

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA 702 B**



FROM: TLMA/Planning Department


SUBMITTAL DATE: March 27, 2003

SUBJECT: FAST TRACK CONDITIONAL USE PERMIT NO. 3252, REVISED PERMIT NO. 2 (FTA#97-39) - EA 38947 - Southern California Recycling - Fourth Supervisorial District - Thousand Palms Zoning District - 25 Acres - M-SC zoning - Easterly of Rio Del Sol Road, southerly of Vista Chino Road, northerly of Varner Road - REQUEST: Expand existing recycling facility from six acres to 25 acres, including chipping & grinding operation for green and wood waste materials from six acres to 10 acres with material piles up to 20 feet in height, add ten acres for the recycling of asphalt and concrete materials with material piles up to 30 feet in height, expand existing outdoor recycling processing facility for metal and white goods, and construct two equipment storage/maintenance buildings with adjacent outdoor equipment storage area.

CONTROVERSIAL ISSUES: Maintaining on-going inspections of the operation, the extent and nature of proposed uses, air quality requirements and scope of proposed grading activities resolved through recommended conditions of approval.

BACKGROUND: The purpose of Conditional Use Permit No. 3252, Revised Permit No. 2 (hereafter "RVP#2") is to re-circulate the CEQA Environmental Assessment with the California State Clearinghouse as part of a settlement agreement between an individual group, "Citizens to Enforce CEQA", and the County of Riverside. "Citizens to Enforce CEQA" challenged the approval and adoption of the mitigated negative declaration and Conditional Use Permit No. 3252, Revised Permit No. 1 (hereafter "RVP#1") which allowed expansion of the existing recycling facility.

The existing recycling facility was originally approved under Conditional Use Permit No. 3252 by the Board of Supervisors on May 19, 1998. The original site consisted of six acres. Non-compliance issues arose with conditions of approval such as with lack of security bonding, lack of wind screens, lack of completed masonry cell walls, limited parking/landscaping improvements,



Ron Goldman, Interim Planning Director
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C.E.O. RECOMMENDATION:

APPROVE



County Executive Officer Signature

Policy
 Policy

Consent
 Consent

Department Recommendation:
Per Executive Office:

THE HONORABLE BOARD OF SUPERVISORS
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and an increase in recycling area from six acres to approximately 25 acres, including added concrete and inert recycling materials not previously approved.

To address non-compliance issues, and to expand the recycling facility from six acres to 25 acres, the owner/applicant applied for RVP#1 in April 2001. RVP#1 was approved by the Planning Commission on November 14, 2001. The expansion consisted of increased recyclable materials including green wastes, inert materials, and metal/white goods along with future construction of two industrial buildings (5,000 square foot building/10,000 square foot building).

Prior to receive and file action by the Board, an appeal of RVP#1 was filed by Citizens to Enforce CEQA against the approval action of the Planning Commission. The appeal was denied at the Board hearing on January 29, 2002 upholding approval of RVP#1.

Shortly after the appeal hearing, legal action was filed by Citizens to Enforce CEQA to challenge the approval and the CEQA findings of RVP#1. Litigation was resolved through a settlement agreement requiring the EA to be re-circulated with the State Clearinghouse. The Board, as part of the settlement agreement, rescinded its prior approval of RVP#1 on September 10, 2002.

In order to accomplish re-circulation of the EA, Planning staff has completed an initial study and proposed mitigated negative declaration for EA38947 and has prepared updated conditions of approval for RVP#2 for your Board's consideration. No changes to the project have been proposed by the owner/applicant. The purpose of RVP#2 is strictly to re-circulate the EA. The circulation period for state agencies is a minimum of 30 days, not including transit and administrative time. As a Fast Track matter, this conditional use permit has been forwarded directly to your Board for hearing. The recommendation of Planning Staff is indicated below.

THE PLANNING DEPARTMENT RECOMMENDS:

ADOPTION of a **De Minimis Finding as follows:** An Initial Study has been prepared by the Riverside County Planning Department for the project described in Environmental Assessment No. 38947, so as to evaluate the potential for adverse environmental impact, and, there is no evidence that the proposed project will have a potential adverse effect on wildlife resources; and

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 38947**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVAL of **FAST TRACK CONDITIONAL USE PERMIT NO. 3252, REVISED PERMIT NO. 2**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.