

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

218B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
January 13, 2011

SUBJECT: GENERAL PLAN AMENDMENT NO. 1075 – CEQA Exempt –Applicant: County of Riverside – Engineer/Representative: County of Riverside – All Supervisorial Districts – All Area Plans – Location: Countywide – Request: General Plan Amendment No. 1075 proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of Section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element.

RECOMMENDED MOTION:

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

**TENTATIVE ADOPTION** of General Plan Amendment No. 1075 based upon the findings and conclusions incorporated in the staff report; and,

**DETERMINE** that General Plan Amendment No. 1075 is **EXEMPT** from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3).

BACKGROUND:

When the County updated its General Plan in 2003, it created a certainty system to ensure that wholesale changes to the General Plan could not occur. The certainty system is described in both the Administration Element and the Land Use Element and is repeated in Appendix B. The

*Carolyn Syms Luna*  
Carolyn Syms Luna  
Planning Director

Initials:  
CSL:vc

(continued on attached page)

REVIEWED BY EXECUTIVE OFFICE  
DATE: *1/13/11*  
Jennifer Sargeant  
Departmental Concurrence  
Dep't Recomm.: ☒ Policy  
Per Exec. Ofc.: ☒ Policy  
☐ Consent  
☐ Consent

Prev. Agn. Ref.

District: All

Agenda Number:

16.1

language used to describe the certainty system is ambiguous in several respects, inconsistent in other respects, and contains a level of detail that is more appropriately reserved to a zoning ordinance. In addition, some provisions have never been implemented because it would be expensive and impractical to do so. For example, the pre-application process shown deleted on pages 12-13 of Exhibit A requires the formation of a new administrative body (the General Plan Amendment Team), which is obligated to conduct a detailed, pre-application review of every proposed general plan amendment (including intra-foundation amendments), issue written findings, and issue a rationale for those findings.

General Plan Amendment No. 1075 would resolve these concerns and would reconcile the General Plan with an amendment to the Land Use Ordinance (Ordinance No. 348.4573) that the Board of Supervisors adopted in April of 2008 which incorporated, refined, and clarified the certainty system language. Staff-initiated changes, additions, and deletions are shown on all exhibits in red.

General Plan Amendment No. 1075 also proposes General Plan revisions that the Board agreed to process in settling the case entitled Endangered Habitats League (EHL) v. County of Riverside (Riverside Superior Court Case No. RIC 402952). That case concerned EHL's challenge of the 2003 General Plan. Changes, additions, and deletions called for by the settlement agreement are shown on all exhibits in blue and may be summarized as follows:

- 1) The current five-year General Plan review cycle would be replaced by an eight-year review cycle making it consistent with similar cycles for the Housing Element and portions of the Congestion Management Program.
- 2) Foundation component amendments made during a General Plan review cycle would be comprehensively reviewed by a Board-appointed general plan community advisory committee.
- 3) The El Cariso, Aguanga, Radec Junction, and Twin Creek Ranch Rural Village Overlay Study Areas would be deleted.
- 4) A new land use policy would be added to provide that, where appropriate, any adopted Density Transfer Program would be used to help implement the remaining Rural Village Overlay Study Areas and the Multi-Species Habitat Conservation Program.

**PLANNING COMMISSION  
MINUTE ORDER JANUARY 5, 2011  
RIVERSIDE COUNTY ADMINISTRATION CENTER**

- I. **AGENDA ITEM 3.6: GENERAL PLAN AMENDMENT NO. 1075** – CEQA Exempt –Applicant: County of Riverside – Engineer/Representative: County of Riverside – All Supervisorial Districts – All Area Plans – Location: Countywide – Request: General Amendment No. 1075 proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element. (Quasi-judicial)

**PROJECT DESCRIPTION**

- II. Countywide. Given the extent of changes to the General Plan text, all Exhibits as described above are available on the County Planning Department's website ([www.rctlma.org/planning](http://www.rctlma.org/planning)).

III.

**MEETING SUMMARY**

The following staff presented the subject proposal:

Project Planner: Adam Rush, at 951-955-6646 or e-mail [arush@rctlma.org](mailto:arush@rctlma.org).

The following person(s) spoke in favor of the subject proposal:

None

The following person(s) spoke neutral of the subject proposal.

Cynthia Ferry, Interested Party, 16115 Rocky Bluff Rd. Gavilan Hills CA 92571 951 657-6610

Laurie Taylor, Interested Party, Lake Mathews 951-780-3176

There were no speakers in a position or in opposition of the subject proposal.

**CONTROVERSIAL ISSUES**

NONE

VI. **PLANNING COMMISSION ACTION**

The Planning Commission, by a vote of 5-0 recommended to the Board of Supervisors;

VII. **CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at [dbowie@rctlma.org](mailto:dbowie@rctlma.org)

**Agenda Item No.:**  
**Area Plan: County-wide**  
**Zoning District: County-wide**  
**Supervisory District: County-wide**  
**Project Planner: Adam Rush**  
**Planning Commission: January 5, 2010**

**General Plan Amendment No. 1075**  
**E.A.: CEQA Exempt**  
**Applicant: N/A (County-Initiated)**  
**Engineer/Representative: N/A**

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

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

General Plan Amendment No. 1075 proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element.

### **BACKGROUND:**

When the County updated its General Plan in 2003, it created a certainty system to ensure that wholesale changes to the General Plan could not occur. The certainty system is described in both the Administration Element and the Land Use Element and is repeated in Appendix B. The language used to describe the certainty system is ambiguous in several respects, inconsistent in other respects and contains a level of detail that is more appropriately reserved to a zoning ordinance. In addition, some provisions have never been implemented because it would be expensive and impractical to do so. For example, the pre-application process shown deleted on pages 12-13 of Exhibit A requires the formation of a new administrative body (the General Plan Amendment Team), which is obligated to conduct a detailed, pre-application review of every proposed general plan amendment (including intra-foundation amendments), issue written findings and issue a rationale for those findings.

General Plan Amendment No. 1075 would resolve these concerns and would reconcile the General Plan with an amendment to the Land Use Ordinance (Ordinance No. 348.4573) that the Board of Supervisors adopted in April of 2008 which incorporated, refined and clarified the certainty system language. Staff-initiated changes, additions and deletions are shown on all exhibits in red.

General Plan Amendment No. 1075 also proposes General Plan revisions that the Board agreed to process in settling the case entitled Endangered Habitats League (EHL) v. County of Riverside (Riverside Superior Court Case No. RIC 402952). That case concerned EHL's challenge of the 2003 General Plan. Changes, additions and deletions called for by the settlement agreement are shown on all exhibits in blue and may be summarized as follows:

- 1) The current five-year General Plan review cycle would be replaced by an eight-year review cycle making it consistent with similar cycles for the Housing Element and portions of the Congestion Management Program.
- 2) Foundation component amendments made during a General Plan review cycle would be comprehensively reviewed by a Board-appointed general plan community advisory committee.
- 3) The El Cariso, Aguanga, Radec Junction and Twin Creek Ranch Rural Village Overlay Study Areas would be deleted.

**GENERAL PLAN AMENDMENT NO. 1075**

**PC Staff Report:**

**Page 2 of 2**

- 4) A new land use policy would be added to provide that, where appropriate, any adopted Density Transfer Program would be used to help implement the remaining Rural Village Overlay Study Areas and the Multi-Species Habitat Conservation Program.

**SUMMARY OF FINDINGS:**

1. General Plan Land Use:	County-wide
2. Proposed Zoning:	County-wide
3. Surrounding Zoning:	County-wide
4. Existing Land Use:	County-wide
5. Surrounding Land Use:	County-wide
6. Project Data:	Total Acreage: N/A Total Proposed Lots: N/A Proposed Min. Lot Size: N/A Schedule: N/A
7. Environmental Concerns:	Exempt from CEQA (See Attached Notice of Exemption)

**RECOMMENDATIONS:**

**ADOPT** a Resolution Recommending that the Board of Supervisors **APPROVE** General Plan Amendment No. 1075; and

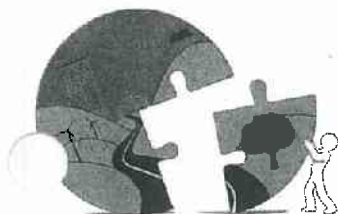
**DETERMINE** that General Plan Amendment No. 1075 is **EXEMPT** from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3).

**CONCLUSIONS:**

1. The proposed amendment is in conformance with all elements and policies of the Riverside County General Plan.
2. The proposed amendment is consistent with all applicable provisions of Riverside County Land Use Ordinance No. 348.
3. The proposed amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) for the reasons stated in the attached Notice of Exemption.

**INFORMATIONAL ITEMS:**

1. As of this writing, no letters in support or opposition have been received.
2. The proposed amendment is County-wide and affects all properties located in the unincorporated area of Riverside County.



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

## NOTICE OF EXEMPTION

TO: ☒ Office of Planning and Research (OPR)  
P.O. Box 3044  
Sacramento, CA 95812-3044  
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department  
☒ 4080 Lemon Street, 12th Floor  
P.O. Box 1409  
Riverside, CA 92502-1409

☐ 38686 El Cerrito Road  
Palm Desert, CA 92201

Project Title/Case No.: General Plan Amendment No. 1075

Project Location: In the unincorporated area of Riverside County. The project is a County Initiated legislative action and covers all properties and parcels in Riverside County.

Project Description: General Plan Amendment No. 1075 proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: County of Riverside

### Exempt Status: (Check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268)  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))  
☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))

- ☒ Categorical Exemption (15061(b) (3).)  
☐ Statutory Exemption (\_\_\_\_\_)  
☐ Other: \_\_\_\_\_

Reasons why project is exempt: The Planning Department has found that the project is exempt from the provisions of CEQA based on Section 15601(b)(3) of the State CEQA Guidelines. Section 15601(b)(3) the general rule of the California Environmental Quality Act (CEQA). The General Rule of CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA. General Plan Amendment No. 1075 will reconcile the General Plan with an amendment to the Land Use Ordinance (Ordinance No. 348 4573) that the Board of Supervisors adopted in April of 2008 which incorporated, refined and clarified the certainty system language. Staff-initiated changes, additions and deletions are shown on all exhibits in red. The General Plan revisions that the Board agreed to process in settling the case entitled Endangered Habitats League (EHL) v. County of Riverside (Riverside Superior Court Case No. RIC 402952).

Adam Rush

(951) 955-6646

County Contact Person

Phone Number

Signature

Principal Planner

Title

Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

Revised: 3/15/10: Y:\General Plan 2008 Update and EIR\05 OTHER GPAs\GPA 1075\01\_05\_11\_PC\NOE Form.doc

Please charge deposit fee case#: ZRGA2008 ZCFG No. - FREE POSTING per Ca. Govt. Code 6103 and 27383

FOR COUNTY CLERK'S USE ONLY

Empty box for County Clerk's use.

December 23, 2010

RE: Legal Notice  
PLANNING COMMISSION HEARING

ATTN: Legals Department

Attached, please find a notice of public hearing for a **1/8 page ad** to appear one time only in the Press Enterprise on Saturday December 27, 2010 in order to comply with County ordinance.

Please compose this legal advertisement without any indentations, and the composed copy should fill a complete block inch.

Kindly furnish our office with the affidavits of publication in duplicate and your bill in triplicate. Should you have any questions, please contact Desiree Bowie at (951) 955-0222.

Regards,

RIVERSIDE COUNTY PLANNING DEPARTMENT  
Carolyn Syms Luna, Planning Director

Desiree Bowie, Interim Planning Commission Secretary  
[dbowie@rctlma.org](mailto:dbowie@rctlma.org)

Attached: Legal ad(s)

**NOTICE OF PUBLIC HEARING  
BEFORE THE RIVERSIDE COUNTY PLANNING COMMISSION**

A PUBLIC HEARING has been scheduled before the RIVERSIDE COUNTY PLANNING COMMISSION to consider the proposed GENERAL PLAN AMENDMENT (GPA) described below. The Planning Department has tentatively determined that the project will not have a significant effect on the environment. Therefore, the Department has prepared a Notice of Exemption (NOE). The Planning Commission will consider the NOE in conjunction with their consideration of the proposed GPA at the public hearing referenced herein.

**PLANNING COMMISSION HEARING**

DATE OF HEARING:       **January 5, 2011**  
TIME OF HEARING:       **9:00 P.M. or as soon as possible thereafter**  
PLACE OF HEARING:      **Board Hearing Room**  
                              **First Floor**  
                              **4080 Lemon Street**  
                              **Riverside CA 92501**

**BACKGROUND: General Plan Amendment No. 1075** is a County Initiated proposal that proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element.

