

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 11, 2007

SUBJECT: GENERAL PLAN AMENDMENT NO. 864 / CHANGE OF ZONE NO. 7535 / CHANGE OF ZONE NO. 7574 / OUTDOOR ADVERTISING DISPLAY RELOCATION AGREEMENT – NEGATIVE DECLARATION – Applicant: Lamar Advertising – Engineer / Representative: Thomas Flanagan - Fourth Supervisorial District – Thousand Palms Zoning District – Western Coachella Valley Area Plan: No Landuse Designation – Location: Southerly of Interstate 10, westerly of Portola Avenue, northerly of Dinah Shore Drive, and easterly of Monterey Avenue in the Western Coachella Valley Area Plan – 19.84 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** The General Plan Amendment proposes to designate the site as Community Development: Light Industrial (LI) (0.25 to 0.6 floor area ratio) and to modify and add policies in the Western Coachella Valley Area Plan to allow for relocation of existing billboards to a new location as long as the number of billboards is not increased. The Change of Zone 7535 proposes to alter the site's current zoning classification from Rural Residential (R-R) to Manufacturing – Service Commercial (M-SC). Change of Zone 7574 will amend Ordinance No. 348 to define the ability to relocate existing outdoor advertising displays.

RECOMMENDED MOTION:

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION RECOMMENDED:

ADOPTION of a **NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 41426**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;

APPROVAL of **GENERAL PLAN AMENDMENT NO. 864** amending the land use designation in the General Plan to designate the site as Community Development: Light Industrial (LI) (0.25 to 0.6 floor area ratio) in accordance with Exhibit 6 and to modify and add policies in the Western

Ron Goldman
Planning Director

RG:mb

REVIEWED BY EXECUTIVE OFFICE

DATE 10/12/07

Tina Grande
Departmental Concurrence

ATTACHMENTS FILED WITH THE CLERK OF THE BOARD
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.

District: Fourth

Agenda Number:

15.2

The Honorable Board of Supervisors

RE: GENERAL PLAN AMENDMENT NO. 864 / CHANGE OF ZONE NO. 7535 / CHANGE OF ZONE NO. 7574 / OUTDOOR ADVERTISING DISPLAY RELOCATION AGREEMENT

October 11, 2007

Page 2 of 2

Coachella Valley Area Plan to allow for relocation of existing outdoor advertising displays to new locations when: (1) the original location of the outdoor advertising display is within a contemplated public right-of-way, and (2) the outdoor advertising display complied with all applicable County ordinances and regulations in effect at the time it was erected

APPROVAL of **CHANGE OF ZONE NO. 7535** and **adoption of related Ordinance No. 348.4528** providing for the change from Rural Residential (R-R) to Manufacturing – Service Commercial (M-SC) in accordance with Exhibit 3; and,

APPROVAL of **CHANGE OF ZONE NO. 7475** and **adoption of related Ordinance No. 348.4529** providing for the addition of Subsection 19.3.e of Ordinance No. 348 in accordance with Exhibit 4.

The Planning Department further recommends:

APPROVAL of the **OUTDOOR ADVERTISING DISPLAY RELOCATION AGREEMENT with Lamar**; and,

ADOPTION of **RESOLUTION NO. 2007-446** adopting the General Plan Amendment No. 864.

2 **RESOLUTION NO. 2007-446**

3 **AMENDING THE**
4 **RIVERSIDE COUNTY GENERAL PLAN**

5
6 **WHEREAS**, pursuant to the provisions of Government Code Section 65350 et seq., public
7 hearings were held before the Riverside County Board of Supervisors on July 31, 2007 and before the
8 Riverside County Planning Commission on July 11, 2007 to consider proposed amendments to the
9 Western Coachella Valley Area Plan Land Use Map of the Riverside County General Plan; and,

10 **WHEREAS**, all the provisions of the California Environmental Quality Act (CEQA) and
11 Riverside County CEQA implementing procedures have been satisfied; and,

12 **WHEREAS**, the above matters were discussed fully with testimony and documentation presented
13 by the public and affected government agencies; now, therefore,

14 **WHEREAS**, the proposed general plan amendments are hereby declared to be severable and if
15 any proposed amendment is adjudged unconstitutional or otherwise invalid, the remaining proposed
16 amendments shall not be affected thereby; now, therefore,

17 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors
18 of the County of Riverside, and in regular session assembled on **October 16, 2007** that:

