

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



ITEM
18.1
(ID # 7443)

MEETING DATE:

Tuesday, July 17, 2018

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/ PLANNING: PUBLIC HEARING ON GENERAL PLAN AMENDMENT NO. 180004, ORDINANCE NO. 348.4885, AMENDMENT TO ENVIRONMENTAL IMPACT REPORT NO. 521 MITIGATION MONITORING AND REPORTING PROGRAM, AMENDMENT TO CLIMATE ACTION PLAN, and RESOLUTION NO. 2018-135 – AMENDING THE RIVERSIDE COUNTY GENERAL PLAN - SECOND CYCLE OF GENERAL PLAN AMENDMENTS FOR 2018. CEQA EXEMPT. REQUEST: Pursuant to the Partial Settlement Agreement (Settlement) dated September 18, 2017 executed by the County and other parties for Sierra Club et al. v. County of Riverside et al. (Riverside County Superior Court Case No. RIC 1600159), the project includes amendments to the General Plan Air Quality Element (General Amendment No. 180004), an amendment to the Environmental Impact Report No. 521 Mitigation Monitoring and Reporting Program (EIR No. 521 MMRP), an amendment to the County's Climate Action Plan (CAP), and an amendment to Ordinance No. 348 (Ordinance No. 348.4885). The project modifies these documents to eliminate references to utilizing Business As Usual (BAU) scenario for analyzing a development project's greenhouse gas (GHG) emissions, minor text changes for clarity and consistency, adds the requirement for projects that emits above 3,000 MT CO₂e to quantify its GHG emissions, adds the requirement to update the Climate Action Plan (CAP) by 2020 and every four years thereafter, adds the requirement to incorporate CAP Implementation Measures in a project's MMRP or as Conditions of Approval, includes provisions for onsite renewable energy for specific development projects, updates the CAP Screening tables, and adds provisions for electric vehicle (EV) parking with charging stations and bike parking for certain types of developments projects, including mixed use and multiple family dwelling developments. ALL DISTRICTS. [\$32,200 – Total Cost] Air Quality Program 100%


RECOMMENDED MOTION: That the Board of Supervisors: Continued on page 2

ACTION:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 348.4885 is adopted with waiver of the reading.

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: July 17, 2018
xc: Planning, Co.Co., MC, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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RECOMMENDED MOTION: That the Board of Supervisors:

1. **FIND** that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) based on the findings and conclusions in the Planning Commission staff report; and,
2. **APPROVE GENERAL PLAN AMENDMENT NO. 180004**, which amends the General Plan Air Quality Element policies AQ18.2, AQ18.4, AQ18.5, AQ21.1, and AQ21.2; deletes policies AQ19.3 and AQ19.4, and amends Appendix K to remove references to the deleted policies, as provided in Attachment B, based upon the findings and conclusions provided in this staff report; and,
3. **APPROVE the amendment to the Riverside County Climate Action Plan**, which adds the new Measure R2-E10, minor text amendments to Measure R2-E6 and R2-T7, add CAP implementation directions under sections titled *Step 6 Monitoring and Inventorying* and *Step 7 Beyond 2020*, updates CAP Appendix F CEQA Thresholds Screening Tables Measures T7.A.1 and L2.A.1, and deletes Measure L1.A.1 as provided in Attachment B, and direct staff to update Riverside County Climate Action Plan accordingly; and,
4. **APPROVE the revised MITIGATION MEASURE 4.7.A-N1 and updated Mitigation Monitoring Report Program for Environmental Impact Report No. 521** as provided in Attachment B, which was completed in compliance with State CEQA Guidelines and the Riverside County CEQA implementation procedures; and,
5. **ADOPT RESOLUTION NO. 2018-135**, amending the Riverside County General Plan and approving General Plan Amendment No. 180004 and approving amendments to the Riverside County Climate Action Plan as provided in Attachment C; and,
6. **ADOPT ORDINANCE NO. 348.4885**, to add provisions for electric vehicle (EV) parking with charging stations and bicycle parking for certain types of development provided in Attachment D and based upon findings and conclusions provided in the staff report.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 3,000	\$ 0	\$ 32,200	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Trust 5007 Air Quality Program 100%			Budget Adjustment: No	
			For Fiscal Year: 18/19	

C.E.O. RECOMMENDATION: Approve

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BACKGROUND:

Summary

Riverside County adopted its Climate Action Plan (CAP) along with General Plan Amendment No. 960 (GPA No. 960), and certified the associated Environmental Impact Report No. 521 (EIR No. 521) on December 8, 2015. The Sierra Club, the Center for Biological Diversity, and the San Bernardino Audubon Society, collectively filed an action that challenged the County's certification of EIR No. 521 and approval of GPA No. 960 and CAP pursuant to CEQA on January 6, 2016. A Partial Settlement Agreement (Settlement), was executed by the County and other parties for *Sierra Club et al. v. County of Riverside et al.* (Riverside County Superior Court Case No. RIC 1600159) on September 18, 2017. The Settlement is attached to the Planning Commission June 6, 2018 Staff Report as Attachment A. The Settlement outlines policy consideration for high-efficiency bulbs for traffic signals, meetings with Riverside Transit Agency to increase bus services, and text amendments to the Air Quality Element, EIR No. 521 Mitigation Measures, CAP, and County Ordinance No. 348.

Pursuant to the Settlement, the proposed project includes the following:

- General Plan Amendment No. 180004 (GPA No. 180004), which amends Air Quality Element policies AQ18.2, AQ18.4, AQ18.5, AQ21.1, and AQ21.2, deletes policies AQ19.3 and AQ19.4 and updates Appendix K to reflect the deleted Air Quality Element policies. The project modifies or deletes policies to remove the requirement of utilizing Business As Usual (BAU) scenario for Greenhouse Gas Emission (GHG) analysis, add additional direction for CAP implementation, and include minor text amendments to clarify policy language.
- An amendment to the Environmental Impact Report No. 521 Mitigation Monitoring and Reporting Program (EIR No. 521 MMRP) Mitigation Measure 4.7.A-N1 to remove references to BAU.
- An amendment to the County's Climate Action Plan (CAP) to include requirements for on-site renewable energy production provided in measures (R2-E6 and R2-E10), minor text amendment to R2-T7, additional direction for CAP implementation in Step 6 and Step 7, and amendments to its Appendix F Implementation Measures T7.A.1 and L2.A.1, and delete Implementation Measure L1.A.1 listed in the Screening Tables.
- Ordinance No. 348.4885, which amends Sections 18.12.A.2.c and 18.12.D of Ordinance No. 348 to add provisions requiring electric vehicle (EV) parking with charging stations and bicycle parking for certain types of developments projects, including mixed use and multiple family dwelling developments.

The revisions to Air Quality policies includes changes to policy AQ 21.2 that requires any project specific implementation measures to become a mitigation measure for the project. The implementation measure must become condition of approval for the project, if no mitigation program is required.

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State law requires that an opportunity for consultation be made available to Native American tribes in the County when the County is considering a general plan amendment and a CEQA project compliance document, pursuant to Senate Bill (SB) 18 and Assembly Bill (AB) 52, respectively. An SB 18 letter was sent to tribes on April 20, 2018. No notification was provided pursuant to AB 52 because the project is exempt from CEQA and AB 52 consultation is only required when an environmental impact report, mitigated negative declaration or negative declaration is prepared for a project. As of the drafting of this staff report, three (3) responses were received from Native American tribes, yielding no requests to consult on the project due to little to no direct impact on tribal resources.

The proposed project was submitted to the Riverside County Airport Land Use Commission (RCALUC), pursuant to Public Resource Code Section 21676, which requires a review of projects for consistency with the airport land use compatibility plan. On June 4, 2018, RCALUC determined that GPA No. 180004 is "Consistent with all Riverside County Airport Land Use Plan."

The project was reviewed by the Planning Commission on June 6, 2018. The Commission recommended approval of the project by a vote of 4 to 0, with one Planning Commissioner absent.

The settlement points that are not included as part of the motions before the Board have already been fulfilled. The meeting with the County, Riverside Transit Agency, and Petitioners required under settlement point 2.e. was held on May 30, 2018. The TLMA policy relating to high-efficiency bulbs for traffic signals required under settlement point 2.c. has been drafted, is being circulated to opposing counsel for review, and is anticipated to be approved by the Director of Transportation shortly. The attorneys' fee payment has also been completed.

Impact on Residents and Businesses

The CAP requires continuous monitoring, periodic review, and update to ensure that Riverside County is meeting the State's and County's GHG Reduction Targets. Riverside County is committed to providing a more livable, equitable, and economically vibrant community through the incorporation of sustainability features and reduction of GHG emissions. By using energy more efficiently, harnessing renewable energy to power buildings, recycling waste, conserving and recycling water, and enhancing access to sustainable transportation modes, Riverside will keep dollars in the local economy, create new green jobs, and improve community quality of life. The efforts toward reducing GHG emissions described in the Climate Action Plan would be done in coordination with Riverside County's land use decisions. The foundation of planning land use decisions is found in the General Plan policies and programs. The CAP will also be used to streamline CEQA analysis of GHG Emissions for subsequent projects, and will provide analysis and support for legal challenges related to GHG emissions pursuant to CEQA.

Additional Fiscal Information


The Planning Department used funds from the County's Trust 5007 Air Quality Program to cover the cost of updating the attached documents pursuant to the Settlement. The Air Quality Program was established by the Board in 2003 to support future updates to and implementation of the

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General Plan Air Quality Element and other special studies of air quality affected by development. Work on the project started in December 2017 and will end in September 2018. The total cost to complete the project is approximately \$32,200.

ATTACHMENTS:

- A. June 6, 2018 Planning Commission Minutes and Staff Report for Item 4.3
- B. Planning Commission Staff Report and Attachments (AQ Element, CAP, and MMRP)
- C. Resolution No. 2018-135
- D. Ordinance No. 348.4885
- E. Notice of Exemption



Gregory V. Priamos, Director County Counsel 7/5/2018

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3 **RESOLUTION NO. 2018-135**
4 **AMENDING THE RIVERSIDE COUNTY**
5 **GENERAL PLAN**
6 **AND APPROVING AMENDMENTS TO THE**
7 **RIVERSIDE COUNTY CLIMATE ACTION PLAN**
8 **(Second Cycle of General Plan Amendments for 2018 and Adopting GPA No. 180004)**

9 **WHEREAS**, the County of Riverside adopted General Plan Amendment (GPA) No. 960 and the
10 Riverside County Climate Action Plan (CAP) and certified Environmental Impact Report (EIR) No. 521 on
11 December 8, 2015; and,

12 **WHEREAS**, GPA No. 960 included updates to the Air Quality Element to include specific policies
13 that outlined the County’s Greenhouse Gas (GHG) Emission Reduction Strategy; and,

14 **WHEREAS**, the CAP provides further guidance on the Riverside County’s GHG inventory goals,
15 thresholds, policies, guidelines, and implementation programs. The CAP is also utilized to streamline the
16 analysis of GHG emissions pursuant to the California Environmental Quality Act (CEQA) for implementing
17 projects; and,

18 **WHEREAS**, EIR No. 521, prepared in connection with GPA No. 960 and the CAP, was certified
19 on December 8, 2015; and,

20 **WHEREAS**, on January 6, 2016, the Sierra Club, the Center for Biological Diversity, and the San
21 Bernardino Audubon Society, collectively filed an action that challenged the County’s certification of EIR
22 No. 521, approval of GPA No. 960 and approval of the CAP, pursuant to CEQA; and,

23 **WHEREAS**, a Partial Settlement Agreement (Settlement) dated September 18, 2017 was entered
24 into by the parties to *Sierra Club et al. v. County of Riverside et al.* (Riverside Superior Court Case No.
25 RIC 1600159), which outlines policy consideration for high-efficiency bulbs for traffic signals, meetings
26 with Riverside Transit Agency to discuss increased bus services, and text amendments to the General Plan
27 Air Quality Element, EIR No. 521 Mitigation Measure 4.7.A-N-1, the CAP and County Ordinance No. 348;
28 and,

07.17.18 18.1

FORWARDED TO COUNTY CLERK BY: LEILA J. MOSHREF-DANESH DATE: 7/5/18

1 **WHEREAS**, pursuant to the provisions of Government Code Section 65350 et seq., notice was
2 given and public hearings were held before the Riverside County Board of Supervisors and the Riverside
3 County Planning Commission in Riverside, California to consider the proposed amendments to the Air
4 Quality Element and Appendix K of the Riverside County General Plan and the Riverside County CAP;
5 and,

6 **WHEREAS**, all provisions of CEQA and Riverside County CEQA implementing procedures have
7 been satisfied; and,

8 **WHEREAS**, the proposed general plan amendment and CAP were discussed fully with testimony
9 and documentation presented by the public and affected government agencies; now, therefore,

10 **BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by the Board of Supervisors
11 of the County of Riverside in regular session assembled on July 17, 2018 that:

12 **A. General Plan Amendment (GPA) No. 180004** amends the Air Quality Element and
13 Appendix K pursuant to the Settlement. GPA No. 180004 amends Air Quality Element
14 Policies AQ 18.2, AQ 18.4, AQ 18.5, AQ 21.1, and AQ 21.2, deletes policies AQ 19.3
15 and AQ 19.4, and updates Appendix K to reflect the deleted Air Quality Element policies,
16 as shown on Attachment B to the July 17, 2018 Board of Supervisors staff report,
17 incorporated herein by reference. GPA No. 180004 is associated with the amendment to
18 the Riverside County Climate Action Plan, Ordinance No. 348.4885, and the amendment
19 to the MMRP for EIR No. 521, which were considered concurrently with this amendment
20 at the public hearings before the Planning Commission and Board of Supervisors. The
21 Planning Commission recommended the Board of Supervisors to adopt GPA No. 180004
22 on June 6, 2018.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence
24 presented on this matter, both written and oral, that:

- 25 1. The Air Quality Element identifies goals, policies and regulations affecting air
26 quality in the County.
- 27 2. GPA No. 180004 is an Entitlement/Policy Amendment.
- 28

1 3. An Entitlement/Policy General Plan amendment may be approved if the General Plan
2 amendment does not involve a change in or conflict with the Riverside County
3 Vision, any General Planning Principle set forth in General Plan Appendix B, any
4 Foundation Component Designation in the General Plan, the change either
5 contributes to the purposes of the General Plan or, at a minimum, would not be
6 detrimental to them, and special circumstances or conditions have emerged that were
7 unanticipated when preparing the General Plan.

8 4. GPA No. 180004 does not involve a change in or conflict with the Riverside County
9 Vision, as follows:

10 a. The Riverside County Vision Statement, in its introductory discussion on
11 Sustainability and Global Environmental Stewardship, provides, "Measures
12 that reduce carbon emissions and increase energy efficiency are now
13 routinely included in all areas of growth within Riverside County... A
14 comprehensive approach to energy efficiency and sustainability have led to
15 the development of new homes, businesses, industry and other facilities with
16 much smaller footprints on the environment than in previous eras... Energy
17 savings arising from changing practices throughout Riverside County have
18 led to more efficient use of available resources, such as the fuels necessary to
19 generate electricity... Riverside County has reduced its greenhouse gas
20 emissions consistent with state...planning to reduce the scale and intensity of
21 climate change effects on Riverside County, the state and the planet...
22 Riverside County continues to be a leader in achieving sustainability goals in
23 partnership with its constituent cities, as well as regional planning agencies."
24 The GPA is consistent with the Settlement and strengthens the County's
25 efforts in reducing greenhouse gas (GHG) emissions as outlined in the Air
26 Quality Element and Climate Action Plan. The GHG emission reduction
27 strategies will ensure that Riverside County activities and approvals do not
28 emit significant amounts of GHGs and that the emissions from the individual

1 actions do not contribute to cumulatively significant GHG emissions, unless
2 such impacts for future projects are approved subject to an appropriate
3 statement of overriding considerations pursuant to CEQA. Thus, the
4 reduction strategies will eventually attain Riverside County's long-range
5 GHG emission reduction goals as required by State regulations and
6 subsequent case law.

7 b. For the above reasons, GPA No. 180004 does not conflict with the Riverside
8 County Vision.

9 5. GPA No. 180004 will not change or conflict with any principle set forth in General
10 Plan Appendix B. Specifically, GPA No. 180004 is consistent with the following
11 principles:

12 a. General Plan Principle I.B. (Community Development) provides "We must
13 cooperate regionally to deal with the issues of mobility, transportation
14 systems development, traffic congestion reduction, clear air, clean water,
15 watershed management and habitat linkages...." The GHG emission
16 reduction strategies outlined in the Air Quality Element and the CAP are
17 consistent with the State's regulations and GHG emissions reduction goals.

18 b. General Plan Principle II.A. (Environmental Protection) provides "Energy
19 efficiency should also be pursued wherever possible [through] street
20 configuration, building orientation and landscaping to capitalize on shading
21 and facilitate solar energy." The Air Quality Element policies regarding
22 GHG emission reduction directs compliance with the County's CAP. The
23 CAP outlines requirements for on-site renewable energy production for new
24 land use projects involving a tentative tract map, plot plan, or conditional use
25 permit that proposes to add more than 75 new dwelling units of residential
26 development, or one or more new buildings totaling more than 100,000 gross
27 square feet of commercial, office, industrial, or manufacturing development
28 (Energy Measure R2-E10). A commercial, office, industrial, manufacturing

1 and multi-family development shall offset 20% of its energy demand with
2 on-site renewable energy; a single-family residential unit shall offset 30% of
3 its energy demand. The applicant must show that the development can
4 reasonably offset the energy demand unless such offsets are demonstrated by
5 the applicant as infeasible.

6 c. For the above reasons, GPA No. 180004 would not involve a change in or
7 conflict with any Riverside County General Planning Principle set forth in
8 General Plan Appendix B.

9 6. GPA No. 180004 would not conflict with any Foundation Component of the General
10 Plan because the amendment modifies policies within the Air Quality Element and
11 does not involve any changes to land use in the Land Use Element or any Area Plan,
12 or include any specific development application that modifies any property's
13 Foundation Component or land use designation.

14 7. GPA No. 180004 will contribute to the purposes of the General Plan or, at a
15 minimum, would not be detrimental to them. The purpose of the General Plan is to
16 guide the long-term development of the unincorporated areas of Riverside County.
17 The General Plan outlines policies, standards and programs that guide day-to-day
18 decisions concerning the future of Riverside County and serve several important
19 purposes including: 1) To provide clarity and stability in community development
20 policies; 2) To establish a comprehensive and sound database for further
21 implementation, project evaluation, administration, and monitoring; and, 3) To
22 provide a basis for collaborative planning initiatives by cities, councils of
23 government, the County and other governmental agencies. The modification to the
24 Air Quality Element does not change the County's commitment to achieve its GHG
25 emission reduction goals that are aligned with the State regulations. The project
26 strengthens the County's reduction strategies for long-range GHG emission
27 reduction as development occurs in the County.
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- 1 8. A special condition has emerged that was unanticipated in preparing the Riverside
2 County General Plan that supports GPA No. 180004. The Settlement was executed
3 by the parties to *Sierra Club et al. v. County of Riverside et al.* on September 18,
4 2017. The revisions to the Air Quality Element and other associated components
5 implement the Settlement.
- 6 9. GPA No. 180004 does not create an internal inconsistency among any of the General
7 Plan Elements.
- 8 10. GPA No. 180004 will not be detrimental to the public's health, safety, or welfare.
- 9 11. GPA No. 180004 is exempt from CEQA pursuant to State CEQA Guidelines Section
10 15061(b)(3). GPA No. 180004 includes clarifying revisions will have no effect or
11 will have a positive effect to help the County achieve its long-range GHG emissions
12 reduction goals as required by State regulation and subsequent law. GPA No. 180004
13 does not include a specific development application and will not result in physical
14 ground disturbance. Implementing projects incorporating these changes will undergo
15 their own environmental analysis and public hearing process for consideration by the
16 appropriate hearing body. Therefore, GPA No. 180004 is exempt from CEQA
17 because it can be seen with certainty that there is no possibility that this amendment
18 may have a significant effect on the environment.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it, in consideration of the facts
20 and findings above as well as the staff report, **FINDS** General Plan Amendment No. 180004 exempt from
21 CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) and **ADOPTS** General Plan Amendment
22 No. 180004, as described herein and as shown on Attachment B to the July 17, 2018 Board of Supervisors
23 staff report, incorporated herein by reference.

