

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



ITEM: 3.51  
(ID # 17761)

**MEETING DATE:**

Tuesday, December 07, 2021

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION AND LAND MANAGEMENT AGENCY/PLANNING: Initiation of an amendment to Ordinance No. 348 – to modify the Mixed-Use Zone to include “Motor vehicle fuel service stations, with or without concurrent sales of beer and wine for off-premises consumption” as a use permitted provided a condition use permit has been granted. All Districts. [\$15,000 Total Cost – General Fund / NCC 100%]

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

1. **ADOPT** an order initiating an amendment to Ordinance No. 348 that would modify the regulations for Mixed Use Zones, to include "Motor vehicle fuel service stations, with or without concurrent sales of beer and wine for off-premises consumption" as a use permitted with an approved condition use permit; and
2. **DIRECT** the Planning Department and County Counsel to prepare and process the amendment to Ordinance No. 348.

**ACTION:Policy**

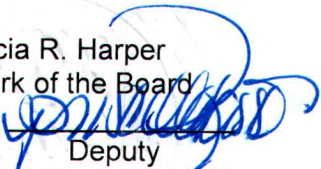
  
John Hildebrand, Planning Director 1/1/2021

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None  
Date: December 7, 2021  
xc: Planning, Co. Co.

Kecia R. Harper  
Clerk of the Board  
By:   
Deputy

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<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 15,000	\$ 0	\$ 15,000	\$ 0
<b>NET COUNTY COST</b>	\$ 15,000	\$ 0	\$ 15,000	\$ 0
<b>SOURCE OF FUNDS: NCC / General Fund 100%</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year 21/22</b>	

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

**BACKGROUND:**

**Summary**

On March 2, 2021, Agenda Item 21.3, the County of Riverside Board of Supervisors approved CZ1900012 and adopted the associated Ordinance No. 348.4950 that modified various sections of Ordinance No. 348, Riverside County Land Use Ordinance. The update added new regulations and modified existing regulations related to housing, zoning, adding new types of residential accommodations, and incentivizing affordable housing in compliance with state law and the County's 2013-2021 Housing Element and its Eight Year Action Plan.

CZ1900012 removed "Motor vehicle fuel service stations, with or without the concurrent sale of beer and wine for off-premises consumption" as a use permitted in the Mixed Use (MU) Zone provided a conditional use permit has been granted. This removal was made based on the simple intent to limit potential impacts from hazardous materials related uses and possible residential units within the MU zone. However, after further implementation of the MU Zone, staff determined that vehicle fueling stations may be appropriate in some instances and any possible hazards may be address during the entitlement process. Therefore, the request is to once again allow for "Motor vehicle fuel service stations, with or without the concurrent sale of beer and wine for off-premises consumption" as a use permitted in the Mixed Use (MU) Zone.

The MU Zone and Mixed-Use Area (MUA) Land Use Designation are intended to allow for flexibility in land usage and encourages combinations of business, office, retail, and other commercial uses, as well as residential development with varying densities. Gas stations may be appropriate in areas that are designated MUA and zoned MU dependent on surrounding land uses, site conditions and community needs.

Therefore, Planning Department is requesting that the Board initiate an amendment to Ordinance No. 348 to include gas station back as a permitted use within the MU Zone.

**Initiation Process**

Board of Supervisors Policy No. A-67, requires initiation of an ordinance amendment by the Board of Supervisors with the adoption of an order by an affirmative majority vote. If initiated,

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the proposed amendment to Ordinance No. 348 will begin the land use review process which includes the applicable environmental analysis, public review and input, and public hearings before the Planning Commission and the Board of Supervisors.

**Impact on Residents and Businesses**

The proposed ordinance amendment ensures that the MU Zone accommodates a wide range of uses. Any future entitlement project will comply with the applicable regulations, the California Environmental Quality Act and all applicable conditions will apply as part of the Conditions of Approval. Conditional Use Permits shall not be granted unless the applicant demonstrates that the proposed use will not be detrimental to the health, safety or general welfare of the community.

**Additional Fiscal Information**

The total cost to complete this ordinance amendment is approximately \$15,000 – funded through NCC budget allocation. The planning process for this Project commenced and will be completed this fiscal year (21/22). The above costs include funds spent on public outreach, drafting the ordinance amendment, environmental considerations, and public hearings.

  
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Jason Farin, Principal Management Analyst 11/30/2021