19 General Plan Amendment No. 864 (GPA00864) is a proposal to amend the Western Coachella
20 Valley Area Plan by amending 19.84 acres of the Land Use Map designation to Light Industrial within the
21 Community Development foundation on a previously undesignated property located southerly of
22 Interstate 10, westerly of Portola Avenue, northerly of Dinah Shore Drive, and easterly of Monterey
23 Avenue in the Fourth Supervisorial District, as shown on the exhibit entitled "GPA00864, Exhibit 6" a
24 copy of which is attached hereto and incorporated herein by reference. This amendment is also a proposal
25 to amend the Signage Component of the local Land Use Policies within the Western Coachella Valley
26 Area Plan, particularly policies WCVAP 14.1 and WCVAP 14.2 which propose to require adherence to
27 the Advertising Regulations of the County Land Use Ordinance and to allow relocation of existing
28

FORM APPROVED COUNTY COUNSEL
BY: *Minh C. Tran* 10/16/07
DATE
MINH C. TRAN

1 billboards pursuant to the County's Advertising Regulations, as shown on the exhibit entitled
2 "GPA00864, Exhibit A" a copy of which is attached hereto and incorporated herein by reference.

3 This amendment is associated with Change of Zone No. 7535, which was considered with this
4 amendment at the public hearings before the Planning Commission and the Board of Supervisors. This
5 amendment (GPA00864) is evaluated by Negative Declaration/Environmental Assessment No. 41426.
6 Change of Zone No. 7535 proposes to change the zoning on the proposed amendment site ("the site")
7 from Rural Residential (R-R) to Manufacturing – Service Commercial (M-SC).

8 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
9 on this matter, both written and oral, including Environmental Assessment No. 41426, that:

- 10 1. The site is located in the Western Coachella Valley Area Plan (WCVAP).
- 11 2. The Western Coachella Valley Area Plan Land Use Map determines the extent, intensity,
12 and location of land uses within the WCVAP.
- 13 3. The site currently does not have a land use designation.
- 14 4. The proposed amendment would amend 19.84 acres of the Land Use Map designation to
15 Light Industrial within the Community Development Foundation Component.
- 16 5. The site is bordered (in clockwise order) on the north by properties designated Commercial
17 Retail within the Community Development Foundation Component, on the east by
18 properties designated Commercial Retail within the Community Development Foundation
19 Component, on the south by properties within the City of Palm Desert, and to the west by
20 properties within the City of Palm Desert. The site is partially bordered by Interstate 10 to
21 the north and east.
- 22 6. The site is zoned R-R (Rural Residential). The associated Change of Zone No. 7535
23 proposes to change the zoning on the site to M-SC (Manufacturing – Service Commercial).
- 24 7. The site is bordered (in clockwise order) on the north by properties zoned C-P-S (Scenic
25 Highway Commercial), on the east by properties zoned C-P-S (Scenic Highway
26 Commercial) and Rural Residential (R-R), on the south by properties within the city of
27 Palm Desert, and to the west by properties within the City of Palm Desert and zoned R-R
28 (Rural Residential).

- 1 8. The site currently contains vacant land.
- 2 9. Surrounding land uses (in clockwise order) include to the north vacant land and scattered
3 residences, to the east vacant land and scattered residences, to the south an industrial park
4 and vacant land, to the west an industrial park and vacant land.
- 5 10. The proposed amendment also revises the Signage Component of the local Land Use
6 Policies within the Western Coachella Valley Area Plan, particularly policies WCVAP 14.1
7 and WCVAP 14.2 and requires adherence to the Advertising Regulations of the County
8 Land Use Ordinance and allows relocation of existing billboards pursuant to the County's
9 Advertising Regulations, as shown on the exhibit entitled "GPA00864, Exhibit A" a copy
10 of which is attached hereto and incorporated herein by reference.
- 11 11. The proposed amendment does not involve a change in the Riverside County Vision or any
12 General Plan Principle in the General Plan.
- 13 12. The proposed amendment would contribute to the achievement of the purposes of the
14 General Plan.
- 15 13. Special circumstances or changes have emerged that were unanticipated in preparing the
16 General Plan.
- 17 14. The proposed general plan amendment will not be detrimental to public health, safety, and
18 welfare.
- 19 15. The proposed amendment is consistent with the policies of the Western Coachella Valley
20 Area Plan and with all policies of the Riverside County General Plan, as adopted on
21 October 7, 2003.
- 22 16. The findings of the initial study performed pursuant to Environmental Assessment No.
23 41426 (a copy of which is attached hereto) are incorporated herein by reference. The initial
24 study determined that all of the environmental impacts of the proposed general plan
25 amendment ("the project") were insignificant or would be lessened to a level of non-
26 significance through the conditions of approval applied to the associated tentative tract
27 map. The initial study concluded that the project, including its conditions of approval,
28 would not have a significant effect on the environment.