24 **B. Riverside County Climate Action Plan (CAP) Amendments.** The amendments to the
25 CAP include the addition of a new measure numbered "R2-E10," minor text amendments
26 to Measure R2-E6 and R2-T7, the addition of CAP implementation directions under
27 sections titled Step 6 Monitoring and Inventorying and Step 7 Beyond 2020, updates to
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1 CAP Appendix F CEQA Thresholds Screening Tables Measures T7.A.1 and L2.A.1, and
2 deletion of Measure L1.A.1 as provided in Attachment B to the July 17, 2018 Board of
3 Supervisors staff report, incorporated herein by reference.

4 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented on
5 this matter, both written and oral, that:

- 6 1. The Riverside County General Plan Air Quality Element includes policies for the
7 creation and implementation of the Climate Action Plan (CAP).
- 8 2. The CAP provides further guidance on Riverside County's GHG inventory reduction
9 goals, thresholds, policies, guidelines, and implementation programs.
- 10 3. The proposed amendments to the CAP are consistent with the Settlement and further
11 the County's efforts to reduce GHG emissions through land use decisions.
- 12 4. The CAP will also be utilized to streamline CEQA analysis of GHG emissions for
13 subsequent development projects.
- 14 5. The CAP requires continuous monitoring, periodic review, and updates to ensure that
15 the County reaches its current and future GHG reduction targets.

16 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the amendments to
17 the Riverside County Climate Action Plan, as described herein and as shown on Attachment B to the July
18 17, 2018 Board of Supervisors staff report.

19 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the documents
20 upon which this decision is based are the Clerk of the Board of Supervisors and the County Planning
21 Department, and that such documents are located at 4080 Lemon Street, Riverside, California.

22 **ROLL CALL:**

23 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
24 Nays: None
25 Absent: None

26 The foregoing is certified to be a true copy of a resolution duly
27 adopted by said Board of Supervisors on the date therein set forth.

28 KECLIA HARPER-HEM, Clerk of said Board

By 

Deputy

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ORDINANCE NO. 348. 4885

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. Subsection c. of Section 18.12. of Article XVIII of Ordinance No. 348 is amended to read as follows:

“c. ELECTRIC VEHICLE PARKING AND CHARGING STATIONS.

(1) Requirements.

- a. Development projects for Multiple Family Dwellings that require two (2) to twenty-four (24) parking spaces shall designate one (1) parking space for electrical vehicles.
- b. All development projects that require twenty-five (25) to forty-nine (49) parking spaces shall designate two (2) parking spaces for electrical vehicles.
- c. All development projects that require fifty (50) or more parking spaces shall designate three spaces for electrical vehicles and designate one (1) additional space for electrical vehicles for each additional fifty (50) parking spaces.
- d. All electric vehicle parking spaces shall be serviced by an electrical vehicle charging station. If capable, a charging station may service more than one electric vehicle parking space.
- e. All electric vehicle parking spaces shall be shown on parking site plans.

1 (2) Signage and Charging Station Location.

- 2 a. Signage shall be installed designating spaces for electric
3 vehicles only.
- 4 b. Charging stations shall be installed in locations easily
5 accessible to service an electrical vehicle.
- 6 c. Charging stations and associated equipment or materials shall
7 not encroach into the minimum required areas for driveways,
8 parking spaces, garages or vehicle maneuvering.”

9 Section 2. Existing subsections c., d., e., f., g. of Section 18.12 of Ordinance No. 348
10 are relettered d., e., f., g., h. respectively.

11 Section 3. Subsection g.d.(2)a) of Section 18.12 of Ordinance No. 348 is amended to
12 read as follows:

13 “(2) Bicycle Parking Requirements.

- 14 a. Industrial developments shall provide one (1) bicycle space for every
15 twenty-five (25) parking spaces required, with a minimum of two (2)
16 bicycle spaces provided for the development. The bicycle spaces may
17 include either Class I or Class II bicycle parking facilities.
- 18 b. Restaurant and cocktail lounge developments shall provide one (1)
19 bicycle space for every fifty (50) parking spaces required, with a
20 minimum of two (2) bicycle spaces provided for the development. The
21 bicycle spaces may include either Class I or Class II bicycle parking
22 facilities.
- 23 c. Commercial, office, service and other similar development shall
24 provide one (1) employee bicycle space for every twenty-five (25)
25 parking spaces required, and one (1) patron or visitor bicycle space for
26 every thirty-three (33) parking spaces required, with a minimum of four
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1 (4) bicycle spaces provided for the development. The bicycle spaces
2 may include either Class I or Class II bicycle parking facilities.

3 d. Mixed use development including a combination of residential, retail or
4 office uses shall provide the following:

5 i. One (1) bicycle space for each residential dwelling unit. The
6 bicycle spaces may include Class I, Class II or Class III bicycle
7 parking facilities, with Class I bicycle parking facilities being
8 provided for at least two-thirds of the total number of residential
9 dwelling units.

10 ii. One (1) bicycle space for every twenty-five (25) parking spaces
11 required for the development's non-residential uses, with a
12 minimum of four (4) bicycle spaces provided. The non-
13 residential bicycle spaces may include either Class I or Class II
14 bicycle parking facilities.

15 e. Multiple Family Dwelling developments shall provide one (1) bicycle
16 space for each residential dwelling unit. The bicycle spaces may
17 include Class I, Class II or Class III bicycle parking facilities with Class
18 I bicycle parking facilities being provided for at least two-thirds of the
19 total number of residential dwelling units.

20 f. Where the application of the above results in the requirement for a
21 fraction of a bicycle parking space, the space need not be provided
22 unless the fraction exceeds 50 percent.”

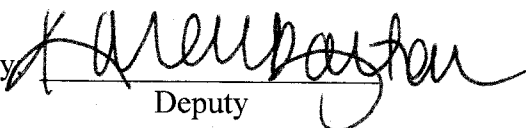
23 Section 4. If any provision, clause, sentence or paragraph of this ordinance or the
24 application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the
25 other provisions of this ordinance which can be given effect without the invalid provision or application,
26 and to this end, the provisions of this ordinance are hereby declared to be severable.

1 Section 5. This ordinance shall take effect thirty (30) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
4 OF RIVERSIDE, STATE OF CALIFORNIA


5 By: 
6 Chairman, Board of Supervisors

7 ATTEST:
8 CLERK OF THE BOARD

9
10 By: 
11 Deputy

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14 (SEAL)

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19 APPROVED AS TO FORM
20 July 5, 2018

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22 By: 
23 Michelle P. Clack
24 Chief Deputy County Counsel

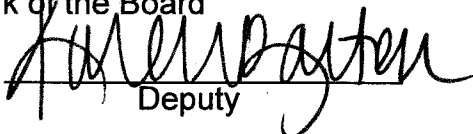
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 17, 2018, the foregoing ordinance consisting of 5 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Washington, Perez and Ashley
NAYS: None
ABSENT: None

DATE: July 17, 2018

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL

Item 18.1



**PLANNING COMMISSION
MINUTE ORDER
JUNE 6, 2018**

I. AGENDA ITEM 4.3

GENERAL PLAN AMENDMENT NO. 180004 (ENTITLEMENT/POLICY AMENDMENT), AN AMENDMENT TO THE CLIMATE ACTION PLAN, AN AMENDMENT TO THE MITIGATION MONITORING AND REPORTING PROGRAM FOR ENVIRONMENTAL IMPACT REPORT NO. 521, AND ADOPTION OF ORDINANCE AMENDING RIVERSIDE COUNTY ORDINANCE NO. 348 – Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15601(b)(3) (Activities Covered by General Rule Exemption) – Applicant: County of Riverside – All Supervisorial Districts – All Area Plans – All Zoning Areas/Districts – All Zoning – Location: Unincorporated Riverside County.

II. PROJECT DESCRIPTION:

The Project includes General Plan Amendment (GPA) No. 180004 that amends Air Quality Element Policies AQ 18.2, AQ 18.4, AQ 18.5, AQ 21.1, and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4 and updates Appendix K to reflect the deleted Air Quality Element policies (GPA No. 180004); an amendment to the Mitigation Monitoring and Reporting Program (MMRP) for Environmental Impact Report (EIR) No. 521 (EIR No. 521 MMRP) which makes a minor change to Mitigation Measure No. 4.7.A-N1; an amendment to the County's Climate Action Plan (CAP) to include the requirement for on-site renewable energy production and amendments to its Appendix A Implementation Measures T7.A.1 and L2.A.1, and delete Implementation Measure L1.A.1 listed in the Screening Tables; and an amendment to Ordinance No. 348 to add provisions requiring electric vehicle (EV) parking with charging stations and bike parking for certain types of development projects, including mixed use and multiple family dwelling developments. The above proposed amendments address a partial settlement agreement of an ongoing litigation challenging the County's approval of GPA No. 960, the County's CAP, and EIR No. 521.

III. MEETING SUMMARY:

The following staff presented the subject proposal: Robert Flores, Project Planner
Project Planner: Phayvanh Nanthavongdouangsy, at (951) 955-6573 or email at Pnanthav@rivco.org.

No one in favor, opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Taylor-Berger, 2nd by Commissioner Sanchez

A vote of 4-0 (Commissioner Shaffer Absent)

ADOPTED Planning Commission Resolution No. 2018-006; and

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

FIND the project exempt from the California Environmental Quality act (CEQA); and

TENTATIVELY APPROVE General Plan Amendment No. 180004; and

APPROVE the revised Mitigation Measure 4.7.A-N1 and updated Mitigation Monitoring Report Program for Environmental Impact Report No. 521; and

APPROVE the amendment to the Riverside County Climate Action Plan; and

ADOPT Ordinance No. 348.4885




**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

4.3

Planning Commission Hearing: June 6, 2018

PROPOSED PROJECT

Case Number(s):	GPA No. 180004, Amendments to the Climate Action Plan, EIR No. 521 Mitigation Monitoring and Reporting Program, and Ordinance No. 348	Applicant(s): County of Riverside
Select Environ. Type	CEQA EXEMPT	Representative(s):
Area Plan:	County-wide	
Zoning Area/District:	County-wide	
Supervisory District:	County-wide	
Project Planner:	Phayvanh Nanthavongdouangsy	 Charissa Leach, P.E. Assistant TLMA Director
Project APN(s):	N/A, not site specific	

PROJECT DESCRIPTION AND LOCATION

On January 6, 2016, the Sierra Club, the Center for Biological Diversity, and the San Bernardino Audubon Society, collectively filed an action that challenged the County's certification of Environmental Impact Report No. 521 (EIR No. 521), approval of General Plan Amendment No. 960 (GPA No. 960) and approval of the Climate Action Plan (CAP) pursuant to California Environmental Quality Act (CEQA). A Partial Settlement Agreement (Settlement) dated September 18, 2017 was executed by the County and other parties for Sierra Club et al. v. County of Riverside et al. (Riverside County Superior Court Case No. RIC 1600159) (Attachment A). The Settlement outlines policy consideration for high-efficiency bulbs for traffic signals, meetings with Riverside Transit Agency to discuss increased bus services, and text amendments to the General Plan Air Quality Element, EIR No. 521 Mitigation Measure 4.7.A-N1, the CAP, and County Ordinance No. 348.

Pursuant to the Settlement, the proposed project includes the following:

- General Plan Amendment No. 180004 (GPA No. 180004), which amends Air Quality Element Policies AQ 18.2, AQ 18.4, AQ 18.5, AQ 21.1, and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4 and updates Appendix K to reflect the deleted Air Quality Element policies; refer to Staff Report Attachment B.
- An amendment to the Mitigation Monitoring and Reporting Program for Environmental Impact Report No. 521 (EIR No. 521 MMRP) which makes a minor change to Mitigation Measure No. 4.7.A-N1; refer to Staff Report Attachment C.
- An amendment to the County's Climate Action Plan (CAP) to include the requirement for on-site renewable energy production (R2-E10) and amendments to its Appendix F Implementation

Measures T7.A.1 and L2.A.1, and delete Implementation Measure L1.A.1 listed in the Screening Tables; refer to Staff Report Attachment D.

- Ordinance No. 348.4885, which amends Sections 18.12.A.2.c and 18.12.D of Ordinance No. 348 to add provisions requiring electric vehicle (EV) parking with charging stations and bicycle parking for certain types of developments projects, including mixed use and multiple family dwelling developments; refer to Staff Report Attachment E.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION TAKE THE FOLLOWING ACTIONS:

ADOPT the Planning Commission Resolution No. 2018-006 recommending adoption of General Plan Amendment No. 180004 to the Riverside County Board of Supervisors.

THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

FIND that the project is **EXEMPT** from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061(b)(3) based on the findings and conclusions in the staff report; and,

TENTATIVELY APPROVE GENERAL PLAN AMENDMENT NO. 180004, as provided in Attachment B and based upon the findings and conclusions provided in this staff report, and subject to the Board of Supervisors' adoption of the General Plan Amendment resolution; and,

APPROVE the revised **MITIGATION MEASURE 4.7.A-N1** and updated **Mitigation Monitoring Report Program for Environmental Impact Report No. 521** as provided in Attachment C, which was completed in compliance with State CEQA Guidelines and the Riverside County CEQA implementation procedures; and,

APPROVE the amendment to the **Riverside County Climate Action Plan**, which adds the new MEASURE R2-E10, updates project Implementation Measures and points for T7.A.1 and L2.A.1, and deletes L1.A.1 in the CAP Appendix F CEQA Thresholds Screening Tables as provided in Attachment D, and direct staff to incorporate Measure R2-E10 into the Riverside County Climate Action Plan and updates to its Appendix F accordingly.

ADOPT ORDINANCE NO. 348.4885, to add provisions for electric vehicle (EV) parking with charging stations and bicycle parking for certain types of development provided in Attachment E and based upon findings and conclusions provided in this staff report.

PROJECT BACKGROUND AND ENVIRONMENTAL CONCLUSIONS

Background:

The County of Riverside adopted its CAP in conjunction with the GPA No. 960, and certified the associated EIR No. 521 on December 8, 2015. GPA No. 960 updated the Air Quality Element to include specific policies that outlined the County's Greenhouse Gas (GHG) Emission Reduction Strategy. The CAP provides further guidance on the Riverside County's GHG inventory reduction goals, thresholds, policies, guidelines, and implementation programs. It is also utilized to streamline CEQA analysis of GHG emissions for subsequent development projects.

The Board of Supervisors initiated an amendment to Ordinance No. 348 on April 24, 2018 to include provisions for bicycle and personal EV parking for all multi-family or mixed use projects consisting of a mix of residential, retail, and/or office space pursuant to the Settlement. The proposed standards were derived by researching other local government's bicycle and EV parking standards.

The proposed project will further improve the County's Greenhouse Gas (GHG) Emissions Reduction Strategies.

ENVIRONMENTAL REVIEW and ENVIRONMENTAL CONCLUSIONS

This proposed project is exempt from CEQA review pursuant to Section 15061(b)(3), "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

The proposed project is made up of several components. However, none of these, separately or together, has any possibility of having a significant effect on the environment for the following reasons:

First, requirements relating to a Business as Usual (BAU) scenario for analyzing a development project's GHG emissions are proposed to be removed from the General Plan, the EIR No. 521 MMRP, and the CAP, in the: (1) amendments to AQ 18.2, (2) amendments to AQ 21.1, (3) the deletion of AQ 19.4, and (4) the amendment to Environmental Impact Report No. 521 Mitigation Measure 4.7.A-N1. The use of BAU was severely constrained and largely eliminated as a useful metric by the California Supreme Court case *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204. There is no possibility of a significant effect on the environment from removing references to a metric that the California Supreme Court has expressly rejected.

Second, (1) AQ 18.5 still requires monitoring and verifying the progress and results of the CAP, but, instead of periodically, updates are proposed to now be required to be considered, if necessary, at a specified interval: every four years. (2) In addition, a corresponding change is proposed to Sections 7.6 and 7.7 of the CAP. Because such consideration of potentially necessary changes to make the CAP stronger and further reduce development projects' GHGs will likely be more often under the specific four-year requirement, there is no possibility that requiring consideration of CAP measures' efficacy every four years instead of a previously unspecified interval will have a significant negative effect on the environment.

Third, the wording of AQ 18.4 was changed slightly, but the changes were essentially wordsmithing that did not affect its substantive requirements at all. Therefore, there is no possibility of any significant effect on the environment from mere wording changes with no substantive effect.

Fourth, (1) AQ 19.3, which did not require quantification of GHG emissions for development projects that utilized the CAP, is proposed to be removed. This change further enables additional proposed changes: (2) in Appendix F of the CAP, which is proposed to be amended to require projects determined to be above 3,000 MT CO₂e to quantify their GHGs, and (3) to remove language suggesting otherwise. These changes will not result in any possibility of having a significant effect on the environment, but will give the County and others additional information about the level of GHGs for certain types of projects in the County, and this additional information can help the County and others to better understand and reduce project-specific GHG emissions and, ultimately, the County's overall GHG emissions.

Fifth, (1) Implementation Measure T7.A.1 in the Screening Tables in Appendix F of the CAP is proposed to be amended to specify that each residential unit included in a subsequent development project must install an electric vehicle charging station in each unit to receive the full 8 points under the CAP, and specifies that development projects that include charging stations for fewer than all residential unit shall receive points on a proportional basis. This merely adds a clarification to specify a requirement as it has already been understood and applied by the County. In addition, (2) Implementation Measure L1.A.1 is being deleted from the CAP Screening tables, but, since this measure already had zero points assigned to it, it is merely deleting text with no effect at all. The additional clarifying language with no change in actual County practice and the deletion of language with no import cannot cause any change that could result in a significant effect.

Sixth, Implementation Measure L2.A.1 in the Screening Tables in Appendix F of the CAP changes the assigned point value of providing electric outlets on the exterior of building walls from 8 points to 2 points. Because a development project will have to adopt more implementation measures to reach 100 points under the CAP, the proposed change will further reduce projects' GHG emissions rather than have the potential for a significant effect on the environment.

Seventh, AQ 21.2 is being amended to specify that CAP Implementation Measures for a project will also be included in projects' Mitigation Monitoring and Reporting Program (MMRP) and may be included as Conditions of Approval. If no MMRP is required for a project, then the Implementation Measures will be incorporated into the project's Conditions of Approval. There is no possibility that this change will result in any significant effect on the environment because the Implementation Measures were already mandatory, this change merely specifies which enforcement mechanism will or can be used, it does not change the substantive requirements.

