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# County of Riverside General Plan

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# Chapter 10: Administration

## *Introduction*

**T**his chapter focuses on the administration of the General Plan. Administration is not the same as implementation, though the two are closely related. Administration of the General Plan is the sole responsibility of the County of Riverside, under the authority of the Board of Supervisors. It is a function strictly within the purview of the Transportation and Land Management Agency. Implementation, on the other hand, may involve a variety of responsible parties including, but not limited to, a variety of County agencies and departments as well as entities outside the County organization. Administration applies provisions of the General Plan directly to the land, while implementation may involve a whole array of actions that may or may not apply directly to the land.

Administration of the General Plan policies includes establishing, maintaining, and applying tools and procedures for interpreting the intent of the General Plan and applying that interpretation to:

1. Proposed private development projects;
2. Proposed public works projects in support of land development or preservation (Government Code Section 65401);
3. Proposed acquisition or disposal of public land (Government Code Section 65401);
4. Adoption of ordinances and standards for implementing General Plan land use designations, especially through the Zoning and Subdivision Ordinances;
5. Coordination with other jurisdictions in approving land development actions of mutual interest that take place within or adjacent to unincorporated territory;
6. Establishing systems and procedures for tracking development activities in response to the General Plan;
7. Amending the General Plan;
8. Providing accurate information regarding the General Plan to individuals who have a need for such information; and
9. Compliance with provisions of the California Government Code requiring an annual report to the Board of Supervisors, the Office of Planning and Research, and the Department of Housing and Community Development on progress in implementing the General Plan (Government Code Section 65400(b)(1)).

A basic premise regarding the County's administrative responsibilities is that it maintains adequate staff, space and funding for the proper conduct of these functions. That extends, as well, to the maintenance of appropriate local codes, especially zoning and subdivision ordinances.

The administrative function, however, does not just include processing private or public development projects. It extends to providing information about and interpretations of the General Plan to those who have need for such information. The clientele for this service includes property owners, project proponents,



other jurisdictions that have an interest in unincorporated land development, other governmental agencies, and any member of the general public who may have an interest in how General Plan policies are being applied to the land.

Because a number of governmental agencies have a legal and functional interest in facilitating the development of a project once it is approved, a considerable amount of coordination must take place during the project review process. It is not the purpose of this portion of the General Plan to detail how that coordination must take place; it is only to establish the point that this coordination must occur.

A major thrust of this General Plan is that the County of Riverside is involved not just in approving projects, but in community building in the truest sense. That is expressed clearly in the Riverside County Vision that is the foundation for the General Plan. Accordingly, the considerations that must be brought to bear in evaluating proposed development projects and designing implementation programs and actions are numerous and challenging. This perspective is an essential basis for conducting the administrative duties performed by the County.

This chapter provides more specific direction on several aspects of General Plan administration. In addition to this introduction, which sets the stage for the General Plan's administration, further sections deal with:

1. The General Plan Structure;
2. Interpreting the General Plan's Intent;
3. Monitoring Development and Conservation;
4. General Plan Certainty System (Amendment Procedures);
5. Project Processing and Appeal Procedures; and
6. The Incentives System.

## **GENERAL PLAN STRUCTURE**

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Because of the unprecedented thoroughness with which this General Plan was prepared and the active involvement of numerous stakeholders in its content, it is essential to appreciate how the special structure of the General Plan contributes to its role in guiding development and conservation of land under authority of the Board of Supervisors. The following topics that make up the key structural ingredients in the General Plan demonstrate this point:

1. A Vision for Riverside County;
2. General Planning Principles;
3. Countywide Elements and Planning Policies;
4. Area Plan Policies; and
5. Appendices (especially the Implementation Program).

Two additional resources merit mention as useful resources in understanding the rationale and intent of the General Plan, even though they are not part of the General Plan structure, per se. The first is a set of Community Center Guidelines, which provide suggestions (not rules) for ways of implementing a key feature of the General Plan: community centers that serve as focal points for unincorporated communities. These guidelines are described more fully below and are contained in Appendix J to the General Plan. The second is the Environmental Impact Report. This document contains a wealth of information



on background data and policy implications that provides a valuable reference for users of the General Plan.

## **A Vision for Riverside County**

A Vision for Riverside County, presented in Chapter 2 of this General Plan, sets the stage for the entire General Plan. It describes the County that is envisioned to exist some 20 years in the future. While it is not policy directly, the Riverside County Vision should be referred to on any General Plan topic as an indication of General Plan intent, and as a description of the context in which any General Plan issue should be considered. The key question to be asked when relating a proposed project to the Vision is: will this proposed action move the County toward the Vision to the maximum extent possible?

## **General Planning Principles**

Considerable effort was expended in deriving a set of planning principles from the Vision. They are presented in Appendix B of this General Plan. These principles reflect extensive deliberation by the General Plan Advisory Committee to translate the Vision ideas into more specific direction for preparation of the General Plan policies. Consequently, reference to these principles will provide further insight into the intent of the General Plan. Moreover, these principles and, in fact the Vision as well, derive from 15 Consensus Planning Principles that were developed by a voluntary coalition of diverse interest groups who invested considerable effort in setting direction for the entire Riverside County Integrated Project, one major portion of which was the preparation of this General Plan. So there is a long history of direction and intent that flows from that original thinking.

