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

818B

FROM: TLMA – Planning Department

SUBMITTAL DATE:
January 28, 2010

SUBJECT: GENERAL PLAN AMENDMENT NO. 1080 - Policy - **REQUEST**: The general plan amendment is a proposal to add language to the Open Space element of the Riverside County General Plan regarding the use of both accessory solar systems and solar power generation plants. This added language displays Riverside County's commitment on a policy level to encourage the use of alternative forms of power generation to address global climate change, green house gases emissions, and the need for clean/renewable forms of electricity. With the policy level direction in place this gives the County the ability to change ordinances to conform with this new direction.

REVIEWED BY EXECUTIVE OFFICE
DATE 1/28/10
Tina Grande
Departmental Concurrence

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors adopt an order initiating the above referenced general plan amendment based on the attached report. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

BACKGROUND:

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place

Ron Goldman
Planning Director

RG:vc

CONTINUED ON ATTACHED PAGE

☐ Policy ☒ Policy
☒ Consent ☐ Consent
Dep't Recomm.: Per Exec. Ofc.:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended with the deletion of the language referencing global climate change and green house gases emissions from the Form 11.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: February 9, 2010
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: Deputy

Prev. Agn. Ref. | **District:** All | **Agenda Number:** 15.1

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

Planning Department

Ron Goldman · Planning Director

818 B

January 28, 2010

SUBJECT: Initiation Proceedings for General Plan Amendment No. 1080 (Entitlement/Policy Amendment)

SECTION: Development Review – Riverside Office

TO: Clerk of the Board of Supervisors
FROM: Planning Department

The attached item(s) require the following action(s) by the Board of Supervisors:

- ☐ Approve
- ☐ Deny
- ☐ Place on Policy Calendar
- ☐ Place on Consent Calendar
- ☐ Place on Administrative Action
- ☒ Place on Section of Initiation Proceeding
- ☐ File: NOD and Mit. Neg. Declaration
- ☐ Labels provided:
- ☐ If Set For Hearing:
  ☐ **10 Day** ☐ **20 Day** ☐ **30 day**

- ☐ Set for Hearing
- ☐ Publish in Newspaper: Press Enterprise
- ☐ Adopt Mitigated Negative Declaration
  ☐ 10 Day ☐ 20 Day ☐ 30 day
- ☐ Certify Environmental Impact Report
- ☐ Notify Property Owners
- ☐ Labels provided
  Controversial: ☐ YES ☐ NO

Designate Newspaper used by Planning Department for Notice of Hearing: Press Enterprise

PLEASE SCHEDULE FOR FEBRUARY 9, 2010 AGENDA

Clerk Of The Board

Please charge your time to case number(s): ZRGPA2008

Documents to be sent to County Clerk's Office:

Revised: 09/17/08
Y:\Planning Master Forms\Templates\BOS Forms\GPIP 11p coversheet.doc

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

1.28.10

PLANNING COMMISSION
MINUTE ORDER SEPTEMBER 30, 2009
RIVERSIDE COUNTY ADMINISTRATIVE CENTER

I. AGENDA ITEM 1.8: GENERAL PLAN AMENDMENT NO. 1080 - This proposed amendment is applied to all the unincorporated areas of Riverside County.

II. PROJECT DESCRIPTION

The general plan amendment is a proposal to add language to the Open Space element of the Riverside County General Plan regarding the use of both accessory solar systems and solar power generation plants. This added language displays Riverside County's commitment on a policy level to encourage the use of alternative forms of power generation to address global climate change, green house gases emissions, and the need for clean/renewable forms of electricity. With the policy level direction in place this gives the County the ability to change ordinances to conform with this new direction.

III. MEETING SUMMARY

Subject proposal did not require a presentation.
Project Planner, Larry Ross, at 951-955-3585 or e-mail lross@rctlma.org.

No one spoke in favor, neutral or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

V. PLANNING COMMISSION ACTION

The Planning Commission, recommended to the Board of Supervisors;

INITIATION of THE GENERAL PLAN AMENDMENT

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 1.8
Area Plan: County-wide
Zoning District: County-wide
Supervisorial District: County-wide
Project Planner: Larry Ross
Planning Commission: September 30, 2009

General Plan Amendment No. 1080
Applicant: County Initiated Change

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommends the adoption of an order initiating proceedings for General Plan Amendment No. 1080 to add language to the Land Use policy section of the Riverside County Integrated Plan regarding the use of both accessory solar systems and solar power generation power plants and the Planning Commission made the no comments. The Planning Director continues to recommend the adoption of an order to initiate proceedings to add language to the Land Use policy section of the Riverside County Integrated Plan regarding the use of both accessory solar systems and solar power generation power plants. For additional information regarding this case, see the attached Planning Department Staff Report(s).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: No Comments

