

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

110A



FROM: County Counsel

SUBMITTAL DATE:
June 2, 2015

SUBJECT: Ordinance No. 348.4806, an Ordinance Repealing Ordinance No. 348.4473 which Revised Section 18.8 "Nonconforming Structures and Uses" under Ordinance No. 348; All Districts; [\$0].

RECOMMENDED MOTION: That the Board of Supervisors introduce and adopt on successive weeks and waive further reading of Ordinance No. 348.4806 to repeal Ordinance No. 348.4473, which revised Section 18.8 "Nonconforming Structures and Uses" under Ordinance No. 348 pursuant to an executed settlement agreement in Protect Wine Country v. County of Riverside (RIC 1407608).

BACKGROUND:

Summary

On July 1, 2014, the Board of Supervisors adopted Ordinance No. 348.4473 amending Ordinance No. 348 related to a County of Riverside initiated Change of Zone No. 7819 to amend Section 18.8 "Nonconforming Structures and Use" under Riverside County Ordinance 348. The initiated change removed the time limits on how long a business could continue to operate (amortization period) when the underlying land use or zoning designation is changed from the original designation in place when the business become operational. Subsequently, a Notice of Exemption pursuant to the California Environmental Quality Act was filed and posted with the County Clerk's Office.

(Continued on Page 2)

Gregory P. Priamos,
County Counsel

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: N/A				Budget Adjustment: No	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.:

District: All

Agenda Number:

3-5

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Ordinance No. 348.4806, an Ordinance Repealing Ordinance No. 348.4473 which
Revised Section 18.8 "Nonconforming Structures and Uses" under Ordinance No. 348; All
Districts; [\$0].**

DATE: June 2, 2015

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BACKGROUND:

Summary (continued)

A Writ of Mandate in Protect Wine Country v. County of Riverside (RIC 1407608), challenging the Notice of Exemption was filed with the Riverside County Court on August 5, 2014 asserting violations of CEQA related to the use of the exemption process for the approval of Ordinance No. 348.4473. The parties subsequently entered into a Settlement Agreement and Release of the lawsuit, which included a condition to repeal Ordinance No. 348.4473.

Impact on Citizens and Businesses

The repeal of Ordinance No. 348.4473 will return the amortization period that previously existing under Section 18.8 of Ordinance No. 348.