## **Countywide Elements and Planning Policies/Area Plans**

The General Plan provides policy direction at two levels: 1) Countywide for the entire unincorporated portion of the County under Board of Supervisors' Authority; and 2) for 19 sectors of the County in the form of Area Plans. The intent of this tiered system of policy direction is to distinguish between policies that apply uniformly everywhere in unincorporated territory and those that apply explicitly in distinct geographic areas. In this version of the General Plan, 19 Area Plans provide this more detailed policy direction. A large portion of the eastern desert area of the County is not covered by area plans and thus falls under direction of the countywide policies. March Air Reserve Base is also excluded from any area plan because the policies guiding the base are contained in a general plan prepared by the March Joint Powers Authority (JPA).

The countywide policy direction is captured in traditional topical elements as depicted in the California Government Code: Land Use, Circulation, Multipurpose Open Space (Open Space and Conservation as specified in the law), Safety, Noise and Housing. An additional optional element, Air Quality, also operates at the countywide level. Policies at this level apply to all Area Plans in addition to the localized policies contained in them, but do not have to be duplicated in the area plan documents.



A new feature of this General Plan in comparison to past versions is that only five categories of land use apply at the countywide scale:

- Multipurpose Open Space;
- Agriculture;
- Rural;
- Rural Community; and
- Community Development.

These are defined as Foundation Components. They are basic to the entire process of land management in the County. Each foundation component is intended to accommodate a prescribed array of uses, with Multipurpose Open Space being the least intensive, followed by Agriculture, then Rural, and finally, Community Development. Please see Chapter 3, Land Use Element, for more extensive description of the components. The designation that is intended to accommodate the greatest amount of anticipated growth is the Community Development component, with the Multipurpose Open Space component providing most of the "remarkable environmental setting" that encompasses Riverside County's "family of special communities", as reflected in the Vision for Riverside County.

Area Plan land use designations are based on a consistent system of land use definitions that specify desired and undesired uses. These are the land use designations to be used in evaluating proposed development or conservation projects. Rules for considering land use changes at both the countywide and area plan levels are specified below in the General Plan Certainty System.

### **Community Center Guidelines**

One of the central concepts in this General Plan is the selective identification of community centers: focal points for a number of the unincorporated communities found within the system of area plans. These locales are intended to be compact, self-sufficient combinations of uses that share a distinct identity and function with a powerful synergy.

The closest example to this idea is the small, traditional downtown or focused, highly urban neighborhood in which living, working and recreation/entertainment all flourish in close proximity to each other. Certainly not all essential services and functions occur in such places, but they typically enable residents and employees to satisfy a significant number of their daily needs without having to leave the area. This typically involves the ability to walk or bicycle within the community center core and does not depend exclusively on the automobile for mobility.

In some cases transit opportunities are also a part of the mix, making mobility options even more diverse. Particularly in community centers served by transit, the degree of compactness and attraction of the area to more remote visitors becomes even greater. However, the key point is that these are not envisioned solely as major commercial or employment centers to which the only means of access is an automobile commute.

The Community Center Guidelines (Appendix J) are designed to aid in the translation of this key planning concept into reality. The most important factor to keep in mind regarding these interpretive ideas is that they are guidelines, not regulations. In other words, their purpose is to aid in achieving vibrant



community centers but not to mandate certain solutions. A key ingredient in the success of community centers is to open them up to maximum creativity in their mix of uses and physical design for accommodating those uses. Artificial constraint would therefore be counterproductive. These guidelines, then, are to be used as a source of positive ideas to achieve optimum results from development activity in these locales.

Application of reasonable judgement and balance in applying these guidelines cannot be reduced to a formula; their use is a matter of judgement and, as with all matters involving reasoning, many different interpretations are possible. However, they do provide a rich resource for use in planning for these areas, and judicious use of them will contribute toward their attraction for the kind of investment and living experience envisioned in the General Plan.

## **Appendices**

The Appendices to the General Plan are important tools in its administration. The following points illustrate how that is so.

### **Appendix A Glossary of Terms/Acronyms**

This is a comprehensive reference for General Plan terminology. Even though acronyms are fully defined within the text the first time a particular acronym is encountered, this is a simple, alphabetical source for such information.

### **Appendix B General Planning Principles**

These principles, as noted above, take the Vision a step further in providing guidance as to the General Plan's intent. These principles should be used in combination with the Vision to establish a comprehensive understanding of how policies should be interpreted.

### **Appendix C Public Opinion Survey Report**

During the early stages of the RCIP, a public opinion survey was conducted involving several hundred Riverside County residents. The purpose of this survey was to assess residents' attitudes concerning growth and related issues in the County. The results of this survey were compiled into a report, which helped serve as the basis for the subsequent preparation of the Riverside County Vision.

### **Appendix D Summary of Community Workshops**

The first series of community workshops was held in June/July of 1999 at selected locations throughout the County. The purpose of these workshops was to engage the public in dialog with the County about issues relating to the County's future and to introduce them to the RCIP planning process. Workshop discussion and comments were captured in a report, which also served to aid in the creation of the Vision and provide some focus to the policy direction contained in this General Plan.

