

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.42**

(1)

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from the Planning Department regarding Adoption of Ordinance No. 348.4741, amending Ordinance No. 348, regarding Development agreements and Fast Track Procedures is approved as recommended.

(2)

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED that the above matter be reconsidered.

Roll Call:

Ayes: Buster, Tavaglione, Stone and Benoit  
Nays: None  
Absent: Ashley

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 10, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: April 10, 2012  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: April Eller Deputy

AGENDA NO.  
3.42

xc:

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.42**

On motion of Supervisor Tavaglione, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED the reading being waived, that an ordinance bearing the following title, is adopted:

**ORDINANCE NO. 348.4741**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE,  
AMENDING ORDINANCE NO. 348, RELATING TO ZONING**

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on April 10, 2012 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: April 10, 2012  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: David E. [Signature] Deputy

AGENDA NO.  
3.42

xc: Planning, Co.Co., MC, COB

1 ORDINANCE NO. 348.4741

2  
3 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

4 AMENDING ORDINANCE NO. 348

5 RELATING TO ZONING

6  
7  
8 The Board of Supervisors of the County of Riverside ordains as follows:

9 Section 1. A new Section 18.26b is added to Ordinance No. 348 to read as follows:

10 "SECTION 18.26b. DEVELOPMENT AGREEMENT PROCEDURES AND  
11 REQUIREMENTS. A development agreement shall be subject to the procedures and  
12 requirements set forth in Board of Supervisors Resolution No. 2012-047 (Establishing Procedures  
13 and Requirements for the Consideration of Development Agreements), as now adopted or  
14 hereafter amended."

15 Section 2. Section 21.34d of Ordinance No. 348 is amended by adding thereto a new  
16 subsection k to read as follows:

17 "k. Development agreement pursuant to Section 18.26b of this ordinance and  
18 Board of Supervisors Resolution No. 2012-047 (Establishing Procedures and Requirements for the  
19 Consideration of Development Agreements), as now adopted or hereafter amended."

20 Section 3. A new Section 21.25e is added to Ordinance No. 348 to read as follows:

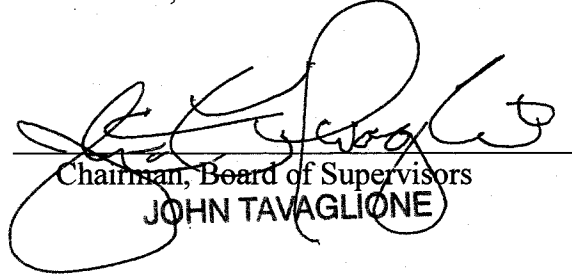
21 "Section 21.25e. DEVELOPMENT AGREEMENT. A development  
22 agreement with a person having a legal or equitable interest in real property for the development  
23 of such property pursuant to Government Code section 65864 et seq., as now adopted or hereafter  
24 amended."

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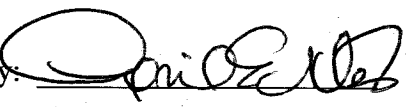
Section 4. This ordinance shall take effect thirty (30) days after its adoption.

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

By:   
Chairman, Board of Supervisors  
**JOHN TAVAGLIONE**

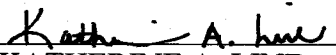
ATTEST:

CLERK OF THE BOARD

By:   
Deputy

(SEAL)

APPROVED AS TO FORM  
March 20, 2012

By:   
**KATHERINE A. LIND**  
Assistant County Counsel

KAL:mdk  
03/15/12  
G:\PROPERTY\MDUSEK\ORDINANCES\348 XXXX FAST TRACK PROJECTS DEVELOPMENT AGREEMENTS  
030112.031512.DOC

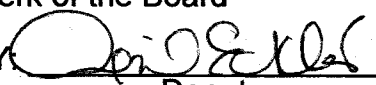
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STATE OF CALIFORNIA        )  
  )  
COUNTY OF RIVERSIDE        )        ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on April 10, 2012, the foregoing ordinance consisting of 4 Sections was adopted by the following vote:

AYES:           Buster, Tavaglione, Stone, Ashley and Benoit  
NAYS:           None  
ABSENT:         None

DATE:           April 10, 2012

KECIA HARPER-IHEM  
Clerk of the Board  
BY:   
Deputy

SEAL

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

243



**FROM:** Transportation and Land Management Agency-Planning Department

**SUBMITTAL DATE:**  
March 27, 2012

**SUBJECT:** Ordinance No. 348.4741 An Ordinance of the County of Riverside Amending Ordinance No. 348 Regarding Development Agreements and Fast Track Procedures.