Eighth, minor renumbering was undertaken in the General Plan, and General Plan Appendix K Action Item #AI 147 was merely updated to correctly reflect the above changes as relevant to the General Plan's Implementation Program, with no substantive changes.

Ninth, implementing development that is not exempt from CEQA that includes on-site renewable energy sources pursuant to the updated CAP will undergo an environmental review pursuant to CEQA once those projects are proposed in the future. As part of this project, the CAP will include provisions for on-site renewable energy production for any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development. When feasible, such commercial, office, industrial, manufacturing and multi-family residential development shall offset 20% of its energy demand with on-site renewable energy production and single-family residential development shall offset its energy demand by 30%. Each implementing development

will model its energy use to determine how much energy needs to be produced on-site based on the proposed use, site design, building design, project location, regional climate, and other environmental considerations. This model will help determine the best type of renewable technology and system design to incorporate into the development. The environmental impact of each renewable energy system is site specific. On-site renewable energy will considerably reduce the GHG emissions related to any future proposed project's operations by significantly offsetting their energy requirements for that particular use with renewable energy generated onsite. It is anticipated that the majority of projects would actually offset an even greater portion of their energy use once it is determined that the proposed project would already be required to install a system that meets the base minimum requirements for energy offsets. Further, as energy producing systems become smaller and more efficient over time, an even greater savings in energy are expected. The environmental review for any future projects that need to meet these standards will be required to analyze all potential environmental impacts of that project, which would now include the addition of renewable energy as part of the proposed project, such as potential impacts to aesthetics, land use, and biological resources. As no projects are currently known, it would be impractical and entirely speculative to attempt to ascertain what those potential impacts may be as it relates to the addition of renewable energy sources for future projects. It is anticipated that the majority of the renewable sources would likely focus on solar energy as the most common and cost-effective option. Given the majority of solar panels for new systems today are smaller and do not emit glare, coupled with the fact the system will be integrated into the design of the new structures, any impacts would likely be negligible. Regarding benefits of renewable energy and reductions in greenhouse gas emissions, the typical California residential home uses approximately 6,876 kWh of electricity per year, which is equivalent to roughly 5.1 metric tons of Carbon Dioxide Equivalent yearly emissions. Therefore, with just a 30% reduction through onsite renewable energy, this would reduce the emissions by roughly 1.53 Metric Tons of greenhouse gas emissions every year for each residence, resulting in a positive benefit overall for the environment. Additionally, the savings for commercial use – industrial in particular – would be anticipated to be substantially greater. There is no potential this requirement for the incorporation of renewable energy for future projects would result in a potential physical environmental impact at this time.

Tenth, Ordinance No. 348 amendments provide regulations governing existing and new uses as well as providing new development standards. The proposed amendment to Section 18.12.A.2.c of Ordinance No. 348 establishes standards for electric vehicle parking with included charging stations in new multifamily projects as well nonresidential projects. The standard is based on a range of conventional space requirements which would correlate with a given number of EV parking spaces equipped with charging stations. Location, design and signage requirements are also provided so that such spaces are not confused with traditional parking spaces, provide easy connections to the charger, and are readily integrated with overall parking areas. Section 18.12.D. of Ordinance No. 348 provides bicycle parking requirements for industrial, commercial and office uses. This project is proposing amendments to Section 18.12.D.2. to also include bicycle parking standards for new mixed use projects with a residential component and for new multi-family projects. Additionally, the standards require either Class I spaces with bicycle lockers or Class II spaces with stationary enclosed bicycle racks. The amendments do not propose new uses and they do not require any changes to existing land uses. Therefore, the proposed ordinance amendments are exempt from compliance with CEQA pursuant to CEQA Guidelines section 15061(b)(3) because they do not have any potential for causing a significant effect on the environment. As relevant to this determination, Section 15061(b)(3) states that "...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 in question may have a significant effect on the environment, the activity is not subject to CEQA."

As set forth above, the project revises the existing General Plan policies, MMRP, CAP, and Ordinance No. 348 pursuant to the Settlement Agreement. The revisions are either minor wordsmithing that will have no effect or they will have a positive effect to help the County achieve its long-range GHG emission reduction goals as required by State regulations and subsequent case law. The project does not include a specific development application and will not result in physical ground disturbance. Implementing projects incorporating these changes will undergo their own environmental analysis and public hearing process for consideration by the appropriate hearing body. For these reasons, there is no possibility the proposed project may have a significant effect on the environment.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

FINDINGS FOR CLIMATE ACTION PLAN AMENDMENT

The California Legislature passed the California Global Warming Solutions Act of 2006, Assembly Bill 32 (AB 32) in 2006. AB 32 created a multi-year program aimed to reduce GHG emissions in California. AB 32 requires the California Air Resources Board (CARB) to monitor sources of GHG emissions that cause global warming and adopt rules and regulations that would reduce statewide GHG emissions levels. Furthermore, Senate Bill 97 (SB 97), enacted in 2007, amended CEQA to clearly establish that GHG Emissions and effects of GHG emissions are appropriate subjects for CEQA analysis. It directed California Office of Planning and Research to develop revisions to CEQA Guidelines for the mitigation of GHG emissions or the effects of GHG emissions. CEQA Guidelines revisions pursuant to SB 97 became effective in July 2010. SB 97 also established criteria for Climate Action Plans used in the tiering and streamlining of CEQA analysis of GHGs for future development projects.

Local governments play an essential role in helping the State reach its reduction targets through land use decisions, permitting process, land use ordinances, and municipal operations. Towards this effort, the County's Climate Action Plan provides a programmatic plan by which the County will address the actions necessary to achieve greenhouse gas emissions reductions across the various sectors under the County's jurisdiction. Consistent with AB 32 and SB 97, the CAP provides guidance on the Riverside County's GHG inventory reduction goals, thresholds, policies, guidelines, and implementation programs. It will also be utilized to streamline CEQA analysis of GHG emissions for subsequent development projects. The CAP Screening Tables located in Appendix F of CAP allow new develops projects a streamlined option for complying with CEQA requirements for addressing GHG emissions.

The CAP requires continuous monitoring, periodic review, and updates to ensure that Riverside County is meeting the State's and County's GHG Reduction Targets established through Assembly Bill 32 (AB 32), existing and future Executive Orders, existing and future amendments to CARB's Climate Change Scoping Plan, and subsequent case laws. The proposed amendments to the CAP are consistent with the Settlement and furthers the County's efforts to reduce GHG emissions through land use decisions. As discussed above in this Staff Report under "Environmental Review and Environmental Conclusions", the requirements for on-site renewable energy for the listed development projects will reduce the project's overall operational GHG emissions; which, will help the County and State reach its GHG reduction targets.

FINDINGS FOR EIR NO. 521 MITIGATION MONITORING AND REPORTING PROGRAM AMENDMENT

Pursuant to CEQA, Riverside County certified EIR No. 521 and adopted its Mitigation Monitoring and Reporting Program on December 8, 2015. As required by CEQA (CCR Section 15097), it is the responsibility of the County to ensure that the Mitigation Measures listed in EIR No. 521 MMRP are implemented as future development occurs pursuant to the General Plan Update (General Plan Amendment No. 960) and Climate Action Plan. CCR Section 15097 (e) states that "at its discretion, an agency may adopt standardized policies and requirements to guide individually adopted monitoring or reporting programs. Standardized policies and requirements may describe ... (4) General standards for determining project compliance with the mitigation measures or revisions and related conditions of approval." This project, pursuant to the Settlement, includes an amendment to EIR No. 521 MMRP Mitigation 4.7.A-N1 to remove the requirement of utilizing Business As Usual (BAU) for GHG emission reduction analyses. As mentioned above under the "Environmental Review and Environmental Conclusions" Section of the Staff Report, the use of BAU was severely constrained and largely eliminated as a useful metric by the California Supreme Court case *Center for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204. There is no possibility of a significant effect on the environment from removing references to a metric that the California Supreme Court has expressly rejected.

FINDINGS FOR ORDINANCE NO. 348 AMENDMENT

As authorized through Government Code Section 65850 (d), Riverside County has existing provisions for offstreet parking and loading in its Land Use Ordinance No. 348. The Settlement requires an amendment to Ordinance No. 348 to include provisions for bicycle and personal EV parking for all multi-family or mixed use projects consisting of a mix of residential, retail, and/or office space. The amendment to Ordinance No. 348 was initiated unanimously by the Board of Supervisors on April 24, 2018. This project includes site design and development standards for bicycle and EV parking. The proposed standards were derived from other local government's bicycle and EV parking standards. The proposed ordinance amendment will require one designated EV parking spaces for 2-24 parking spaces for multiple family uses, two designated EV spaces for 25-49 parking spaces for all development projects, and three designated EV parking spaces plus one additional designated EV Parking Space of reach additional 50 parking spaces. The proposed ordinance amendment will also add requirements for bicycle lockers and racks for multiple family dwellings and mixed use development.

FINDINGS FOR GENERAL PLAN AMENDMENT

GPA No. 180004 is General Plan Entitlement/Policy Amendment that amends Air Quality Element policies. Accordingly, the findings supporting this type of General Plan amendment pursuant to Ordinance No. 348 Section 2.4 C 2 are as follows:

- a: The proposed amendment does not involve a change in or conflict with: The Riverside County Vision, any General Plan Principle set forth in General Plan Appendix B; or any Foundation Component designation in the General Plan.
 - I. The Riverside County Vision: The project is consistent with the County's Vision for Sustainability and Global Environmental Stewardship, specifically the following vision statements:

"Measures that reduce carbon emissions and increase energy efficiency are now routinely included in all areas of growth within Riverside County; A compressive approach to energy efficiency and sustainability have led to the development of new homes, businesses, industry and other facilities with much smaller footprints on the environment than in previous eras; Energy savings arising from changing practices throughout Riverside County have led to more efficient use of available resources, such as the fuels necessary to generate electricity; Riverside County has reduced its greenhouse gas emissions consistent with state... planning to reduce the scale and intensity of climate change effects on Riverside County, the state and the planet; and Riverside County continues to be a leader in achieving sustainability goals in partnership with its constituent cities, as well as regional planning agencies"

The project is consistent with the Settlement and strengthens the County's efforts in reducing GHG emissions as outlined in the Air Quality Element and Climate Action Plan. The GHG Reduction Strategies will ensure that Riverside County activities and approvals do not emit significant amounts of GHGs and that the emissions from the individual actions do not contribute to cumulatively significant GHG emissions, unless such impacts for future projects are approved subject to an appropriate statement of overriding considerations pursuant to the California Environmental Quality Act (CEQA). Thus, the reduction strategies will eventually attain Riverside County's long-range GHG emission reduction goals as required by State regulations and subsequent case law. The Air Quality Element includes policies for the creation and implementation of the Climate Action Plan. The CAP provides further guidance on the Riverside County's GHG inventory reduction goals, thresholds, policies, guidelines, and implementation programs. It will also be utilized to streamline CEQA analysis of GHG emissions for subsequent development projects. The Climate Action Plan requires continuous monitoring, periodic review, and updates to ensure that the County reaches its current and future GHG reduction targets.

- II. Does not change or conflict with any General Plan Principle set forth in Appendix B. It supports the following General Plan Principle for:
- I. Community Development Principles 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 Greenhouse Gas Emission Reduction strategies outlined in the Air Quality Element and the CAP are consistent with the State's regulations and GHG emissions reduction goals.

- II. Environmental Protection Principles A. Environmentally Sensitive Community Design 4. *"Energy efficiency should also be pursued wherever possible [through] street configuration, building orientation and landscaping to capitalize on shading and facilitate solar energy."*

The Air Quality Element policies regarding GHG emission reduction directs compliance with the County's CAP. This project updates the CAP to outline requirements for on-site renewable energy production for new land use projects involving a tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development (Energy Measure R2-E10). A commercial, office, industrial,

manufacturing and multi-family development shall offset 20% of its energy demand with on-site renewable energy; a single-family residential unit shall offset 30% of the energy demand. The applicant must show that the development can reasonably offset the energy demand unless such offsets are demonstrated by the applicant as infeasible.

- III. Any Foundation Component designation in the General Plan except as otherwise expressly allowed:

GPA No. 180004 modifies policies within the Air Quality Element. It does not modify any policies within the Land Use Element or include any specific development application that modifies a property's Foundation Component.

- b: The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

The modification to the Air Quality Element does not change the County's commitment to achieve its GHG emission reduction goals that are aligned with the State regulations. The project strengthens the County's reduction strategies for long-range GHG emission reduction as the development occurs in the County.

- c: Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan:

The Settlement was executed by the County and other parties for Sierra Club et al. v. County of Riverside et al. on September 18, 2017. The revisions to the Air Quality Element and other project components is consistent with the Settlement.

Conclusion:

1. For the reasons discussed above, the proposed project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This project was advertised in the Press Enterprise Newspaper / Desert Sun Newspaper on May 27, 2018. The proposed project is scheduled to be presented to the Planning Commission on June 6, 2018 as a public hearing item on the Agenda. Any member of the public is welcomed to provide comments or concerns during this time.

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3 **RESOLUTION No. 2018-006**

4 **RECOMMENDING ADOPTION OF GENERAL PLAN AMENDMENT NO. 180004**

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6 **WHEREAS**, pursuant to the provisions of Government Code Section 65350, a public hearing was
7 held before the Riverside County Planning Commission in Riverside, California on June 6, 2018, to
8 consider the above-captioned matter; and,

9 **WHEREAS**, all the provisions of the California Environmental Quality Act and the Riverside
10 County CEQA implementing procedures have been satisfied; and,

11 **WHEREAS**, the matter was discussed fully with testimony and documentation presented by staff,
12 the public and affected government agencies; now, therefore,

13 **BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Planning Commission
14 of the County of Riverside, in regular session assembled on June 6, 2018, that is has reviewed and
15 considered the staff report, staff's presentation and input from the public, and recommends the following
16 based on the staff report's findings and conclusions:

17 **FIND** General Plan Amendment No. 180004 exempt from CEQA pursuant to pursuant to
18 State CEQA Guidelines Section 15061(b)(3); and,

19 **TENTATIVELY APPROVE** General Plan Amendment No. 180004.
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PARTIAL SETTLEMENT AGREEMENT

This Partial Settlement Agreement (“Agreement”) is made and entered into, as of the Effective Date below, by and between Petitioners SIERRA CLUB, CENTER FOR BIOLOGICAL DIVERSITY, and SAN BERNARDINO VALLEY AUDUBON SOCIETY (collectively, “Petitioners”) and Respondents COUNTY OF RIVERSIDE and RIVERSIDE COUNTY BOARD OF SUPERVISORS (together, the “County”) to settle a portion of ongoing litigation regarding the County’s approval of General Plan Amendment No. 960 (“GPA No. 960”), its Climate Action Plan (“CAP”) and the associated Environmental Impact Report (“EIR”) No. 521. The settlement concerns Petitioners’ claims related to the CAP, greenhouse gas emissions, and climate change.

DEFINITIONS

For purposes of this Agreement, the terms listed below are defined as follows:

1. The “Action” means *Sierra Club et al. v. County of Riverside et al.* (Riverside County Superior Court Case No. RIC1600159) in which Petitioners filed a Verified Petition for Writ of Mandate challenging the County’s December 8, 2015 certification of EIR No. 521 and approvals of GPA No. 960, the CAP, and other associated approvals.
2. “Board” means the County Board of Supervisors.
3. “CAP” means the Climate Action Plan approved by the County on December 8, 2015.
4. “CEQA” means the California Environmental Quality Act, Public Resources Code section 21000 et seq.
5. “County” means the County of Riverside and the Board.
6. “Effective Date” means the date this Agreement takes effect. The Effective Date shall be the date the Parties sign this Agreement, as indicated below. If the Parties

sign this Agreement on different dates, then the latest date of signing by a Party shall be the Effective Date.

7. "EIR No. 521" means the Final Environmental Impact Report certified by the County for GPA No. 960, the CAP, and associated approvals on December 8, 2015.

8. "GPA No. 960" means General Plan Amendment No. 960, the General Plan Amendment approved by the County on December 8, 2015, which updated the County's 2003 General Plan as amended.

9. "Party" means the County or Petitioners, as appropriate, and "Parties" means, collectively, the County and Petitioners.

10. "Petitioners" means, collectively, the Sierra Club, the Center for Biological Diversity, and the San Bernardino Audubon Society.

RECITALS

A. On December 8, 2015, the County certified EIR No. 521 and approved GPA No. 960 and the CAP, and took other related actions.

B. On January 6, 2016, Petitioners filed the Action, which challenges the County's certification of EIR No. 521 and approval of GPA No. 960 and the CAP pursuant to CEQA.

C. Due to the extremely large number of documents potentially appropriate for inclusion in the administrative record, the Parties stipulated multiple times to extend the deadline for record certification.

D. The County's Notice of Certification of the Administrative Record was filed and served on May 24, 2017. The Parties have stipulated to a briefing schedule that includes an Opening Brief filing date of September 27, 2017, among other deadlines.

E. The Parties have held settlement meetings and have had continuing settlement negotiations. While general agreement to terms that would settle the entire

Action has not been reached, the Parties wish to enter into this Agreement as to the challenges relating to both the CAP and the greenhouse gas analysis in EIR No. 521.

F. The Parties to this Agreement believe that their mutual interests will be best served if any and all legal disputes between them relating to the CAP and the greenhouse gas analysis in EIR No. 521 are resolved without further litigation.

AGREEMENT

NOW THEREFORE, in consideration of the mutual promises and/or covenants contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals and Definitions. Each recital and definition set forth above is incorporated herein by reference and made part of this Agreement.
2. Obligations of the County. The County agrees as follows:
 - a. To process an amendment to the General Plan to remove or modify policies AQ 18.2, 18.4, 18.5, 19.3, 19.4, 21.1, and 21.2 and Mitigation Measure 4.7.A-N1 as follows:
 - Modify AQ 18.2 to read as follows: "Adopt GHG emissions reduction targets. Pursuant to the results of the Carbon Inventory and Greenhouse Gas Analysis for Riverside County, future development proposed as a discretionary project pursuant to the General Plan shall achieve sufficient reductions in greenhouse gas emissions in order to be found consistent with the County Climate Action Plan."
 - Modify AQ 18.4 to read as follows: "Implement policies and measures to achieve reduction targets. The County shall require implementation of the greenhouse gas reduction policies and measures established under the County Climate Action Plan for all new discretionary development

proposals.”

--Modify AQ 18.5 to read as follows: “Monitor and verify results. The County shall monitor and verify the progress and results, and make any necessary revisions to, the CAP by 2020 and at a minimum every four years thereafter. The progress and results of, and revisions to, the CAP will be made available to the public for review prior to approval. If monitoring reveals that the targets of the CAP are not being met, the CAP shall be revised to ensure that any changes needed to stay 'on target' with the stated goals are accomplished.”

--AQ 19.3 – Delete in its entirety

--AQ 19.4 – Delete in its entirety

--Modify AQ 21.1 to be amended as follows: Remove subsection a. in its entirety; renumber the other subsections; for former subdivision d. renumbered as subdivision c., remove the words “calculating BAU.”