### **Appendix E General Plan Socioeconomic Buildout Projections Assumptions & Methodology**

This section describes the assumptions and methods used to determine housing, population, and employment projections for the General Plan Land Use Plan.



## **Appendix F Riverside County Population and Employment Forecasts**

This report details the projected population and employment figures for the County of Riverside, including each of the 19 Area Plans and March ARB, to the year 2020. This report serves four purposes:

- To test alternative scenarios for the Riverside County update;
- To develop a consistent set of projections to achieve an integrated County General Plan;
- To develop a consistent set of projections for ancillary studies; and
- To develop a framework to test the implications of alternative policies.

## **Appendix G Fiscal Analysis**

This documentation presents the fiscal implications for the area plans. It should be referred to especially in the case of amendment proposals to assess whether the proposed change is positive, negative or neutral from a fiscal standpoint.

## **Appendix H Safety Element Technical Background Report**

This report is a comprehensive assessment of natural and man-made hazards in the County, including but not limited to: earthquakes, landslides, subsidence/settlement, floods, inundation, and wildland fire. The report served as the foundation for the Safety Element and had a significant impact on the pattern of land uses and policies for its implementation. This data should be the basis for more focused geotechnical analysis and clarity as projects are considered.

## **Appendix I Noise and Air Data**

Technical data that did not need to be incorporated into the Noise Element has been included here. Information regarding studies, data collection, statistical projections, or relevant research are included here.

## **Appendix J Community Center Guidelines**

As discussed more fully above, these guidelines should be the basic reference in devising quality development strategies for community center development.

## **Appendix K Implementation Program**

This appendix details the major implementation commitments associated with the General Plan. Since this program is intended to be updated annually, it will be necessary to make sure that any reference to it is the current version. Certain actions within the program may have an impact on project review, such as, for example, zone changes or zoning ordinance revisions that have recently occurred.

Two levels of implementation are expressed here, both of them in matrix format. The first is a summary of major implementation initiatives called Administration Activities/Programs that are central to achieving the potential represented by the General Plan. The second is a more extensive list of actions organized by General Plan Element, derived from the policies in each element. Taken together, these commitments respond to the intent of the California Government Code that implementation is a logical and necessary obligation of public policy.



The structure of this appendix sets up a process to be expanded and maintained by the County. This process will require completion of the implementation matrices described above, dealing with target date(s) for completion, funding sources, designation of the entity with primary responsibility for carrying out the action, and identification of support responsibilities. The process also entails annually reviewing the Implementation Plan and updating it based on accomplishments achieved, work not yet completed, and new initiatives stimulated by changing conditions and circumstances.

The focus here is on initiatives to be taken by the County in creating, updating or facilitating tools needed to enable the County to achieve its Vision. This focus is predicated on the fact that most of the General Plan policies will be implemented on an incremental basis as part of the ongoing project review process for public and private development/preservation projects. In other words, these policies are designed to influence how development and preservation occur through the normal land use management procedures conducted by the County.

## **Appendix L Airport Land Use Compatibility Plans**

This appendix is available in electronic form on CD Rom and contains the text of each of the airport land use compatibility plans for the public use airports within the County whose influence areas affect County territory.

## **The Environmental Impact Report**

While this document is not an integral part of the policy document, it is a valuable and critical resource in administering the General Plan. It contains a wealth of information that will help anyone proposing or reviewing a project do a better job of analysis. Moreover, it specifies an extensive list of mitigation measures and monitoring requirements that may apply to a particular project.

## **INTERPRETING THE GENERAL PLAN'S INTENT (DETERMINING CONSISTENCY)**

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Because of the straightforward structure of the General Plan, the process of interpreting its intent is relative simple. As with any general plan that encompasses a huge territory characterized by a remarkable diversity of conditions and aspirations, this document contains a great deal of information and policy direction. Despite this, the following steps are aimed at defining a path that will lead to a clear understanding of the General Plan's intent.

Note that this discussion does not address zoning. The focus here is strictly on understanding the General Plan direction. Zoning designations and regulations are required by law to be consistent with the General Plan. Determining the zoning should be a first step to see what current regulations apply, but this should always be followed up by referring to the General Plan to confirm that the zoning is consistent. If the zoning is inconsistent with the General Plan, as required, then it needs to be changed or the General Plan needs to be amended (or sometimes both, depending on the situation and the uses being proposed).



1. Read the Summary Vision for Riverside County to understand the essence of the General Plan's intent. Refer to the complete version at a later stage in the analysis as noted below.
2. Determine the Foundation Component in the General Plan Land Use Element and read its description to understand the basic direction for development.
3. Be familiar with the countywide policies that relate to that designation because they apply in all area plans.
4. Determine the land use designation(s) from the area plan (or Land Use Element if not in an area plan).
5. Read the description of the designation(s) in the Land Use Element. This establishes the basic guidance regarding the General Plan's intent.
6. Read the policies of the area plan to understand the applicable local guidance.
7. Determine if the property in question is covered by other policies than those applicable throughout the area plan. Some area plans have such policies and others do not.
8. If the Community Center Guidelines apply, read those and determine a strategy for responding to them as thoroughly as possible.
9. At this point sufficient knowledge of General Plan direction should be assembled to determine if further reference to the full Vision (Chapter 2) or the General Planning Principles (Appendix B) is required to add dimensions to guidance for the proposed project.
10. Determine if background in the Safety Element Technical Background Report (Appendix H), Traffic Report, or the Environmental Impact Report applies to the proposed project. Note: It may be possible to tier off of the General Plan EIR and reduce the scope of project-related environmental documentation.