**PROJECT DESCRIPTION AND IDENTIFICATION:**

**GENERAL PLAN AMENDMENT NO. 1075** – CEQA Exempt –Applicant: County of Riverside – Engineer/Representative: County of Riverside – All Supervisorial Districts – All Area Plans – Location: Countywide – Request: General Amendment No. 1075 proposes the changes to the Administration Element set forth in Exhibit A, the changes to the Land Use Element set forth in Exhibit B, the addition of a Land Use Element policy set forth in Exhibit C and the deletion of section VIII of Appendix B set forth in Exhibit D, which is duplicative of the Administration Element – APN's: Countywide. Given the extent of changes to the General Plan text, all Exhibits as described above are available on the County Planning Department's website ([www.rctlma.org/planning](http://www.rctlma.org/planning)). (Quasi-judicial)

**ANTICIPATED ENVIRONMENTAL EFFECTS:**

The Planning Department has tentatively determined that the project will not have a significant effect on the environment. Therefore the Department has prepared a Notice of Exemption (NOE). GPA 1075 is not associated with a development project.

**YOUR RIGHT TO COMMENT:**

Any person wishing to comment on or testify in support of, or in opposition to, the proposed GPA 1075 may do so in writing prior to the hearing (between the date of this notice and the public hearing) or may appear and be heard at the dates, times and places noted above. All comments received prior to the Planning Commission public hearings will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a recommendation on the proposed project. All comments received after the second Planning Commission hearing, but before the Board of Supervisors hearing, will be submitted to the Board of Supervisors on, or prior to, the date of the Board hearing. The Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the proposed project. If you challenge this project (GPA or NOE) in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the date of the Planning Commission hearing.

Please send all written correspondence to the following address:

Riverside County Planning Department  
Attention: Adam Rush  
P. O. Box 1409  
Riverside, CA 92502-1409

Correspondence may also be sent by FAX to (951) 955-1811 or by e-mail to [arush@rcplma.org](mailto:arush@rcplma.org)

BE ADVISED that, as a result of public hearings and comment, the Planning Commission and the Board of Supervisors may amend, in whole or in part, the proposed general plan amendment and/or the environmental documents associated therewith.

**FOR ADDITIONAL INFORMATION:**

The proposed general plan amendment maps and environmental findings to be considered by the Planning Commission (and any documents referenced in the environmental assessment) are available for review beginning December 27, 2010 Monday through Thursday, from 8:00 a.m. to 5:00 p.m., at the County of Riverside Planning Department office located at 4080 Lemon Street, Twelfth Floor, Riverside, CA. The proposed general plan amendment maps and environmental findings may also be reviewed at the Planning Department offices located at 38686 El Cerrito Road, Palm Desert, CA 92211 and at the Planning Department public information counter located at 4080 Lemon Street, Second Floor, Riverside, CA 92501. For further information regarding this case, please contact Ms. Kristi Lovelady at (951) 955-0781.

Carolyn Syms Luna  
Planning Director

## **Exhibit A**

### **Proposed Administration Element Text Amendments:**

#### **General Plan Certainty System**

The Riverside County General Plan Certainty System provides clarity regarding the interpretation and use of the General Plan in ongoing decision making and sustains the General Plan's policy direction over time. Circumstances will change, imperfections in the General Plan will be discovered, and events will occur that require changes in the General Plan. Despite these probabilities, the intent is to maintain a high level of confidence in the General Plan and enable people affected by it to have reasonable expectation regarding how it will impact them. Its interpretation, application and amendment are very important matters, not to be taken lightly. Therefore, the Certainty System consists of four parts:

1. Presentation. To the maximum extent possible, provisions of the General Plan are clearly mapped. Further, the language of the General Plan seeks to be clear, simple and deliberate, with intent indicated for each provision of the General Plan (see Interpreting the General Plan's Intent section, above).
2. Interpretation. Guidelines for interpreting the intent of the General Plan where conflict arises are provided for resolution of the issue, including a defined process for making the interpretations and determining their potential for future changes in the General Plan (see Interpreting the General Plan's Intent section, above).
3. Monitoring. A responsive, highly automated system for monitoring implementation of the General Plan, including documentation of development and land preservation activities, is established and maintained. Reference to this monitoring information is an essential ingredient in the consideration of any change in the General Plan, especially regarding land use designations. The information in this system is maintained in such a way that basic development activity can be summarized at any time, including status as part of an annual report on General Plan progress (see Monitoring of Development and Conservation section, above).
4. Amendment. It is clear that the timing, rationale, and process for amending the General Plan are critical ingredients in maintaining the long term viability of the General Plan. That is why carefully crafted descriptions of this aspect of the Certainty System are included in the General Plan.

#### **Objectives**

The General Plan Certainty System seeks to satisfy the following objectives.

1. Maintain the integrity and confidence level in the new Riverside County General Plan.

2. "Stay the Course" regarding its direction long enough to be able to determine its workability.
3. Define categories of amendment activity so they are universally understood.
4. Establish a set of rules and procedures for amending the General Plan that are fair, firm and equitable.
5. Empower any property owner to seek an amendment according to established procedure.
6. Avoid erosion of the foundation components upon which the General Plan is structured by requiring consideration of any changes to them to be conducted in a comprehensive manner.
7. Provide for extraordinary and unpredictable circumstances.
8. Establish clarity in assessing proposed amendments at the earliest possible time in the process.
9. Clarify the findings appropriate to each amendment category.
10. Monitor progress in implementing the General Plan and correct its direction where necessary.
11. Promote coordinated long-range planning and implementation between the Cities and the County.
12. Strike a sustainable balance between certainty in critical aspects of the General Plan, and flexibility in response to changing conditions and opportunities where such flexibility contributes to achieving the Vision.

### **Amendment Categories**

Four amendment categories are part of the system:

1. Technical Amendment - involves changes in the General Plan of a technical nature, including technical corrections discovered in the process of implementing the General Plan. Some Entitlement Amendments may occur under this category if they are required to correct a documentable error in the General Plan. They may include:
  - a. Corrections to statistics;
  - b. Mapping error corrections;
  - c. Changes in spheres of influence and city boundaries;

- d. Changes in Unincorporated Communities or Communities of Interest;
  - e. Editorial clarifications that do not change the intent of the General Plan; or
  - f. Appendix information useful in interpreting the General Plan but which does not change the General Plan's intent.
2. Entitlement/Policy Amendment - involves changes in land use designations or policies that involve land located entirely within a General Plan Foundation Component but that do not change the boundaries of that component; provided, however, that the following amendments involving changes to Foundation Components shall be deemed Entitlement/Policy Amendments and be subject to the procedural requirements applicable to this category:
- a. Amendments changing land to the Open Space Foundation Component and the corresponding change from any other Foundation Component.
  - b. Amendments involving changes to Foundation Component lands expressly exempted by a provision of this General Plan from the procedural requirements generally applicable to Foundation Amendments and made subject to the procedural requirements applicable to this category.

This type category of amendment may also involve changes in General Plan policy as long as it does not change the Riverside County Vision, a General Plan Principle, or a Foundation Component (except as otherwise expressly provided). ~~or a General Plan Principle. It may be proposed by:~~

- a. ~~The Board of Supervisors;~~
  - b. ~~The Planning Commission;~~
  - c. ~~A private property owner; or~~
  - d. ~~An individual or organization with an interest in the General Plan.~~
3. Foundation Amendment (For amendments to property designated in the General Plan as Agriculture, please see Category 4, Agriculture Foundation Amendment below) - involves changes in:
- a. The Riverside County Vision
  - b. The General Plan Planning Principles
  - c. A Foundation Component of the General Plan. These include any change: ~~to or from:~~
    - (1) From, but not to, Open-space conservation or open-space designated as a result of the Multiple Species Habitat Conservation Plan (MSHCP) or

~~previously established open space policy.~~ the Open Space Foundation Component.

- (2) ~~To or from the Community Development Foundation Component; areas slated for development, except for any change occurring concurrently with a change of the same area to the Open Space Foundation Component or from the Agriculture Foundation Component.~~
- (3) ~~To or from the Rural Foundation Component or the Rural Community Foundation Component development designations that are not included as an integral part of Community Development; country towns/villages and rural services, with a clear intent to maintain a rural character, and are so designated on the General Plan Land Use Map, except for any change occurring concurrently with a change of the same area to the Open Space Foundation Component or from the Agriculture Foundation Component.~~

Notwithstanding the foregoing, no amendment involving changes to Foundation Component lands expressly exempted by a provision of this General Plan from the procedural requirements generally applicable to Foundation Amendments shall be subject to such requirements.

4. Agriculture Foundation Amendment - involves amendments to property designated in the General Plan as Agriculture.

Note that a special rule applies to eastern portions of the County not covered by an Area Plan. Four land use designations are used in these areas as indicated in Chapter 3, Land Use Element: Open Space - Rural, Open Space-Conservation Habitat, Open Space-Water, and Rural Residential. A proposed change in these designations shall be considered a Foundation Component amendment. This is in contrast to the general rule which provides that designation changes within a Foundation Component may be proposed on the standard annual amendment schedule. This rule shall not apply for property where, as a result of a General Plan Amendment, a new or expanded area plan is enacted where before it did not.

### **Required and Optional Findings**

Findings must be commensurate with the significance of the amendment decision sought. In addition to information submitted by applicants or initiators of proposed amendments, findings will be informed by information generated by the General Plan Monitoring Program. This data will be updated periodically with the intent of enabling decision-makers to understand the status of the General Plan and the implications of proposed changes to it. The following findings are associated with the proposed amendment categories.

1. Technical Amendment Findings. The first finding and any one or more of the subsequent findings would justify a technical amendment:

- a. The proposed amendment would not change any policy direction or intent of the General Plan.
  - b. An error or omission needs to be corrected.
  - c. A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.
  - d. A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.
  - e. A minor change in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.
2. Entitlement/Policy Amendment Findings. The first two findings and any one or more of the subsequent findings would justify an entitlement/policy amendment:
- a. The proposed change does not involve a change in or conflict with:
    - (1) The Riverside County Vision;
    - (2) Any General Plan Principle; or
    - (3) Any Foundation Component designation in the General Plan except as otherwise expressly allowed.
  - b. The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.
  - c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
  - d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
  - e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.
  - f. An amendment is required to expand basic ~~employment~~ job opportunities (permanent jobs, independent exclusive of any jobs created by construction of the project itself), that contribute directly to the County's economic base and that would improve the ratio of jobs-to-workers in the County.

- g. An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.
3. Foundation Amendment Findings. The premise for a Foundation Amendment is that the General Plan will only be amended in any fundamental way for significant cause. The intent with Foundation Amendment Findings is to consider them comprehensively in the context of the entire General Plan and their overall impacts on the Riverside County Vision and its implementation. A Foundation Amendment may occur in two ways. The first would be as part of a regular ~~five-year comprehensive review~~, General Plan Review cycle. The first finding is required for this type of amendment. The second means of making a Foundation Amendment would be as a result of extraordinary events. The first two and any one or more of the subsequent findings will be necessary to justify an Extraordinary Amendment, which does not have to comply with the General Plan Review cycle:
- a. The foundation change is based on ~~ample~~ substantial evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan.
  - b. A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current Riverside County Vision, Principles, or Policies. An Extraordinary Amendment must still result in a consistent direction for the subsequent planning period. The condition stimulating such an amendment may involve private properties, public properties or both.
  - c. An unconstitutional taking of property ~~might would likely~~ occur without the amendment, and the amendment alters the General Plan Foundation Component designation only to the extent necessary to avoid the taking.
  - d. A natural or man-made disaster or public emergency has occurred that warrants a change in General Plan Foundation Component designations in order to protect the public health, safety and welfare.
  - e. A component amendment is required to conform to changes in State or Federal law, or applicable findings of a court of law.
  - f. A component change is required to comply with an update of the Housing Element or change in State Housing Element law.
  - g. A General Plan component amendment is required to significantly expand basic structural employment (such as employment in industrial industry, agricultural processing, and research and development) that creates permanent jobs independent-exclusive of the construction jobs generated by the project itself, and

excluding jobs in retail, service commercial, warehousing, and residential uses not ancillary to the primary employment use.

- h. A component change is necessary to facilitate implementation of open space or transportation corridor designations arising from the MSHCP and Community Environmental Transportation Acceptability Program (CETAP) programs that are contained in this General Plan, and that could not be accomplished by a lesser change in the General Plan.
4. Agriculture Foundation Amendment Findings. To justify an agriculture foundation amendment, the proposed amendment would have to either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them.