1 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the Negative
2 Declaration/Environmental Assessment No. 41426 and **ADOPTS** General Plan Amendment No. 864
3 (GPA00864) amending 19.84 acres of the Land Use Map designation to Light Industrial within the
4 Community Development Foundation Component, as described herein and as shown on the exhibit
5 entitled, "GPA00864, Exhibit 6" and to amend the Signage Component of the local Land Use Policies
6 within the Western Coachella Valley Area Plan, particularly policies WCVAP 14.1 and WCVAP 14.2
7 which propose to require adherence to the Advertising Regulations of the County Land Use Ordinance
8 and to allow relocation of existing billboards pursuant to the County's Advertising Regulations, as shown
9 on the exhibit entitled "GPA00864, Exhibit A" a copy of which is attached hereto and incorporated herein
10 by reference.

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
12 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
13 Planning Department, and that such documents are located at 4080 Lemon Street, Riverside, California.

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18 Y:\Advanced Planning\GENERAL PLAN CYCLES\2007 Cycle\3rd Cycle\RESOLUTION\FINAL Cycle 3 2007 Board Resolution.doc
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GPA00864 – Exhibit A

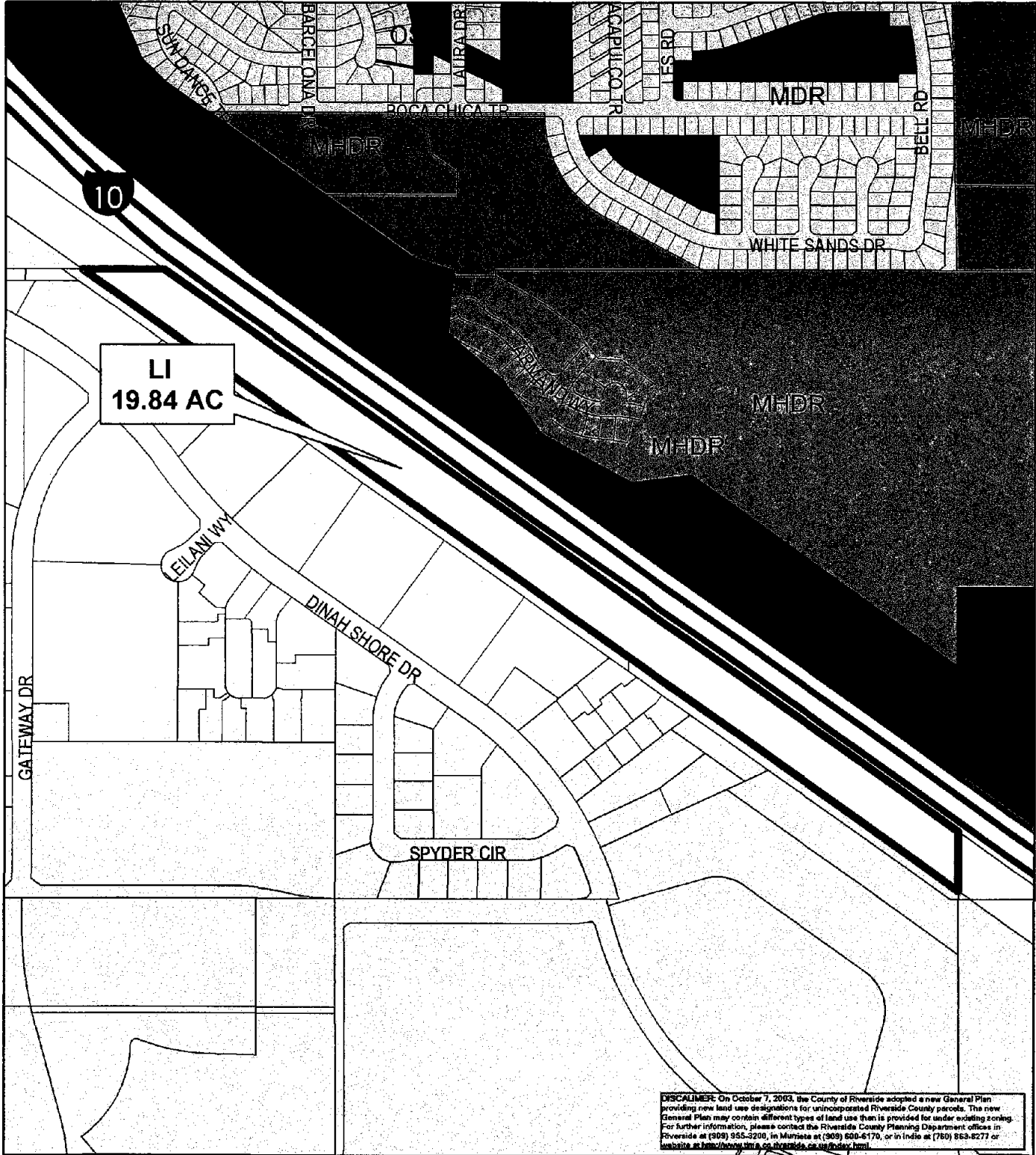
“SIGNAGE”