## **MONITORING OF DEVELOPMENT AND CONSERVATION**

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Proper administration of the General Plan requires a contemporary and consistently maintained monitoring system to provide an ongoing understanding of the progress being made in implementing the General Plan. Given the solid GIS-generated, property-based mapping system and documentation of the General Plan's land use designations, this should not be a technically challenging process. The purpose of this discussion is to provide general guidance for the monitoring system, not to design it in detail. Complete design, initiation and operation of the monitoring system is a critical task identified in the Implementation Program, Appendix K.

These numbers can and should be aggregated in any General Plan amendment package that encompasses several amendment proposals to facilitate an understanding of their cumulative effect. The County will need to prepare appropriate procedural materials to enable the proper information to be developed in conjunction with General Plan amendment applications.

## **GENERAL PLAN CERTAINTY SYSTEM**

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The Riverside County General Plan Certainty System provides clarity regarding the interpretation and use of the General Plan in ongoing decision making and sustains the General Plan's policy direction over time. Circumstances will



change, imperfections in the General Plan will be discovered, and events will occur that require changes in the General Plan. Despite these probabilities, the intent is to maintain a high level of confidence in the General Plan and enable people affected by it to have reasonable expectation regarding how it will impact them. Its interpretation, application and amendment are very important matters, not to be taken lightly. Therefore, the Certainty System consists of four parts:

1. **Presentation.** To the maximum extent possible, provisions of the General Plan are clearly mapped. Further, the language of the General Plan seeks to be clear, simple and deliberate, with intent indicated for each provision of the General Plan (see Interpreting the General Plan's Intent section, above).
2. **Interpretation.** Guidelines for interpreting the intent of the General Plan where conflict arises are provided for resolution of the issue, including a defined process for making the interpretations and determining their potential for future changes in the General Plan (see Interpreting the General Plan's Intent section, above).
3. **Monitoring.** A responsive, highly automated system for monitoring implementation of the General Plan, including documentation of development and land preservation activities, is established and maintained. Reference to this monitoring information is an essential ingredient in the consideration of any change in the General Plan, especially regarding land use designations. The information in this system is maintained in such a way that basic development activity can be summarized at any time, including status as part of an annual report on General Plan progress (see Monitoring of Development and Conservation section, above).
4. **Amendment.** It is clear that the timing, rationale, and process for amending the General Plan are critical ingredients in maintaining the long term viability of the General Plan. That is why carefully crafted descriptions of this aspect of the Certainty System are included in the General Plan.

## **Objectives**

The General Plan Certainty System seeks to satisfy the following objectives.

1. Maintain the integrity and confidence level in the new Riverside County General Plan.
2. "Stay the Course" regarding its direction long enough to be able to determine its workability.
3. Define categories of amendment activity so they are universally understood.
4. Establish a set of rules and procedures for amending the General Plan that are fair, firm and equitable.
5. Empower any property owner to seek an amendment according to established procedure.
6. Avoid erosion of the foundation components upon which the General Plan is structured by requiring consideration of any changes to them to be conducted in a comprehensive manner.
7. Provide for extraordinary and unpredictable circumstances.
8. Establish clarity in assessing proposed amendments at the earliest possible time in the process.
9. Clarify the findings appropriate to each amendment category.



10. Monitor progress in implementing the General Plan and correct its direction where necessary.
11. Promote coordinated long-range planning and implementation between the Cities and the County.
12. Strike a sustainable balance between certainty in critical aspects of the General Plan, and flexibility in response to changing conditions and opportunities where such flexibility contributes to achieving the Vision.

## Amendment Categories

Four amendment categories are part of the system:

1. Technical Amendment - involves changes in the General Plan of a technical nature, including technical corrections discovered in the process of implementing the General Plan. Some Entitlement Amendments may occur under this category if they are required to correct a documentable error in the General Plan. They may include:
  - a. Corrections to statistics;
  - b. Mapping error corrections;
  - c. Changes in spheres of influence and city boundaries;
  - d. Changes in Unincorporated Communities or Communities of Interest;
  - e. Editorial clarifications that do not change the intent of the General Plan;
  - or
  - f. Appendix information useful in interpreting the General Plan but which does not change the General Plan's intent.
2. Entitlement/Policy Amendment - involves changes in land use designations or policies that involve land located entirely within a General Plan Foundation Component but that do not change the boundaries of that component. This type of amendment may also involve changes in General Plan policy as long as it does not change the Riverside County Vision, Foundation Component, or a General Plan Principle. ~~It may be proposed by:~~
  - ~~a. The Board of Supervisors;~~
  - ~~b. The Planning Commission;~~
  - ~~c. A private property owner; or~~
  - ~~d. An individual or organization with an interest in the General Plan.~~
3. Foundation Amendment (For amendments to property designated in the General Plan as Agriculture, please see Category 4, Agriculture Foundation Amendment below) - involves changes in:
  - a. The Riverside County Vision
  - b. The General Plan Planning Principles
  - c. A Foundation Component of the General Plan. These include any change to or from:
    - (1) Open space conservation or open space designated as a result of the Multiple Species Habitat Conservation Plan (MSHCP) or previously established open space policy.
    - (2) Community Development: areas slated for development.
    - (3) Rural development designations that are not included as an integral part of Community Development: country towns/villages and rural services, with a clear intent to maintain a rural character, and are so designated on the General Plan Land Use Map.



