

**Agenda Item No.: 7.5**  
**Area Plan: Southwest**  
**Zoning District: Rancho California**  
**Supervisory District: Third**  
**Project Planner: Mike Harrod**  
**Planning Commission: March 3, 2010**  
**Continued from: July 22, 2009, September 30,**  
**2009, November 4, 2009**

**General Plan Amendment No. 1033**  
**Applicant: Vail Lake USA**  
**Engineer/Representative: RBF Consulting/**  
**Scott Cooper**

## **COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT**

### **PROJECT DESCRIPTION AND LOCATION:**

The applicant proposes to amend the General Plan Foundation Component from "Open Space" (OS) to "Rural Community" (RC) and the General Plan Land Use designation from "Rural" (OS-RUR) with a 20 acre minimum lot size to "Estate Density Residential" (EDR-RC) with a 2 acre minimum lot size for an approximately 6,980 gross acre site. The applicant also proposes to amend the boundary of the Citrus Vineyard Policy Area to include the subject site. The project is located northerly of Highway 79 and easterly of Pauba Road.

### **FURTHER PLANNING CONSIDERATIONS:**

**February 8, 2010**

This item was continued from November 4, 2009 Planning Commission meeting to allow the applicant additional time to develop a more focused Foundation Amendment request. The applicant has not submitted any additional information since July 22, 2009, when this case was originally continued. Since the Planning Commission has expressed concerns about the lengthy nature of the initiation process and a desire to finish up the remaining Foundation Amendments, and in light of the low threshold for general plan initiations, staff is requesting comments from the Planning Commission at today's meeting.

### **POTENTIAL ISSUES OF CONCERN:**

The 6,980 acre site is located three miles east of the city limits of the City of Temecula and approximately five miles east of Interstate 15, in the Vail Lake Policy Area of the Southwest Area Plan. The site lies to the east of the Valle De Los Caballos and the Citrus Vineyard Policy Area. The applicant is also seeking annexation into the Citrus Vineyard Policy Area as part of the proposed general plan amendment. The land use designation on the site is Open Space – Rural, allowing 20 acre minimum lot sizes.

A portion of the site has been developed through a series of conditional use permits: CUP 1006 (recreational vehicle (RV) park), CUP 1208 (trailer park), CUP 2325 (RV storage); and CUP 3177 (event facility). These permits have culminated in a 500 unit recreational vehicle park with associated amenities. The majority of the site is vacant.

The site is completely enclosed by the Vail Lake Policy Area and lies east of the Valle De Los Caballos and the Citrus Vineyard Policy Area. With respect to Vail Lake, the General Plan states:

The Vail Lake Policy Area recognizes: 1) the biological and aesthetic uniqueness of the property, including the steep slopes adjacent to much of the lake shore; 2) both the existing and the potential recreation uses of the lake and the land around the lake; and 3) the constraints imposed by limited availability of public facilities. The importance of

accommodating the unique characteristics of the Vail Lake area is recognized by property owners, recreation enthusiasts and environmental advocates.

In order to maximize the preservation and protection of on-site biological resources, any future development within the Vail Lake Policy Area should be focused in the portions of the site that have been developed or can appropriately be developed.

The policy for this area, SWAP 4.1, further defines the appropriate level of development in the policy area including: developing only the least sensitive biological areas of the site; requiring the use of a specific plan to develop; providing adequate long-term protection to threatened and endangered species; providing recreational access to Vale Lake and other recreational opportunities; preparing a lake management plan, where ownership of the lake is privately held; protecting outstanding scenic vistas; providing adequate access as detailed in the Circulation Element; minimizing the footprint of development, and providing educational opportunities regarding natural and cultural resources.

With respect to the Citrus Vineyard Policy Area and applying its policies to the subject site, these policies now apply to an area located easterly of the City of Temecula, and northerly and southerly of Rancho California Road. The policy area and accompanying policies were established to ensure the continuation of the rural lifestyle and wine production in this unique area. This policy area encompasses one of the most important agricultural lands in the County. The many wineries here provide a significant tourist attraction to the region, which in turn provides a continual economic benefit to surrounding businesses. This area is also an important part of the character of the Southwest Area Plan and has become ingrained in the "culture" of the surrounding communities. The Citrus/Vineyard policies also protect against the location of uses that are incompatible with agricultural uses and which could lead to conflicts with adjacent uses.

Unlike the Citrus Vineyard Policy Area, Vail Lake is a haven for fishing and water activities as well as camping, hiking, bicycling, and equestrian trails. Vail Lake and the surrounding area are recognized for significant biological and natural habitat resources. The considerable unspoiled landscape varies in topography and is accented by oak woodlands and riparian corridors. There is limited agriculture production including vineyards and no history of wine production around Vail Lake. In contrast, the Citrus Vineyard Policy Area includes large areas designated Agriculture and devoted to vineyards, existing wineries, as well as smaller lots conducive to rural residential living.