--Modify AQ 21.2 to read as follows: “Implementation Measures found necessary for a given project pursuant to the CAP Screening Tables shall be incorporated into a project’s Mitigation and Monitoring Program as required mitigation measures under CEQA to ensure the measures are implemented appropriately. Such Implementation Measures may also be separately incorporated into the Conditions of the Approval issued by the County. In the event no Mitigation and Monitoring Program is required for a project, the Implementation Measures shall be incorporated into a project’s Conditions of Approval issued by the County.”

--Modify MM 4.7.A-N1 to read as follows: “To ensure GHG emissions resulting from new development are reduced to levels necessary to meet state targets, the County of Riverside shall require all new discretionary

development to comply with the Riverside County Climate Action Plan for residential, commercial, industrial, institutional and mixed-use projects.”

b. To process an amendment to the CAP as follows:

--To make implementation measures into mitigation measures under CEQA.

--To amend CAP Sections 7.6 and 7.7 to include the language set forth in Exhibit A, attached hereto and made a part hereof.

--To revise the language in Appendix F of the CAP as follows:

-- Revise language under the heading “Projects that Exceed 3,000 MT CO₂e Emission Level, Methodology for the Calculation of GHG Emissions” to require projects that are determined to be above 3,000 MT CO₂e emissions to quantify and disclose the anticipated greenhouse gas emissions of the proposed development.

-- Revise language under the heading “Instructions for Applications to Projects”: “Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the County’s GHG Technical Report. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.”

--To modify CAP text as indicated in Exhibit B, attached hereto and made a part hereof.

--To modify the language in Implementation Measure T7.A.1 as follows:
“Install electric vehicle charging stations for each residential unit included

in the project. Projects that include charging stations for fewer than all units shall receive points on a proportional basis.”

--To modify the language in the CAP text on page 4-6 as follows (bracketed words removed from existing text): “Provide circuit and capacity in [all] garages of residential units and all new large-scale commercial buildings, over 162,000 square feet for installation of electric vehicle charging stations -- Install electric vehicle charging stations in [all the] garages of residential units for new development projects.”

--To delete Implementation Measure L1.A.1 in its entirety.

--To revise Measure L2.A.1 to reduce the corresponding number of points from 8 to 2.

- c. To consider adoption of a policy to require the use of high-efficiency bulbs at all new traffic signal lights and convert 100% of existing traffic signal lights to high-efficiency bulbs by 2020, with language in the policy to ensure that selected high-efficiency bulbs will not adversely impact night sky resources at Mt. Palomar.
- d. To process an amendment to County Ordinance No. 348 to require provision of bike and personal EV parking for all multi-family or mixed-use projects consisting of a mix of residential, retail, and/or office space. This amendment will prioritize the provision of bike lockers, rather than racks.
- e. To set up a meeting with Riverside Transit Agency to explore opportunities to increase fixed-route services by 10-20% and invite Petitioners to attend the meeting.

- f. To include Petitioners on the notice list for any public meeting or comment period for discussion, consideration, approval, or adoption of any of the amendments or meetings listed in Paragraphs 2(a)-(d) of this Agreement.
 - g. Pay \$27,500 in attorneys' fees to Shute, Mihaly & Weinberger, LLP within 60 days of the County being served with a Notice of Partial Settlement that has been filed with the Court in the Action.
3. Obligations of Petitioners. Petitioners agree as follows:
- a. To amend their Verified Petition for Writ of Mandate for the Action to remove the last sentence of paragraph 4; to remove the entirety of paragraphs 11, 12, 46, and 47; and to remove the reference to "climate change" in paragraph 59.b; and
 - b. Not to pursue any claims relating to greenhouse gas emissions, climate change, the CAP, or environmental review of greenhouse gas emissions, climate change, or the CAP in this or any other litigation challenging the County's December 8, 2015 approvals.
 - c. Petitioners do not concede that EIR No. 521's analysis regarding greenhouse gases/climate change is valid under CEQA and do not waive their rights to challenge any future project that relies on the greenhouse gases/climate change analysis contained in EIR No. 521 through tiering, incorporation by reference, or other methods.
4. Obligations of All Parties. The Parties agree to execute and cooperate in submitting to the court a stipulation, in a form substantially similar to that attached as Exhibit C, requesting that the trial court enter an order reserving jurisdiction to enforce the Agreement pursuant to Code of Civil Procedure § 664.6. If the trial court refuses to retain jurisdiction, each Party agrees that one or more Parties may enforce the Agreement

by filing new litigation alleging a breach of the Agreement. Each Party agrees that a breach of the Agreement includes violation of settlement terms as well as the failure to process any of the agreed upon modifications to the General Plan, the CAP, the County's zoning ordinance, and any other related documents, or implement such modifications approved by the County. Each Party agrees to limit any request for relief for an alleged violation or breach of the Agreement to specific performance or injunctive relief. Each Party agrees that it will not pursue monetary damages as part of any action seeking to enforce the Agreement.

5. Public Agency Discretion.

- a. The Parties understand and acknowledge that the Board's approval of any or all of the above cannot be guaranteed and may be subject to procedural or substantive obligations under CEQA; California Code of Regulations, title 14, Section 15000 et seq. ("CEQA Guidelines"); the State Planning and Zoning Law; or other laws potentially applicable to such approvals. The Parties further understand and acknowledge that land use regulations involve the exercise of a public agency's police power and, at the time of executing this Agreement, it is settled California law that a government entity may not contract away its right to exercise its police power in the future. (*Avco Community Developers Inc. v. South Coast Regional Com.* (1976) 17 Cal.3d 785, 800; *City of Glendale v. Superior Court* (1993) 18 Cal.App.4th 1768.)
- b. Notwithstanding Paragraphs 3 and 5(a), County and Petitioners agree that if (i) the Board or other appropriate County decision-maker fails to process or consider the provisions set forth in Paragraphs 2(a)-(d) of this Agreement within 12 months of the Effective Date, unless an extension of that time has otherwise been agreed to by all Parties in writing, or (ii)

the Board or other appropriate County decision-maker should, after holding public hearings and giving due consideration to the provisions set forth in Paragraphs 2(a)-(d) of this Agreement, issue a final decision that determines not to approve any such amendments or policies, unless approval of the amendment or policy in question would violate the law as finally determined by a court of competent jurisdiction, in substantial conformance with the language set forth in Paragraphs 2(a)-(d) of this Agreement, then any Party may give notice terminating this Agreement. If Petitioners terminate the Agreement pursuant to this provision, then either (a) if the Action has not been resolved, the Parties shall stipulate to an amendment to the Petition for Writ of Mandate to reinstitute the provisions set forth in Paragraph 3(a) of this Agreement; or (b) if the Action has been resolved, then Petitioners may file new litigation alleging the same or substantially similar legal claims. Under either instance, the County shall not raise, and hereby explicitly waives, any defense or other claims that such claims are barred by a statute of limitations or laches.

- c. The Parties agree that final approval of any or all of the amendments or policies set forth above, in any form, shall have no effect on Petitioners' claims challenging GPA No. 960 and EIR No. 521 that do not relate to the CAP, greenhouse gases, or climate change.

6. Mutual Waivers and General Releases.

- a. Petitioners, on behalf of themselves and their officers, directors, and attorneys (collectively, the "Petitioner Releasing Parties") hereby irrevocably and unconditionally release, remise, acquit and forever discharge the County, as well as their affiliates, representatives, heirs, successors and assigns, and their respective past, present

and future directors, officers, partners, principals, managers, members, shareholders, employees, agents, representatives, insurers and attorneys (collectively, the "County Released Parties"), from any and all claims, rights, remedies, demands, collections, controversies, actions, causes of action, injunctions, suits, complaints, indebtedness, liens, encumbrances, obligations, liabilities, contracts and agreements, promises, damages, costs, fees and expenses (including attorneys' costs, fees and expenses), penalties, losses or relief of any nature, amount or kind, in law or in equity, past or present, known or unknown, suspected or unsuspected, matured or unmatured, in respect of any action, omission or event occurring from the beginning of time through the date on which this Settlement Agreement shall become effective, against any of the County Released Parties, which the Petitioner Releasing Parties have had, now have or may in the future have, against or with respect to any of the County Released Parties arising out of or relating to the County's December 8, 2015 approvals of the CAP or the greenhouse gas analysis in EIR No. 521 ("Released Claims Against County"); provided, however, that the Released Claims Against County shall not include the portion of the Petitioners' Action that challenges GPA No. 960 or the portions of EIR No. 521 that do not relate to greenhouse gases or the CAP, nor shall the Released Claims Against County include any claims, rights, remedies, demands, collections, controversies, actions, causes of action, injunctions, suits, complaints, indebtedness, liens, encumbrances, obligations, liabilities, contracts and agreements, promises, damages, costs, fees and expenses (including attorneys' costs, fees and expenses), penalties, losses or relief of any nature, amount or kind, in law or in equity, which any Petitioner Releasing Party may have against any County Released Party or arising as a result of any breach by such County Released Party of its obligations under this Settlement Agreement or any future violations of laws unrelated to the approvals granted for GPA No. 960, the CAP, or EIR No. 521, or this Agreement.

b. County, on behalf of themselves and their affiliates, representatives, heirs, successors and assigns, and their respective past, present and future directors, officers, partners, principals, managers, members, shareholders, employees, agents, representatives, insurers and attorneys (collectively, the "County Releasing Parties") hereby irrevocably and unconditionally release, remise, acquit and forever discharge Petitioners, as well as their officers, directors, members, and attorneys (collectively, the "Petitioner Released Parties"), from any and all claims, rights, remedies, demands, collections, controversies, actions, causes of action, injunctions, suits, complaints, indebtedness, liens, encumbrances, obligations, liabilities, contracts and agreements, promises, damages, costs, fees and expenses (including attorneys' costs, fees and expenses), penalties, losses or relief of any nature, amount or kind, in law or in equity, past or present, known or unknown, suspected or unsuspected, matured or unmatured, in respect of any action, omission or event occurring from the beginning of time through the date on which this Agreement shall become effective, against any of the Petitioner Released Parties, which the County Releasing Parties have had, now have or may in the future have, against or with respect to any of the Petitioner Released Parties arising out of or relating to the CAP or the greenhouse gas analysis in EIR No. 521 (collectively, the "Released Claims Against Petitioners"); provided, however, that the Released Claims Against Petitioners shall not include the portion of the Petitioners' Action that challenges GPA No. 960 or the portions of EIR No. 521 that do not relate to greenhouse gases or the CAP, and the Released Claims Against Petitioners shall not include any claims, rights, remedies, demands, collections, controversies, actions, causes of action, injunctions, suits, complaints, indebtedness, liens, encumbrances, obligations, liabilities, contracts and agreements, promises, damages, costs, fees and expenses (including attorneys' costs, fees and expenses), penalties, losses or relief of any nature, amount or kind, in law or in equity, which any County Releasing Party may have against any Petitioner Released

Party arising as a result of any breach by such Petitioner Released Party of its obligations under this Settlement Agreement.

c. Each Party agrees and acknowledges that it may hereafter discover facts different from or in addition to those now known or believed to be true regarding the claims released hereunder, and agrees that the foregoing releases shall remain in full force and effect, notwithstanding the existence or nature of any such different or additional facts.

d. Each Party, having consulted with counsel, is aware of the contents of Section 1542 of the Civil Code of the State of California. Section 1542 reads as follows:

Section 1542. (General Release - Claims Extinguished.) A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Each Party expressly waives and relinquishes all rights and benefits under that section and any law or legal principle of similar effect in any jurisdiction, with respect to the claims released hereunder.

Initialed:


County

Sierra Club

CBD

Audubon Society

e. Each of the Parties has executed this Agreement voluntarily, with full knowledge of its significance, and with the express intention of affecting the legal consequences provided by a waiver of California Civil Code Section 1542, or any similar provision of common or statutory law.

Party arising as a result of any breach by such Petitioner Released Party of its obligations under this Settlement Agreement.

c. Each Party agrees and acknowledges that it may hereafter discover facts different from or in addition to those now known or believed to be true regarding the claims released hereunder, and agrees that the foregoing releases shall remain in full force and effect, notwithstanding the existence or nature of any such different or additional facts.

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Each Party expressly waives and relinquishes all rights and benefits under that section and any law or legal principle of similar effect in any jurisdiction, with respect to the claims released hereunder.

Initialed:

County KD
Sierra Club CBD _____
Audubon Society

e. Each of the Parties has executed this Agreement voluntarily, with full knowledge of its significance, and with the express intention of affecting the legal consequences provided by a waiver of California Civil Code Section 1542, or any similar provision of common or statutory law.

Party arising as a result of any breach by such Petitioner Released Party of its obligations under this Settlement Agreement.

c. Each Party agrees and acknowledges that it may hereafter discover facts different from or in addition to those now known or believed to be true regarding the claims released hereunder, and agrees that the foregoing releases shall remain in full force and effect, notwithstanding the existence or nature of any such different or additional facts.

d. Each Party, having consulted with counsel, is aware of the contents of Section 1542 of the Civil Code of the State of California. Section 1542 reads as follows:

Section 1542. (General Release - Claims Extinguished.) A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.

Each Party expressly waives and relinquishes all rights and benefits under that section and any law or legal principle of similar effect in any jurisdiction, with respect to the claims released hereunder.

Initialed:

County

Sierra Club

JB

CBD

DA

Audubon Society

e. Each of the Parties has executed this Agreement voluntarily, with full knowledge of its significance, and with the express intention of affecting the legal consequences provided by a waiver of California Civil Code Section 1542, or any similar provision of common or statutory law.

7. Attorneys' Fees and Costs. Except as otherwise expressly provided above, each Party shall bear its own attorneys' fees and costs, and shall not seek to recover such fees and costs from any other party in connection with the County's December 8, 2015 approval of the CAP or the greenhouse gas analysis in EIR No. 521, this Agreement, or the enforcement of this Agreement.

8. Miscellaneous Provisions.

a. Convenience and Reference. The headings and numbers used in this Agreement are included for the purpose of convenience of reference only and they shall not be used to explain, limit, amplify, modify or aid in the interpretation, construction or the meaning of any part of the Agreement.

b. Implementing this Agreement. The Parties shall act in good faith and fully cooperate to ensure that the steps necessary to implement this Agreement are carried out.

c. Modification. This Agreement may not be amended or modified by the Parties except in writing executed by all Parties.

d. Waiver. No waiver of any provision of this Agreement shall be binding unless executed in writing by the Party making the waiver. No waiver of any provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar. Nor shall any waiver constitute a continuing waiver.

e. Advice of Counsel. In executing this Agreement, the Parties acknowledge that they have consulted with and been advised by their respective attorneys, and that they have executed this Agreement after independent investigation, and without fraud, duress or undue influence. The Parties further acknowledge and agree

that they have had a reasonable period of time for deliberation before executing this Agreement.

f. No Admission of Liability. The Parties understand and agree that nothing in this Agreement, or in the execution of this Agreement, shall constitute or be construed as an admission by any Party of any inadequacy or impropriety in connection with the allegations contained in Petitioners' Verified Petition for Writ of Mandate. This Agreement is the result of a compromise and nothing contained herein shall be construed as an admission of liability, responsibility, or wrongdoing by any Party hereto. It is agreed that all statements contained herein and the conduct of any Party in connection with this Agreement shall be inadmissible as evidence under California Evidence Code § 1152(a), except that the statements contained herein shall be admissible in any action to enforce or interpret this Agreement.

g. Representations. Each Party to this Agreement acknowledges that it is fully aware of the significance and legal effect of this of this Agreement, including its release provisions, and is not entering into this Agreement in reliance on any representation, promise, or statement made by any Party, except those explicitly contained in this Agreement.

h. Ambiguities and Interpretation. This Agreement shall be deemed to have been drafted equally by the Parties, and shall not be interpreted for or against any Party by reason of the alleged authorship of any provisions. The Parties understand and agree that the general rule that ambiguities are to be construed against the drafter shall not apply to this Agreement.

i. Mistake. Each of the Parties to this Agreement has investigated the facts pertaining to the Action and to this Agreement to the extent each Party deems necessary. In entering into this Agreement, each Party assumes the risk of mistake with

respect to such facts. This Agreement is intended to be final and binding upon the Parties regardless of any claim of mistake.

j. Binding on Successors in Interest. This Agreement shall bind and inure to the benefit of each Party and each Party's successors, assigns, heirs, officers, directors, employees, representatives, managers, principals and agents.

k. Governing Law. This Settlement Agreement shall be deemed executed and delivered within the State of California; the rights and obligations of the Parties hereunder shall be governed, construed, and enforced in accordance with the laws of the State of California. The venue for any dispute arising from or related to this Settlement Agreement, its performance, and its interpretation shall be in the Superior Court of California, County of Riverside.

l. Warranty of Authority. Each Party represents to all other Parties that such Party is authorized to enter into this Agreement, that the execution and delivery of this Agreement will not violate any agreement to which such Party is a party or by which such Party is bound, and that this Agreement, as executed and delivered, constitutes a valid and binding obligation of such Party, enforceable in accordance with its terms. Any individual signing this Agreement on behalf of a public agency represents and warrants that the Agreement is executed in compliance with a duly authorized action of the governing body of the public agency. The individuals signing this Agreement on behalf of each Party represent and warrant that they have full authority and are duly authorized to do so on behalf of the Party they represent.

m. Subject to Approval. The Parties acknowledge that the Agreement is subject to approval by the County, the Sierra Club, the Center for Biological Diversity, and the San Bernardino Audubon Society. Any individual signing this Agreement on

behalf of an entity represents that the governing body or approving authority of that entity has approved the Agreement.

n. Severance. The invalidity of any portion of this Agreement shall not invalidate the remainder. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the Parties shall amend this Agreement and/or take other action necessary to achieve the intent of this Agreement in a manner consistent with the ruling of the court.

o. Breach and Notice of Breach. Any Party claiming a breach of this Agreement shall provide the other Parties thirty (30) days' notice before commencing any action to enforce this Agreement and shall meet and confer and attempt to resolve their differences informally before commencing any such action.

p. No Third Party Beneficiaries. The Parties do not intend to create any third party beneficiaries to this Agreement. This Agreement is not intended to confer upon any person other than the Parties any rights or remedies thereunder and no person or entity other than the Parties shall have standing to enforce this Agreement.

q. Effective Date. Notwithstanding any provision herein in this Agreement to the contrary, this Agreement shall not be effective unless and until it is executed by all of the Parties, at which point it shall be effective as of the Effective Date.

r. Survival of Provisions. Except as otherwise provided in this Agreement, all covenants, releases, representations and obligations made by the Parties to one another pursuant to this Agreement shall survive any and all dismissals of the Action.

s. Time is of the Essence. To the extent that performance is to be governed by time, time shall be deemed of the essence.

t. Notices. All notices required under this Agreement shall be in writing, and may be given either personally or by registered or certified mail (return receipt requested) or by facsimile. Any Party may at any time, by giving ten (10) calendar days written notice to the other Party, designate any other person or address in substitution of the address to which such notice shall be given. Such notice shall be given to the Parties at their addresses set forth below:

For County of Riverside:

Gregory P. Priamos
Melissa R. Cushman
Office of Riverside County Counsel
3960 Orange Street, Suite 500
Riverside, CA 92501

For the Sierra Club:

Official notices:

Kathy Dale
Moreno Valley Group
P.O. Box 1325
Moreno Valley, CA 92556-1325

Mary Ann Ruiz
Chapter Chair
San Gorgonio Chapter
P.O. Box 5425
Riverside, CA 92517-5425

Aaron Isherwood
Coordinating Attorney
Sierra Club
2101 Webster St, Suite 1300
Oakland, CA 94612

Courtesy Email Notices:

Kathy Dale (kdalenmn@aol.com)
George Hague (gbhague@gmail.com)

For the Center for Biological Diversity:

Aruna Prabhala
1212 Broadway, Suite 800
Oakland, CA 94612

For San Bernardino Valley Audubon Society:

San Bernardino Valley Audubon Society
PO Box 10973
San Bernardino CA 92423

u. Entire Agreement. This Agreement contains the entire agreement among the Parties hereto with respect to the matters covered hereby, and supersedes all prior agreements, written or oral, among the Parties. No other agreement, statement or promise made by any Party not contained herein shall be binding or valid.

v. Exhibits. All exhibits referred to herein are, by such reference, incorporated herein and shall be deemed a part of this Agreement as fully as if set forth herein.

w. Execution in Counterparts. This Agreement may be executed in counterparts. The counterparts shall together comprise a single Agreement. Photocopies shall be able to serve as originals.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed as of the date hereinafter written.