4. Agriculture Foundation Amendment - involves amendments to property designated in the General Plan as Agriculture.

Note that a special rule applies to eastern portions of the County not covered by an Area Plan. Four land use designations are used in these areas as indicated in Chapter 3, Land Use Element: Open Space - Rural, Open Space-Conservation Habitat, Open Space-Water, and Rural Residential. A proposed change in these designations shall be considered a Foundation Component amendment. This is in contrast to the general rule which provides that designation changes within a Foundation Component may be proposed on the standard annual amendment schedule. This rule shall not apply for property where, as a result of a General Plan Amendment, a new or expanded area plan is enacted where before it did not.

## **Required and Optional Findings**

Findings must be commensurate with the significance of the amendment decision sought. In addition to information submitted by applicants or initiators of proposed amendments, findings will be informed by information generated by the General Plan Monitoring Program. This data will be updated periodically with the intent of enabling decision-makers to understand the status of the General Plan and the implications of proposed changes to it. The following findings are associated with the proposed amendment categories.

1. Technical Amendment Findings. The first finding and any one or more of the subsequent findings would justify a technical amendment:
  - a. The proposed amendment would not change any policy direction or intent of the General Plan.
  - b. An error or omission needs to be corrected.
  - c. A land use designation was based on inaccurate or misleading information and should therefore be changed to properly reflect the policy intent of the General Plan.
  - d. A point of clarification is needed to more accurately express the General Plan's meaning or eliminate a source of confusion.
  - e. A minor change in boundary will more accurately reflect geological or topographic features, or legal or jurisdictional boundaries.
2. Entitlement/Policy Amendment Findings. The first two findings and any one or more of the subsequent findings would justify an entitlement/policy amendment:
  - a. The proposed change does not involve a change in or conflict with:
    - (1) The Riverside County Vision;
    - (2) Any General Plan Principle; or
    - (3) Any Foundation Component designation in the General Plan.
  - b. The proposed amendment would either contribute to the achievement of the purposes of the General Plan or, at a minimum, would not be detrimental to them.
  - c. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.
  - d. A change in policy is required to conform to changes in state or federal law or applicable findings of a court of law.
  - e. An amendment is required to comply with an update of the Housing Element or change in State Housing Element law.



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- f. An amendment is required to expand basic employment job opportunities (*permanent jobs, exclusive of any jobs created by construction of the project itself*), that contribute directly to the County's economic base) and that would improve the ratio of jobs-to-workers in the County.
  - g. An amendment is required to address changes in public ownership of land or land not under Board of Supervisors' land use authority.
3. Foundation Amendment Findings. The premise for a Foundation Amendment is that the General Plan will only be amended in any fundamental way for significant cause. The intent with Foundation Amendment Findings is to consider them comprehensively in the context of the entire General Plan and their overall impacts on the Riverside County Vision and its implementation. A Foundation Amendment may occur in two ways. The first would be as part of a regular ~~five-year comprehensive review~~ *General Plan Review cycle*. The first finding is required for this type of amendment. The second means of making a Foundation Amendment would be as a result of extraordinary events. The first two and any one or more of the subsequent findings will be necessary to justify an Extraordinary Amendment, which does not have to comply with the General Plan Review cycle:
- a. The foundation change is based on ~~ample~~ *substantial* evidence that new conditions or circumstances disclosed during the review process justify modifying the General Plan, that the modifications do not conflict with the overall Riverside County Vision, and that they would not create an internal inconsistency among the elements of the General Plan.
  - b. A condition exists or an event has occurred that is unusually compelling and can only be rectified by making changes in the current Riverside County Vision, Principles, or Policies. An Extraordinary Amendment must still result in a consistent direction for the subsequent planning period. The condition stimulating such an amendment may involve private properties, public properties or both.
  - c. An unconstitutional taking of property ~~would~~ *might* occur without the amendment, and the amendment alters the General Plan Foundation Component designation only to the extent necessary to avoid the taking.
  - d. A natural or man-made disaster or public emergency has occurred that warrants a change in General Plan Foundation Component designations in order to protect the public health, safety and welfare.
  - e. A component amendment is required to conform to changes in State or Federal law, or applicable findings of a court of law.
  - f. A component change is required to comply with an update of the Housing Element or change in State Housing Element law.
  - g. A General Plan component amendment is required to significantly expand basic structural employment (such as ~~industrial employment in industry~~, agricultural processing, and research and development), *that creates permanent jobs exclusive of the construction jobs generated by the project itself, and* excluding jobs in retail, service commercial, warehousing, and residential uses not ancillary to the primary employment use.
  - h. A component change is necessary to facilitate implementation of open space or transportation corridor designations arising from the MSHCP and Community Environmental Transportation Acceptability Program (CETAP) programs that are contained in this General Plan, and that could not be accomplished by a lesser change in the General Plan.