### Amendment Cycles

Four types of amendment cycles are provided, as discussed below. ~~Amendment Matrix, summarizes the amendment categories and their timing frequency.~~

Table A-1 Amendment Matrix						
Type of Change	Amendment Category					Amendment Potential Frequency
	Technical	Entitlement/ Policy	Foundation			
			2½-year Review	5-year Review	Extraordinary	
Correction/ Clarification	X <sup>1</sup>	-	-	-	-	Quarterly <sup>2</sup>
Map Designation (Within Component)	X <sup>3</sup>	X	-	X <sup>3</sup>	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Agriculture to Other Designation	-	-	X	-	X	Every 2½-years
Policy Change	-	X	-	X	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Principle Change	-	-	-	X	X	Every 5 years or Random <sup>4</sup>
Component Boundary or	-	-	-	X	X	Every 5 years or Random <sup>4</sup>

Definition Change						
Vision Change	-	-	-	X	-	Every 5 years
Notes: <sup>1</sup> <del>may be clustered with any other amendment package;</del> <sup>2</sup> <del>Has priority in each amendment package; thus, may occur as frequently as 4 times each year in compliance with the Government Code. Amendments are scheduled on an 18-month cycle.</del> <sup>3</sup> <del>May involve change in map designation only in the case of an error in the original General Plan determination.</del> <sup>4</sup> <del>Extraordinary amendments have no predetermined schedule.</del> <sup>5</sup> <del>Changes in the land use designation in areas not covered by an area plan shall be treated as a foundation amendment. This is the only situation in which designations within a component are considered the same as a foundation component.</del>						

- I. General Plan Review Cycle. This cycle ~~first~~ occurs ~~in 2008, every~~ five years after ~~the initial~~ adoption of this General Plan ~~and then occurs periodically every eight years thereafter.~~ ~~†This cycle:~~
  - a. ~~Is initiated by the County. Includes amendments proposed by the County and/or by private property owners. Prior to Board initiation, proposed amendments shall be submitted in a comprehensive manner for review and comment to a general plan community advisory committee appointed by the Board. Comments received from the committee within 60 days of submittal to the committee shall be included in subsequent initiation proceedings before the Planning Commission and the Board.~~
  - b. Is ~~primarily~~ intended to assess General Plan progress and issues related to its implementation.
  - c. Is the only time, other than a declared extraordinary amendment or an Agriculture Foundation Component amendment, that a Foundation Component of the General Plan may be considered for change.
  - d. May include policy, entitlement and technical amendment proposals determined to be an appropriate part of this cycle. ~~With respect to amendments proposed by the County (including Foundation Component amendments), the Planning Director in his discretion may defer processing and hearing such amendments provided only that final action on proposed Foundation Component amendments shall be taken prior to the start of the next cycle. If final action is not taken on any Foundation Component amendment prior to the start of the next cycle, such amendment shall be subject to a new Board review for initiation. The Planning~~

Director may determine to process any amendment separately or may combine any amendment with others for processing and hearing.

- e. Extends planning projections ~~another five years~~ into the future, identifying required adjustments in the General Plan, if any, to accommodate anticipated needs.
  - f. Includes special considerations to reassess the Vision and Planning Principles and recommit to them. This ~~five-year interval periodic review~~ also permits a comprehensive evaluation of CETAP and MSHCP progress, with refinements as necessary to enable further implementation of these programs as they relate to the General Plan.
  - g. ~~With respect to Foundation Component amendments proposed by private property owners determined to be an appropriate part of this cycle, such amendments shall generally be processed and heard separately. The Planning Director may determine to process any such amendment separately or may combine any such amendment with others for processing and hearing. Final action on any such Foundation Component amendment shall be taken prior to the start of the next cycle. If final action is not taken prior to the start of the next cycle, any such amendment shall be subject to a new Board review for initiation.~~
2. General Plan Amendment Cycle. This cycle occurs ~~every January and extends for 18 months into the future~~ annually and is administered to permit effective scheduling and clustering of amendment proposals and enable current staffing to plan for necessary workloads. Administrative decisions regarding the cycle involve only scheduling of amendment activity. Approval, conditional approval, or denial of an amendment request occurs only through the public hearing process. ~~Scheduling the~~ The Cycle:
- a. Involves policy amendment and changes in entitlement within Foundation Components, but not between them (~~except for some types of Rural Development as otherwise expressly provided~~).
  - b. Provides for amendment packages four times a year for each mandatory general plan element (in accordance with state law).
  - c. Is administered and approved by the ~~Director of the Transportation and Land Management Agency, Planning Director,~~
  - d. ~~May be appealed to the Planning Commission if any party is aggrieved by the determination of the Director.~~
  - e. ~~May be appealed to the Board of Supervisors if any party is aggrieved by the determination of the Planning Commission.~~

- ~~f. — Is accompanied by a pre-application conference that results in an assessment of the inconsistencies or the proposal with the General Plan, including the appropriate amendment category into which it fits and an indication of the degree of difficulty in achieving amendment approval.~~
  - ~~g. — Addresses all applicable General Plan Elements to the extent that they are involved.~~
  - ~~h. — Establishes application deadlines and hearing dates for each amendment package.~~
  - ~~i. — Clusters amendments by geographic area to the extent possible.~~
  - ~~j. — Includes Technical Amendments as appropriate.~~
  - k.d. Does not permit changes in the Riverside County Vision, ~~Foundation Components~~, or Planning Principles.
3. Extraordinary Amendment Event. This type of amendment does not operate on a cycle. It may be initiated at any time, but must also have extraordinary justification. This type of event is properly considered an exception to normal General Plan considerations because of its serious cause and potentially serious impacts on the General Plan. It must be accompanied by extraordinary findings as described in Section 3, above.
- ~~a. — May be initiated by the Board of Supervisors or requested by others who believe such a consideration is needed. Upon such a request by others, the Board must make a determination that the degree of urgency justifies an amendment consideration and, upon such determination, set a date for its consideration.~~
  - ~~b. — May be included in the next scheduled amendment cycle, and has priority in that amendment package.~~
  - ~~e. — Must be accompanied by extraordinary findings as described in Section 3, above.~~
4. Agriculture Foundation Amendment Cycle. The cycle allows up to 7% of all land designated as Agriculture to change to other Foundation and land use designations during each 2½-year Agriculture Foundation Amendment Cycle and convert to another land use consistent with the amended Foundation and land use designation. At the end of the first 2½-year period, properties may only be removed from the Agriculture designation. Properties which are proposed to be added to the Agriculture designation would have to wait until the end of the second 2½-year period (i.e., 5 years from the adoption of the General Plan). At the end of each 2½-year period, the Board of Supervisors would consider whether or not changes to the Agriculture Foundation should be reviewed every 2½ years or whether a 5-year amendment cycle, like those for other Foundations, would be more appropriate.—The 7% conversion can occur anytime within the 2½-year

Agriculture Foundation Amendment Cycle and is to be calculated separately for each of the following three areas:

- a. The area covered by the Palo Verde and Desert Center Area Plans and the Eastern Desert Land Use Plan;
- b. The area covered by the Eastern Coachella Valley and Western Coachella Valley Area Plans; and,
- c. The area covered by all other Area Plans.

An Agricultural Task Force in each of the three areas comprised of representatives of the farming community from each area that derive their primary income from farming, and representatives of the agricultural lending community, appointed by the Riverside County Board of Supervisors upon the recommendation of the Riverside County Farm Bureau Board, the Milk Producers Council, the Desert Grape Growers League of California, the Date Commission of California, American Ag Credit, and other agricultural trade organizations to be identified. The Agricultural Task Force would: (1) annually review the adequacy of the 7% conversion amount and recommend changes to the Board of Supervisors should the 7% conversion amount be insufficient; and (2) make recommendations on a case-by-case basis on the approval of agricultural landowners' requests made in connection with an Agriculture Foundation General Plan Amendment Cycle in excess of the 7% conversion amount, as discussed below.

Agriculture Foundation General Plan Amendments in Excess of 7%: Should the 7% agricultural conversion amount be met ~~within a period shorter than the~~ during any 2 ½-year Agriculture Foundation General Plan Amendment Cycle, any additional ~~requests to file approvals of~~ a Foundation Amendment would occur on a case-by-case basis as follows. The ~~request approval of to file~~ a Foundation Amendment would first be submitted to the Agricultural Task Force. After the Agricultural Task Force recommendation, the ~~request to file approval of~~ a Foundation Amendment would proceed to the Board of Supervisors for ~~consideration final action~~. The Agricultural Task Force and the Board would consider the following criteria in considering ~~requests to file approvals of~~ a Foundation Amendment under the Agriculture Foundation Amendment Procedure:

- a. Whether conditions or circumstances justify modifying the Agriculture Foundation of the General Plan, such as labor, water availability, water cost, commodity prices, market conditions and marketability, trade issues, estate issues, lender and financing flexibility for farm planning, exotic pests, quarantines, diseases (e.g., Pierce's Disease), foreign competition, government regulation (e.g., EPA limiting use of certain necessary pesticides and/or growth hormones), input costs (e.g., worker's compensation rates and minimum wage), union issues, death/illness/retirement of farmer, and other business considerations or undue hardships; and,

- b. The availability of adequate infrastructure to serve the proposed land use designation.

~~If the Board of Supervisors approves the request to file a Foundation Amendment in excess of 7%, then a general plan amendment and associated land use applications may be filed consistent with the approval for filing.~~

~~If the Board of Supervisors denies the request to file a Foundation Amendment, then no land use application requiring a Foundation Amendment may be filed for that property until the next 2 1/2 year General Plan Review cycle.~~

### **Pre-Application Process**

~~This process enables any party to an application for General Plan amendment to get clear direction on the potential implications of that amendment request at the earliest possible point in time. It involves the following procedures:~~

- ~~1. An amendment application form and process description will be available through the Transportation and Land Management Agency at all County central and regional offices.~~
- ~~2. A General Plan Amendment Team will be established to expedite authoritative guidance on proposed amendments, consisting of only senior County officials and, if desired, representatives from the Board of Supervisors and Planning Commission. Other members may be considered, such as representatives from WRCOG and CVAG and public members representing the General Plan Advisory Committee. (Note: A balance needs to be struck between comprehensiveness in review, on the one hand, and efficiency/timeliness on the other. This will require some careful thought, and the scope mentioned here is intended only to suggest some possibilities.)~~
- ~~3. The General Plan Amendment Team will be expected to rigorously respect the Riverside County Vision and the General Plan and maintain their integrity in all of its findings. At the same time, it will be expected to view proposed applications as a legitimate pursuit of Constitutional rights, irrespective of the merits of the case.~~
- ~~4. The amendment description section of an amendment application (pre-application form) must be completed in sufficient detail to know exactly what is being requested. This may be modified at the applicant's initiative before submitting a completed application.~~
- ~~5. Upon receipt of the preliminary application form, a pre-application conference will be scheduled at the earliest possible time.~~

6. The General Plan Amendment Team is expected to insure clarification of what is being sought and provide guidance on completion of the application. If the applicant decides to go forward with the process, the Team will advise the applicant on the extent to which the proposed amendment departs from the provisions of the General Plan. The Team will then declare a finding and so advise the applicant, including documentation of the rationale for its findings.

7. Upon being advised that the application involves serious departures from the General Plan (such as, for example, modification of a Foundation Component outside the five-year review cycle), the applicant may still proceed with the application. This is the case, even in the knowledge that a strong recommendation against it will come from the General Plan Amendment Team and that there is considerable likelihood that the request will not be granted.

8. The findings of the General Plan Amendment Team will be documented in writing and submitted to the applicant. These written findings will be attached to the application throughout the remainder of the process.

9. No appeal is provided. If the findings of the General Plan Amendment Team are overturned, that will occur through the remaining Planning Commission and Board of Supervisors hearing process.

10. Any subsequent staff report associated with a proposed amendment that goes forward for formal consideration must include documentation from the General Plan Monitoring System applicable to the type of amendment proposed (see Monitoring of Development and Conservation section, above).

### **Project Processing and Appeal Procedures**

The procedure for processing includes the following steps. This is a general guide and may be modified and/or supplemented from time to time by the Transportation and Land Management Agency.

1. Locate the property involved and determine how the zoning and General Plan apply to the property in question. This can be done at the planning counter in the Transportation and Land Management Agency. Note that special rules apply to the land use designations within areas not covered by area plans. See sections on Interpreting the General Plan's Intent and the General Plan Certainty System, above.

2. Obtain the necessary application(s) and discuss any questions/concerns with the planning staff. Confirm the issue of General Plan consistency to the maximum extent possible at this time.