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Introduce and adopt in successive meetings Ordinance No. 348.4741; and
2. Find that Ordinance No. 348.4741 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061 (b)(3) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

**BACKGROUND:** Government Code Section 65864 authorizes the County to adopt, either by resolution or by ordinance, procedures and requirements for the consideration of development agreements. The Board has previously adopted Resolution No. 2012-047 which includes procedures and requirements for development agreements. Ordinance No. 348.4741 incorporates these procedures and requirements into Ordinance No. 348 and allows the processing of a development agreement as part of a fast track project. This ordinance amendment makes the following three changes:

1. "Development agreement" is defined.
2. The definition of "fast track project" is revised to authorize inclusion of a development agreement.
3. The provisions of Resolution No. 2012-047 are incorporated to govern development agreements.

*Carolyn Syms-Luria*  
\_\_\_\_\_  
Carolyn Syms-Luria, Planning Director

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	

**C.E.O. RECOMMENDATION:**

APPROVE

**County Executive Office Signature**

BY: *Tina Grande*  
\_\_\_\_\_  
Tina Grande

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and the above ordinance is approved as introduced with waiver of the reading.

**Ayes:** Buster, Tavaglione, Stone, Benoit and Ashley  
**Nays:** None  
**Absent:** None  
**Date:** March 27, 2012  
**xc:** Planning, COB

**Kecia Harper-Ihem**  
Clerk of the Board

By: *Kecia Harper-Ihem*  
\_\_\_\_\_  
Deputy

**Prev. Agn. Ref.:**

**District:** ALL

**Agenda Number:**

FORM APPROVED COUNTY COUNSEL

BY: *KATHERINE A. LIND* 03/29/12 DATE

Departmental Concurrence

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

**Riverside County Board of Supervisors  
Request to Speak**

Submit request to Clerk of Board (right of podium),  
Speakers are entitled to three (3) minutes, subject  
Board Rules listed on the reverse side of this form.

**SPEAKER'S NAME:** GARRY GRANT

**Address:** 27068 JARVIS ST  
(only if follow-up mail response requested)

**City:** PERRIS **Zip:** 92570

**Phone #:** 951-657-9319

**Date:** APRIL 10, 2018 **Agenda #** 3142 -

**PLEASE STATE YOUR POSITION BELOW:**

**Position on "Regular" (non-appealed) Agenda Item:**

Support  Oppose  Neutral

**Note:** If you are here for an agenda item that is filed  
for "Appeal", please state separately your position on  
the appeal below:

Support  Oppose  Neutral

**I give my 3 minutes to:** \_\_\_\_\_



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

April 12, 2012

THE PRESS ENTERPRISE  
ATTN: LEGALS  
PO BOX 792  
RIVERSIDE, CA 92501

FAX: (951) 368-9018  
E-MAIL: [legals@pe.com](mailto:legals@pe.com)

RE: ADOPTION OF ORDINANCE NO. 348.4741 (Fast Track)

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Sunday, April 15, 2012**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

**NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.**

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD



**Gil, Cecilia**

---

**From:** PE Legals <legals@pe.com>  
**Sent:** Wednesday, April 11, 2012 4:53 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. No. 348.4741 (Fast Track)

Received for publication on April 15

Thank You!

**enterprise**media

Publisher of the Press-Enterprise

Maria G. Tinajero · Legal Advertising Department

1-800-880-0345 · Fax: 951-368-9018 · email: [legals@pe.com](mailto:legals@pe.com)

Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

\*\*Additional days required for larger ad sizes\*\*

---

**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, April 11, 2012 4:46 PM  
**To:** PE Legals  
**Subject:** FOR PUBLICATION: Adoption of Ord. No. 348.4741 (Fast Track)

Please publish this Adoption of Ordinance, on Sunday, April 15, 2012. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

April 12, 2012

THE DESERT SUN  
ATTN: LEGALS  
PO BOX 2734  
PALM SPRINGS, CA 92263

FAX: (760) 778-4731  
E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)

RE: ADOPTION OF ORDINANCE NO. 348.4741 (Fast Track)

To Whom It May Concern:

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Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Wednesday, April 11, 2012 4:50 PM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. No. 348.4741 (Fast Track)

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator

The Desert Sun Media Group  
750 N. Gene Autry Trail, Palm Springs, CA 92262  
t 760.778.4578 | f 760.778.4731  
[legals@thedesertsun.com](mailto:legals@thedesertsun.com) / [dpwlegals@thedesertsun.com](mailto:dpwlegals@thedesertsun.com)

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This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Wednesday, April 11, 2012 4:46 PM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: Adoption of Ord. No. 348.4741 (Fast Track)

Please publish this Adoption of Ordinance, on Sunday, April 15, 2012. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

**ORDINANCE NO. 348.4741**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**AMENDING ORDINANCE NO. 348**  
**RELATING TO ZONING**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. A new Section 18.26b is added to Ordinance No. 348 to read as follows:  
"SECTION 18.26b. DEVELOPMENT AGREEMENT PROCEDURES AND REQUIREMENTS. A development agreement shall be subject to the procedures and requirements set forth in Board of Supervisors Resolution No. 2012-047 (Establishing Procedures and Requirements for the Consideration of Development Agreements), as now adopted or hereafter amended."