Dated: September 16, 2017

THE COUNTY OF RIVERSIDE

By: _____


Juan C. Perez,
Director of Transportation and Land
Management Agency

Approved as to form:
GREGORY P. PRIAMOS,
County Counsel


Melissa R. Cushman, Deputy County Counsel
Attorneys for Respondent County of Riverside

Dated: September __, 2017

SIERRA CLUB

By: _____

Kathy Dale

Dated: September __, 2017

CENTER FOR BIOLOGICAL DIVERSITY

By: _____

John Buse
General Counsel and Senior Attorney

Dated: September __, 2017

**SAN BERNARDINO VALLEY AUDUBON
SOCIETY**

By: _____

Mary Ruiz
Chapter Chair

Dated: September __, 2017

THE COUNTY OF RIVERSIDE

By: _____
Juan C. Perez,
Director of Transportation and Land
Management Agency

Approved as to form:
GREGORY P. PRIAMOS,
County Counsel

Melissa R. Cushman, Deputy County Counsel
Attorneys for Respondent County of Riverside

Dated: September 15, 2017

SIERRA CLUB

By: _____
Kathy Dale
Kathy Dale

Dated: September __, 2017

CENTER FOR BIOLOGICAL DIVERSITY

By: _____
John Buse
General Counsel and Senior Attorney

Dated: September __, 2017

**SAN BERNARDINO VALLEY AUDUBON
SOCIETY**

By: _____
Mary Ruiz
Chapter Chair

Dated: September __, 2017

THE COUNTY OF RIVERSIDE

By: _____
Juan C. Perez,
Director of Transportation and Land
Management Agency

Approved as to form:
GREGORY P. PRIAMOS,
County Counsel

Melissa R. Cushman, Deputy County Counsel
Attorneys for Respondent County of Riverside

Dated: September __, 2017

SIERRA CLUB

By: _____
Kathy Dale

Dated: September 15, 2017

CENTER FOR BIOLOGICAL DIVERSITY

By: _____
John Buse
General Counsel and Senior Attorney

Dated: September 15, 2017

**SAN BERNARDINO VALLEY AUDUBON
SOCIETY**

By: _____
Drew Feldman
Conservation Chair

EXHIBIT A

7.6 STEP 6 – Monitoring and Inventorizing

The County of Riverside will create a system for monitoring the implementation of this CAP and adjusting the plan as opportunities arise. As the plan is implemented and as technology changes, the CAP should be revised to take advantage of new and emerging technology. If promising new strategies emerge, the County of Riverside will evaluate how to incorporate these strategies into the CAP. Further, state and federal action will also result in changes which will influence the level of Riverside County emissions.

Screening tables completed during project review, as described in Section 7.5 above, will serve as documentation of the implementation of reduction measures. The County of Riverside shall retain the completed screening tables in order to maintain a record of the types and levels of implementation of each of the R2 measures. The point values in the completed screening tables also document the estimated levels of emission reductions anticipated during implementation. By maintaining these records, the County of Riverside can monitor the CAP reduction measure implementation and compare the anticipated emission reductions with the goals for the CAP over time.

The GHG inventory will be periodically updated in coordination with the three phases noted above: 2013 (to update with the Regional Transportation Plan outputs and Phase 1 progress); 2017 (to review Phase 2 progress, allow for course corrections to keep progress on target for 2020, and to develop post-2020 forecasts for use in planning for after 2020); and 2020 (to establish baseline for post-2020 GHG reduction planning). ~~The County of Riverside will also implement a monitoring and reporting program to evaluate the effectiveness of reduction measures with regards to progress towards meeting the goals of the CAP.~~

To provide periodic updates to the CAP inventory of GHG emissions, Riverside County will use a Microsoft (MS) Excel format emissions inventory tool developed by the CAP consultant. This tool will include all the emission factors and emission sources specific to Riverside County. The tool will be designed such that Riverside County staff can input VMT, water use, solid waste and energy consumption data and the tool will quantify emissions for the unincorporated areas.

The County of Riverside will also implement a monitoring and reporting program to evaluate the effectiveness of reduction measures with regards to progress towards meeting the goals of the CAP. This program will ensure that the effectiveness of all implementation measures are reviewed in advance of 2020 and that adjustments to

assigned point value to account for actual effectiveness are made in the post-2020 CAP. If measures included in this CAP are found to be ineffective, those measures will be removed or revised in the post-2020 CAP.

The CAP Implementation Coordinator shall be responsible for maintaining records of reduction measure implementation and insuring that the periodic updates to the emissions inventory are completed using the MS Excel based emission inventory tool.

7.7 STEP 7 – Beyond 2020

As described above under the discussion of Reduction Goals, 2020 is only a milestone in GHG reduction planning. Executive Order S-03-05 calls for a reduction of GHG emissions to a level 80 percent below 1990 levels by 2050, and this level is consistent with the estimated reductions needed to stabilize atmospheric levels of CO₂ at 450 parts per million (ppm). Thus, there will be a need to start planning ahead for the post-2020 period. The County of Riverside will commence planning for the post-2020 period starting in 2017, at the approximate midway point between plan implementation and the reduction target and after development of key ordinances and implementation of cost-effective measures. At that point, Riverside County will have implemented the first two phases of this CAP and will have a better understanding of the effectiveness and efficiency of different reduction strategies and approaches. Further, the state's regulations under AB 32 would have been fully in force since 2012; federal programs and policies for the near term are likely to be well underway; market mechanisms like a cap and trade system are likely to be in force and will be influencing energy and fuel prices; and continuing technological change in the fields of energy efficiency, alternative energy generation, vehicles, fuels, methane capture and other areas will have occurred. Riverside County will then be able to take the local, regional, state and federal context into account. Further, starting in 2017 will allow for development of the post-2020 plan so that it can be ready for full implementation, including potential new policies, revisions to the General Plan (as necessary), programs, ordinances, and financing by 2020. The new plan will include a specific target for GHG reductions for 2035 and 2050. The targets will be consistent with broader state and federal reduction targets and with the scientific understanding of the needed reductions by 2050. The County of Riverside will adopt the new plan by January 1, 2020.

The new CAP adopted on or before January 1, 2020 will keep on track through 2035 to meet the 2050 goal by implementing the following.

- Increase energy efficiency and green building efforts (for County municipal facilities as well as private buildings within the unincorporated areas) so that the

savings achieved in the 2020 to 2035 timeframe are approximately 69% those accomplished in 2020.

- Continue to implement land use and transportation measures to lower VMT and shift travel modes (assumed improvement of 8% compared to the unmitigated condition, which is within SCAG's assumed range of 8% to 12% of GHG reductions for 2035).
- Capture more methane from landfills receiving regional waste, move beyond 75% local waste diversion goal for 2020, and utilize landfill gas further as an energy source.
- Continue to improve local water efficiency and conservation.
- Continue to support and leverage incentive and rebate and other financing programs for residential and commercial energy efficiency and renewable energy installations to shorten payback period and costs and to develop programs that encourage increased use of small-scale renewable power as it becomes more economically feasible.
- Require ongoing monitoring and verification of results. Every four years, the County will update the GHG inventory, review the effectiveness of specific measures, and revise their associated point value according to the available evidence. If existing measures are found to be ineffective, those measures will be removed or revised in the four-year cycle. The proposed changes will be available for public review and comment prior to approval at a public meeting.

The conceptual effects of these strategies are presented in Table 7-2 and would represent an approximate doubling of effort from that planned at the state and County level for 2020. In total, the measures described above would produce reductions to bring the region's GHG emissions to an estimated 3 MMTCO_{2e} by 2035. While the potential mix of future GHG reduction measures presented in this section is preliminary, it serves to demonstrate that the current measures in the CARB Scoping Plan and the County's CAP can not only move the region to its 2020 goal, but can also provide an expandable framework for much greater long-term greenhouse gas emissions reductions toward the ultimate 2050 goal.

EXHIBIT B

1. The County agrees to process an amendment to the CAP such that on-site renewable energy production (including but not limited to solar) shall be required for any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development, as described further below:
 - a. Any such development shall offset its energy demand as provided below, unless such offsets are demonstrated by the applicant to be infeasible:
 - i. Commercial, office, industrial or manufacturing development: 20 percent of energy demand
 - ii. Multi-family residential development: 20 percent of energy demand
 - iii. Single-family residential development: 30 percent of energy demandThe County will revisit these offset requirements based on current technology each time it revises the CAP, with the expectation that offset requirements will increase over time.
 - b. Examples of reasons that meeting on-site renewable energy production requirements may be infeasible include, but shall not be limited to: (1) for on-site solar energy production, the project site lacks available unshaded areas; (2) the configuration of the parcels on which the buildings or buildings are planned to be located are not suited for any type of on-site renewable energy production; and (3) on-site renewable energy production conflicts with other land use regulations applicable to a particular site, such as historic districts or Airport Influence Areas (e.g., where the Airport Land Use Commission or the County determines a technology to be hazardous for a site within an Airport Influence Area). If meeting the offset requirements in subpart (a) is infeasible, an applicant must nevertheless install on-site renewable energy production to the greatest extent feasible.
 - c. Any determination that on-site renewable energy production is infeasible, including economic infeasibility, shall be supported by substantial evidence and independently verified by the County. A determination of infeasibility for development within an Airport Influence Area may be made as part of the required Airport Land Use Commission review.
 - d. The feasibility of on-site renewable energy production shall be evaluated at the time of preparation of the first environmental review document (including but not limited to any environmental review for any specific plan adoption or amendment that proposes to add more than 75 units of residential or one or more buildings totaling more than 100,000 gross square feet of new commercial, office, industrial, or manufacturing development). The feasibility evaluation and supporting documentation shall be available for public review as content within the environmental review document, or as a supporting reference document.
 - e. Implementation of feasible on-site renewable energy production shall be required as a condition of any new tract map, plot plan, or conditional use permit issued in connection with the development.
 - f. The requirement for on-site renewable energy production is not intended to require a reduction in permissible project density or a change in permissible project type.

- g. The requirements of this settlement point shall apply regardless of whether the project meets the 3,000 MT threshold discussed in the CAP. The requirements of this settlement point shall apply only to applications submitted 45 days or more after the County's final action amending the CAP to include these requirements.
- h. Residential dwelling units in publicly subsidized projects to be constructed as housing for lower income households (as defined in Health and Safety Code section 50079.5) are exempt from the on-site renewable energy production requirements set forth in this Exhibit B to the Agreement. Any other residential dwelling units or commercial, office, industrial, or manufacturing development built in conjunction with such units are not exempt, so long as they independently meet the size requirements identified in Section 1 of this Exhibit B, above, except for mobilehome parks that separately qualify as exempt under this Exhibit B section 1.i.
- i. Mobilehome parks that are reasonably anticipated to be used primarily for low-income families are also exempt from the on-site renewable energy requirements set forth in this Exhibit B. Factors the County will consider in making this determination include the proposed mobilehome park's lot size, location, and proposed amenities. Mobilehome parks that include a golf course as a proposed amenity are not exempt from the on-site renewable energy requirements set forth in this Exhibit B.

EXHIBIT C
Form of Stipulation

Petitioners and Respondents have entered a Partial Settlement Agreement (the "Agreement"), a copy of which is attached hereto as Exhibit 1.

The Agreement calls for the removal of various claims from Petitioners' Verified Petition for Writ of Mandate.

The Agreement includes terms anticipating that the trial court enter an order reserving jurisdiction to enforce the Agreement pursuant to C.C.P. § 664.6.

The Court is authorized to reserve jurisdiction to enforce the Agreement pursuant to C.C.P. § 664.6 upon written request of the parties as provided in *Wackeen v. Malis* (2002) 97 Cal.App.4th 429, 439-441.

THEREFORE, it is hereby **STIPULATED** by Petitioners and the County that, and Petitioners and the County hereby jointly request that, this Court reserve jurisdiction to enforce the Agreement pursuant to C.C.P. § 664.6 and this written stipulation of the parties.

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efforts. This can include developing plans and programs in coordination with local water agencies, constituent cities, regional planning agencies, such as WRCOG and CVAG, as well as SCAG and state agencies.

Development of Riverside County Climate Action Plan (CAP)



Climate Action Plan "CAP" - Provides a programmatic plan by which the County will address the actions necessary to achieve greenhouse gas emissions reductions across the various sectors under County jurisdiction.

The efforts toward reducing GHG emissions in the County are closely related to the way in which Riverside County operates, makes its land use decisions, and provides incentives to retrofit existing communities as mentioned above. To this end, the main components of Riverside County's vision for future decisions are founded in the General Plan policies and its programs. The General Plan provides direction to the Riverside County decision-makers on managing their resources and how future development should occur. It includes policies and programs within various elements and technical appendices that reduce GHG emissions in Riverside County. The current Riverside County General Plan reduces GHG emissions through sound planning measures, such as limiting water consumption, reducing waste, managing growth in a manner that accommodates growing populations without allowing urban sprawl, by reducing vehicle miles travelled and subsequently, emissions from motorized vehicles.

The General Plan includes Riverside County's Climate Action Plan (CAP), which contains further guidance on Riverside County's GHG inventory reduction goals, thresholds, policies, guidelines, and implementation programs. In particular, the CAP elaborates on the General Plan goals and policies relative to GHG emissions and provides a specific implementation tool to guide future decisions of the County of Riverside.

Through the CAP, the County of Riverside has made commitment to be in compliance with the changing GHG emissions reduction regulations of the federal and state governments. Following the state's AB 32 GHG reduction target, Riverside County has set a goal to reduce emissions back to 1990 levels by the year 2020. The estimated community-wide emissions for the year 2020, based on population and housing growth projections associated with the assumptions used in the General Plan land use projections, are 10,268,937MT CO_{2e}. In order to reach the reduction target, Riverside County must offset this growth in emissions and reduce community-wide emissions to 6,036,971 MT CO_{2e} by the year 2020.

However, it is also important to note that in addition to the CAP, other existing state regulations will contribute to achieving GHG emissions reductions in Riverside County by the year 2020. Some of these regulations include updated building codes for energy efficiency, the low carbon fuel standard, Pavley I and II vehicle emissions standards, and the Renewable Portfolio Standard for utility companies. By supporting the State of California in the implementation of these measures, Riverside County will experience substantial GHG emissions reductions as well.

To be effective, the Riverside County CAP has addressed, and will continue implementation of, the following milestones and achieve the associated results, as outlined in the following policies:

Policies:

AQ 18.1 Baseline emissions inventory and forecast. Riverside County CAP has included baseline emissions inventory with data from the County's CO_{2e} emissions, for specific sectors and specific years. The carbon inventory greatly aids the process of determining the type, scope and number of GHG reduction policies needed. It also facilitates the tracking of policy implementation and effectiveness. The carbon inventory for the County consists of two distinct components; one

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inventory is for the County as a whole, as defined by its geographical borders and the other inventory is for the emissions resulting from the County's municipal operations.

- AQ 18.2 **Adopt GHG emissions reduction targets.** Pursuant to the results of the Carbon Inventory and Greenhouse Gas Analysis for Riverside County, future development proposed as a discretionary project pursuant to the General Plan shall achieve *sufficient reductions in a* greenhouse gas emissions reduction of 25% compared to Business As Usual (BAU) project in order to be found consistent with the County's Climate Action Plan. ~~(CAP)~~ (AI 26)
- AQ 18.3 **Develop a Climate Action Plan for reducing GHG emissions.** The Riverside County CAP has been developed to formalize the measure necessary to achieve County GHG emissions reduction targets. The CAP includes both the policies necessary to meet stated targets and objectives are met. These targets, objectives and Implementation Measures may be refined, superseded or supplemented as warranted in the future. (AI 146)
- AQ 18.4 **Implement policies and measures to achieve reduction targets.** The County shall *require implementation of* the greenhouse gas reduction policies and measures established under the County Climate Action Plan for all new discretionary development proposals. (AI 23, 147)
- AQ 18.5 **Monitor and verify results.** The County shall monitor and verify the progress and results, *and make any necessary revisions to, the CAP by 2020 and a minimum every four years thereafter. The progress and results of, and revisions to, the CAP will be made available to the public for review prior to approval. If monitoring reveals that the targets of the CAP are not being met, the CAP shall be revised to ensure that any changes needed to stay 'on target' with the stated goals are accomplished.* ~~of the CAP periodically. When necessary, the CAPs "feedback" provisions shall be used to ensure that any changes needed to stay "on target" with stated goals are accomplished.~~ (AI 26, 147)

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General Plan Policies and Climate Action Plan

As indicated above, the CAP is an independent document that elaborates on the General Plan goals and policies relative to GHG emission and provides a specific implementation tool to guide decisions regarding Riverside County operations, retrofit programs for existing communities, as well as land use decisions. However, since the General Plan is the blueprint for future growth in Riverside County, the following policies provides additional guidance in review and discretionary approval of private land use projects (such as residential, commercial and industrial development).

Policies:

AQ 19.1 Continue to coordinate with CARB, SCAQMD, and the State Attorney General's office to ensure that the milestones and reduction strategies presented in the General Plan and the CAP adequately address the county's GHG emissions. (AI 110, 111, 113)

AQ 19.2 Utilize County's CAP as the guiding document for determining County's greenhouse gas reduction thresholds and implementation programs. Implementation of the CAP and its monitoring program shall include the ability to expand upon, or where appropriate, update or replace the Implementation Measures established herein such that the implementation of the CAP accomplishes the greenhouse gas reduction targets. (AI 146)

~~AQ 19.3 Require new development projects subject to County discretionary approval to achieve the greenhouse gas reduction targets established in the CAP either through: (AI 147)~~

~~a. Garnishing 100 points through the Implementation Measures found the County's CAP; or~~

~~b. Requiring quantification of project specific GHG emissions and reduction of GHG emissions to, at minimum, the applicable GHG reduction threshold established in the CAP.~~

~~AQ 19.4 All discretionary project proposals shall analyze their project specific GHG reduction targets in comparison to the "business as usual" (BAU) scenario for the development's operational life and the "operational life" of a new development shall be defined as a 30 year span. Other methods for calculating BAU and showing GHG emissions reductions may be used provided such methods are both scientifically defensible and show actual emission reduction measures incorporated into project design, mitigation or alternative selection. Alternatively, a project may use the CAP Screening Tables to show the attainment of the applicable number of points needed to ensure adequate GHG reductions and CAP compliance. (AI 47, 147)~~

“
The general planning process presents a powerful opportunity to carefully consider and shape future land use patterns and ensure that development is consistent with AB 32. As the Air Resources Board noted in its recent AB 32 Scoping Plan, 'local governments are essential partners in achieving California's goals to reduce greenhouse gas emissions.'