The scenic qualities of the Coachella Valley are widely cherished by residents and visitors alike. Effective regulation of ~~outdoor advertising~~ signage is one important component of preserving the Valley’s visual character, particularly in the face of expanding urbanization.

Policies

WCVAP 14.1 Except as provided in these policies, require Adhere to the Advertising Regulations of the County Land Use Ordinance, Section 19, regarding outdoor advertising for all development within the Western Coachella Valley to adhere to the Advertising Regulations of the County Land Use Ordinance, hereinafter referred to as ‘the County’s Advertising Regulations.’

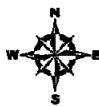
WCVAP 14.2 Prohibit the erection of ~~billboards~~ outdoor advertising displays within the Western Coachella Valley except outdoor advertising displays that are being relocated pursuant to and in accordance with the outdoor advertising display relocation provisions of the County’s Advertising Regulations.”



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) 955-2200, in Murietta at (909) 800-6170, or in Indio at (760) 863-8273 or website at http://www.ctr.ca.gov/riverside_ca/gp/index.html.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Thousand Palms**
Township/Range: **T4SR6E**
Section : **29**



ASSESSORS
BK. PG. **653-25**
THOMAS
BROS.PG **788 F4**



Supervisor Wilson
District 4

DATE DRAWN 7/2/07

CZ07535 GPA00864 DEVELOPMENT OPPORTUNITY

Planner: Russell Brady

Date: 7/11/07

Exhibits Overview

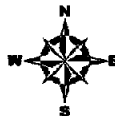


RIVERSIDE COUNTY PLANNING DEPARTMENT

District
Plan: **Thousand Palms**

Township/Range: **T4SR6E**

SECTION: **29**



ASSESSORS
BK. PG. 653-25
THOMAS
BROS.PG 788 F4

**CZ07535 GPA00864
VICINITY MAP**

Planner: Russell Brady
Date: 7/1/07
Vicinity Map

Supervisor Wilson
District 4
DATE DRAWN: 7/2/07



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Thousand Palms
District: T4SR6E
Township/Range: T4SR6E
Section: 29