4. Agriculture Foundation Amendment Findings. To justify an agriculture foundation amendment, the proposed amendment would have to either contribute to the achievement of the purposes of the General Plan or, at a minimum, not be detrimental to them.

### Amendment Cycles

Four types of amendment cycles are provided, as discussed below. ~~Table A-1, Amendment Matrix, summarizes the amendment categories and their timing-frequency.~~

~~—Table A-1:  
Amendment Matrix~~

Type of Change	Amendment Category					Amendment Potential-Frequency
	Technical	Entitlement/ Policy	Foundation			
			2-1/2-year Review	5-year Review	Extraordinary	
Correction/ Clarification	X <sup>1</sup>					Quarterly <sup>2</sup>
Map Designation (Within Component)	X <sup>3</sup>	X		X <sup>5</sup>	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Agriculture to Other Designation			X		X	Every 2 1/2 years.
Policy Change		X		X	X	Quarterly <sup>2</sup> Every 5 years or Random <sup>4</sup>
Principle Change				X	X	Every 5 years or Random <sup>4</sup>
Component Boundary or Definition Change				X	X	Every 5 years or Random <sup>4</sup>
Vision Change				X		Every 5 years-

Notes:

<sup>1</sup> may be clustered with any other amendment package.

<sup>2</sup> Has priority in each amendment package; thus, may occur as frequently as 4 times each year in compliance with the Government Code- Amendments are scheduled on an 18-month cycle.

<sup>3</sup> May involve change in map designation only in the case of an error in the original General Plan determination.

<sup>4</sup> Extraordinary amendments have no predetermined schedule.

<sup>5</sup> Changes in the land use designation in areas not covered by an area plan shall be treated as a foundation amendment. This is the only situation in which designations within a component are considered the same as a foundation component.



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1. General Plan Review Cycle. This cycle *first* occurs *in 2008, every* five years after *the initial* adoption of this General Plan *and then occurs periodically every eight years thereafter.* ~~This cycle:~~
  - a. ~~Is initiated by the County.~~ *Includes amendments proposed by the County or by private property owners. Prior to Board initiation, proposed amendments shall be submitted in a comprehensive manner for review and comment to a general plan community advisory committee appointed by the Board. Comments received from the committee shall be included in subsequent initiation proceedings before the Planning Commission and the Board.*
  - b. ~~Is primarily~~ intended to assess General Plan progress and issues related to its implementation.
  - c. Is the only time, other than a declared extraordinary amendment or an Agriculture Foundation Component amendment, that a Foundation Component of the General Plan may be considered for change.
  - d. May include policy, entitlement and technical amendment proposals determined to be an appropriate part of this cycle. *With respect to amendments proposed by the County (including Foundation Component amendments), the Planning Director in his discretion may defer processing and hearing such amendments provided only that final action on proposed Foundation Component amendments shall be taken prior to the start of the next cycle. If final action is not taken on any Foundation Component amendment prior to the start of the next cycle, such amendment shall be subject to a new Board review for initiation. The Planning Director may determine to process any amendment separately or may combine any amendment with others for processing and hearing.*
  - e. Extends planning projections ~~another five years~~ into the future, identifying required adjustments in the General Plan, if any, to accommodate anticipated needs.
  - f. Includes special considerations to reassess the Vision and Planning Principles and recommit to them. This ~~five-year interval periodic review~~ also permits a comprehensive evaluation of CETAP and MSHCP progress, with refinements as necessary to enable further implementation of these programs as they relate to the General Plan.
  - g. *Foundation Component amendments proposed by private property owners determined to be appropriate part of this cycle shall generally be processed and heard separately. The Planning Director may determine to process any such amendment separately or may combine any such amendment with others for processing and hearing. Final action on any such Foundation component amendment shall be taken prior to the start of the next cycle. If final action is not taken prior to the start of the next cycle, any such amendment shall be subject to a new Board review for initiation.*
2. General Plan Amendment Cycle. This cycle occurs ~~every January and extends for 18 months into the future~~ *annually and is administered* to permit effective scheduling and clustering of amendment proposals and enable current staffing to plan for necessary workloads. Administrative decisions regarding the cycle involve only scheduling of amendment activity. Approval, conditional approval, or denial of an amendment request occurs only through the public hearing process. ~~Scheduling the~~ *The* Cycle:
  - a. Involves policy amendment and changes in entitlement within Foundation Components, but not between them (except for some types of Rural Development).