”
California Attorney General, Edmund G. Brown

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8. Municipal Operational Objectives

Built environment improvements include designing greater energy efficiency into new Riverside County buildings and retrofitting older facilities with upgrades to improve energy efficiency, such as additional insulation, low-emissive glass, cool roofs and programmable thermostats. Development of alternative energy sources powering Riverside County facilities can include solar collectors and, at Riverside County landfills, methane capture. Infrastructure improvements can include more efficient street and traffic signal lighting, use of low-emission surfacing materials and paints, and more energy efficient pumps and treatment plants. Water-efficient landscaping can be incorporated along roadways and Riverside County buildings, and urban runoff can be controlled through site design and the use of bioswales. And, in the transportation sector, the County of Riverside can directly reduce vehicle GHG emissions by transitioning its fleet to more fuel efficient vehicles, including the use of hybrid or other alternate fuels.

The various ways in which the County of Riverside can directly control the emission of GHG resulting from Riverside County operations form the basis for the following policy objectives.



Also see the following
General Plan and County
Board policies related to
county operational
greenhouse gas
reductions

**Multipurpose Open
Space Element:**
OS 16.4, OS 16.12, OS
16.13

**Board of Supervisors-
Board Policies:**
BOS A-64 "Environmental
Purchasing"
BOS H-4 "Energy
Conservation"
BOS H-25 "Water-
Efficient Landscaping"
BOS H-29 "Sustainable

Policies:

- | | |
|----------|--|
| AQ 20.27 | Increase the average fuel efficiency of County-owned vehicles powered by gasoline and diesel through fleet transitioning programs. Also, reduce total vehicle miles traveled by County employees, both commuting to work sites and travel for the conduction of County activities. (AI 118, 146) |
| AQ 20.28 | Increase the energy efficiency of all existing and new County buildings and infrastructure operation (roads, water, waste disposal and treatment, buildings, etc.). Also, decrease energy use through incorporating renewable energy facilities (such as, solar array installations, individual wind energy generators, geothermal heat sources) on County facilities where feasible and appropriate. (AI 146) |
| AQ 20.29 | Establish purchasing and procurement policies that support the use of green products and services, minimize waste, and promote sustainability. (AI 146) |
| AQ 20.30 | Reduce potable water use, wastewater and solid waste generation, and urban runoff at both new and existing County facilities and operations. Also, increase the amount of materials recycled from County facilities. (AI146) |
| AQ 21.1 | The County shall require new development projects subject to County discretionary approval to incorporate measures to achieve 100 points through incorporation of the Implementation Measures (IMs) found in the Screening Tables within the Riverside County Climate Action Plan. One hundred points represent a project's fare-share of reduction in operational emissions associated with the developed use needed to reduce emissions down to the CAP Reduction Target. (AI 147) |

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- ~~a. This reduction shall be measured in comparison to the “business as usual” (BAU) scenario for the development’s operational life. The BAU scenario shall be consistent with the General Plan build-out assumptions detailed in Appendix E-1 of the General Plan.~~
- ~~b-a. For the purposes of this policy, the “operational life” of a new development shall be defined as a 30-year span with construction emissions amortized over the 30 years.~~
- ~~e-b. For the purposes of this policy, “new development” refers to private development occurring pursuant to a discretionary land use approval issued by the County of Riverside and subject to binding Conditions of Approval. This definition generally corresponds to projects found non-exempt pursuant to the California Environmental Quality Act (CEQA), but is nevertheless subject to the sole discretion of the County of Riverside as lead agency.~~
- ~~d. c. Other methods for calculating BAU and showing GHG emissions reductions may be used provided such methods are both scientifically defensible and show actual emission reduction measures incorporated into project design, mitigation or alternative selection. That is, reductions must not be illusory “paper” reductions achieved merely through baseline manipulation.~~
- ~~e. d. Nothing in this policy shall be construed as accepting any proposed discretionary project from any legally applicable CEQA requirements or explicitly limiting the scope any analyses required to show CEQA compliance.~~

AQ 21.2

Implementation Measures found necessary for a given project pursuant to the CAP Screening Tables shall be incorporated into a project’s *Mitigation and Monitoring Program* as required mitigation measures under CEQA to ensure the measures are implemented appropriately. Such Implementation Measures may also be separately incorporated into the Conditions of Approval issued by the County. In the event no Mitigation and Monitoring Program is required for a project, the Implementation Measures shall be incorporated into a project’s Conditions of Approval issued by the County. ~~to ensure the measures are implemented appropriately. (AI 147)~~

AQ 21.3

Discretionary Measures - Because of the varied nature of the private development proposals reviewed by the County, in some cases, the Implementing Measures in the CAP may not provide the most appropriate means for achieving the required Interim GHG reductions. In such cases, the following alternate measures may be utilized, at the County’s discretion:

- a. For large-scale developments, such as specific plans, business parks, industrial centers, and those triggering a full Environmental Impact Report, a custom GHG analyses may be warranted to both assure compliance with the applicable targets herein and to provide a customized array of appropriate reduction measures.
- b. In such cases, the resultant GHG analysis may be used to develop customized GHG reduction measures in place of the CAP’s Implementing Measures, provided they achieve the stated targets or implement all feasible mitigation short of achieving the applicable targets.
- c. Project-specific analysis may be particularly valuable when assessing large-scale mixed use developments. In such developments, significant energy efficiencies and VMT reductions can result from smart growth design features, such as provision of housing, jobs, services and recreation within a 5- to 10-minute walking radius. Project-specific analysis in these cases may



County of Riverside General Plan Implementation Program

Action Item #	Administration Activities/Programs	General Plan Policy # Reference	Primary Resp.	Support Resp.	Timeframe Target	Status
AI 123	Identify and encourage alternative farming practices that farmers will find acceptable yet will reduce the impacts of particulate matter in the air.	AQ 17.1, AQ 17.5	TLMA-PD	County of Riverside Agriculture Commissioner's Office	Ongoing	
Greenhouse Gas Emission Reduction Strategy						
AI 146	Adopt and implement a Climate Action Plan (CAP) and incorporate the included Implementation Measures (IMs) into the General Plan as an Appendix. The CAP includes a variety of IMs set forth by the Federal and State governments (known as Reduction Measures, A.K.A. "R-measures") Reduction Measures required by Federal and State law are shown as "R-1" Measures and are already required of all development applications and municipal operations. The CAP expands further on this practice and incorporates local Reduction Measures or R-2 Measures. The list of R2 measures divided into eight major categories, which are transportation, land use, energy use, water and biota use, waste generation, municipal (i.e. County) operations and existing uses not otherwise covered. efficiency the County can incorporate into the new development projects are to achieve an AB 32 compliant reduction target of 15% below existing emissions levels by the year 2020.	AQ 17.10, AQ 18.3, AQ 19.2, AQ 20.1, AQ 20.2, AQ 20.3, AQ 20.4, AQ 20.5, AQ 20.7, AQ 20.8, AQ 20.20, AQ 20.24, AQ 20.25, AQ 20.27, AQ 20.28, AQ 20.29, AQ 20.30, AQ 21.4, AQ 22.1, AQ 24.1, AQ 25.1, AQ 25.3, AQ 26.1, AQ 27.1, AQ 27.2, AQ 28.2, AQ 29.1, AQ 29.2, AQ 29.3	TLMA-PD			
AI 147	Adopt, implement, and update a set of community protocol implementation and design measures to aid in the reduction of GHG emissions from new development authorized under the Land Use Element of the General Plan. The CAP includes Appendix F (Screening Tables) which incorporates the R-1, R-2, and the voluntary R-3 Reduction Measures from the CAP along with standardized reduction values (or points) that are associated with each set of reduction measures. In order for new development projects to achieve compliance with the County's CAP and therefore with the County's General Plan, each project must achieve a minimum of 100 points for their project or provide an independent GHG emissions reduction analysis with equivalent reductions in GHG emissions.	AQ 17.10, AQ 18.4, AQ 18.5, AQ 19.3, AQ 19.4, AQ 20.10, AQ 20.11, AQ 20.12, AQ 20.13, AQ 20.18, AQ 20.19, AQ 20.21, AQ 20.23, AQ 20.26, AQ 21.1, AQ 21.2, AQ 22.1, AQ 23.1, AQ 23.2, AQ 26.1, AQ 26.2, AQ 27.1, AQ 28.1,	TLMA-PD			
Quality School Plan Summary provided in the Housing Element						
AI 124	Implement the 5-8-year Action Plan of the Housing Element in the General Plan. The 5-8-year Action Plan is located both in the Housing Element and at the end of this appendix.	AQ 6.1	TLMA-PD	RC-EDA	Ongoing	General Plan Review Cycle
AI 125	Ensure consistency with the Housing Element and the adopted General Plan.	LU 3.1	TLMA-PD	RC-EDA	Ongoing	General Plan Review Cycle

Riverside County General Plan Update
Mitigation Monitoring and Reporting Program

Mitigation No.	Mitigation Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
	<p>a. The construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency.</p> <p>b. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.</p> <p>c. The construction contractor shall utilize electric- or diesel-powered equipment, in lieu of gasoline powered engines, where feasible.</p> <p>d. The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the overall length of the construction period will be extended, thereby decreasing the size of the area prepared each day, to minimize vehicles and equipment operating at the same time.</p> <p>e. The construction contractor shall time the construction activities so as to not interfere with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.</p> <p>f. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.</p> <p>g. <i>Item g. dust control measures omitted, since not applicable to GHGs.</i></p>								
4.7.A-N1	To ensure GHG emissions resulting from new development are reduced to levels necessary to meet state targets, the County of Riverside shall require all new discretionary development to comply with the implementation measures of the Riverside County Climate Action Plan for residential, commercial, industrial, institutional and mixed-use projects, or provide comparable custom measures backed by a project GHG study (for example, using CalEEMod modeling) demonstrating achievement of the same target. The target to be met is a GHG emissions reduction of 25% below emissions for the BAU scenario for residential, commercial, industrial, institutional and mixed-use projects. The BAU is based upon the 2020 adjusted BAU found in the Final Supplement to the AB-32 Sleeping Plan (CARB 2014).	Riverside County or Designee	X						
4.7.A-N2	In lieu of a project-specific analysis per Mitigation Measure 4.7.A-N1, a future discretionary project proposed pursuant to the Riverside County General Plan shall incorporate into the project design, operational	Riverside County or Designee	X			Riverside County			

GHG Emissions Reduction Programs and Regulations**Chapter 4*****R2-T5: Roadway Improvements including Signal Synchronization and Transportation Flow Management***

This R2 measure would implement General Plan Policies AQ 12.1 and AQ 12.3. Proposed development projects that pay fare-share fees toward signal synchronization improvements or construct signalized intersections within a traffic signal synchronization system would gain points within the Screening Table through this R2 Measure. These modifications include, but are not limited to, synchronization of signals, improvement of traffic flow, the development of parallel roadways and support for the extension of freight rail into Riverside County's industrial areas. Even when required for other reasons, such as warranted by project traffic study results, such circulation improvements may still qualify for Screening Table points under this measure.

R2-T6: Provide a Comprehensive System of Facilities for Non-motorized Transportation

This measure emphasizes alternative non-motorized transportation hubs and encourages the creation of bike lanes and walking paths connecting to schools and other public facilities, provision of adequate bicycle parking; and encouragement of bicycle stations, attended parking, and other attended bicycle support facilities at intermodal hubs. Bicycle stations are full-service bicycle facilities that, in addition to providing secure, guarded bicycle parking, could include other amenities such as "valet" bicycle service, showers, bicycle rentals, or repair services. These types of facilities are intended for large residential and non-residential development as well as large employers (e.g., of 500 or more employees). In addition, the establishment of multi-use trails that promote off-street bicycle and pedestrian travel, as well as provision of secure bicycle racks, along these pathways would also promote their use.

R2-T7: Expand Renewable Fuel/Low-Emission Vehicle Use

Implementation of the following R2 measure would promote the expanded use of renewable fuel and low-emission vehicles within proposed projects. The project will earn points in the screening table by making low-emissions or electric vehicle use more accessible by including one or both of the following project components:

- Providing preferential parking for ultra-low emission, zero-emission, and alternative-fuel vehicles;
- Provide circuit and capacity in all garages of residential units and all new large-scale commercial buildings, over 162,000 square feet for installation of electric vehicle charging stations
 - Install electric vehicle charging stations in all the garages of residential units for new development projects
 - Install electric vehicle charging stations in garages or secure areas of parking for new large-scale commercial buildings over 162,000 square feet of floor space.

R2-T8: Anti-Idling Enforcement

This R2 measure involves the adoption and enforcement of an Anti-Idling Policy for heavy-duty diesel trucks, including local delivery trucks and long-haul truck transport within unincorporated Riverside County. This policy would prohibit idling of on- and off-road heavy duty diesel vehicles for more than five minutes. This policy would be implemented by new commercial and industrial projects with loading docks or delivery trucks. Such projects would be required to post signage at all loading docks and/or delivery areas directing drivers to shut down their

Chapter 4

GHG Emissions Reduction Programs and Regulations

Commercial developments within the unincorporated portions of Riverside County are encouraged to participate in the voluntary Commercial Energy Efficiency Program. This voluntary program would set a minimum goal of achieving energy efficiency of 5% greater than current Title 24 Standards. Incentives to participate in this volunteer program would include prioritization and streamlining of the application process for commercial projects that achieve the minimum goal. As described in R2-E1 above, the Riverside County screening tables provide all developers with a list of potentially feasible GHG reduction measures that reflect the current state of the regulatory environment. The menu of options have points assigned to them and as long as the proposed project meets the required point allotment (100 points) it will be deemed to be consistent with Riverside County's GHG reduction plan. This system will provide flexibility in the implementation of all reduction measures. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following:

- Install energy efficient appliances, including air conditioning and heating units, dishwashers, water heaters, etc.;
- Install solar water heaters;
- Install top quality windows and insulation;
- Install energy efficient lighting;
- Optimize conditions for natural heating, cooling and lighting by building siting and orientation;
- Use features that incorporate natural ventilation;
- Install light-colored "cool" pavements, and strategically located shade trees along all bicycle and pedestrian routes; and
- Incorporate skylights, reflective surfaces and natural shading in building design and layouts.

R2-E6: Commercial/Industrial Renewable Energy Program

This R2 measure would implement General Plan Policies OS 10.1, OS 11.2 and OS 11.3, and facilitate the voluntary incorporation of onsite renewable (solar or other renewable) energy generation into the design and construction of new commercial, office and industrial development. *Renewable energy requirements for any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial or manufacturing development are provided in measure R2-E10. The requirement shall apply only to applications submitted 45 days or more after County's final action amending the CAP to include these requirements approved by the Board of Supervisors on [insert approval date].* A project can earn points in the screening table for renewable energy generation if it is incorporated such that a minimum of 20% of the proposed project's total energy needs are offset. In addition this measure would encourage all facilities be equipped with "solar ready" features where feasible, to facilitate future installation of solar energy systems. These features should include the proper solar orientation (south-facing roof sloped at 20° to 55° from the horizontal), clear access on south sloped roofs, electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water systems and space provided for a solar hot water tank.

As an alternative to, or in support of, providing onsite renewable energy, the project proponent could buy into a purchased energy offset program through the South Coast Air Quality Management District (SCAQMD), Southern California Edison (SCE) or others that will allow for the purchase of electricity generated from renewable energy resources offsite. Purchased energy offsets (or a combination of incorporated renewables and purchased offsets) should equal 20% of the total projected energy consumption for the development.

GHG Emissions Reduction Programs and Regulations

Chapter 4

R2-E7: Commercial/Industrial Retrofit Program

This R2 measure would implement General Plan Policies AQ 5.2, AQ 5.4, OS 16.1, OS 16.7 and OS 16.9 and encourage all commercial or industrial buildings undergoing major renovations to reduce their energy consumption by a minimum of 20%. As with the new development, a menu of options will be provided to assure flexibility in the implementation of this reduction measure. Although not limited to these actions, this reduction goal can be achieved through the incorporation of the following energy efficiency and renewable energy technologies:

- Replace inefficient air conditioning and heating units with new energy efficient models
- Replace older, inefficient appliances with new energy efficient models
- Replace old windows and insulation with top-quality windows and insulation
- Install solar water heaters
- Replace inefficient and incandescent lighting with energy efficient lighting
- Weatherize the existing building to increase energy efficiency
- Install solar panels

R2-E8: Induction Streetlight Retrofits

New induction street lamps are estimated to last five times longer and consume 50% less energy than the traditional high pressure sodium (HPS) lamps. Changing out old lamps for new ones reduces electricity use and saves money in the long-run. Retrofitting streetlights shall be done in accordance with Riverside County's Mt. Palomar Lighting Ordinance, which requires use of low pressure sodium vapor (LPSV) street lighting within 15 miles of Mt. Palomar Observatory and Riverside County Ordinance No. 915 regulating light pollution countywide.

R2-E9: Increase Gas to Energy Production from Landfills

This R2 measure would implement General Plan Policies OS-10.1, OS-11.1 through OS-11.3 and OS-12 by increasing Riverside County's generation of electricity from waste-generated methane. Currently, the Badlands Landfill operates a 1.3 MW generation facility with a capacity for approximately 8,200 mWh annual generation. The El Sobrante Landfill currently operates a 3.8 MW generation facility with a capacity for generating 24,000 mWh annually. Under this measure, Riverside County will increase gas-to-energy generation by: (1) increasing the capacity at the Badlands to a 4 MW system and increasing operation to 90% by 2020; (2) increasing the El Sobrante's facility operation to 90%; and (3) installing a 1.3 MW system at the Lamb Canyon Landfill and having that facility in operation 90% of the year.

R2-E10: On-Site Renewable Energy Production Requirements for New Land Use Development Projects

On-site renewable energy production (including but not limited to solar), as otherwise limited in sections a.-i. of this measure R2-E10, shall be required for any tentative tract map, plot plan, or conditional use permit that proposes to add more than 75 new dwelling units of residential development or one or more new buildings totaling more than 100,000 gross square feet of commercial, office, industrial, or manufacturing development, as described further below:

Chapter 4

GHG Emissions Reduction Programs and Regulations

- a. *Any such development shall offset its energy demand as provided below, unless such offsets are demonstrated by the applicant to be infeasible:*
- i. *Commercial, office, industrial or manufacturing development: 20 percent of energy demand*
 - ii. *Multi-family residential development: 20 percent of energy demand*
 - iii. *Single-family residential development: 30 percent of energy demand*

The County will revisit these offset requirements based on current technology each time it revises the CAP, with the expectation that offset requirements will increase over time.

- b. *Examples of reasons that meeting on-site renewable energy production requirements may be infeasible include, but shall not be limited to:*

(1) for on-site solar energy production, the project site lacks available unshaded areas;

(2) the configuration of the parcels on which the buildings or buildings are planned to be located are not suited for any type of on-site renewable energy production; and

(3) on-site renewable energy production conflicts with other land use regulations applicable to a particular site, such as historic districts or Airport Influence Areas (e.g., where the Airport Land Use Commission or the County determines a technology to be hazardous for a site within an Airport Influence Area). If meeting the offset requirements in subpart (a) is infeasible, an applicant must nevertheless install on-site renewable energy production to the greatest extent feasible.