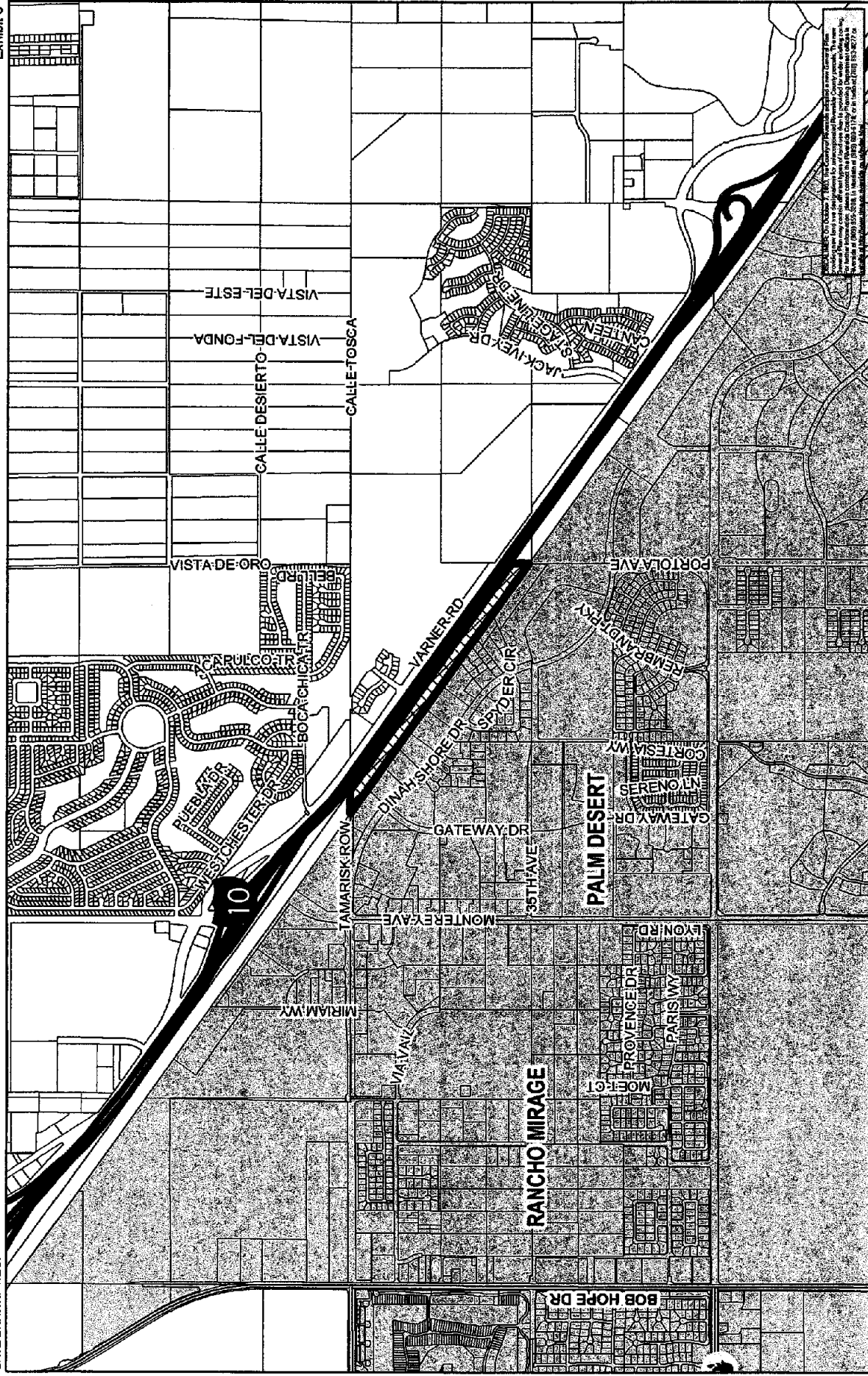
ASSESSORS BK. PG. 653-25
THOMAS BROS. PG. 788 F4