- b. Provides for amendment packages four times a year *for each mandatory general plan element* (in accordance with state law).
  - c. Is administered and approved by the ~~Director of the Transportation and Land Management Agency Planning Director~~.
  - ~~d. May be appealed to the Planning Commission if any party is aggrieved by the determination of the Director.~~
  - ~~e. May be appealed to the Board of Supervisors if any party is aggrieved by the determination of the Planning Commission.~~
  - ~~f. Is accompanied by a pre-application conference that results in an assessment of the inconsistencies or the proposal with the General Plan, including the appropriate amendment category into which it fits and an indication of the degree of difficulty in achieving amendment approval.~~
  - ~~g. Addresses all applicable General Plan Elements to the extent that they are involved.~~
  - ~~h. Establishes application deadlines and hearing dates for each amendment package.~~
  - ~~i. Clusters amendments by geographic area to the extent possible.~~
  - ~~j. Includes Technical Amendments as appropriate.~~
  - ~~k. d.~~ Does not permit changes in the Riverside County Vision, Foundation Categories, or *Planning* Principles.
3. Extraordinary Amendment Event. This type of amendment does not operate on a cycle. It may be initiated at any time, but must also have extraordinary justification. This type of event is properly considered an exception to normal General Plan considerations because of its serious cause and potentially serious impacts on the General Plan. It: *must be accompanied by extraordinary findings as described in Section 3, above.*
- ~~a. May be initiated by the Board of Supervisors or requested by others who believe such a consideration is needed. Upon such a request by others, the Board must make a determination that the degree of urgency justifies an amendment consideration and, upon such determination, set a date for its consideration.~~
  - ~~b. May be included in the next scheduled amendment cycle, and has priority in that amendment package.~~
  - ~~c. Must be accompanied by extraordinary findings as described in Section 3, above.~~
4. Agriculture Foundation Amendment Cycle. The cycle allows up to 7% of all land designated as Agriculture to change to other Foundation and land use designations during each 2½-year Agriculture Foundation Amendment Cycle and convert to another land use consistent with the amended Foundation and land use designation. ~~At the end of the first 2½ year period, properties may only be removed from the Agriculture designation. Properties which are proposed to be added to the Agriculture designation would have to wait until the end of the second 2½ year period (i.e., 5 years from the adoption of the General Plan). At the end of each 2½ year period, the Board of Supervisors would consider whether or not changes to the Agriculture Foundation should be reviewed every 2½ years or whether a 5-year amendment cycle, like those for the other Foundations, would be more appropriate.~~ The 7% conversion can occur anytime within the 2½-year Agriculture Foundation Amendment Cycle and is to be calculated separately for each of the following three areas:
- a. The area covered by the Palo Verde and Desert Center Area Plans and the Eastern Desert Land Use Plan;



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- b. The area covered by the Eastern Coachella Valley and Western Coachella Valley Area Plans; and,
- c. The area covered by all other Area Plans.

An Agricultural Task Force in each of the three areas comprised of representatives of the farming community from each area that derive their primary income from farming, and representatives of the agricultural lending community, appointed by the Riverside County Board of Supervisors upon the recommendation of the Riverside County Farm Bureau Board, the Milk Producers Council, the Desert Grape Growers League of California, the Date Commission of California, American Ag Credit, and other agricultural trade organizations to be identified. The Agricultural Task Force would: (1) annually review the adequacy of the 7% conversion amount and recommend changes to the Board of Supervisors should the 7% conversion amount be insufficient; and (2) make recommendations on a case-by-case basis on *the approval of* agricultural landowners' requests made in connection with an Agriculture Foundation General Plan Amendment Cycle in excess of the 7% conversion amount, as discussed below.

Agriculture Foundation General Plan Amendments in Excess of 7%: Should the 7% agricultural conversion amount be met ~~within a period shorter than the during any~~ 2 ½-year Agriculture Foundation General Plan Amendment Cycle, any additional ~~requests to file~~ *approvals of* a Foundation Amendment would occur on a case-by-case basis *as follows*. The ~~request to file~~ *approval of* a Foundation Amendment would first be submitted to the Agricultural Task Force. After the Agricultural Task Force recommendation, the ~~request to file~~ *approval of* a Foundation Amendment would proceed to the Board of Supervisors for ~~consideration~~ *final action*. The Agricultural Task Force and the Board would consider the following criteria in considering ~~requests to file~~ *approvals of* a Foundation Amendment under the Agriculture Foundation Amendment Procedure:

- a. Whether conditions or circumstances justify modifying the Agriculture Foundation of the General Plan, such as labor, water availability, water cost, commodity prices, market conditions and marketability, trade issues, estate issues, lender and financing flexibility for farm planning, exotic pests, quarantines, diseases (e.g., Pierce's Disease), foreign competition, government regulation (e.g., EPA limiting use of certain necessary pesticides and/or growth hormones), input costs (e.g., worker's compensation rates and minimum wage), union issues, death/illness/retirement of farmer, and other business considerations or undue hardships;
- b. The availability of adequate infrastructure to serve the proposed land use designation.