3. Obtain copies of the necessary zoning and General Plan documents, or arrange access to them for purposes of documenting required information in the application forms

~~(especially if amendment to Foundation Components or Extraordinary Circumstances are involved—see the General Plan Certainty System section, above).~~

~~4. Schedule a pre-filing meeting with County staff to ensure that there is a clear understanding of what is involved in processing the project. Resolve any consistency questions and related procedures at this time.~~

~~5. Submit the required application materials and schedule a filing conference, if advised to do so, at the pre-filing meeting.~~

~~6. Proceed with the hearing process as specified by the County.~~

~~The Transportation and Land Management Agency will advise regarding those actions that can be handled administratively (that is, by County staff) and those that must proceed through Planning Commission and Board of Supervisors hearings. Other decision-making entities may be established in the County system as well.~~

~~In the event a finding at the staff level is unacceptable to an applicant, it may be appealed to the Planning Commission according to the rules and procedures specified by the Agency. Particular attention should be paid to the time limits for such appeals.~~

~~If the applicant does not find the Planning Commission decision acceptable, it may be appealed to the Board of Supervisors. Again, special note should be taken regarding time limits for such an appeal.~~



## Exhibit B

### Proposed Changes to the Land Use Element:

#### Chapter 1 Introduction -

***The Foundation Components*** The RCIP Vision calls for the land uses in the County to be clearly mapped, and areas suitable for development or agriculture to be easily distinguishable from those to be permanently conserved, either for habitat or to accommodate natural resources or open space. As a result, the land use designations used in this General Plan fall under the umbrella of four Foundation Components, or major categories of County land use: Community Development, Rural, Agriculture, and Multipurpose Open Space. The countywide map of land use delineates only those four Foundation Components (see Chapter 3, Land Use Element). As detailed in the description of the General Plan Certainty System (see general description below and Chapter 10, Administration), the significance of these foundation components is that General Plan Amendments proposing a change of land use designation from one Foundation Component to another will only be entertained by the County at ~~five-year~~ eight-year intervals, except: ~~in specific extraordinary circumstances and Agriculture Foundation Amendments which are considered at 2 ½ year intervals.~~

1. Amendments to, but not from, the Open Space Foundation Component and the corresponding change from any other Foundation Component.
2. Agriculture Foundation amendments.
3. Extraordinary circumstances.
4. Foundation Component lands expressly exempted by a provision of this General Plan from the procedural provisions generally applicable to Foundation Component amendments.

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#### Chapter 3 Land Use –

##### **Policy:**

- LU 1.7 Within five-years of the adoption of this General Plan, review all Specific Plans that have been in effect for 20 or more years in order to determine whether the types and intensities of proposed development remain appropriate for undeveloped areas within the Specific Plan boundaries. In conjunction with each Foundation General Plan Amendment ~~five-year~~ (eight-year) cycle, prepare a report on Specific Plan implementation addressing all Specific Plans, with particular attention to Specific Plans that have reached their twentieth anniversary during that ~~five-year~~ eight-year period. (AI 7)

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**Policy:**

- LU 1.11 In conjunction with the adoption of this General Plan, each adopted Specific Plan is identified as a Community Development Specific Plan, a Rural Community Specific Plan, or a Rural Specific Plan. Future Specific Plans shall be similarly identified at the time of adoption. The following Specific Plan Amendments and Specific Plan Substantial Conformance applications shall not be interpreted to constitute Foundation-level changes subject to the ~~five-year~~ eight-year Foundation General Plan Amendment cycles:
- All proposed land use designation changes within a Community Development Specific Plan;
  - All proposed land use designation changes within a Rural Community Specific Plan, except those that propose to establish Community Development (other than Public Facilities) designations within its boundaries;
  - All proposed land use designation changes within a Rural Specific Plan, except those that propose to establish Community Development (other than Public Facilities) or Rural Community designations within its boundaries.

A proposal to add a Public Facilities designation within a Rural Community or Rural Specific Plan shall not be considered a Foundation-level change.

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**Location and Extent of Community Centers**

**Policy:**

- LU 26.12 Since it is a land use designation within the Community Development Foundation Component, the Community Center designation may be enlarged, reduced, added, or eliminated for any site within a Community Development area through quarterly General Plan amendments (GPAs). However, the area ~~extent~~ of any one Community Center (whether included in the General Plan at the time of its initial adoption or subsequently added through a general plan amendment) shall not be permitted to be enlarged by a cumulative total (through one or more GPAs) of more than 10% during any ~~five-year~~ eight-year certainty period. (AI 1,3)

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**Community Development Overlay**

The Community Development Overlay is a tool that allows Community Development land use designations to be applied through General Plan Amendments in the future within specified areas lying within Rural, Rural Community, Agriculture, or Open Space Foundation Component areas, while maintaining the underlying land use designations of these other foundation components until such time as the Community Development land uses are approved. Typically, such overlays will contain special policies within the appropriate area plan texts that address important local issues, such as buffering between existing uses and designations and proposed new Community Development designations, and the permitted density and intensity of development. Community Development Overlays established at the time of General Plan adoption are mapped on the affected Area Plan Land Use Plan maps. General Plan Amendments from other Foundation Components to Community Development designations within the Community Development Overlay are exempt from the ~~five-year~~ eight-year Foundation ~~Component~~

~~Amendment restriction and other procedural requirements applicable to Foundation Component amendments. Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.~~

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### **Specific Community Development Designation Overlays**

In order to respond to the need for local flexibility, the County of Riverside may choose to designate properties within any foundation component with a specific community development designation overlay. The application of a Specific Community Development Designation Overlay to properties within any foundation component other than the Community Development foundation component may only occur in conjunction with the initial adoption of the General Plan and with the ~~five-year~~ eight-year General Plan review cycles, except as otherwise specified pursuant to the provisions of the General Plan Certainty System, which, with specified exceptions, limits amendments between foundation component categories to ~~five-year~~ eight-year cycles. In situations where the underlying designation is within a different foundation component, the specific community development designation overlay provides an exemption from the ~~five-year~~ eight-year limit ~~and other procedural requirements applicable to placed-on~~ Foundation Component ~~General Plan~~ Amendments, but only for the general plan amendment to the specific designation of the overlay. ~~Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.~~ (For example, a property that has an underlying designation of Rural Community B Very Low Density Residential and an overlay of Commercial Retail would be eligible to file for, and receive approval of, a General Plan Amendment to Commercial Retail within the ~~five-year~~ eight-year period. However, unless the property qualified under one of the other specified exemptions, the property would not be eligible to receive approval of a General Plan Amendment to Medium Density Residential during that period.)

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### **Rural Village Overlay and Rural Village Overlay Study Area**

The Rural Village Overlay allows a concentration of development within rural areas. Rural Villages accommodate a range of residential and local-serving commercial, educational, cultural, and recreational opportunities.

In some rural village areas, dispersed development patterns, physical characteristics such as topography and flood prone areas, and other factors prevent the final definition of Rural Village Overlay boundaries at the time of the adoption of the General Plan. Following the adoption of the General Plan, all relevant factors will be studied in more detail on a parcel-by-parcel basis through the post General Plan adoption consistency zoning program, which may result in changes to the boundaries of the Rural Village Overlay areas, resulting in either the enlargement or reduction in size of these areas. The following rural villages are regarded as Rural Village Overlay Study Areas: Meadowbrook and Good Hope/Wagonwheel (Mead Valley Area Plan),

#### **Policies:**

LU 28.7 ~~Meadowbrook and El Cariso (both~~ (Elsinore Area Plan), and Good Hope/Wagonwheel (Mead Valley Area Plan), ~~Aguanga, Radee Junction, and~~

~~Twin Creek Ranch (all in REMAP area Plan)~~ have been designated as Rural Village Overlay Study Areas. Following the adoption of the General Plan, these rural villages shall be studied in conjunction with a post-General plan adoption consistency zoning review, with regard to community development patterns and land use compatibility, topography, available infrastructure, and other factors to determine their appropriate, final boundaries. As necessary, the General Plan will be amended to establish the final Rural Village Overlay boundaries, which may be larger or smaller than the Rural Village Overlay Study Areas adopted at the time of adoption of the General Plan. (AI 1)

(PAGE LU-67-LU-69)

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Area Plans:  
Elsinore

## Walker Canyon Policy Area

### Policy:

ELAP 4.1 Notwithstanding the Open Space -Rural designation of this property, any proposal to establish a master planned community within this area through the general plan amendment and specific plan process shall be exempt from the ~~five-year~~ eight-year limit ~~and other procedural requirements applicable to placed-on~~ Foundation Component amendments as described in the Administration Element, provided that:

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Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## Lake Elsinore Environs Policy Area

### Policy:

ELAP 7.1 The Open Space-Conservation designation within this area is based on concerns related to flooding hazards. Following adoption of this General Plan, the County of Riverside will review the most accurate flood mapping information in conjunction with the County's consistency zoning program. If property not within the 100-year flood plain is designated as Open Space-Conservation, the County will initiate a general plan amendment to an appropriate Community Development foundation component designation, or include such a change in a general plan amendment of greater scope. Such a general plan amendment shall be exempt from the ~~five-year~~ eight-year limit ~~and other procedural requirements applicable to placed-on~~ Foundation Component amendments as described in the Administration Element. Additionally, privately-initiated amendments within this Policy Area may be exempted from the ~~five-year~~ eight-year limit ~~and other procedural requirements applicable to Foundation Component amendments~~ provided that any area proposed for removal from the Open Space-Conservation designation is located outside the 100-year flood plain and that the proposed new designation is a Community Development Foundation Component designation. Such amendments shall be deemed Entitlement/Policy

amendments and be subject to the procedural requirements applicable to that category of amendments.

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## Harvest Valley/Winchester

### Diamond Valley Lake Policy Area

#### Policy:

HVWAP 5.4 Provided that total development intensity for the entire Diamond Valley Lake Policy Area is not increased beyond the level of development intensity established for this area at the time of the adoption of the General Plan, no general plan amendments shall be required to be filed and approved in order to authorize changes in mapped general plan designations, provided that any such changes are approved through specific plan applications (specific plans, specific plan amendments, substantial conformances, as appropriate). The approved specific plan applications will constitute the General Plan Element mapped land use designations for the areas so affected. In the event that total development intensity for the entire DVLPA would be exceeded due to any development proposal within the area, the application must be accompanied by, and approved through, a general plan amendment (GPA) application. No such GPA shall be subject to the General Plan Certainty System's five-year eight-year amendment cycle and other procedural requirements applicable to Foundation Component amendments. Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## Southwest Area Plan

### Diamond Valley Lake Policy Area

#### Policy:

SWAP 10.4 Provided that total development intensity for the entire Diamond Valley Lake Policy Area is not increased beyond the level of development intensity established for this area at the time of the adoption of the General Plan, no general plan amendments shall be required to be filed and approved in order to authorize changes in mapped general plan designations, provided that any such changes are approved through specific plan applications (specific plans, specific plan amendments, substantial conformances, as appropriate). The approved specific plan applications will constitute the General Plan Element mapped land use designations for the areas so affected. In the event that total development intensity for the entire DVLPA would be exceeded due to any development proposal within the area, the application must be accompanied by, and approved through, a general plan amendment (GPA) application. No such GPA shall be subject to the General Plan Certainty System's five-year eight-year amendment cycle and other procedural requirements applicable to Foundation Component amendments. Any such

amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## Desert Center Area Plan

### Desert Center Policy Area

The Desert Center Policy Area encompasses the area generally located between the existing Desert Center and Lake Tamarisk communities. This area has been identified as having the potential to accommodate limited future expansion of the communities identified, provided that all potential environmental and community services and land use compatibility issues are satisfactorily addressed. Residential, commercial, recreational, tourist-oriented, and other types of land uses may be appropriate here. A general plan amendment will be required prior to any development in this area. Any general plan amendment application filed pursuant to the Desert Center Area Plan policy shall be exempt from the five-year eight-year general plan amendment cycle and other procedural requirements applicable to Foundation Component amendments associated with the General Plan Certainty System. Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.

#### Policies:

DCAP 2.1 Any general plan amendment application filed within the Desert Center Policy Area shall be exempt from the five-year eight-year general plan amendment cycle and other procedural requirements applicable to Foundation Component amendments associated with the General Plan Certainty System. Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.

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## Eastern Coachella Valley

### Planned Communities

In the course of the public hearing process for this General Plan, concepts for three such communities were presented to the Planning Commission and Board of Supervisors. These communities would be located in areas that are presently characterized by very low levels of population density. It was decided that, given the proposed locations of these communities and the fact that the proposals were still in the conceptual or preliminary stage with no environmental review having been completed, it would be premature to assign these properties to the Community Development Foundation component or to apply a Community Development Overlay. However, it was also determined that the concepts had sufficient merit that further study was warranted, and that these proposals should be permitted to be considered for approval without being subject to the five-year eight-year limit and other procedural requirements applicable to placed-on Foundation Component amendments as described in the Administration Element. Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.

## Policies:

ECVAP 2.1 Notwithstanding the Agriculture and Open Space – Rural designations of properties in this area, any proposal to establish a planned community not less than 450 acres in size in the area bordered by Avenue 72 on the north, Avenue 80 on the south, Polk Street and its southerly extension on the east, and the Santa Rosa Mountains on the north shall be exempt from the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed on Foundation Component amendments as described in the Administration provided above, provided that:

ECVAP 2.2 Notwithstanding the Open Space - Rural designation of properties in the area, any proposal to establish, through a General Plan amendment and a specific plan or other application format comprehensively addressing the matters described herein, a planned community of approximately 720 acres located in Sections 9 and 10, Township 6 South, Range 12 East, SBB&M, and lying along both sides of I-10, in the immediate vicinity of the Chiriaco interchange, shall be exempt from the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed on Foundation Component General Plan amendments as described in the Administration Element provided above, provided that, ~~at a minimum~~.