- c. *Any determination that on-site renewable energy production is infeasible, including economic infeasibility, shall be supported by substantial evidence and independently verified by the County. A determination of infeasibility for development within an Airport Influence Area may be as part of the required Airport Influence Area may be made as part of the required Airport Land Use Commission review.*
- d. *The feasibility of on-site renewable energy production shall be evaluated at the time of preparation of the first environmental review document (including by not limited to any environmental review for any specific plan adoption or amendment that proposes to add more than 75 units of residential or one or more buildings totaling more than 100,000 gross square feet of new commercial, office, industrial, or manufacturing development). The feasibility evaluation and supporting documentation shall be available for public review as content within the environmental review document, or as a supporting reference document.*
- e. *Implementation of feasible on-site renewable energy production shall be required as a condition of any new tract map, plot plan, or conditional use permit issued in connection with the development.*
- f. *The requirement for on-site renewable energy production is not intended to require a reduction in permissible project density or a change in permissible project type.*
- g. *The requirements of this measure R2-E10 point shall apply regardless of whether the project meets the 3,000 MT CO₂e threshold discussed in the CAP. The requirements of this measure R2-E10*

GHG Emissions Reduction Programs and Regulations

Chapter 4

point shall apply only to applications submitted 45 days or more after County's final action amending the CAP to include these requirements approved by the Board on [insert approval date].

- b. Residential dwelling units in publicly subsidized projects to be constructed as housing for lower income households (as defined in Health and Safety Code section 50079.5) are exempt from the on-site renewable energy production requirements set forth in this measure R2-E10. Any other residential dwelling units or commercial, office, industrial, or manufacturing development built in conjunction with such units are not exempt, so long as they independently meet the size requirements identified in this measure R2-E10, above, except for mobilehome parks that separately qualify as exempt under this measure R2-E10 section i.*
- i. Mobilehome parks that are reasonably anticipated to be used primarily for low-income families are also exempt from the on-site renewable energy requirements set forth in this measure R2-E10. Factors the County will consider in making this determination include the proposed mobilehome park's lot size, location, and proposed amenities. Mobilehome parks that include a golf course as a proposed amenity are not exempt from the on-site renewable energy requirements set forth in this measure R2-E10.*

C. R3 Energy Measures

The following R3 measures enhance and/or ensure the reductions accounted for within the R2 measures through education programs or are measures that will reduce emissions but cannot be quantified.

R3-E1: Energy Efficient Development, and Renewable Energy Deployment Facilitation and Streamlining

This measure would encourage Riverside County to identify and remove regulatory and procedural barriers to the implementation of green building practices and the incorporation of renewable energy systems. This includes the General Plan Energy Element Policies. Implementation of the Energy Element Policies includes updating of codes and zoning requirements and guidelines among others to facilitate renewable energy deployment and streamlining. This measure could be further enhanced by providing incentives for energy efficient projects such as priority in the reviewing, permitting and inspection process. Additional incentives could include permit streamlining and CEQA streamlining in exchange for incorporating green building practices or renewable energy systems.

R3-E2: Energy Efficiency Training & Public Education

This measure would provide public education and publicity about energy efficiency measures and reduction programs available within Riverside County, including rebates and incentives available for residences and businesses. In addition, this measure would provide training in green building materials, techniques, and practices for all plan review and building inspection staff.

R3-E3: Energy Efficiency and Solar Energy Financing

This measure would facilitate the incorporation of innovative, grant funded or low-interest financing programs for energy efficiency and renewable energy projects for both existing and new developments. This would include

7.6 STEP 6 – Monitoring and Inventorying

The County of Riverside will create a system for monitoring the implementation of this CAP and adjusting the plan as opportunities arise. As the plan is implemented and as technology changes, the CAP should be revised to take advantage of new and emerging technology. If promising new strategies emerge, the County of Riverside will evaluate how to incorporate these strategies into the CAP. Further, state and federal action will also result in changes which will influence the level of Riverside County emissions.

Screening tables completed during project review, as described in Section 7.5 above, will serve as documentation of the implementation of reduction measures. The County of Riverside shall retain the completed screening tables in order to maintain a record of the types and levels of implementation of each of the R2 measures. The point values in the completed screening tables also document the estimated levels of emission reductions anticipated during implementation. By maintaining these records, the County of Riverside can monitor the CAP reduction measure implementation and compare the anticipated emission reductions with the goals for the CAP over time.

The GHG inventory will be periodically updated in coordination with the three phases noted above: 2013 (to update with the Regional Transportation Plan outputs and Phase 1 progress); 2017 (to review Phase 2 progress, allow for course corrections to keep progress on target for 2020, and to develop post-2020 forecasts for use in planning for after 2020); and 2020 (to establish baseline for post-2020 GHG reduction planning). ~~The County of Riverside will also implement a monitoring and reporting program to evaluate the effectiveness of reduction measures with regards to progress towards meeting the goals of the CAP.~~

To provide periodic updates to the CAP inventory of GHG emissions, Riverside County will use a Microsoft (MS) Excel format emissions inventory tool developed by the CAP consultant. This tool will include all the emission factors and emission sources specific to Riverside County. The tool will be designed such that Riverside County staff can input VMT, water use, solid waste and energy consumption data and the tool will quantify emissions for the unincorporated areas.

The County of Riverside will also implement a monitoring and reporting program to evaluate the effectiveness of reduction measures with regards to progress towards meeting the goals of the CAP. This program will ensure that the effectiveness of all implementation measures are reviewed in advance of 2020 and that adjustments to assigned point value to account for actual effectiveness are made in the post-2020 CAP. If measures included in this CAP are found to be ineffective, those measures will be removed or revised in the post-2020 CAP.

The CAP Implementation Coordinator shall be responsible for maintaining records of reduction measure implementation and insuring that the periodic updates to the emissions inventory are completed using the MS Excel based emission inventory tool.

7.7 STEP 7 – Beyond 2020

As described above under the discussion of Reduction Goals, 2020 is only a milestone in GHG reduction planning. Executive Order S-03-05 calls for a reduction of GHG emissions to a level 80 percent below 1990 levels by 2050, and this level is consistent with the estimated reductions needed to stabilize atmospheric levels of CO₂ at 450 parts per million (ppm). Thus, there will be a need to start planning ahead for the post-2020 period. The County of Riverside will commence planning for the post-2020 period starting in 2017, at the approximate midway point between plan implementation and the reduction target and after development of key ordinances and implementation of cost-effective measures. At that point, Riverside County will have implemented the first two

Chapter 7 Implementation

phases of this CAP and will have a better understanding of the effectiveness and efficiency of different reduction strategies and approaches. Further, the state's regulations under AB 32 would have been fully in force since 2012; federal programs and policies for the near term are likely to be well underway; market mechanisms like a cap and trade system are likely to be in force and will be influencing energy and fuel prices; and continuing technological change in the fields of energy efficiency, alternative energy generation, vehicles, fuels, methane capture and other areas will have occurred. Riverside County will then be able to take the local, regional, state and federal context into account. Further, starting in 2017 will allow for development of the post-2020 plan so that it can be ready for full implementation, including potential new policies, revisions to the General Plan (as necessary), programs, ordinances, and financing by 2020. The new plan will include a specific target for GHG reductions for 2035 and 2050. The targets will be consistent with broader state and federal reduction targets and with the scientific understanding of the needed reductions by 2050. The County of Riverside will adopt the new plan by January 1, 2020.

The new CAP adopted on or before January 1, 2020 will keep on track through 2035 to meet the 2050 goal by implementing the following.

- Increase energy efficiency and green building efforts (for County municipal facilities as well as private buildings within the unincorporated areas) so that the savings achieved in the 2020 to 2035 timeframe are approximately 69% those accomplished in 2020.
- Continue to implement land use and transportation measures to lower VMT and shift travel modes (assumed improvement of 8% compared to the unmitigated condition, which is within SCAG's assumed range of 8% to 12% of GHG reductions for 2035).
- Capture more methane from landfills receiving regional waste, move beyond 75% local waste diversion goal for 2020, and utilize landfill gas further as an energy source.
- Continue to improve local water efficiency and conservation.
- Continue to support and leverage incentive and rebate and other financing programs for residential and commercial energy efficiency and renewable energy installations to shorten payback period and costs and to develop programs that encourage increased use of small-scale renewable power as it becomes more economically feasible.
- *Require ongoing monitoring and verification of results. Every four years, the County will update the GHG inventory, review the effectiveness of specific measures, and revise their associated point value according to the available evidence. If existing measures are found to be ineffective, those measures will be removed or revised in the four-year cycle. The proposed changes will be available for public review and comment prior to approval at a public meeting.*

The conceptual effects of these strategies are presented in Table 7-2 and would represent an approximate doubling of effort from that planned at the state and County level for 2020. In total, the measures described above would produce reductions to bring the region's GHG emissions to an estimated 3 MMTCO_{2e} by 2035. While the potential mix of future GHG reduction measures presented in this section is preliminary, it serves to demonstrate that the current measures in the CARB Scoping Plan and the County's CAP can not only move the region to its 2020 goal, but can also provide an expandable framework for much greater long-term greenhouse gas emissions reductions toward the ultimate 2050 goal.

GREENHOUSE GAS EMISSIONS

Screening Tables County of Riverside, California

~~March 2015~~

June 2018

Prepared for:

COUNTY OF RIVERSIDE
4080 Lemon Street
Riverside, California 92501

Prepared by:

ATKINS

650 East Hospitality Lane, Suite 450
San Bernardino, California 92408

CEQA THRESHOLDS AND SCREENING TABLES

land uses but did not include industrial processes (i.e. oil refineries, heavy manufacturing, electric generating stations, mining operations, etc.). Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population further reducing potential errors in the statistical analysis. In calculating the emissions from projects within the sample population, construction period GHG emissions were amortized over 30-years (the average economic life of a development project).

This analysis determined that the 90th percentile ranged from 2,983 MT to 3,143 MT CO₂e per year. The **3,000 MT CO₂e per year** value is the low end value within that range rounded to the nearest hundred tons of emissions and is used in defining small projects that are considered less than significant and do not need to use the Screening Tables or alternative GHG mitigation analysis described below.

The **3,000 MT CO₂e per year** value is used in defining small projects that, when combined with the modest efficiency measures shown in the bullet points below are considered less than significant and do not need to use the Screening Tables or alternative GHG mitigation analysis described below. The efficiency measures required of small projects are summarized below:

- Energy efficiency of at least five percent greater than 2010 Title 24 requirements, and
- Water conservation measures that matches the California Green Building Code in effect as of January 2011.

Projects that Exceed 3,000 MT CO₂e Emission Level

METHODOLOGY FOR THE CALCULATION OF GHG EMISSIONS

~~Analysis of d-Development projects that are determined to be above exceeding the 3,000 MT CO₂e emissions level shall quantify and disclose the anticipated greenhouse gas emissions of the proposed development. can either be done through emissions calculations or by using the screening tables beginning on Page 7.~~

Total GHG emissions are the sum of emissions from both direct and indirect sources. Direct sources include mobile sources such as construction equipment, motor vehicles, landscape equipment; and stationary sources such as cooling and heating equipment. Indirect sources are comprised of electrical and potable water use, and the generation of solid waste and waste water.

Direct GHG emissions from mobile and stationary sources are determined as the sum of the annual GHG emissions from construction equipment, motor vehicles, landscape equipment, and heating and cooling equipment.

CEQA THRESHOLDS AND SCREENING TABLES

Screening Tables

The purpose of the Screening Tables is to provide guidance in measuring the reduction of greenhouse gas emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the Riverside County GHG Technical Report, which includes GHG emission inventories, a year 2020 emission reduction target, and the goals and policies to reach the target. The methodology for the development and application of the Screening Table is set forth in Appendix A, attached hereto.

Instructions for Application to Projects

The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as “feature”). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the County’s GHG Technical Report. ~~As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions.~~ Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions.

Those Projects that do not garnish 100 points using the screening tables will need to provide additional analysis to determine the significance of GHG emissions. Nothing in this guidance shall be construed as limiting the County’s authority to adopt a statement of overriding consideration for projects with requiring the preparation of an EIR due to a project’s significant GHG impacts. The following tables provide a menu of performance standards/options related to GHG mitigation measures and design features that can be used to demonstrate consistency with the implementation measures and GHG reduction quantities in the GHG Technical Report.

Mixed use projects provide additional opportunities to reduce emissions by combining complimentary land uses in a manner that can reduce vehicle trips. Mixed use projects also have the potential to complement energy efficient infrastructure in a way that reduces emissions. For mixed use projects fill out both Screening Table 1 and Table 2, but proportion the points identical to the proportioning of the mix of uses. As an example, a mixed use project that is 50% commercial uses and 50% residential uses will show ½ point for each assigned point value in Table 1 and Table 2. Add the points from both tables. Mixed use projects that garner at least 100 points will be consistent with the reduction quantities in the County’s GHG Plan and are considered less than significant for GHG emissions.

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Implementation Measure IM T7: Electric Vehicle Use			
T7.A.1 Electric Vehicle Recharging	Provide circuit and capacity in garages of residential units for installation of electric vehicle charging stations	1 point	
	Install electric vehicle charging stations <i>for each residential unit included in the project. Projects that include charging stations for fewer than all units shall receive points on a proportional basis. in the garages of residential units</i>	8 points	
Implementation Measure IM T9: Increase Public Transit			
T9.A.1 Public Transit Access	The point value of a projects ability to increase public transit use will be determined based upon a Transportation Impact Analysis (TIA) demonstrating decreased use of private vehicles and increased use of public transportation. Increased transit accessibility (1-15 points)	TBD	
Implementation Measure IM L1: SCAQMD No New Wood Burning Stoves			
L1.A.1 Wood Burning	As part of Rule 445 and the Healthy Hearths™ initiative, the South Coast Air Quality Management District adopted a rule for no permanently installed indoor or outdoor wood burning devices in new development. Project contains no wood burning stoves or fireplaces (required)	0 points	
Implementation Measure IM L2: Prohibit Gas-Powered Equipment			
L2.A.1 Landscape Equipment	Electric lawn equipment including lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chain saws are available. When electric landscape equipment is used in place of conventional gas-powered equipment, direct GHG emissions from natural gas combustion are replaced with indirect GHG emissions associated with the electricity used to power the equipment. Project provides electrical outlets on the exterior of all building walls so that electric landscaping equipment is compatible with all built facilities.	8 2 points	
Implementation Measure IM SW1: 80 Percent Solid Waste Diversion Program			
SW1.A.1 Recycling	County initiated recycling program diverting 80% of waste requires coordination in neighborhoods to realize this goal. The following recycling features will help the County fulfill this goal: Provide green waste composting bins at each residential unit	4 points	
	Multi-family residential projects that provide dedicated recycling bins separated by types of recyclables combined with instructions/education program explaining how to use the bins and the importance or recycling.	3 points	
Implementation Measure IM SW2: Construction and Demolition Debris Diversion Program			
SW2.A.1 Recycling of Construction/ Demolition	50% of construction waste recycled (required)	0 points	
	Recycle 55% of debris	2 points	
	Recycle 60% of debris	3 points	

The proposed Ordinance No. 348 amendments to add provisions for electric vehicle (EV) parking with charging stations and bicycle park parking for certain types of developments projects, including mixed use and multiple family dwelling developments, will be forthcoming at the Planning Commission.

NOTICE OF PUBLIC HEARING

A **PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

GENERAL PLAN AMENDMENT NO. 180004 (ENTITLEMENT/POLICY AMENDMENT), AN AMENDMENT TO THE CLIMATE ACTION PLAN, AN AMENDMENT TO THE MITIGATION MONITORING AND REPORTING PROGRAM FOR ENVIRONMENTAL IMPACT REPORT NO. 521, AND ADOPTION OF ORDINANCE AMENDING RIVERSIDE COUNTY ORDINANCE NO. 348 – Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15601(b)(3) (Activities Covered by General Rule Exemption) – Applicant: County of Riverside – All Supervisorial Districts – All Area Plans – All Zoning Areas/Districts – All Zoning – Location: Unincorporated Riverside County – **REQUEST:** The Project includes General Plan Amendment (GPA) No. 180004 that amends Air Quality Element Policies AQ 18.2, AQ 18.4, AQ 18.5, AQ 21.1, and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4 and updates Appendix K to reflect the deleted Air Quality Element policies (GPA No. 180004); an amendment to the Mitigation Monitoring and Reporting Program (MMRP) for Environmental Impact Report (EIR) No. 521 (EIR No. 521 MMRP) which makes a minor change to Mitigation Measure No. 4.7.A-N1; an amendment to the County's Climate Action Plan (CAP) to include the requirement for on-site renewable energy production and amendments to its Appendix A Implementation Measures T7.A.1 and L2.A.1, and delete Implementation Measure L1.A.1 listed in the Screening Tables; and an amendment to Ordinance No. 348 to add provisions requiring electric vehicle (EV) parking with charging stations and bike parking for certain types of developments projects, including mixed use and multiple family dwelling developments. The above proposed amendments address a partial settlement agreement of an ongoing litigation challenging the County's approval of GPA No. 960, the County's CAP, and EIR No. 521. (Legislative)

TIME OF HEARING: 9:00 a.m. or as soon as possible thereafter.
DATE OF HEARING: **JUNE 6, 2018**
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER
BOARD CHAMBERS, 1ST FLOOR
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project please contact the Project Planner, Phayvanh Nanthavongdouangsy, at (951) 955-6573 or email at Pnanthav@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT
Attn: Phayvanh Nanthavongdouangsy
P.O. Box 1409, Riverside, CA 92502-1409

San Bernardino Valley Audubon Society
P.O. Box 10973
San Bernardino, CA 92423

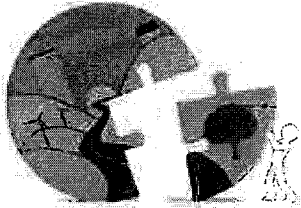
Aaron Isherwood
Coordinating Attorney
Sierra Club
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P.O. Box 1325
Moreno Valley, CA 92556-1325

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Theresa Rettinghouse
Lozeau Drury, LLC
410 12th Street Suite 250
Oakland, CA 94607



RIVERSIDE COUNTY
PLANNING DEPARTMENT

Charissa Leach, P.E
Assistant TLMA Director

Memorandum

Date: June 4, 2018

To: Planning Commission

From: Phayvanh Nanthavongdouangsy

RE: AGENDA ITEM 4.3; Attachment E supplement (Ordinance No. 348 Amendments)

Please see the amendments to Ordinance No. 348 proposing to add provisions for electric vehicles (EV) parking with charging stations and bicycle parking for certain types of development projects, as shown in the attached ordinance.

Attachments: Draft "Ordinance No. 348.4885"

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 77-588 El Duna Court, Suite H
Palm Desert, California 92211
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ORDINANCE NO. 348. 4885
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. Subsection c. of Section 18.12. of Article XVIII of Ordinance No. 348 is amended to read as follows:

"c. ELECTRIC VEHICLE PARKING AND CHARGING STATIONS.

(1) Requirements.