Commissioner John Snell: No Comments

Commissioner John Petty: No Comments

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Agenda Item No.: 1.8
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Zoning District: County-wide
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Project Planner: Larry Ross
Planning Commission: September 30, 2009

General Plan Amendment No. 1080
Applicant: County Initiated Change

COUNTY OF RIVERSIDE PLANNING DEPARTMENT AMENDED STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment No. 1080 is a proposal to add language to the Land Use policy section of the Riverside County Integrated Plan regarding the use of both accessory solar systems and solar power generation power plants. This added language displays Riverside County's commitment on a policy level to encourage the use of alternative forms of power generation to address global climate change, green house gases emissions, and the need for clean/renewable forms of electricity. With the policy level direction in place this gives the County the ability to change ordinances to conform with this new direction.

BACKGROUND:

General Plan Amendment No. 1080 is intended to allow an amendment to ordinance 348 to proceed. It will be adding the following sections to the general plan:

LU 5.5 Permit and encourage the development of renewable energy resources and related infrastructure, including but lot limited to the development of solar power plants, in the County.

LU 5.6 Permit and encourage the use of solar energy systems as an accessory use to any residential, commercial, industrial, mining, agricultural or public use.

A more comprehensive section of the general plan is being developed and will be integrated in the general update of the RCIP.

If this General Plan Amendment is initiated it will return to both the Planning Commission and the Board of Supervisors with an ordinance amendment that provides for the implementation of section 65850.5 of the Government Code and section 17959.1 of the Health and Safety Code by complying with the mandatory provisions of those state statutes and to advance the state policy of encouraging the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting such systems.

The proposed ordinance is intended to avoid any unreasonable restrictions on the ability of homeowners, agricultural concerns and business concerns to install solar energy systems. Solar energy systems utilize a renewable and nonpolluting energy resource, enhance the reliability and power quality of the electrical grid, reduce peak power demands, and make the electricity supply market more competitive by promoting consumer choice.

The proposed ordinance also intends to allow solar power plants in all non-residential zones with the exception on the Citrus Vineyard Zones with a conditional use permit.

A proposed General Plan Amendment (GPA) shall not be processed unless the Board of Supervisors (Board) adopts an order initiating proceedings for the proposed GPA. The Planning Director is required to prepare and submit to the Board a report and recommendation concerning initiation.

Before submitting his report and recommendation to the Board, the Planning Director must request comments on the proposed GPA from the Planning Commission (Commission) and must include the Commission's comments, if any, in his report. The Commission may make its comments in any form it deems appropriate. For example, the Commission may recommend that the Board adopt or decline to adopt an order initiating proceedings for the proposed GPA. A recommendation is not, however, required and the Commission may choose instead to simply identify its concerns regarding the proposed GPA. In addition to any comments the Commission may make as a group, the Planning Director will include the comments of individual Commission members in his report to the Board.

A noticed public hearing is not required for the Commission to comment on the initiation of a proposed GPA. Nor is such a hearing required for the Board to actually initiate or decline to initiate proceedings for the proposed GPA.
After reviewing the Planning Director's report and recommendation, which as noted above, must include the Commission's comments, the Board may either adopt or decline to adopt an order initiating proceedings for the proposed GPA.

If the Board adopts an order initiating proceedings, the proposed GPA will thereafter be processed, reviewed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Commission and the Board. The adoption of an order initiating proceedings does not imply that the proposed GPA will be approved.

If the Board declines to adopt an order initiating proceedings, the proposed GPA shall not be processed.

The Board established the initiation procedures for proposed GPAs in Ordinance No. 348.4573 which was effective May 8, 2008.

RECOMMENDATIONS:

The Planning Director recommends the adoption of an order initiating proceedings for General Plan Amendment No. 1080 to add two new policy sections to the General Plan Open Space Element as shown in Exhibit #1. The adoption of such an order does not imply that the GPA will be approved.

INFORMATIONAL ITEMS:

1. As of this writing, no letters in support or opposition have been received.

2. The proposed project is County-wide and affects all properties located in the unincorporated areas of Riverside County.

Infrastructure, Public Facilities & Service Provision

With the projected increase in population, demands on/for community facilities and infrastructure, such as roads, utilities, public safety and schools will increase. The challenge will be to correlate the provision of infrastructure, public facilities and services with these demands.