CZ07535 GPA00864 POLICY AREAS

Planner: Russell Brady
Date: 7/11/07
Exhibit 8

Supervisor Wilson
District 4
DATE DRAWN: 7/207



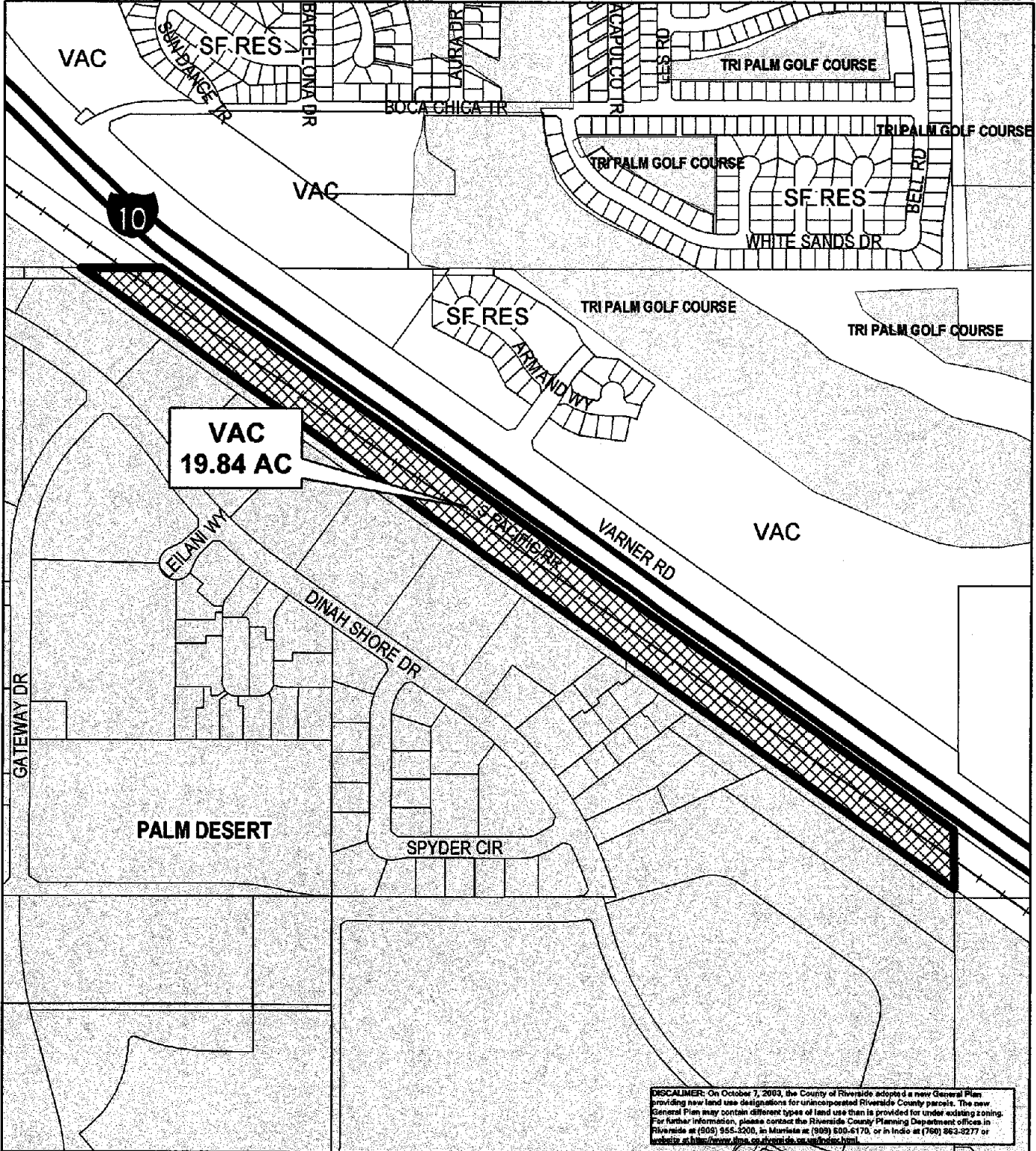
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone **Thousand Palms**
 District: **T4SR6E**
 Township/Range: **T4SR6E**
 Section : **29**

ASSESSORS **653-25**
 BK. PG. **THOMAS BROS.PG**
788 F4

0 2,050 4,100 8,200 12,300 Feet

This map was prepared by the Riverside County Planning Department. It is not intended to be used for any purpose other than that for which it was prepared. The user assumes all responsibility for any errors or omissions. The user also assumes all liability for any damages or losses resulting from the use of this map. The Riverside County Planning Department is not responsible for any damages or losses resulting from the use of this map. The Riverside County Planning Department is not responsible for any damages or losses resulting from the use of this map.



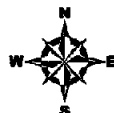
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
District: **Thousand Palms**