- a. Development projects for Multiple Family Dwellings that require two (2) to twenty-four (24) parking spaces shall designate one (1) parking space for electrical vehicles.
- b. All development projects that require twenty-five (25) to forty-nine (49) parking spaces shall designate two (2) parking spaces for electrical vehicles.
- c. All development projects that require fifty (50) or more parking spaces shall designate three spaces for electrical vehicles and designate one (1) additional space for electrical vehicles for each additional fifty (50) parking spaces.
- d. All electric vehicle parking spaces shall be serviced by an electrical vehicle charging station. If capable, a charging station may service more than one electric vehicle parking space.
- e. All electric vehicle parking spaces shall be shown on parking site plans.

1 (2) Signage and Charging Station Location.

- 2 a. Signage shall be installed designating spaces for electric
3 vehicles only.
- 4 b. Charging stations shall be installed in locations easily
5 accessible to service an electrical vehicle.
- 6 c. Charging stations and associated equipment or materials shall
7 not encroach into the minimum required areas for driveways,
8 parking spaces, garages or vehicle maneuvering.”

9 Section 2. Existing subsections c., d., e., f., g. of Section 18.12 of Ordinance No. 348
10 are relettered d., e., f., g., h. respectively.

11 Section 3. Subsection g.d.(2)a) of Section 18.12 of Ordinance No. 348 is amended to
12 read as follows:

13 “(2) Bicycle Parking Requirements.

- 14 a. Industrial developments shall provide one (1) bicycle space for every
15 twenty-five (25) parking spaces required, with a minimum of two (2)
16 bicycle spaces provided for the development. The bicycle spaces may
17 include either Class I or Class II bicycle parking facilities.
- 18 b. Restaurant and cocktail lounge developments shall provide one (1)
19 bicycle space for every fifty (50) parking spaces required, with a
20 minimum of two (2) bicycle spaces provided for the development. The
21 bicycle spaces may include either Class I or Class II bicycle parking
22 facilities.
- 23 c. Commercial, office, service and other similar development shall
24 provide one (1) employee bicycle space for every twenty-five (25)
25 parking spaces required, and one (1) patron or visitor bicycle space for
26 every thirty-three (33) parking spaces required, with a minimum of four
27
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1 (4) bicycle spaces provided for the development. The bicycle spaces
2 may include either Class I or Class II bicycle parking facilities.

3 d. Mixed use development including a combination of residential, retail or
4 office uses shall provide the following:

5 i. One (1) bicycle space for each residential dwelling unit. The
6 bicycle spaces may include Class I, Class II or Class III bicycle
7 parking facilities, with Class I bicycle parking facilities being
8 provided for at least two-thirds of the total number of residential
9 dwelling units.

10 ii. One (1) bicycle space for every twenty-five (25) parking spaces
11 required for the development's non-residential uses, with a
12 minimum of four (4) bicycle spaces provided. The non-
13 residential bicycle spaces may include either Class I or Class II
14 bicycle parking facilities.

15 e. Multiple Family Dwelling developments shall provide one (1) bicycle
16 space for each residential dwelling unit. The bicycle spaces may
17 include Class I, Class II or Class III bicycle parking facilities with Class
18 I bicycle parking facilities being provided for at least two-thirds of the
19 total number of residential dwelling units.

20 f. Where the application of the above results in the requirement for a
21 fraction of a bicycle parking space, the space need not be provided
22 unless the fraction exceeds 50 percent."

23 Section 4. If any provision, clause, sentence or paragraph of this ordinance or the
24 application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the
25 other provisions of this ordinance which can be given effect without the invalid provision or application,
26 and to this end, the provisions of this ordinance are hereby declared to be severable.

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Section 5. 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

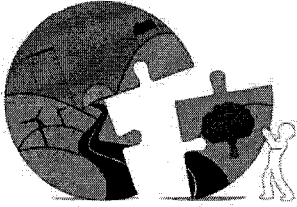
ATTEST:
CLERK OF THE BOARD

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM
June __, 2018

By: _____
Michelle P. Ciack
Chief Deputy County Counsel



RIVERSIDE COUNTY PLANNING DEPARTMENT

Charissa Leach, P.E.
Assistant TLMA Director

NOTICE OF EXEMPTION

TO: Office of Planning and Research (OPR) FROM: Riverside County Planning Department
P.O. Box 3044 4080 Lemon Street, 12th Floor 38686 El Cerrito Road
Sacramento, CA 95812-3044
 County of Riverside County Clerk P. O. Box 1409 Palm Desert, CA 92201
Riverside, CA 92502-1409

Project Title/Case No.: General Plan Amendment No. 180004, EIR No. 521 MMRP Amendment, Climate Action Plan Amendment, Ordinance No. 348.4885

Project Location: Riverside County

Project Description: Pursuant to the Partial Settlement Agreement (Settlement) dated September 18, 2017 executed by the County and other parties for Sierra Club et al. v. County of Riverside et al. (Riverside County Superior Court Case No. RIC 1600159), the project includes amendments to the General Plan Air Quality Element (General Amendment No. 180004), an amendment to the Environmental Impact Report No. 521 Mitigation Monitoring and Reporting Program (EIR No. 521 MMRP), an amendment to the County's Climate Action Plan (CAP), and an amendment to Ordinance No. 348 (Ordinance No. 348.4885). The project modifies these documents to remove the requirements of utilizing Business As Usual (BAU) scenario for analyzing a development project's greenhouse gas (GHG) emissions, minor text changes for clarity and consistency, adds the requirement for projects that emits above 3,000 MT CO_{2e} to quantify its GHG emissions, adds the requirement to update the CAP by 2020 and every four years thereafter, adds the requirement to incorporate CAP Implementation Measures in a project's MMRP or Conditions of Approval, includes provisions for onsite renewable energy for specific development projects, updates CAP Screening Tables Measure T7.A.1 and L2.A.1, and deletes Measure L1.A.1, and adds provisions for electric vehicle parking with charging stations and bicycle parking for certain types of developments projects, including mixed use and multiple family dwelling developments.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: _____

Exempt Status: (Check one)

- Ministerial (Sec. 21080(b)(1); 15268) Categorical Exemption (Sec. 153XX)
- Declared Emergency (Sec. 21080(b)(3); 15269(a)) Statutory Exemption (_____)
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) Other: Section 15061 (b)(3)

Reasons why project is exempt: The project contains several components that modifies the General Plan Air Quality Element and Appendix K, EIR No. 521 MMRP, Climate Action Plan, and Ordinance No. 348; however, none of these, separately or together has any possibility of having a significant effect on the environment for the following reasons: 1) the project removes the requirement of utilizing BAU scenario for analyzing GHG emissions, this metric for analyzing GHG emissions was rejected by California Supreme Court; minor text changes to clarify policy direction does not change the intent of the policy; 2) the project updates Appendix K to be consistent with the Air Quality Element amendments; 3) the project specifies enforcement mechanism for the CAP Implementation Measures and includes the requirement for interval modifications to CAP, this will improve its effectiveness towards achieving Regional and State GHG emissions reduction targets; 4) the project includes the requirement to quantify GHG emissions for projects that emits above 3,000 MT CO_{2e}, this will provide additional information about the level of GHGs for certain types of projects which can help the County and others better understand and reduce project-specific GHG emissions; 5) CAP Appendix F Screening Table lists Implementation Measures that can reduce a project's GHG emissions if incorporated as a mitigation or project design, the clarifying language and updates to the point system does not change the intent of these measures; a lower point allocation would mean that a project must incorporate additional measures to reduce its GHG emissions; Implementation Measure L1.A.1 has zero points assigned to it, thus, its removal will have no effect at all; 6) an implementing development that is not exempt from CEQA that includes on-site renewable energy source will undergo an environmental review pursuant to CEQA, on-site renewable energy will considerably reduce the GHG emissions related to any future proposed project's operations by significantly offsetting their energy requirements for that particular use with renewable energy generated onsite; furthermore, it is anticipated that the majority of the renewable sources would likely focus on solar energy as the most common and cost-effective option, solar panels for new systems are smaller and do not emit glare and would be integrated into the design of the new structures, any impacts would likely be negligible; 7) amendments to Ordinance, 348 for electric vehicle parking and updates to bicycle parking standards does not propose a new use and they do not require any changes to existing land uses.

NOTICE OF EXEMPTION

Page 2

County Contact Person _____ *Phone Number* _____

Signature _____ **Title** _____ **Date** _____

Date Received for Filing and Posting at OPR: _____

Please charge deposit fee case#: ZEA No. XXXXX ZCFG No. XXXX - County Clerk Posting Fee
FOR COUNTY CLERK'S USE ONLY



OFFICE OF THE
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

July 2, 2018

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

PH : (951) 368-9229
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2018-135, GPA 180004, ORDINANCE
348.4885

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, July 7, 2018.**

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

Your invoice must be submitted to this office, **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,

Karen Barton

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

Advertising Order Confirmation

The Press Enterprise

Ad Order Number
001144249

Sales Representative
Nick Eller

Order Taker
Nick Eller

Order Source
Select Source

Customer
BOARD OF SUPERVISORS

Customer Account
5209148

Customer Address
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Customer Phone
951-955-1066

Payor Customer
BOARD OF SUPERVISORS

Payor Account
5209148

Payor Address
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Payor Phone
951-955-1066

PO Number

Ordered By
Karen Lynn Barton

Customer Fax

Customer EMail

Invoice Text
RESOLUTION 2018-135, GPA 180004, ORDINANCE
348,4885

Blind Box

Materials

Promo Type

Special Pricing

Affidavits
0

Tear Sheets
0

Current Queue
Ready

Advertising Order Confirmation

The Press Enterprise

Ad Number 001144249-01 Ad Size 3 X 88 LI

Production Method AdBooker

Ad Attributes

Production Color

External Ad Number
Pick Up

Released for Publication

Ad Type Legal Liner

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON (1) A RESOLUTION ADOPTING GENERAL PLAN AMENDMENT NO. 180004 AND AMENDMENTS TO THE RIVERSIDE COUNTY CLIMATE ACTION PLAN, (2) AN ORDINANCE ADDING PROVISIONS REQUIRING ELECTRIC VEHICLE AND BIKE PARKING REQUIREMENTS TO RIVERSIDE COUNTY ORDINANCE NO. 348, AND (3) AN AMENDMENT TO THE ENVIRONMENTAL MONITORING REPORTING PROGRAM FOR ENVIRONMENTAL IMPACT REPORT NO. 521, CEQA EXEMPT, COUNTYWIDE, ALL DISTRICTS

NOTICE IS HEREBY GIVEN that a public hearing before the Board of Supervisors will be held with the Board of Supervisors at the Riverside County Administration Center, 4080 Lemon Street, Riverside, California 92502, on Tuesday, July 17, 2018 at 10:30 A.M. or as soon as possible thereafter, to consider approval of Resolution No. 2018-135, which adopts General Plan Amendment No. 180004 proposing to amend the General Plan Air Quality Element policies AQ18.2, AQ 18.4, AQ 18.5, AQ 21.1 and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4, and amends Appendix K to remove references to the deleted policies and amends the Riverside County Climate Action Plan proposals to add Measure R2-E10, minor text amendments to Measure R2-E6 and R2-T7, adds CAP implementation directions, updates CAP Appendix F Measure T7.A.1, and deletes Measures L1.A.1; consider adopting Ordinance No. 348,4885, which proposes to add provisions for electric vehicle (EV) parking with charging stations and bicycle parking for certain types of development, and consider an amendment to the Mitigation Monitoring and Reporting Program for Environmental Impact Report No. 521 to revise Mitigation Measure 4.7.A-N1. The project is countywide.

The Planning Commission recommended that the Board of Supervisors approve the above actions and find the actions exempt from the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT PHAYVANH NANTHAVONGDUANGSI, PROJECT PLANNER, AT (951) 955-6573 OR EMAIL PNaminov@RIV.Co.org

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related permit standards, design, conditions, commitments, or other terms within the boundaries of the project, may be changed in a way other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: July 2, 2018 Kecio Harper-Ithem, Clerk of the Board
By: Karen Barham, Board Assistant

7/7

Product PE Riverside:Full Run

Requested Placement Legals CLS

Requested Position County Legal - 1076-

Run Dates 07/07/18

Inserts 1



OFFICE OF THE
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

July 2, 2018

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

PH : (760) 322-2222
E-MAIL: legals@thedesertsun.com

RE: NOTICE OF PUBLIC HEARING: RESOLUTION 2018-135, GPA 180004, ORDINANCE
348.4885

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) time on Saturday, July 7, 2018.**

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

Your invoice must be submitted to this office, **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,

Karen Barton

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



Order Confirmation for Ad #: 0003011989

Customer: RIVERSIDE COUNTY-BOARD OF
Address: 4080 LEMON ST
 RIVERSIDE CA 92501 USA
Acct. #: TDS-RIV069
Phone: 9099551067

RIVERSIDE COUNTY-BOARD OF
Ordered By: CECILIA GIL

OrderStart Date: 07/07/2018

Order End Date: 07/07/2018

<u>Tear Sheets</u>	<u>Affidavits</u>	<u>Blind Box</u>	<u>Promo Type</u>	<u>Materials</u>	<u>Special Pricing</u>	<u>Size</u>
0	2					2 X 80.00

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Method</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$358.60	\$0.00	\$358.60	Invoice	\$0.00	\$358.60

Ad Order Notes:

Sales Rep: sbohland

Order Taker: sbohland

Order Created 07/02/2018

Product	# Ins	Start Date	End Date
TDS-DesertSun.com	1	07/07/2018	07/07/2018
07-07-18, TDS-The Desert Sun	1	07/07/2018	07/07/2018
07-07-18,			

* ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION

Text of Ad: 07/02/2018

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON (1) A RESOLUTION ADOPTING GENERAL PLAN AMENDMENT NO. 180004 AND AMENDMENTS TO THE RIVERSIDE COUNTY CLIMATE ACTION PLAN, (2) AN ORDINANCE ADDING PROVISIONS REQUIRING ELECTRIC VEHICLE AND BIKE PARKING REQUIREMENTS TO RIVERSIDE COUNTY ORDINANCE NO. 348, AND (3) AN AMENDMENT TO THE MITIGATION MONITORING REPORTING PROGRAM FOR ENVIRONMENTAL IMPACT REPORT NO. 521, CEQA EXEMPT, COUNTYWIDE, ALL DISTRICTS

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, July 17, 2018 at 10:30 A.M. or as soon as possible thereafter, to consider approval of Resolution No. 2018-135, which adopts General Plan Amendment No. 180004 proposing to amend the General Plan Air Quality Element policies AQ18.2, AQ 18.4, AQ 18.5, AQ 21.1 and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4, and amends Appendix K to remove references to the deleted policies and amends the Riverside County Climate Action Plan proposes to add Measure R2-E10, minor text amendments to Measure R2-E6 and R2-T7, adds CAP implementation directions, updates CAP Appendix F Measure T7.A.1, and deletes Measures L1.A.1; consider adopting Ordinance No. 348.4885, which proposes to add provisions for electric vehicle (EV) parking with charging stations and bicycle parking for certain types of development; and consider an amendment to the Mitigation Monitoring and Reporting Program for Environmental Impact Report No. 521 to revise Mitigation Measure 4.7.A-N1. The project is countywide.

The Planning Commission recommended that the Board of Supervisors approve the above actions and find the actions exempt from the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT PHAYVANH NANTHAVONGDOUANGSY, PROJECT PLANNER, AT (951) 955-6573 OR EMAIL PNanthav@RivCo.org

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

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Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, at least 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: July 2, 2018
Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

Published: 7/17/2018

CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Karen Barton, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on July 2, 2018, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

NOTICE OF PUBLIC HEARING

RESOLUTION 2018-135, GPA 180004, ORDINANCE 348.4885

to be posted in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507.
Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: July 17, 2018 @ 10:30 a.m.

SIGNATURE: *Karen Barton* DATE: July 2, 2018
Karen Barton

Gil, Cecilia

From: Meyer, Mary Ann <MaMeyer@srclkrec.com>
Sent: Monday, July 2, 2018 2:31 PM
To: Barton, Karen; Buie, Tammie; Kennemer, Bonnie
Cc: Gil, Cecilia
Subject: RE: posting resolution 2018-135

Received and will be posted

From: Barton, Karen <KLBARTON@RIVCO.ORG>
Sent: Monday, July 2, 2018 11:30 AM
To: Buie, Tammie <tbuie@srclkrec.com>; Kennemer, Bonnie <bkenne@srclkrec.com>; Meyer, Mary Ann <MaMeyer@srclkrec.com>
Cc: Gil, Cecilia <CCGIL@RIVCO.ORG>
Subject: posting resolution 2018-135

Hi!

Please see attached notice for posting. Thank you!

Best Wishes,

Karen Lynn Barton

Board Assistant
Clerk of the Board of Supervisors
4080 Lemon Street, 1st Floor, Room 127
Riverside, CA 92501
(951)955-1047 Fax (951)955-1071
Mail Stop #1010
kfbarton@rivco.org
<http://rivcocob.org/>



NOTICE: This communication is intended for the use of the individual or entity to which it is addressed and may contain information that is **privileged, confidential and exempt from disclosure** under applicable law. If the reader of this communication is not the intended recipient or the employee or agent responsible for delivering this communication to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by reply email or by telephone and immediately delete this communication and all its attachments.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON (1) A RESOLUTION ADOPTING GENERAL PLAN AMENDMENT NO. 180004 AND AMENDMENTS TO THE RIVERSIDE COUNTY CLIMATE ACTION PLAN, (2) AN ORDINANCE ADDING PROVISIONS REQUIRING ELECTRIC VEHICLE AND BIKE PARKING REQUIREMENTS TO RIVERSIDE COUNTY ORDINANCE NO. 348, AND (3) AN AMENDMENT TO THE MITIGATION MONITORING REPORTING PROGRAM FOR ENVIRONMENTAL IMPACT REPORT NO. 521, CEQA EXEMPT, COUNTYWIDE, ALL DISTRICTS

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, July 17, 2018 at 10:30 A.M.** or as soon as possible thereafter, to consider approval of **Resolution No. 2018-135, which adopts General Plan Amendment No. 180004** proposing to amend the General Plan Air Quality Element policies AQ18.2, AQ 18.4, AQ 18.5, AQ 21.1 and AQ 21.2, deletes policies AQ 19.3 and AQ 19.4, and amends Appendix K to remove references to the deleted policies **and amends the Riverside County Climate Action Plan** proposes to add Measure R2-E10, minor text amendments to Measure R2-E6 and R2-T7, adds CAP implementation directions, updates CAP Appendix F Measure T7.A.1, and deletes Measures L1.A.1; **consider adopting Ordinance No. 348.4885**, which proposes to add provisions for electric vehicle (EV) parking with charging stations and bicycle parking for certain types of development; and consider an **amendment to the Mitigation Monitoring and Reporting Program for Environmental Impact Report No. 521** to revise Mitigation Measure 4.7.A-N1. The project is countywide.

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FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT PHAYVANH NANTHAVONGDOUANGSY, PROJECT PLANNER, AT (951) 955-6573 OR EMAIL PNanthav@RivCo.org

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Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: July 2, 2018

Kecia Harper-Ihem, Clerk of the Board
By: Karen Barton, Board Assistant

CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Karen Barton, Board Assistant, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on July 2, 2018, I mailed a copy of the following document:

NOTICE OF PUBLIC HEARING

RESOLUTION 2018-135, GPA 180004, ORDINANCE 348.4885

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

Board Agenda Date: July 17, 2018 @ 10:30 a.m.

SIGNATURE: *Karen Barton*
Karen Barton

DATE: July 2, 2018