In order to ensure the correlation between growth and service provisions as well as to minimize capital and service costs, the RCIP Vision dictates that development should only occur where adequate public facilities and services are available or are planned for at the time of development. In addition, it is a expressed desire of the County that those that benefit from these services and facilities bear a fair share of the cost of improvements, as illustrated in the RCIP Vision as follows:

> *We know that community building involves significant costs. We seek sharing of benefits and costs in a proportional manner: the community should fund community-wide benefits and development related benefits should be funded by the development, all as part of an equitable overall financing strategy. We seek shared funding methods through partnerships that improve overall cost-effectiveness.*

Policies:

LU 5.1 Ensure that development does not exceed the ability to adequately provide supporting infrastructure and services, such as libraries, recreational facilities, transportation systems, and fire/police/medical services. (AI 3, 4, 74)

LU 5.2 Monitor the capacities of infrastructure and services in coordination with service providers, utilities, and outside agencies and jurisdictions to ensure that growth does not exceed acceptable levels of service. (AI 3, 4, 32, 74)

LU 5.3 Review all projects for consistency with individual urban water management plans (AI 5)

LU 5.4 Ensure that development and conservation land uses do not infringe upon existing public utility corridors, including fee owned rights-of way and permanent easements, whose true land use is that of public facilities. This policy will ensure that the public facilities designation governs over what otherwise may be inferred by the large scale general plan maps. (AI 3)

LU 5.5 Permit and encourage the development of renewable energy resources and related infrastructure, including but lot limited to the development of solar power plants, in the County.

LU 5.6 Permit and encourage the use of solar energy systems as an accessory use to any residential, commercial, industrial, mining, agricultural or public use.

Agenda Item No.: 1.8
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General Plan Amendment No. 1080
Applicant: County Initiated Change

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BACKGROUND:

General Plan Amendment No. 1080 is intended to allow an amendment to ordinance 348 to proceed. It will be adding the following sections to the general plan:

OS 11.4 Permit and encourage the use of active accessory solar systems for residential and commercial uses.

OS 11.5 Permit and encourage the use of solar power generation plants in a responsible manner.

A more comprehensive section of the general plan is being developed and will be integrated in the general update of the RCIP.

If this General Plan Amendment is initiated it will return to both the Planning Commission and the Board of Supervisors with an ordinance amendment that provides for the implementation of section 65850.5 of the Government Code and section 17959.1 of the Health and Safety Code by complying with the mandatory provisions of those state statutes and to advance the state policy of encouraging the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting such systems.

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RECOMMENDATIONS:

The Planning Director recommends the adoption of an order initiating proceedings for General Plan Amendment No. 1080 to add two new policy sections to the General Plan Open Space Element as shown in Exhibit #1. The adoption of such an order does not imply that the GPA will be approved.

INFORMATIONAL ITEMS:

1. As of this writing, no letters in support or opposition have been received.

2. The proposed project is County-wide and affects all properties located in the unincorporated areas of Riverside County.

Exhibit #1

General Plan Amendment to Open Space Element Policy 11 (adding OS 11.4 and OS 11.5)

(All added text is marked with *italic* font style)

Solar Energy

Solar radiation in the form of sunlight can be utilized for energy production in two ways. Active solar systems involve the use of mechanical devices to convert solar energy to heat or electricity. Passive solar systems utilize natural heating and cooling from the sun through building orientation and building design techniques.

Policies:

OS 11.1 Enforce the state Solar Shade Control Act, which promotes all feasible means of energy conservation and all feasible uses of alternative energy supply sources. (AI 62, 65, 66, 70)

OS 11.2 Support and encourage voluntary efforts to provide active and passive solar access opportunities in new developments. (AI 63, 64)

OS 11.3 Permit and encourage the use of passive solar devices and other state-of-the-art energy resources. (AI 62, 63, 64)

OS 11.4 Permit and encourage the use of active accessory solar systems for residential and commercial uses.

OS 11.5 Permit and encourage the use of solar power generation plants in a responsible manner.

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

EHL

February 8, 2010

VIA FACSIMILE AND ELECTRONIC MAIL

The Hon. Marion Ashley
Riverside County Board of Supervisors
ATTN: Clerk of the Board
4080 Lemon St.
Riverside, CA 92501

RE: Item 15.1, General Plan Amendment Initiation Proceedings (February 9, 2010)

Dear Chairman Ashley and Members of the Board:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on General Plan Amendment 1080 to add language to the Open Space element of the Riverside County General Plan regarding the use of accessory solar systems and solar power generation plants. EHL **supports** initiation, as it will help meet the challenges of energy efficiency, renewable energy, and climate change.

With best regards,

Dan Silver, MD
Executive Director

electronic cc: Board Members and Offices
George Johnson, TLMA
Ron Goldman, Planning Dept
Damian Meins, Planning Dept
Mike Harrod, Planning Dept
Katherine Lind, County Counsel

8424-A SANTA MONICA BLVD., #592, LOS ANGELES, CA 90069-4267 ♦ WWW.EHLEAGUE.ORG ♦ PHONE 213.804.2750 ♦ FAX 323.654.1931

15.1

2010-02-098494

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE

EHL

February 8, 2010

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2010-02-098490