

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

461A



FROM: TLMA - Planning Department

SUBMITTAL DATE:
June 30, 2010

SUBJECT: Order to Initiate an Amendment to Riverside County Ordinance No. 348 to amend Section 18.29 of Article XVIII Ordinance No. 348 regarding Public Use Permits.

RECOMMENDED MOTION:

1. Pursuant to Board Policy A-67, order the initiation of an amendment to Riverside County Ordinance No. 348 to amend Section 18.29 of Article XVIII of Ordinance No. 348 regarding Public Use Permits.
2. Direct the Planning Department and County Counsel to prepare and process the amendment to Ordinance No. 348.

Ron Goldman
Planning Director

Initials:
RG:ar

(Continued on Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 8,000.00	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	10/11
SOURCE OF FUNDS: Deposit Based Fees (DBF) pursuant to Preliminary Application Review No. 1263				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

Departmental Concurrence

Consent
 Policy
 Consent
 Policy
 Dept't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.

District: ALL

Agenda Number:

3.78

The Honorable Board of Supervisors

RE: Order to Initiate an Amendment to Riverside County Ordinance No. 348 to amend Section 18.29 of Article XVIII Ordinance No. 348 regarding Public Use Permits.

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BACKGROUND:

Ordinance 348.4690 is a proposal to amend the Public Use Permit section of Ordinance No. 348. The new languages add the following to the list of uses permitted under a public use permit:

“Facilities for the storage or transmission of electrical energy where the County is not preempted by law from exercising jurisdiction. This subsection shall take precedence over and supersede any conflicting provision in any zone classification.” Prior to incentives for alternative energy projects offered by the Federal Government the regulation of power transmission lines was not of significant concern for the County. Most often the County was preempted from any action by the State or Federal government because power generation and transmission lines were considered public utilities. Now with the introduction of these incentives, many private companies are getting involved in both the generation of power and the construction and maintenance of transmission lines. With this change the County often has jurisdiction over power generation and transmission lines. The County’s jurisdiction is determined by the State depending upon the size of the facility, power output, and location of the facility. Now that the County has this jurisdiction it needs to provide a process in which these facilities can be permitted. A number of efforts are underway to give a process to the power generation aspects, and this amendment focuses on the transmission lines only. Transmission lines are mentioned in numerous places throughout Ordinance 348, in some zones but not in others. In an effort to give a uniform process in all zones, this amendment was created.

Although this Ordinance amendment requires initiation by the Board of Supervisors, the text amendment is privately funded through the filing of Preliminary Application Review (PAR) 1263. PAR 1263 was filed on December 3, 2009 by Desert Southwest Power, LLC. The ordinance amendment will facilitate the development of renewable energy resources within the appropriate areas of the County of Riverside.