~~If the Board of Supervisors approves the request to file a Foundation Amendment in excess of 7%, then a general plan amendment and associated land use applications may be filed consistent with the approval for filing.~~

~~If the Board of Supervisors denies the request to file a Foundation Amendment, then no land use application requiring a Foundation Amendment may be filed for that property until the next 2 ½ year General Plan Review cycle.~~



## **Pre-Application Process**

This process enables any party to an application for General Plan amendment to get clear direction on the potential implications of that amendment request at the earliest possible point in time. It involves the following procedures:

1. An amendment application form and process description will be available through the Transportation and Land Management Agency at all County central and regional offices.
2. A General Plan Amendment Team will be established to expedite authoritative guidance on proposed amendments, consisting of only senior County officials and, if desired, representatives from the Board of Supervisors and Planning Commission. Other members may be considered, such as representatives from WRCOG and CVAG and public members representing the General Plan Advisory Committee. (Note: A balance needs to be struck between comprehensiveness in review, on the one hand, and efficiency/timeliness on the other. This will require some careful thought, and the scope mentioned here is intended only to suggest some possibilities.)
3. The General Plan Amendment Team will be expected to rigorously respect the Riverside County Vision and the General Plan and maintain their integrity in all of its findings. At the same time, it will be expected to view proposed applications as a legitimate pursuit of Constitutional rights, irrespective of the merits of the case.
4. The amendment description section of an amendment application (pre-application form) must be completed in sufficient detail to know exactly what is being requested. This may be modified at the applicant's initiative before submitting a completed application.
5. Upon receipt of the preliminary application form, a pre-application conference will be scheduled at the earliest possible time.
6. The General Plan Amendment Team is expected to insure clarification of what is being sought and provide guidance on completion of the application. If the applicant decides to go forward with the process, the Team will advise the applicant on the extent to which the proposed amendment departs from the provisions of the General Plan. The Team will then declare a finding and so advise the applicant, including documentation of the rationale for its findings.
7. Upon being advised that the application involves serious departures from the General Plan (such as, for example, modification of a Foundation Component outside the five-year review cycle), the applicant may still proceed with the application. This is the case, even in the knowledge that a strong recommendation against it will come from the General Plan Amendment Team and that there is considerable likelihood that the request will not be granted.



- ~~8.—The findings of the General Plan Amendment Team will be documented in writing and submitted to the applicant. These written findings will be attached to the application throughout the remainder of the process.~~
- ~~9.—No appeal is provided. If the findings of the General Plan Amendment Team are overturned, that will occur through the remaining Planning Commission and Board of Supervisors hearing process.~~
- ~~10.—Any subsequent staff report associated with a proposed amendment that goes forward for formal consideration must include documentation from the General Plan Monitoring System applicable to the type of amendment proposed (see Monitoring of Development and Conservation section, above).~~

## ~~PROJECT PROCESSING AND APPEAL PROCEDURES~~

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~~The procedure for processing includes the following steps. This is a general guide and may be modified and/or supplemented from time to time by the Transportation and Land Management Agency.~~

- ~~1.—Locate the property involved and determine how the zoning and General Plan apply to the property in question. This can be done at the planning counter in the Transportation and Land Management Agency. Note that special rules apply to the land use designations within areas not covered by area plans. See sections on Interpreting the General Plan's Intent and the General Plan Certainty System, above.~~
- ~~2.—Obtain the necessary application(s) and discuss any questions/concerns with the planning staff. Confirm the issue of General Plan consistency to the maximum extent possible at this time.~~
- ~~3.—Obtain copies of the necessary zoning and General Plan documents, or arrange access to them for purposes of documenting required information in the application forms (especially if amendment to Foundation Components or Extraordinary Circumstances are involved—see the General Plan Certainty System section, above).~~
- ~~4.—Schedule a pre-filing meeting with County staff to ensure that there is a clear understanding of what is involved in processing the project. Resolve any consistency questions and related procedures at this time.~~
- ~~5.—Submit the required application materials and schedule a filing conference, if advised to do so, at the pre-filing meeting.~~
- ~~6.—Proceed with the hearing process as specified by the County.~~

~~The Transportation and Land Management Agency will advise regarding those actions that can be handled administratively (that is, by County staff) and those that must proceed through Planning Commission and Board of Supervisors hearings. Other decision making entities may be established in the County system as well.~~



~~In the event a finding at the staff level is unacceptable to an applicant, it may be appealed to the Planning Commission according to the rules and procedures specified by the Agency. Particular attention should be paid to the time limits for such appeals.~~

~~If the applicant does not find the Planning Commission decision acceptable, it may be appealed to the Board of Supervisors. Again, special note should be taken regarding time limits for such an appeal.~~

## **THE INCENTIVES SYSTEM**

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Considerable discussion occurred during the RCIP process regarding an incentives system to stimulate desired compactness of development in certain areas, to generate funds for preserving permanent multipurpose open space and selected infrastructure improvements. There are three tiers to the Incentives Program; the most intense of which is within Community Centers, followed by an application of the program within Community Development areas, and finally in Rural designations. Increasing density within Community Centers would promote transit use and provide a compact, efficient, and unique living environment. Using the incentives program within the Community Development category (with the exception of Very Low Density Residential) encourages community separators and promotes clustering. Finally, a rural incentives program has also been discussed that would allow location of development on a portion of rural and agricultural parcels in exchange for some increase in overall residential yield. To do this, permanent preservation of remaining open space would be required on the parcels involved, and that open space would have to contribute to a larger open space area or continuous linkage to adjacent open space preserves. At this writing, the details of this system are drafted but not resolved. Prior to the hearing process, a determination will be made regarding direction to be included in the General Plan and commitments to be made in the Implementation Program as a means of testing such a system.



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