ECVAP 2.3 The General Plan Vision and Principles recognize that the new towns and planned self-sustaining communities will play a role in the growth and development of Riverside County. These development proposals will require vigorous reviews to ensure compatibility with surroundings, consistency with environmental policies, a full range of public services, and fiscal stability.

Lands adjacent to Interstate 10, from the easterly edge of the Coachella Valley to the Chiriaco Summit, also known as the Shavers Valley, offer unique opportunities for self-sustaining development provided that such development is limited and can provide for a full complement of infrastructure and services. Clearly the availability and assurance of a long term and reliable water supply will be the pivotal issue for development in this area. Proposed planned communities in this area are not subject to the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed on Foundation Component amendments as described in the Administration Element provided above, provided that:

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## Palo Verde Valley Area Plan

### Colorado River

#### Policy:

PVVAP 1.4 Notwithstanding the Agriculture and Rural designations of properties in this area, any proposal to establish planned communities in this area pursuant to a Specific Plan of Land Use shall be exempt from the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed on Foundation Component amendments as described in the Administration Element, provided that:

- a. The overall density of the project (including commercial, open space, and recreational areas) does not exceed one dwelling unit (excluding vacation recreational vehicle spaces and hotel/motel rooms) per acre.
- b. The project provides for a riverside scenic roadway and/or pedestrian and bike trail system.
- c. The project provides for protection of structures for human occupancy from flooding under 100-year storm events and mitigates geologic hazards to the satisfaction of the County.
- d. The project does not include any industrial or polluting uses (excluding utility and infrastructure facilities such as water and sewer facilities to serve project residents and visitors).

Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

The exemption from the ~~five-year~~ eight-year limit and other procedural requirements applicable to Foundation Component amendments shall also apply to areas of the planned community extending beyond the boundaries of the mapped Colorado River Policy Area, provided that such areas lie not more than two miles westerly of the river. Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## San Jacinto Valley Area Plan

### Diamond Valley Lake Policy Area

#### Policy:

SJVAP 2.4 Provided that total development intensity for the entire Diamond Valley Lake Policy Area is not increased beyond the level of development intensity established for this area at the time of the adoption of the General Plan, no general plan amendments shall be required to be filed and approved in order to authorize changes in mapped general plan designations, provided that any such changes are approved through specific plan applications (specific plans, specific plan amendments, substantial conformances, as appropriate). The approved specific plan applications will constitute the General Plan Element mapped land use designations for the areas so affected. In the event that total development intensity for the entire DVLPA would be exceeded due to any development proposal within the area, the application must be accompanied by, and approved through, a general plan amendment (GPA) application. No such GPA shall be subject to the General Plan Certainty System's ~~five-year~~ eight-year amendment cycle and other procedural requirements applicable to Foundation Component amendments. Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## The Pass Area Plan

### Cabazon

#### Policy:

- PAP 5.1 A general plan amendment is required in order to develop land within this Community Center Overlay at the Community Center intensity level. However, any general plan amendment within this area involving a change from a lower intensity foundation category to the Community Development foundation component is hereby exempted from the ~~five-year~~ eight-year limit ~~on frequency of foundation category amendments and other procedural requirements applicable to Foundation Component amendments.~~ Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## Western Coachella Valley Area Plan

### Hot Springs Policy Area

#### Policy:

- WCVAP 3.4 Notwithstanding the mapped Area Plan designations in this area, any proposal to amend the Area Plan from a designation in the Rural foundation component to a designation in the Community Development foundation component that is submitted in conjunction with a land use or land division application that is specifically designed to utilize this natural hot water resource shall be exempt from the ~~five-year~~ eight-year limit ~~and other procedural requirements applicable to placed-on~~ Foundation Component ~~general plan~~ amendments, as described in the Administration Element.  
Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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### Sky Valley Mobile Home Parks and Recreational Vehicle Parks

#### Policy:

- WCVAP ~~6+7.1~~ Notwithstanding the mapped Area Plan designations of the subject properties, any proposal to amend the Area Plan from a designation in the Rural foundation component to a designation in the Community Development foundation component that is submitted in conjunction with a land use or land division application that is specifically designed to provide for expansion of an existing mobile home park or recreational vehicle park, or the establishment of new mobile home

parks or recreational vehicle parks on properties located south of Dillon Road in the east half of the northwest quarter and the west half of the northeast quarter of Section 21, Township 3 South, Range 6 East, S.B.B. and M. that are contiguous to such parks shall be exempt from the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed-on Foundation Component general plan amendments, as described in the Administration Element, provided that:

\*\*\*\*  
Any such amendment shall be deemed an Entitlement/Policy amendment and be subject to the procedural requirements applicable to that category of amendments.

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## **Thousand Palms Levees**

### **Policy:**

WCVAP ~~8+9.1~~ Notwithstanding the mapped Area Plan designation of Rural Residential in this area, any proposal to amend the Area Plan designation of lands that will be removed from the 100-year flood plain as a result of the construction of the planned levee system from the Rural foundation component to either the Community Development or Rural Community foundation component shall be exempt from the ~~five-year~~ eight-year limit and other procedural requirements applicable to placed-on Foundation Component general plan amendments, as described in the Administration Element. Such amendments shall be deemed Entitlement/Policy amendments and be subject to the procedural requirements applicable to that category of amendments.

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## **Elsinore Area Plan**

### **Rural Village Overlay Study Areas**

A Rural Village Overlay Study Area has been identified on the Elsinore Area Plan map for the community of Meadowbrook (along State Highway Route 74 northeasterly of the City of Lake Elsinore) and El Cariso Village (along the Ortega Highway segment of State Highway Route 74). Following the adoption of the General Plan, these areas will be studied in greater detail in conjunction with the County's consistency zoning program. Additional analysis will include a review of the pattern of existing land uses, lot sizes, topography, and available infrastructure, in order to determine appropriate designations and areas that would be considered for commercial uses, small-scale industrial uses, or residential development intensities higher than those levels depicted on the Area Plan map. As necessary, the County may initiate a general plan amendment to establish the final Rural Village Overlay boundaries, which may be larger or smaller than the Study Areas depicted on the Area Plan map.

### **Policy:**

ELAP 6.1 Commercial uses, small-scale industrial uses (including mini-storage facilities), and residential uses at densities higher than those levels depicted on the Area Plan may be approved within the Rural Village Overlay Study Area

for Meadowbrook. Additionally, existing commercial and industrial uses may be relocated to this Rural Village Overlay Study Area as necessary in conjunction with the widening of State Highway Route 74.

~~ELAP 6.2 Commercial uses and residential uses at densities higher than one dwelling unit per eight acres may be approved within the Rural Village Overlay Study Area for El Cariso Village, provided that adequate water supplies and fire protection are available.~~

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REMAP

## ~~1. Rural Village Overlay Study Areas~~

~~Large areas in the vicinity of Aguanga and Rader Junction, and the Twin Creek Ranch area, have been identified as Rural Village Overlay Study Areas. Following the adoption of the General Plan, these areas will be studied in greater detail in conjunction with the County's consistency zoning program. Additional analysis will include a review of the pattern of existing land uses, lot sizes, topography, and available infrastructure, in order to determine appropriate designations and areas that would be considered for commercial uses, small-scale industrial uses, or residential development intensities higher than those levels depicted on the Area Plan map. As necessary, the County may initiate a general plan amendment to establish the final boundaries of one or more Rural Village Overlays, which may be larger or smaller than the Study Areas depicted on the Area Plan map.~~

### ~~Policies:~~

~~REMAP 2.1: Commercial uses, small-scale industrial uses, and residential uses at densities higher than those levels depicted on the Area Plan may be approved within the Rural Village Overlay Study Areas, to the extent permitted by zoning and as allowed within Rural Village Overlay areas.~~

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### **Exhibit C**

Proposed New Land Use Element Policy:

“Where appropriate, use any adopted Density Transfer Program to help implement Rural Village Overlay Study Areas and the Multi-Species Habitat Conservation Program.”



## **Exhibit D**

### **Proposed Changes to Appendix B: General Planning Principles:**

#### **I. COMMUNITY DEVELOPMENT PRINCIPLES**

##### **A. Required Knowledge Base**

1. The County must invest in the development and acquisition of the underlying knowledge base required to complete and maintain the General Plan. The overall context for the General Plan is encompassed in the Vision statement which underpins it. The Vision identifies the relevant questions in connection with the knowledge base which is to be developed. Essential database elements include:

- Future potentials, including market trends;
- Demographics analysis;
- GIS mapping and analysis;
- Environmental conditions and analysis;
- Adaptation of emerging planning and regulatory tools and techniques; and
- Impacts and mitigations.

2. Included in this research must be an assessment of the applicability of various planning and regulatory tools and techniques and a determination as to which are particularly appropriate for Riverside County.

##### **B. Regional Issues**

1. We must cooperate regionally to deal with the issues of mobility, transportation systems development, traffic congestion reduction, clear air, clean water, watershed management and habitat linkages. The County should coordinate with the cities, other local and regional agencies, and Indian nations to the maximum extent practicable to provide a comprehensive guide to economic and physical development, transportation and multi-purpose open space in the entire County.

##### **C. Maturing Communities**

1. The General Plan Vision acknowledges that every community in the County is maturing in its own way, at its own pace and within its own context. Policies and programs should be tailored to local needs in order to accommodate the particular level of anticipated maturation in any given community.

##### **D. Housing Element**

1. The Housing Element should be revised to adopt policies that address the real-world projections of overall housing growth and demands for housing of varied type, style, price and density, while encouraging a wide range of choices and opportunities within the framework of the larger economy and the realities of the marketplace.

2. We recommend a program of innovative planning combined with effective incentives for those housing types and community forms which are most efficient in land consumption and extension of infrastructure and are adaptive to transit. We further recommend incentives to promote the conversion of existing legal parcels that are currently configured in inefficient lotting patterns to more efficient configurations, through such mechanisms as density transfer and clustering.

3. The policies that govern the development of housing must be framed with a fundamental understanding of the residential market in Riverside County. That understanding has to acknowledge that housing affordable to the mainstream buyer must continue to be developed within the context of non-subsidized market economics to meet the purchasing ability of local residents. Housing policies must also be responsive to the special housing needs of persons who cannot afford market-rate housing, such as those of persons with disabilities, elderly, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.

4. Provisions should be made in housing policies and programs for preservation and rehabilitation of existing housing stock as well as new housing.

#### **E. Area Plans**

1. The County should build on the active Community Plan process and encourage community participation in the creation of additional Area Plans, setting forth the overall design and planning principles as well as the basic nature of the community.

2. Refinement of existing Community Plans and development of new Area Plans must be done in parallel with the General Plan update, with any required reconciliation between them to be accomplished prior to General Plan adoption.

#### **F. Regulatory Policies**

1. The fundamental notions of increased densities and compact and mixed use development require a major overhaul of the current zoning standards and zoning code provisions. It must be a policy of the General Plan to develop zoning and other land use regulations that implement and permit such development types. Specific Plans, Planned Community Zoning, Planned Development Zoning and Site Planning each provide customized zoning and other development regulations, and are appropriate planning and regulatory vehicles for achieving local control over development quality and type.

2. It is critical that these new and alternative development types be permitted without additional review and regulation. Compliance with performance standards should be used to facilitate use of flexible regulations in place of exhaustive review procedures. Additional incentives in the form of economic benefits (fee reductions, permit fast tracking, density bonuses, etc.) must be developed to encourage desirable development.

#### **G. Efficient Land Use**

1. The County should encourage compact and transit-adaptive development on regional and community scales. The policy goal is to permit and encourage increased densities and intensities, and to reduce the land required for public infrastructure by reducing street widths (subject to emergency access requirements) and other such requirements, excepting land that the public has exercised its prerogative to purchase at fair market value.

2. Implementation of the General Plan Vision and its supporting policies is desirable for development and deserving of support by public institutions. Incentives should be used to encourage higher density/intensity development in appropriate areas, within the context of the General Plan, and taking market forces into consideration. These preferred development patterns must be clearly and accurately defined so that compliance with the policy to earn incentives will be neither misinterpreted nor misunderstood.

3. Provision of mobility to an expanding population requires the integration of land use and transportation through transit-adaptive development and infrastructure. Efficient use of land as well as mobility goals will therefore be fostered through the following:

- a. Create community centers with mixed or integrated commercial, residential, employment, parks, and civic, recreational and cultural uses within walking distance of transit stops (bus and rail).
- b. Create street networks, directly connecting local destinations, that are friendly to pedestrians, bicyclists and others using non-motorized forms of transportation.
- c. Direct further subdivision of ranchettes and very low density development (less than 2 units/acre) to appropriately planned and sited properties.
- d. For existing legal parcels which are at low densities, consider transfer of development credit programs or other mechanisms to achieve more efficient use of land.
- e. Re-plan existing urban cores and specific plans for higher density, compact development.
- f. In new towns, accommodate compact, transit-adaptive infrastructure (based on modified standards that take into account transit systems facilities or street network).