The character of the Vail Lake area is quite different. This 6,980 acre site is designated Open Space Rural with a 20 acre minimum lot size, although the existing lot sizes are much larger, as are the surrounding lot sizes. The area is largely vacant. Surrounding land use designations include: Rural Residential, Open Space Conservation, and Rural Mountainous to the north; Rural Residential and Rural Mountainous to the east; Open Space Conservation Habitat, Open Space Conservation Habitat, Rural Mountainous and Rural Residential to the south; and Agriculture and Rural Residential to the west.

A change in land use designation from OS-RUR with a 20 acre minimum lot size to EDR-RC with a 2 acre minimum lot size as well as the application of the Citrus Vineyard Policy Area to Vail Lake would introduce a much greater level of development to the area than envisioned by the existing General Plan. In addition to reducing lot sizes by a factor of ten, the change would allow wineries with incidental commercial uses, such as retail wine sales/sampling rooms, incidental gift sales, restaurants, and delicatessens. It would also allow other commercial uses such as bed and breakfast inns, country inns, hotels, and special occasion facilities. These uses are inconsistent with the level of development intensity described under SWAP 4.1 above and envisioned by the General Plan.

The change in land use designation from OS-RUR to EDR-RC is categorized as a Foundation Amendment (Regular) to the general plan. To justify such a change, the Board of Supervisors will have to make the required findings set forth in the Required and Optional Findings section of the Administrative Element. A summary of those findings are as follows:

1. There is substantial evidence that new conditions or circumstances justify the proposed change.
2. The proposed change does not conflict with the overall Riverside County Vision.
3. The proposed change does not create an internal inconsistency among the Elements of the General Plan.

The premise for a Foundation Amendment is that the General Plan will only be amended in any fundamental way for significant cause. There is no substantial evidence that new conditions or circumstances justifying the proposed change have occurred, since the General Plan was updated in 2003. For example, no evidence has been presented that farmers are making substantial outlays to invest in vines, irrigation equipment, and other farm improvements on a large scale in this area or that any wineries have ventured here.

The proposed change does not support the County's vision for the area, one of maintaining existing open space while providing appropriate recreational opportunities to the public.

Nor does the proposed change support the County's vision to use land efficiently. According to the Vision Statement, "Earlier problems clearly associated with leapfrog development (development that "skips over" developable land and establishes inefficient development patterns) have virtually disappeared." This suggests that vacant areas identified for EDR-RC to the west should be developed before new areas are added as in this case. The proposed change would "skip over" acres of developable land already designated EDR-RC within miles of the site. An efficient development pattern would see these areas developed before new areas are added.

The proposed amendment also creates an internal inconsistency among the Elements of the General Plan, particularly the Multipurpose Open Space Element and the Safety Element.

The Western Riverside County Multiple Species Habitat Conservation Plan shows that the site is located within three cell groups (B, C, & D), predominately Cell Group D. Conservation within Cell Group D will contribute to assembly of Proposed Core 7, and conservation will focus on water habitat associated with Vail Lake and surrounding habitat including chaparral, coastal sage scrub, grassland, Riversidean alluvial fan sage scrub, riparian scrub, woodland and forest. Conservation within cell group D will range from 75% to 85% of the cell group focusing in the center portion of the cell group where this site is located. These cell groups will connect to adjacent cell groups in the area.

In addition to potential habitat issues, the site is located in a high fire area, has topographic constraints, is crisscrossed by potential county faults, and is potentially susceptible to subsidence. In general, there are no new conditions or circumstances that have been identified to justify modifying the general plan from OS-RUR to EDR-RC or adding it to the Citrus Vineyard Policy Area. The existing designation is appropriate given surrounding land uses and the constraints discussed above.

**RECOMMENDATIONS:**

The Planning Director's recommendation is to **tentatively decline** to adopt and order initiating proceedings for General Plan Amendment No. 1033 from Open Space Rural to Estate Density Residential Rural Community or to add the subject site to the Citrus Vineyard 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 15, 2008.
2. Deposit Based Fees charged for this project as of February 2, 2010, total \$11,691.
3. The project site is currently designated as Assessor's Parcel Numbers 927-320-062, 927-320-079, 927-320-080, 927-320-081, 927-320-083, 927-320-084, 927-320-085, 927-320-086, 927-320-087, 927-320-088, 927-320-089, 927-380-019, 927-380-020, 927-380-021, 927-380-023, 927-680-001, 927-680-002, 927-680-004, 927-680-010.