Township/Range: **T4SR6E**

Section : **29**



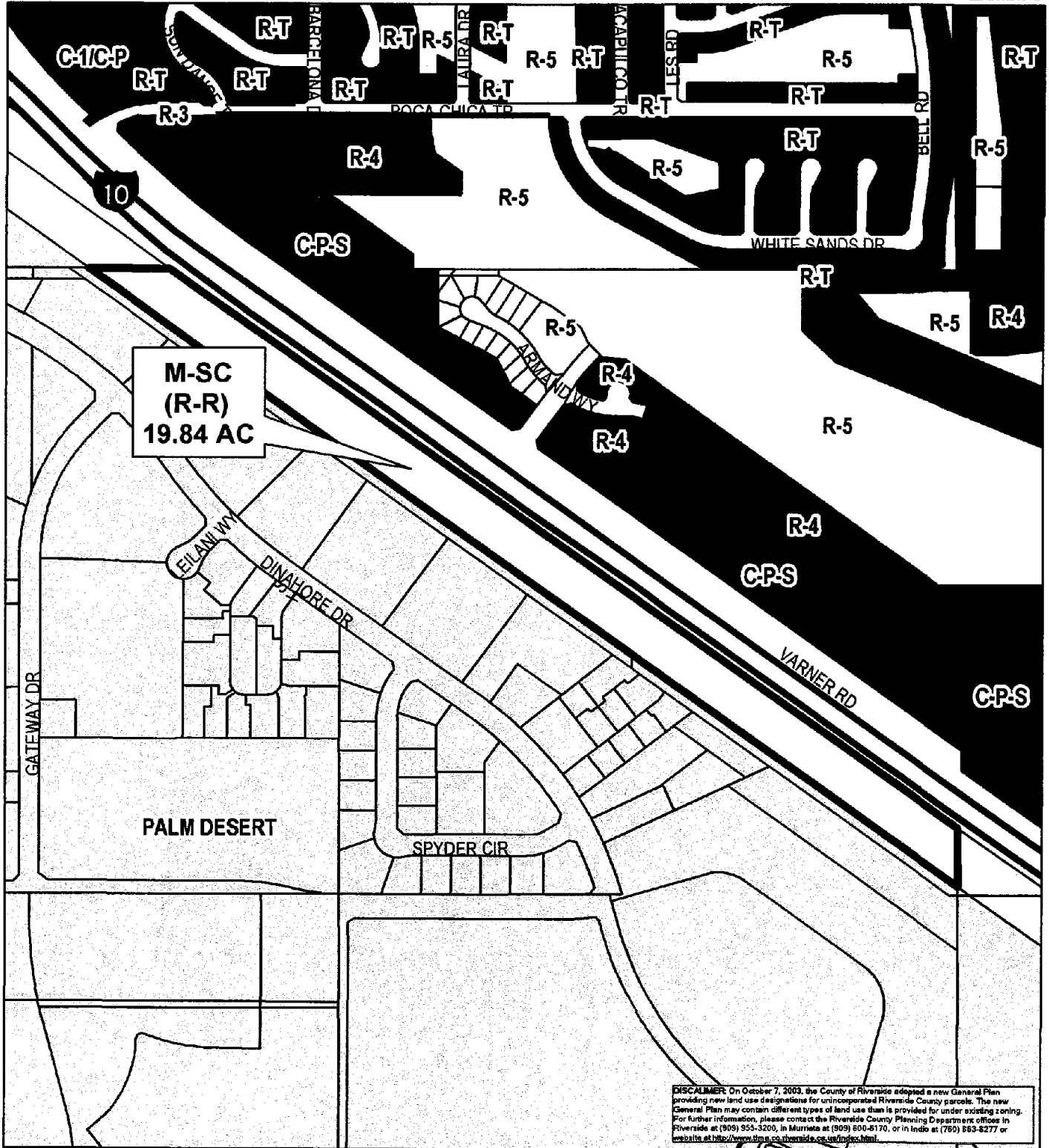
ASSESSORS 653-25

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THOMAS 788 F4

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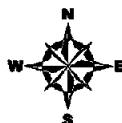




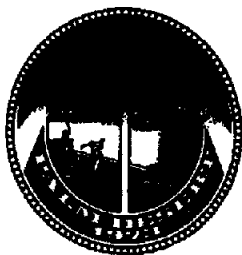
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
 District: Thousand Palms
 Township/Range: T4SR6E
 Section : 29



Assessors
 Bk. Pg. 653-25
 Thomas
 Bros. Pg. 788 F4



CITY OF PALM DESERT

73-510 FRED WARING DRIVE
PALM DESERT, CALIFORNIA 92260-2578
TEL: 760 346-0611
FAX: 760 341-7098
info@palm-desert.org

October 2, 2007

Riverside County Planning Commission
Attn: Mark Balys, Deputy Planning Director
4080 Lemon Street, 9th Floor
Riverside, California 92502-1409

RE: ORDINANCE AMENDMENT NO. 348.4529 – EA41426

Dear Planning Commission:

The City of Palm Desert hereby submits the attached letter for your consideration of Planning Commission Agenda Item 5.1 on Ordinance Amendment No. 348.4529 – EA41426.

Sincerely,

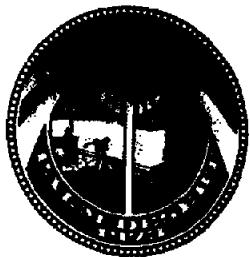
HOMER CROY
ACM for Development Services

HC:LA/tm

Attachment:

- Letter to Riverside County Board of Supervisors dated August 27, 2007

cc: Mayor Richard S. Kelly
Mayor Pro Tem Jean Benson
Council Member Jim Ferguson
Council Member Cindy Finerty
Council Member Bob Spiegel



CITY OF PALM DESERT

73-510 FRED WARING DRIVE
PALM DESERT, CALIFORNIA 92260-2578
TEL: 760 346-0611
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August 27, 2007