#### **H. Public Acquisition**

- 1. Public acquisition of land must be accomplished through legal and constitutionally mandated means.

### **II. ENVIRONMENTAL PROTECTION PRINCIPLES**

#### **A. Environmentally Sensitive Community Design**

- 1. Environmental protection is built into the General Plan at the Countywide and Area Plan level. This sensitivity to environmental conditions is also desirable at the community level and should be carried out as appropriate to that scale. Community design should be aimed at preserving significant environmental features wherever possible, particularly where they can provide continuity with more extensive regional systems. Examples include unique natural terrain (e.g, rock outcroppings), drainage ways (e.g. natural swales rather than versus concrete channels), and superior examples of native vegetation (e.g., stands of oak trees contained within parks or common areas).

2. Water conservation practices should also be encouraged by promoting groundwater recharge through increased use of porous pavement, on site and neighborhood water capture, drought tolerant landscaping, and water recycling.
3. Programs should be created to ensure historic preservation.
4. Energy efficiency should also be pursued wherever possible through street configuration, building orientation and landscaping to capitalize on shading and facilitate solar energy.

#### **B. Habitat Preservation**

1. Preservation of natural systems (e.g. multi-species habitat, watersheds, landforms) is an integral part of these principles. At the initiation of the General Plan process, it is the multi-species habitat conservation plan (MSHCP) effort around which natural systems planning should begin. Further, the investment in the Stephen's Kangaroo Rat habitat program ought to be protected and leveraged, so that the time and energy already spent on it is not wasted. While the primary purpose of multi-species habitat is the permanent preservation of this portion of the natural environment, carefully managed access by humans should be considered in some locations as a means of enabling people to experience and better appreciate these resources.

#### **C. Community Open Space**

1. Provision of community open space is a fundamental principle of community planning. Open space in this context means usable open space, available for residents to enjoy in a manner appropriate to its design, acceptance of human impacts and consistency with the aims of the General Plan.

#### **D. Multi-purpose Open Space**

1. Designation of open spaces in the General Plan and Area Plans conveys the intent of creating a comprehensive open space system that provides a framework for community development and encompasses the needs of humans for active and passive recreation, as well as the needs of multiple species for survival and sustenance. Within that overall designation, the functional areas of community open space and habitat preservation should be clearly delineated.

2. Moreover, the types of uses to be accommodated within components of the multi-purpose open space system should be clearly spelled out in the General Plan, based on sound community planning principles. Where the function of open space areas is not diminished by linkages to other open spaces, those linkages should be established wherever possible.

### **III. TRANSPORTATION PRINCIPLES**

#### **A. Optimize Existing Systems**

1. Existing circulation infrastructure should be optimized, while adding new sub-systems that interface naturally with the freeway system. Rubber tire transit systems (conventional or articulated buses) as a component of an integrated system ought to be initially addressed for their low first cost and ease of system integration.

## **B. Transportation Corridors**

1. The need for new transportation corridors, and their optimal modal mix, should be assessed. Any alignments chosen must reflect environmental constraints. Any such new transportation corridors should be planned to provide an additional supporting framework, so that future community growth develops naturally and economically along these routes. Transit infrastructure requires advance dedication or set-asides consistent with regional transportation infrastructure plans to ensure adequate opportunity when the time for construction arrives. Transit equipment, distinct from rights-of-way and infrastructure systems, is a public responsibility and its provision should not be used as a condition of approval or a requirement of entitlement. However, this does not preclude voluntary action in response to incentives.

## **C. Mass Transit**

1. The Circulation Element should put in place an integrated transportation system, for both people and goods, which creates a regional transit framework (which may accommodate rail or rubber-wheeled technologies) around which the great majority of housing, commercial and industrial development will be focused and served. The regional service base must support the development and operation of the transit network. Varied forms of transit systems should be considered, based on service potential, cost, flexibility and reinforcement of more efficient land use. Applications of this principle include:

- a. Improving transportation and public transit access to downtowns and other activity centers from other areas.
- b. Providing convenient access to transit, so this becomes an amenity used to market the community.
- c. Capitalizing on existing rail or road rights-of-way or rail links that are unused or underused.
- d. Locating as many community activities as possible within easy walking distance of transit stops.

2. Development proposals, however, must be planned and regulated so they can stand alone, independent of the transit service which is much more likely to follow, rather than lead, such development.

## **D. Street Standards**

1. Local street standards warrant a review. In particular, the utilization of narrow streets, traffic circles and roundabouts, traffic calming at intersections, parkway "bulbs", etc., need careful assessment. Grid street patterns, and other traditional neighborhood design features including alleys, should be permitted. Other treatments that enhance livability at the street level include landscaping and streetscaping. In general, creative street design should be permitted, subject to safety considerations.

## **E. Pedestrian, Bicycle and Equestrian Friendly Communities**

1. Compact development patterns and location of higher density uses near community centers should allow services to be safely accessed by walking, bicycling or other non-

motorized means. Typically, walking is a feasible option within a one-quarter to one-half mile distance. Streets, pedestrian paths and bicycle paths should contribute to a system of fully-connected and intersecting routes. Their design should encourage safe pedestrian and bicycle use. Bicycle and pedestrian paths should be conveniently located and linked to commercial, public, educational and institutional uses.

#### **F. Air Transportation**

1. Air transportation facilities, commercial, military and general aviation, need to be integrated into the County's overall transportation system. In particular, the relationship between airports and surrounding land uses as well as connections with arterial highway and transit systems require careful coordination.

### **IV. COMMUNITY DESIGN PRINCIPLES**

The following principles are suggested as the basis for developing zoning standards, design guidelines, incentive programs and land use policies.

#### **A. Community Variety, Choice And Balance**

1. It is the intent of the General Plan to foster variety and choice in community development, particularly in the choice and opportunity for housing in various styles, of various densities, of a wide range of prices and accommodating a range of life styles in equally diverse community settings, emphasizing compact and higher density choices.

2. Incentives should be used within the General Plan to expand the range of choices available and to support the development of desired development types and strategies. Nothing in these principles is to be interpreted as forcing residents of the County into development options for which there is no potential market, nor is there any intent to mandate either the life style or housing choices of the populace.

3. Balanced growth is achieved in more than one way by:

a. Distributing growth in a rational way between urban, suburban and rural spheres with an appropriate allocation of resources to meet necessary infrastructure requirements;

b. Fostering communities varying in size, type and environmental setting, recognizing that some patterns of development are appropriate for incentives and some patterns should be discouraged; and

c. Ensuring a balance of jobs, housing and services within communities.

4. Communities should range in location and type from urban to suburban to rural, and in intensity from dense urban centers to small cities and towns to rural country villages to ranches and farms. Low density residential development should not be the predominant use or standard by which residential desirability is determined.

a. Each of the following should be considered, in no order of priority, as appropriate types of urban form and development:

(1) Municipal boundary build-out;

(2) New towns, villages, neighborhoods and aggregated specific plan areas;

(3) Infill development and redevelopment;

(4) Compact and transit oriented developments; and

(5) Suburban development exclusive of the Very Low Density designation.

5. The creation of new cities/towns, villages and aggregated specific plan areas should be considered. The process of planning for new communities should be started so that when they are built they will have the infrastructure, the facilities, services, and economic sustainability to make them viable into the next century.

6. Existing communities should be revitalized through development of under-used, vacant, redevelopment and/or infill sites within existing urbanized areas. To the extent possible, attention should be focused on brownfields and other urban sites whose rehabilitation provides not only economic benefits but also environmental improvements. Steps to implement this principle include:

a. Preserving and enhancing existing pedestrian and transit-adaptive neighborhoods by pursuing redevelopment that retains pedestrian orientation and promotes transit use.

b. Preparing neighborhood revitalization plans for areas suited for infill development. Assure public participation throughout the planning process. Streamline the permitting process, provide incentives as part of the process, and encourage public-private ventures to carry out these plans.

c. Re-designating vacant land for higher density uses or mixed use, and providing incentives for assemblage of smaller parcels to create feasible infill projects that meet community goals and objectives.

7. High density, urbanized villages should be created surrounding existing and projected commercial and industrial clusters, with priority given to ensuring adequate transit access to such villages.

8. Where continuing development of existing Specific Plans and tracts proceeds, provide incentives for reconfiguring such specific plans and tracts to form more efficient communities. Incentives should be provided to owners of such properties who are willing re-plan their properties in accordance with these principles and incentives.

## **B. Unique Communities**

1. The General Plan should promote development of a "unique community identity" in which each community exhibits a special sense of place by retaining distinct edges and sufficient open space between scattered urbanized areas. This will facilitate the build-out of existing communities, as well as the creation of new towns, each of which have distinct boundary and edge conditions.

2. A further aspect of community character and identity is the natural topography and unique landforms that must be respected in the pattern of development. Each community or cluster of communities should have distinct edges, parks and open space connections.

### **C. Community Centers**

1. Where appropriate, each community should be encouraged to develop a "community center" as the focus and place of concentrated civic activity.
  - a. Downtown and community centers should be promoted as primary commercial and financial centers, and social, institutional, and financial incentives should be provided to builders and businesses locating there.
  - b. Mixed-use districts should be created that encourage the combination of residential, commercial, civic, cultural, recreational and office uses essential to the daily life of residents, on the same site.
  - c. Existing, underutilized developments, such as shopping centers, should be redeveloped or reused to provide activity, mixed uses and housing nodes. (
  - d. Existing neighborhoods should be retrofitted to create activity centers or nodes that give each neighborhood an identity and a civic focus, and provide services such as day care.
  - e. Public spaces and parks should be made the focus of building orientation and neighborhood activity.
  - f. School districts should incorporate school sites into centrally located activity centers that serve multiple civic purposes.
  - g. Institutional and public land uses should be incorporated into downtown redevelopment and neighborhood revitalization plans.
  - h. Public spaces should be designed to encourage the attention and presence of people at extended hours.

### **D. Transportation Linkage**

1. Each community should be integrated into the regional transit/transportation system, with appropriate planning for transit terminals and high density clustered housing in the immediate vicinity. When appropriate, this area should be developed as the community center and a transit hub.

### **E. Integrated Use**

1. Integrated use takes the notion of "mixed use" another step and both permits and encourages a careful integration of urban uses, appropriately planned and located within the overall urban setting, with sufficient flexibility remaining to encourage the blending of unplanned, yet equally beneficial, uses that contribute to the dynamic vitality of urban life.

## **F. Fine Grain Mix of Housing**

1. Land use policies should permit a fine grain mix of housing types, densities and prices. This means that neighborhoods and development projects may contain a mix of several housing types, densities and price ranges, subject to carefully crafted standards of design (e.g. regulating lot coverage, setbacks, and landscaping).

## **G. Parks and Recreation**

1. An ample system of specialized open space and recreational facilities should be provided which are pedestrian, bicycle and equestrian oriented and accessible to persons of all ages, and whose frequent use is encouraged through placement and design.
2. Public spaces and parks should be made the focus of building orientation and neighborhood activity, particularly in community centers.
3. Parks should be connected with schools, the regional trails system and the open space and multi-species habitat areas, where the functions of these areas are not diminished by the connections.

## **V. AGRICULTURAL PRINCIPLES**

1. Agriculture should be treated as an economic land use, to include the following:

- a. Long and medium term agricultural lands devoted to field, row, or orchard crops or grazing that reflect investment and operational commitments to agricultural production; and
- b. Rural industrial agricultural lands, such as those devoted to dairies or poultry farms, involving uses that function as a farm-produce related industrial activity, usually are more intensive than, but not as extensive as, most agricultural activities. They are typically surrounded by low intensity rural uses and vacant land and require significant remediation before they can be converted to another use.

2. The General Plan, through its Area Plans, should provide for these categories of agricultural lands in map and narrative form. This will be accomplished in the following way:

- a. Agricultural lands should be designated as Agriculture (A) on the General Plan. This denotes that agriculture is the current development form for these lands. The characteristics of this use include, but are not limited to:

- (1) Farmers invested in agricultural pursuits;
- (2) Agriculture is the predominant surrounding use, although urban encroachment may be occurring in some cases;
- (3) Infrastructure is designed to support agricultural uses;
- (4) The quality of soils, cost and supply of water, and other factors support agricultural production;

(5) Williamson Act Contracts are common, although some non-renewals may be initiated;

(6) There is general recognition that this land is in an agricultural district, whether it is gradually contracting over the long term, stable, or expanding; and

(7) This use may, in some situations, be combined with an overlay that offers other options for the property owner, such as a voluntary agreement to preserve certain open space areas or characteristics in exchange for fair compensation.

b. Rural agricultural uses that have industrial characteristics will be designated Agricultural Industrial (AI) on the Plan, denoting that these uses, because of their intensity and character, set them apart from other agricultural uses. They have unique requirements and impacts that make them particularly incompatible with urban uses. The characteristics of this category may include the following:

(1) Farmers have made a long-term investment in the use;

(2) The use is highly intensive and requires specialized improvements to conduct the use;

(3) Impacts of the use are highly industrial in character, involving noise, odor, dust and truck traffic highly incompatible with urban residential development;

(4) The surrounding area is generally devoted to rural development or grazing lands;

(5) Infrastructure generally in the area is not supportive of urban development;

(6) Conversion to urbanization would require significant environmental remediation; and

3. Because of its significant economic and other indirect benefits (e.g., visual open space), incentives should be put in place to stimulate continued agricultural production where conditions permit it to flourish. This includes opportunities to expand agriculture in some areas, including the possibility of using the new "Super-Williamson Act" as a means of accomplishing this.