Section 2. Section 21.34d of Ordinance No. 348 is amended by adding thereto a new subsection k to read as follows:

"k. Development agreement pursuant to Section 18.26b of this ordinance and Board of Supervisors Resolution No. 2012-047 (Establishing Procedures and Requirements for the Consideration of Development Agreements), as now adopted or hereafter amended."

Section 3. A new Section 21.25e is added to Ordinance No. 348 to read as follows:  
"Section 21.25e. DEVELOPMENT AGREEMENT. A development agreement with a person having a legal or equitable interest in real property for the development of such property pursuant to Government Code section 65864 et seq., as now adopted or hereafter amended."

Section 4. This ordinance shall take effect thirty (30) days after its adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **April 10, 2012**, the foregoing Ordinance consisting of four (4) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, Ashley, and Benoit  
NAYS: None  
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant

NOTICE OF EXEMPTION

(taken to Clerk by Tiffany North (C.C.))

Original Negative Declaration/Notice of Determination was routed to County Clerk for posting on.

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814
To: X Office of the County Clerk & Recorder

From: County of Riverside
4080 Lemon Street
Riverside, CA 92501

4/16/12 Date kb Initial

Project Title: Ordinance No. 348.4741 An Ordinance of the County of Riverside Amending Ordinance No. 348 Regarding Development Agreements and Fast Track Procedures

Project Location: The unincorporated area of Riverside County.

Project Description: Government Code Section 65864 authorizes the County to adopt, either by resolution or by ordinance, procedures and requirements for the consideration of development agreements. The Board previously adopted Resolution No. 2012-047 which includes procedures and requirements for development agreements. Ordinance No. 348.4741 incorporates these procedures and requirements into Ordinance No. 348 and allows the processing of a development agreement as part of a fast track project. This ordinance amendment makes the following three changes:

- 1. "Development agreement" is defined.
2. The definition of "fast track project" is revised to authorize inclusion of a development agreement.
3. The provisions of Resolution No. 2012-047 are incorporated to govern development agreements.

Name of Public Agency Approving Project: County of Riverside

Project Sponsor: Transportation and Land Management Agency of the County of Riverside

Exempt Status: (check one)

- Ministerial
Declared Emergency
Emergency Project
Categorical Exemption
Statutory Exemption
X Other: (State CEQA Guidelines Sec. 15061(b)(3))

Reasons Why Project is Exempt:

The project is exempt from CEQA pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the project may have a significant effect on the environment. The Board previously adopted procedures and requirements for development agreements as authorized by Government Code section 65864. Ordinance No. 348.4741 incorporates these procedures and requirements into Ordinance No. 348 and allows the processing of a development agreement as part of a fast track project. There is no specific development agreement or fast track project associated with this project and the project does not commit the County to approve any specific fast track project or to enter into any development agreement. To perform any environmental analysis at this early stage would require the County to speculate as to what property might be involved, what uses might be proposed and what impacts a future project might have.. "An accurate, stable and finite project description is the sine qua non of an informative and legally sufficient EIR." County of Inyo v. City of Los Angeles (1977) 71 Cal.App.3d. 185, 193. Under these circumstances, environmental analysis at this time would be premature and meaningless.

Before a fast track project or other project involving a development agreement occurs on any particular site, all environmental issues will be analyzed in site-specific environmental impact reports or other environmental documents as required by CEQA. The evidence supporting the determination of exemption is set forth in full in the project record and the determination of exemption is consistent with State CEQA Guidelines section 15004(b) which provides: "Choosing the precise time for CEQA compliance involves a balancing of competing factors. EIRs and negative declarations should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design and yet late enough to

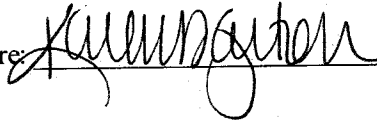
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04.10.12 3.42

provide meaningful information for environmental assessment.” “Determining whether a project qualifies for the common sense exemption need not necessarily be preceded by detailed or extensive factfinding. Evidence appropriate to the CEQA stage in issue is all that is required.” *Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal.4th 372, 388.

Adam Rush, Principal Planner  
County Contact Person

(951) 955-6646  
Phone Number

Signature:  Title: Board Assistant Date: 4/16/12

**For County Clerk's Use Only**