The Honorable Chairman and Members of the Board of Supervisors
County of Riverside
c/o Clerk of the Board
Ms. Nancy Romero
4080 Lemon Street, 1st Floor
P.O. Box 1147
Riverside, California 92502-1147

**Re: Environmental Assessment (E.A.) Number 41426; General Plan Amendment
No. 864; Change of Zone No. 7535**

Dear Chairman and Board of Supervisors:

Pursuant to Public Resources Code § 21177 and other provisions of California law, the City of Palm Desert ("Palm Desert") objects to the above-referenced project, to the above-referenced initial study, and to any proposed Negative Declaration or Mitigated Negative Declaration related thereto. The grounds on which Palm Desert objects include, but are not necessarily limited to, the following:

1. Environmental Assessment Number 41426 ("the initial study") is inadequate and fails to comply with the requirements of the California Environmental Quality Act (Pub.Res. Code §§ 21000, *et seq.*) ("CEQA") and the CEQA Guidelines in that it fails to adequately explain and analyze the basis for the conclusions of insignificance with respect to Aesthetics/Scenic Resources, Biological Resources and Planning and Land Use.
2. The initial study violates CEQA and the CEQA Guidelines in that it fails to complete the Mandatory Findings of Significance (checklist items 50, 51, 52 and 53).
3. The initial study violates CEQA and the CEQA Guidelines in that it fails to consider the cumulative impacts that the proposed modifications and policy additions to the Western Coachella Valley Area Plan will have with respect to an

Riverside County Board of Supervisors
GPA No. 864 – Billboards
Page 2 of 3
August 27, 2007

unknown number of future billboard relocation projects. Though the project applicant proposes specific billboard relocations, the effect of the amended and added policies will allow for unlimited billboard relocations in the future. How many "existing billboards" are there within the Western Coachella Valley Area Plan that might be relocated to more harmful and aesthetically sensitive locations under the amended policy? The initial study entirely ignores the long-term, cumulative impacts.

4. The County has completely failed to consult with neighboring and affected agencies that share responsibility for preserving resources in the Coachella Valley, including scenic resources. The initial study completely ignores the impact on such resources that will result in such neighboring jurisdictions.
5. The initial study and the proposed project completely fail to consider the impact that permitting relocation of billboards will have on the long-range possibility of eliminating scenic blight inflicted by existing billboards.
6. The initial study completely fails to consider the impact the project and potential cumulative impacts will have on the planning and land use goals and policies of Palm Desert and other affected agencies.
7. The initial study completely fails to consider the effect the project's impacts and potential cumulative impacts will have on property situated in areas relatively free from billboards and protected by policies proscribing billboard proliferation that will now face billboards newly placed in their vicinity.
8. The initial study concludes that a "Mitigated Negative Declaration" ("MND") is appropriate. A MND is proper where "the initial study has identified potentially significant" environmental impacts, but those impacts will be mitigated to the point of insignificance by project modifications and/or mitigation measures, along with mitigation monitoring mechanisms, identified in the MND (Pub. Res. Code § 21064.5). A MND is not appropriate where, as here, the County identifies no potentially significant impacts. It is obvious, though, that there are potentially significant impacts which the County hopes to ignore by its deficient initial study and its misleading and improper finding that the MND is appropriate. The proper procedure is to identify the potentially significant impacts as such, then identify specific measures to be taken to reduce those potentially significant impacts to a point of insignificance.

(word/tm/corr/billboards RivCo Supervisors 8-27-07)

Riverside County Board of Supervisors
GPA No. 864 – Billboards
Page 3 of 3
August 27, 2007

9. No proposed "Mitigated Negative Declaration" has been published, circulated or made available for public inspection and comment, nor have any mitigation measures been identified. It is impossible for the public to determine whether the potentially significant impacts can be and will be mitigated to insignificance.

Palm Desert respectfully submits that approval of this project on the initial study would be in violation of CEQA. Accordingly, Palm Desert respectfully requests that this Honorable Board of Supervisors duly perform its lawful duty to deny this project, deny approval of the initial study and proposed Mitigated Negative Declaration, and refrain from any approval of this project until a proper EIR has been duly prepared, circulated and certified.

Sincerely,


CARLOS L. ORTEGA
City Manager

CLO:LA

cc: Mayor Richard S. Kelly
Mayor Pro Tem Jean Benson
Council Member Jim Ferguson
Council Member Cindy Finerty
Council Member Bob Spiegel

(word/tm/corr/billboards RivCo Supervisors 8-27-07)