4. Policies and measures should be included to protect the long-term agricultural areas from urban encroachment by means of a strong right-to-farm ordinance and restrictions on new development that could prematurely induce a loss of agriculture. The responsibility for providing buffering between urban, suburban or conservation uses that encroach upon existing agriculture/agricultural industrial uses rests with the urban/suburban development. The responsibility for providing buffering between expanding agricultural lands or agricultural/industrial uses and adjacent development rests with the agricultural use.

5. Policies and measures should be included to manage the transition from agricultural uses to urban uses within the time horizon of the General Plan. This will entail use of the

RCIP Certainty System by reviewing this Foundation Component as part of a periodic comprehensive General Plan review.

6. New tools may have to be developed to avoid undue pressure on existing agriculture, accomplish a transition smoothly where that is intended, and address the long term implications of the interface between agricultural and other uses. These could include, but not be limited to, such concepts as buffer zones, phasing programs, disclosure agreements, transfer of development rights, and other methods of fairly and equitably managing the interface between agricultural and other lands.

7. Policies and measures should be included to allow agricultural uses to continue on lands designated for Community Development until the land is redeveloped or agricultural production ceases.

8. Policies in the RCIP Certainty System and RCIP Monitoring Program should address the means to be used to account for unanticipated events or conditions that may substantially alter the status of agricultural lands in the County (e.g. significant economic shifts, water availability or cost).

## VI. RURAL DEVELOPMENT PRINCIPLES

1. Rural land use designations should be established that accommodate a rural lifestyle generally within existing rural towns and rural residential neighborhoods. Additional rural towns and residential neighborhoods should be minimized because of the need to provide more efficient community development opportunities.

2. Existing rural towns and residential neighborhoods should be clearly mapped and identified as the basis for further review and possible refinement of this aspect of the General Plan.

3. Areas in which the rural character is clearly established, its nature is such that intensification is impractical, and current residents/property owners strongly prefer a continued rural lifestyle, should be retained as rural in the General Plan.

4. These principles do not preclude the addition of small-scale villages of a contrasting character, even those that might include a mix of more intensive residential development, as a component of the rural landscape.

## VII. ECONOMIC DEVELOPMENT PRINCIPLES

### A. Preface

1. The Vision encompasses a robust economy serving a full range of job needs, offers housing choices covering the complete spectrum from entry level to estate living environments, and provides a solid economic base to support needed public services and facilities.

2. The following principles guide preparation of land use maps and General Plan policies for the RCIP. They must be interpreted in the context of two major economic themes. The first is recognition of Riverside County's unique present and future economy. The second is the aspiration, even though it may not be completely achievable, to stimulate enough jobs in Riverside County to enable the workers who reside here to choose also to work in this County. This is particularly applicable to basic, higher wage employment

that strengthens the structure of the County's economic base, and not to simply adding more jobs irrespective of their nature (such as low paying service industry jobs).

3. This County is emerging as a rapidly growing force in the Southern California economy, with strong population, housing and employment growth. While the County's initial economic character has been understandably dominated by responsiveness to local markets, there is a definite intent to become a major participant in the regional, national and international markets. That direction is so desirable that the RCIP seeks to stimulate the diverse economic mix, land availability and access capabilities to operate effectively at those economic scales. In short, the intent is to implement the economic portions of the Riverside County Vision.

#### **B. General**

1. Provide employment-generating uses in Riverside County, with capacity for enough jobs to employ the workers who live in Riverside County to the maximum extent possible.
2. Stimulate the growth of businesses focused on national and international markets.
3. Stimulate cooperative arrangements with adjacent cities, counties, regions and states where programs and projects of mutual benefit can be undertaken.
4. Stimulate use of practical incentives for business development, and avoid disincentives.
5. Promote the development and dissemination of marketing information to make business enterprises aware of the opportunities and advantages of location/expansion in Riverside County.

#### **C. Commerce and Industrial Development**

1. Stimulate industrial/business-type clusters that facilitate competitive advantage in the market place, are appropriate for this County, provide attractive and well landscaped work environments, and fit with the character of our varied communities.
2. Provide for a range of uses in major transportation/employment centers that:
  - a. Accommodate embryo industries and small business start-up operations;
  - b. Offer housing responsive to the range of needs by the workforce; and
  - c. Promote a mix of uses, especially including high employment uses such as commercial and office development as well as mixed-use projects.
3. Provide for the continued and even expanded production of agricultural products by conserving areas appropriate for agriculture and related infrastructure and supporting services.
4. Stimulate the growth of small businesses.
5. Promote the focus of venture capital in our employment centers and economic clusters.

6. Stimulate home enterprise and home occupation activities as much as possible, consistent with preserving the quality of the residential environment in which they are located.

#### **D. Land and Development Activity**

1. Focus on availability of vacant, developable land that can accommodate a variety of economic enterprises.
2. Locate job centers so they have convenient access to the County's commercial and general aviation airports. In parallel with this strategy, facilitate improvements in the County's access to local commercial air transportation facilities as well as those outside the County.
3. Establish sufficient acreage of well distributed industrial sites and business park uses, so that workers and employers have more locational options in the County and, because of convenience, allow a choice of making shorter commutes.
4. In locating job centers, consider the potential leverage provided by designated redevelopment project areas, enterprise zones and empowerment zones as a means of stimulating economic development and assembling land parcels to facilitate more competitive business development projects.

#### **E. Leadership and Employment**

1. Provide for increased levels of higher paying employment opportunities.
2. Benefit from and reinforce existing and expanded educational centers by:
  - a. Establishing proximity of job centers to educational facilities wherever possible;
  - b. Facilitating college/university/trade school/secondary school partnerships with businesses, industries and labor groups; and
  - c. Stimulating development of educational facilities and programs that are supportive of job training and technical capabilities, not only in traditional high technology fields such as software development, but in innovative assembly, skilled manufacturing and related trades.
3. Encourage the involvement of business leaders in overall economic development strategies.
4. Promote ways of expanding and retaining our trained and educated work force in the County, including especially bringing businesses into the County that can use the talents of our existing workforce.

#### **F. Infrastructure Support**

1. Locate industrial uses in proximity to existing and planned rail lines, freeways, arterial highways and utilities.

2. Stimulate cooperative programs between utility suppliers and businesses to assure adequate infrastructure support and develop leading edge communication systems.

## VIII. RIVERSIDE COUNTY GENERAL PLAN CERTAINTY SYSTEM

### A. Preface

1. The Riverside County General Plan Certainty System is intended to provide clarity regarding the interpretation and use of the General Plan in ongoing decision making, and to sustain the Plan's policy direction over time. It recognizes that circumstances will change, imperfections in the Plan will be discovered and events will occur that require changes in the Plan. It seeks to maintain a high level of confidence in the Plan and enable people affected by it to have reasonable expectations regarding how the Plan will impact them. The Plan's interpretation, application and amendment are very important matters, not to be taken lightly. Therefore, the Certainty System consists of four parts:

a. **Presentation.** To the maximum extent possible, provisions of the Plan are clearly mapped. Further, the language of the Plan seeks to be clear, simple and deliberate, with intent indicated for each provision.

b. **Interpretation.** Guidelines for interpreting the intent of the Plan, where conflict arises on any point, are provided for resolution of issues, including a defined process for making interpretations and determining the potential for future changes in the Plan.

c. **Monitoring.** A responsive, highly automated system for monitoring and assessing cumulative effects of implementation of the Plan, including documentation of development, land preservation, and transportation activities, is described in the General Plan, established and maintained. Reference to this monitoring information is an essential ingredient in the consideration of any change in the Plan, especially regarding land use designations. The information in this system is maintained in such a way that basic development activity can be summarized at any time, for use in reporting mechanisms which should include an annual General Plan progress report.

d. **Amendment.** The timing, rationale and process for amending the Plan are critical ingredients in maintaining the long term viability of the General Plan. Carefully-crafted descriptions of this component of the Certainty System are included in the Plan. [This fourth component is described in this paper. The other components will be defined later in the planning process.]

### B. OBJECTIVES

1. The General Plan Certainty System seeks to satisfy the following objectives:

a. Maintain the integrity of, and confidence level in, the new General Plan;

b. "Stay the course" regarding the Plan's direction long enough to be able to determine its workability;

c. Define categories of amendment activity so they are universally understood;

- d. Establish a set of rules and procedures for amending the General Plan that are fair, firm and equitable;
- e. Empower any property owner to seek an amendment according to established procedure;
- f. Avoid erosion of the foundation components upon which the General Plan is structured, by requiring consideration of any changes to be conducted in a comprehensive manner;
- g. Provide for extraordinary and unpredictable circumstances;
- h. Establish clarity in assessing proposed amendments at the earliest possible time in the process;
- i. Clarify the findings appropriate to each amendment category;
- j. Monitor progress in implementing the General Plan, and correct the course where necessary;
- k. Promote coordinated long range planning and implementation between Cities and the County; and
- l. Strike a sustainable balance between certainty in critical aspects of the General Plan and flexibility in response to changing conditions and opportunities, where such flexibility contributes to achieving the RCIP Vision.

## **C. AMENDMENT CATEGORIES**

### **1. Three amendment categories are part of the system:**

- a. Technical Amendment — involves changes in the General Plan of a technical nature, including technical corrections discovered in the process of implementing the Plan. Some Entitlement Amendments may occur under this category, if they are required to correct a documentable error. They may include:
  - (1) Corrections to statistics;
  - (2) Mapping error corrections;
  - (3) Changes in spheres of influence and city boundaries;
  - (4) Changes in Unincorporated Communities or Communities of Interest;
  - (5) Editorial clarifications that do not change the intent of the Plan; and/or
  - (6) Appendix information useful in interpreting the Plan but which does not change its intent.

~~b. Entitlement/Policy Amendment— involves changes in land use designations or policies that involve land located entirely within a General Plan Foundation Component but does not change the boundaries of that component. This type of amendment may also involve changes in General Plan policy so long as it does not change the RCIP Vision, a General Plan Foundation Component or a General Plan Principle. It may be proposed by:~~

- ~~(1) The Board of Supervisors;~~
- ~~(2) The Planning Commission;~~
- ~~(3) A private property owner; and/or~~
- ~~(4) An individual or organization with an interest in the Plan.~~

~~c. Foundation Amendment— involves changes in:~~

- ~~(1) The RCIP Vision;~~
- ~~(2) The General Plan Planning Principles; and/or~~
- ~~(3) A Foundation Component of the General Plan, including any change to or from:~~
  - ~~(a) Conservation: open space designated as a result of the MSHCP;~~
  - ~~(b) Community Development: areas slated for development;~~
  - ~~(c) Agriculture: property designated in the General Plan as Agriculture or Agricultural Industry;~~
  - ~~(d) Rural development designations that are not included as an integral part of Community Development: country towns/ villages and rural areas, with a clear intent to maintain a rural character, and so designated on the General Plan Land Use Map.~~

#### **D. REQUIRED AND OPTIONAL FINDINGS**

1. Findings must be commensurate with the significance of the amendment proposed. In addition to information submitted by applicants or initiators of proposed amendments, findings must be supported by information generated by the General Plan Monitoring Program, whenever available. This data will be updated periodically, to enable decision-makers to understand the status of the General Plan and the implications of proposed changes to it. The following findings are associated with the respective amendment categories:

a. *Technical Amendment Findings.* The first finding and any one or more of the subsequent findings would justify a technical amendment.

#### REQUIRED FINDING

- (1) The proposed amendment would not change any policy direction or intent of the General Plan.

#### ONE OR MORE ADDITIONAL FINDINGS REQUIRED

- (2) An error or omission needs to be corrected.
- (3) A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.
- (4) A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.
- (5) A minor change in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.

*b. Entitlement/Policy Amendment Findings.* The first two findings and any one or more of the subsequent findings would justify an entitlement/policy amendment.

#### REQUIRED FINDINGS

- (1) The proposed change does not involve a change in or conflict with:
  - (a) The RCIP Vision;
  - (b) Any General Plan Principle; or
  - (c) Any Foundation Component designation in the General Plan.
- (2) The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.

