

775

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



FROM: Transportation and Land Management - TLMA

SUBMITTAL DATE:
December 2, 2013

SUBJECT: Initiation of an Ordinance Amendment to Implement "Business Friendly" modifications to the Land Use Planning and Zoning Ordinance (Ord. 348) [\$150,000] 100% General Fund

RECOMMENDED MOTION: That the Board of Supervisors:

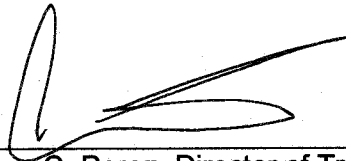
1. Adopt an order initiating an Amendment to Ord. 348; in order to reduce processing times and costs for land use cases; and,
2. Approve the attached conceptual program of work and target schedule (Exhibit "A") to implement the changes.

BACKGROUND:

Summary

The Board of Supervisors and the County Executive Office have stressed the need to make changes to our business practices in order to become more "Business Friendly", encourage economic activity, and expand the job base in Riverside County, while providing for quality development that enhances our quality of life.

Departmental Concurrence



Juan C. Perez, Director of Transportation
and Land Management

FINANCIAL DATA	Current Fiscal Year	Next Fiscal Year	Total Cost	Ongoing Cost	POLICY/CONSENT (per Exec. Office)
COST	\$ 50,000	\$ 100,000	\$ 150,000	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

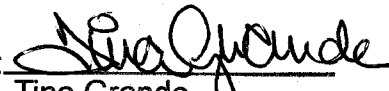
SOURCE OF FUNDS: Planning Department Budget - NCC

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: | District: All | Agenda Number:

3-51

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RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
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3-21

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Initiation of an Ordinance Amendment to Implement "Business Friendly" modifications
to the Land Use Planning and Zoning Ordinance (Ord. 348) [\$150,000]**

DATE: December 2, 2013

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Ordinance 348 (the Land Use Planning and Zoning Ordinance) is the primary regulatory code which governs the review and approval of land use and zoning applications in the County. Staff is proposing a phased approach to modify the Ordinance in order to implement changes in an incremental manner as soon as they are reviewed and considered, in order to provide tangible immediate benefits rather than waiting to implement all changes at one time.

The proposed program of work is summarized as follows and shown in more detail in Exhibit "A".

Phase I

Remove the time limits on how long a business can continue to operate (amortization period), once the County has changed the zoning or land use from the original one in place when the business became operational.

Phase II

- Simplify and streamline the approval process for various types of development applications that are primarily used by existing residents and business to improve their properties, including second unit permits, accessory structures, sign permits, etc.
- Extend the time period in which Plot Plans and CUP's can start construction from the time of County approval.
- Establish a Zoning Administrator that has appropriate authority to implement and enforce the Ordinance, subject to appeal rights to the Planning Commission and the Board of Supervisors.

Phase III

- Establish a Minor and Major category for Conditional Use Permits and Plot Plans to expedite reviews and approvals for projects within a certain size threshold.
- Update the definitions and structure of the Ordinance, most of which dates back several decades, with the goal of simplifying its implementation.

Impact on Citizens and Businesses

These changes will greatly assist in streamlining approvals of certain development cases, helping our residents and businesses to improve their property and enhance economic activity in the community.

SUPPLEMENTAL:

Additional Fiscal Information

The cost for this ordinance amendment will mainly be expended on Planning and County Counsel staff. This is an initial estimate based on the expected level of work. Funding for the work within this fiscal year will be from the existing NCC support to Planning's budget. Next fiscal year's allocation will be submitted in Planning's FY 14/15 budget request.

Contract History and Price Reasonableness

N/A

Land Use Planning and Zoning Ordinance Update (Ord. 348)

ITEM	PROPOSAL	BENEFIT	BOS TARGET DATE
<p>1. Non-conforming uses (Sec. 18.8) Uses in which the County has changed underlying zoning or land use since the use was originally approved or permitted by right</p>	<p>Remove time limitation (amortization period) to function as a non-confirming use (Exclude uses governed by SMARA (mines) and solid waste permits)</p>	<p>Allows existing business to remain and do a limited expansion by obtaining building/grading permits without further Land Use approval – substantially reducing processing costs</p>	<p>March 1, 2014</p>

Land Use Planning and Zoning Ordinance UPDATE (Ord. 348)

ITEM	PROPOSAL	BENEFIT	BOS TARGET DATE
2. Accessory structures (Section 18.18)	Revise the requirement to process a Plot Plan to allow front counter approval in most cases	Reduces cost to applicants wanting to build accessory structures to improve their property	June 1, 2014
3. Timeframe on Conditional Use Permits (CUP), Public Use Permits (PUP), Plot Plans	Replace the requirement that Plot Plans shall be operational within 2 years of approval (or up to 5 years with filed extensions, 1 and 3 years for PUP and CUP's respectively). Initially up to 5 years with discretionary extensions up to 10 years	Provides business owners a longer period to get started on their construction and reduces costs for filing extensions, which will be beneficial for business expansions.	June 1, 2014
4. Designation of a zoning administrator	Zoning Administrator will have some discretionary authority to interpret ambiguities in the ordinance, and implement and enforce ordinance	Provides appropriate professional discretion in implementing ordinance and resolving discrepancies	June 1, 2014
5. Second unit permits (Sec. 18.28a)	Replace the requirement that a Plot Plan be filed for second units with an Administrative Site Plan approval process	Reduces cost to applicants wanting to build second units on their property to meet housing needs, as long as they comply with certain development standards	June 1, 2014

Land Use Planning and Zoning Ordinance Update (Ord. 348)

ITEM	PROPOSAL	BENEFIT	BOS TARGET DATE
6. Building Signage	Revise Plot Plan requirements for allowing signs under a commercial zone	Reduce cost to business wanting to advertise	June 1, 2014
7. Establish a Minor and Major category for Conditional Use Permits. Replace Plot Plan with CUP's	A distinction will be made in the processing requirement for existing uses looking to expand versus new uses, based on a certain % threshold	Reduce costs to existing businesses looking to expand their uses by adopting a tiered process	December 2014
8. Overall Ordinance update including definitions, structure, simplification where appropriate	Extensive update of ordinance, which has not been done in over 50 years	Make the zoning ordinance more understandable and efficient to implement for both applicants and staff	December 2014