why would the Planning Dept purposely set up the Environmental Programs Dept for such a scenario? Isn't this bad faith with the adopted MSHCP? *This proposal's conflict with the MSHCP creates internal inconsistencies between elements of the General Plan, as the MSHCP is part of the General Plan.* This request should be denied, along with a strong policy statement that GPAs should be consistent rather than in conflict with the MSHCP.

Item 6.4, GPA 973 (Winchester)

No position.

Item 6.5, GPA 975 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 151-acre Rural area to Community Development (urban residential and commercial retail) would be incompatible with surrounding uses, create flood hazards, and "leapfrog" over vacant parcels already so designated.

Item 7.1, GPA 945 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 89-acre Rural land to Community Development (commercial retail) would "leapfrog" over vacant parcels already so designated.

Item 7.2, GPA 925 (French Valley)

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

Item 7.3, GPA 976 (Winchester)

Disagree with recommendation for initiation. This 272-acre proposal is part of an intact Rural area that serves as a community separator. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and nearby GPAs does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.4, GPA 928 (French Valley)

Concur with recommendation to deny initiation. The proposal, within Murrieta's Sphere of Influence, to convert 33-acres of Rural to Community Development medium density residential has no demonstrable need and would represent a failure of orderly development. It would conflict with airport compatibility criteria. Finally, MSHCP issues are unresolved. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan."

Item 7.5, GPA 978 (Rancho California)

Concur with recommendation to deny initiation. There are no changed circumstances to justify a change from the Rural designator for this 46-acre site. Such a change would also pose inconsistencies with the MSHCP. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan." There is also inconsistency with airport standards.

Item 7.6, GPA 1085 (Reche Canyon)

Concur with recommendation to deny initiation. According to staff, "The site's characteristics are highly consistent with the existing Rural Mountainous designation given the steep slopes, lack of existing water and sewer, fire danger and limited access." Development intensity on this 319-acre site should not be increased in hazard zones, and to do so "would again create an internal inconsistency between the Land Use Map/Element and the Safety Element of the General Plan." Multiple MSHCP issues are also involved. No new circumstances justify a change.

Thank you for considering our views.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.

Carolyn Luna, EPD
Charles Landry, RCA
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