#### ONE OR MORE ADDITIONAL FINDINGS REQUIRED

- (3) Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
- (4) A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
- (5) An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.
- (6) An amendment is required to expand basic employment job opportunities (jobs that contribute directly to the County's economic base) and would improve the ratio of jobs to workers in the County.

(7) An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.

*c. Foundation Amendment Findings.* The premise for a Foundation Amendment is that the General Plan will only be amended in any fundamental way for significant cause. The intent with Foundation Amendment Findings is to consider them comprehensively in the context of the entire General Plan and their overall impacts on the RCIP Vision and its implementation. A Foundation Amendment may occur in three ways. The first would be as part of a regular five-year comprehensive review, and only the first finding is required for this type of amendment. The second would be as a result of extraordinary events, and the first two and any one or more of the subsequent findings will be necessary to justify such amendment, which does not have to comply with the ordinary General Plan Review cycle. The third would be as part of a regular 2½-year comprehensive review of Agriculture Foundation Amendments and only the ninth finding is required for this type of amendment.

#### REQUIRED FOR FIVE YEAR REVIEW/EXTRAORDINARY AMENDMENT

(1) The Foundation Amendment is based on ample evidence that:

(a) new conditions or circumstances disclosed during the review process justify modifying the Plan;

(b) the modifications do not conflict with the overall RCIP Vision; and

(c) the modifications would not create an internal inconsistency among the elements of the General Plan.

#### REQUIRED FOR EXTRAORDINARY AMENDMENT

(2) A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current RCIP Vision or in the General Plan Principles or Policies. A Foundation Amendment must still result in a consistent direction for the subsequent planning period. The condition stimulating such an amendment may involve private properties, public properties or both.

#### ONE OR MORE ADDITIONAL FINDINGS REQUIRED

(3) An unconstitutional taking of property would occur without the amendment and the amendment alters the General Plan Component designation only to the extent necessary to avoid the taking.

(4) A natural or man-made disaster or public emergency has occurred that warrants a change in General Plan Component designations in order to protect the public health, safety and welfare.

(5) A General Plan Component amendment is required to conform to changes in state or federal law or applicable findings of a court of law.

(6) A General Plan Component amendment is required to comply with an update of the Housing Element or change in State Housing Element law.

(7) A General Plan Component amendment is required to expand basic employment job opportunities (jobs that contribute to the County's economic base) and that would improve the ratio of jobs to workers in the County.

(8) A General Plan Component amendment is necessary to facilitate implementation of open space or transportation corridor designations arising from the MSHCP and CETAP programs, and could not be accomplished by a lesser change in the General Plan.

#### REQUIRED FOR 2 ½-YEAR REVIEW AGRICULTURE FOUNDATION AMENDMENT

(9) To justify an agriculture foundation amendment, the proposed amendment would have to either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them.

### E. AMENDMENT CYCLES

1. Four types of amendment cycles are provided, as discussed below. Table 1, Amendment Matrix, summarizes the amendment categories and their timing.

Table A-1 Amendment Matrix						
Type of Change	Amendment Category					Amendment Potential Frequency
	Technical	Entitlement/ Policy	Foundation			
			2 ½-year Review	5-year Review	Extraordinary	
Correction/Clarification	X <sup>1</sup>	-	-	-	-	Quarterly <sup>2</sup>
Map Designation (Within Component)	X <sup>2</sup>	X	-	X <sup>5</sup>	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Agriculture to Other Designation	-	-	X	-	X	Every 2 ½-years
Policy Change	-	X	-	X	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Principle Change	-	-	-	X	X	Every 5 years or Random <sup>4</sup>
Component Boundary or Definition Change	-	-	-	X	X	Every 5 years or Random <sup>4</sup>
Vision Change	-	-	-	X	-	Every 5 years
Notes: <sup>1</sup> may be clustered with any other amendment package.						

<sup>2</sup> Has priority in each amendment package; thus, may occur as frequently as 4 times each year in compliance with the Government Code. Amendments are scheduled on an 18-month cycle.

<sup>3</sup> May involve change in map designation only in the case of an error in the original General Plan determination.

<sup>4</sup> Extraordinary amendments have no predetermined schedule.

<sup>5</sup> Changes in the land use designation in areas not covered by an area plan shall be treated as a foundation amendment. This is the only situation in which designations within a component are considered the same as a foundation component.

a. General Plan Review Cycle. This cycle occurs every five years after adoption of the RCIP. It:

(1) Is initiated by the County;

(2) Is primarily intended to assess RCIP progress and issues related to its implementation;

(3) Is the only time, other than a declared extraordinary amendment or an agricultural foundation amendment, that a Foundation Component of the General Plan may be considered for change;

(4) May include policy, entitlement and technical amendment proposals determined to be an appropriate part of this cycle;

(5) Extends planning projections another five years into the future, identifying required adjustments in the Plan, if any, to accommodate anticipated needs;

(6) Includes special considerations to reassess the Vision and Planning Principles and recommit to them; and

(7) Permits a comprehensive evaluation of CETAP and MSHCP progress, with refinements as necessary to enable further implementation of these programs as they relate to the General Plan.

b. General Plan Amendment Cycle. This cycle occurs every January and extends for 18 months into the future, to permit effective scheduling and clustering of amendment proposals and enable current staffing to plan for necessary workloads. Administrative decisions regarding the cycle involve only scheduling of amendment activity. Approval, conditional approval or denial of an amendment request occurs only through the public hearing process. Scheduling the Cycle:

(1) Involves policy amendments and changes in entitlement within Foundation Components, but not between them (except for some types of Rural Development);

(2) Provides for amendment packages at least four times a year (in accordance with state law);

(3) Is administered and approved by the Director of the Transportation and Land Management Agency;

~~(4) May be appealed to the Planning Commission if any party is aggrieved by the determination of the Director;~~

~~(5) May be appealed to the Board of Supervisors if any party is aggrieved by the determination of the Planning Commission;~~

~~(6) Is accompanied by a pre-application conference that results in an assessment of the inconsistencies of the proposal with the RCIP, including the appropriate amendment category into which it fits and an indication of the degree of difficulty in achieving amendment approval;~~

~~(7) Addresses all applicable General Plan Elements, to the extent that they are involved;~~

~~(8) Establishes application deadlines and hearing dates for each amendment package;~~

~~(9) Clusters amendments by geographic area, to the extent possible;~~

~~(10) Includes Technical Amendments as appropriate; and~~

~~(11) Does not permit changes in the RCIP Vision or General Plan Foundation Categories or Principles.~~

~~e. Extraordinary Amendment Event. This type of amendment does not operate on a cycle. It may be initiated at any time, but must have extraordinary justification. This type of event is properly considered an exception to normal General Plan considerations because of its serious cause and potentially serious impacts on the General Plan. It:~~

~~(1) May be initiated by the Board of Supervisors or requested by others who believe such a consideration is needed. Upon such a request by others, the Board must make a determination that the degree of urgency justifies amendment consideration and, upon such determination, must set a date for its consideration;~~

~~(2) May be included in the next scheduled amendment cycle, and has priority in that amendment package; and~~

~~(3) Must be accompanied by extraordinary findings as described in Section D.1.e, above.~~

~~d. Agriculture Foundation Amendment Cycle. The cycle allows up to 7% of all land designated as Agriculture to change to other Foundation and land-use designations during each 2 ½-year Agriculture Foundation Amendment Cycle and convert to another land use consistent with the amended Foundation and land-use designation. At the end of the first 2 ½-year period, properties may only be removed from the Agriculture designation. Properties which are proposed to be added to the Agriculture designation would have to wait until the end of the second 2 ½-year period (i.e., 5 years from the adoption of the General Plan). At the end of each 2 ½-year period, the Board of Supervisors would consider whether or not changes to the Agriculture Foundation should be reviewed every 2 ½ years or whether a 5 year amendment cycle, like those for the other~~

Foundations, would be more appropriate. The 7% conversion can occur anytime within the 2 1/2-year Agriculture Foundation Amendment Cycle and is to be calculated separately for each of the following three areas:

- (1) The area covered by the Palo Verde and Desert Center Area Plans and the Eastern Desert Land Use Plan;
- (2) The area covered by the Eastern Coachella Valley and Western Coachella Valley Area Plans; and,
- (3) The area covered by all other Area Plans.

An Agricultural Task Force will be established for each of the three areas, and will be comprised of representatives of the farming community from each area that derive their primary income from farming, and representatives of the agricultural lending community, appointed by the Riverside County Board of Supervisors upon the recommendation of the Riverside County Farm Bureau Board, the Milk Producers Council, the Desert Grape Growers League of California, the Date Commission of California, American Ag Credit, and other agricultural trade organizations to be identified. The Agricultural Task Force would: (1) annually review the adequacy of the 7% conversion amount and recommend changes to the Board of Supervisors should the 7% conversion amount be insufficient; and (2) make recommendations on a case-by-case basis on agricultural landowners' requests made in connection with an Agriculture Foundation General Plan Amendment Cycle in excess of the 7% conversion amount, as discussed below.

**Agriculture Foundation General Plan Amendments in Excess of 7%:** Should the 7% agricultural conversion amount be met within a period shorter than the 2 1/2-year Agriculture Foundation General Plan Amendment Cycle, any additional requests to file a Foundation Amendment would occur on a case-by-case basis. The request to file a Foundation Amendment would first be submitted to the Agricultural Task Force. After the Agricultural Task Force recommendation, the request to file a Foundation Amendment would proceed to the Board of Supervisors for consideration. The Agricultural Task Force and the Board would consider the following criteria in considering requests to file a Foundation Amendment under the Agriculture Foundation Amendment Procedure:

- (a) Whether conditions or circumstances justify modifying the Agriculture Foundation of the General Plan, such as labor; water availability; water cost; commodity prices; market conditions and marketability; trade issues; estate issues; lender and financing flexibility for farm planning; exotic pests; quarantines; diseases (e.g., Pierce's Disease); foreign competition; government regulation (e.g., EPA limiting use of certain necessary pesticides and/or growth hormones); input costs (e.g., worker's compensation rates and minimum wage); union issues; death/illness/retirement of farmer; and other business considerations or undue hardships;
- (b) The availability of adequate infrastructure to serve the proposed land use designation.

If the Board of Supervisors approves the request to file a Foundation Amendment in excess of 7%, then a general plan amendment and associated land use applications may be filed consistent with the approval for filing.

If the Board of Supervisors denies the request to file a Foundation Amendment, then no land use application requiring a Foundation Amendment may be filed for that property until the next 2½-year General Plan Review cycle.

## **F. PRE-APPLICATION PROCESS**

1. This process enables any party to an application for General Plan amendment to obtain clear direction on the potential implications of that request at the earliest possible point in time. It involves the following procedures:

a. An amendment application form and process description will be available through the Transportation and Land Management Agency at all County central and regional offices.

b. A General Plan Amendment Team will be established to expedite authoritative guidance on proposed amendments, consisting of only senior County officials and, if desired, representatives from the Board of Supervisors and Planning Commission. Other members may be considered, such as representatives from WRCOG and CVAG and public members representing the General Plan Advisory Committee. [Note: A balance needs to be struck between comprehensiveness in review, on the one hand, and efficiency/timeliness on the other. This will require some careful thought and the scope mentioned here is intended only to suggest some possibilities.]

c. The General Plan Amendment Team will be expected to rigorously respect the RCHP Vision and the General Plan and maintain their integrity in all of its findings. At the same time, it will be expected to view proposed applications as a legitimate pursuit of Constitutional rights, irrespective of the merits of the case.

d. The amendment description section of an amendment application (pre-application form) must be completed in sufficient detail to disclose exactly what is being requested. This may be modified at the applicant's initiative before submitting a completed application.

e. Upon receipt of the preliminary application form, a pre-application conference will be scheduled at the earliest possible time.

f. The General Plan Amendment Team is expected to ensure clarification of what is being sought and provide guidance on completion of the application. If the applicant decides to go forward with the process, the Team will advise the applicant on the extent to which the proposed amendment appears to depart from the existing provisions of the General Plan. The Team will then declare its findings and so advise the applicant, including documentation of the rationale for its findings.

g. Upon being advised that the application involves serious departures from the General Plan (such as, for example, modification of a Foundation Component outside the five-year review cycle), the applicant may still proceed with the application, even where there is a strong recommendation against it from the

General Plan Amendment Team. These facts need to be taken into account by applicant in judging the prospects for approval or disapproval.

h. The findings of the General Plan Amendment Team will be documented in writing and submitted to the applicant. These written findings will be attached to the application throughout the remainder of the process.

i. No appeal is provided. If the findings of the General Plan Amendment Team are overturned, that will occur through the remaining Planning Commission and Board of Supervisors hearing process.

j. Any subsequent staff report associated with a proposed amendment that goes forward for formal consideration must include documentation from the General Plan Monitoring System applicable to the type of amendment proposed.