

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

512B



FROM: TLMA - Planning Department

SUBMITTAL DATE:

February 19, 2014

**SUBJECT:** CHANGE OF ZONE NO. 7794 and TENTATIVE TRACT MAP NO. 36437 – Adopt a Mitigated Negative Declaration - Applicant: CV Communities – Third/Third Supervisorial District – Location: Westerly of Charlois Road northerly of Yates Road. REQUEST: The Change of Zone proposes to change the zoning on the site from Residential Agriculture – 2 ½ Acre Minimum (R-A-2 ½) to One Family Dwellings (R-1). The Tentative Tract Map is a Schedule A subdivision of 40.16 acres into 102 residential lots with a minimum lot size 7,200 sq. ft., 1 water quality lot, and one park lot.

**THE PLANNING COMMISSION AND STAFF RECOMMENDED MOTION:**

**ADOPTION** of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42561**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment;

**APPROVAL** of **CHANGE OF ZONE NO. 7794**, subject to the adoption of the Ordinance, and based upon the findings and conclusions incorporated in the staff report;

(Continued on next page)

Juan C Perez  
TLMA Director/ Interim Planning  
Director

| FINANCIAL DATA       | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost:      | POLICY/CONSENT<br>(per Exec. Office)                                                   |
|----------------------|----------------------|-------------------|-------------|--------------------|----------------------------------------------------------------------------------------|
| COST                 | \$ N/A               | \$ N/A            | \$ N/A      | \$ N/A             | Consent <input checked="" type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST      | \$ N/A               | \$ N/A            | \$ N/A      | \$ N/A             |                                                                                        |
| SOURCE OF FUNDS: N/A |                      |                   |             | Budget Adjustment: | N/A                                                                                    |
|                      |                      |                   |             | For Fiscal Year:   | N/A                                                                                    |

C.E.O. RECOMMENDATION:

APPROVE

BY

Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

FORM APPROVED COUNTY COUNSEL  
BY: MICHELLE CLACK  
DATE: 2/24/14

Departmental Concurrence

- ☐ A-30  
☐ 4/5 Vote  
☐ Positions Added  
☐ Change Order

Prev. Agn. Ref.:

District: 3/3

Agenda Number:

16 - 1

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: CHANGE OF ZONE NO. 7794 and TENTATIVE TRACT MAP NO. 36437**

**DATE:** February 20, 2014

**PAGE:** Page 2 of 2

**(Continued from previous page)**

**APPROVAL** of **TENTATIVE TRACT MAP NO. 36437**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

**ADOPTION** of **ORDINANCE NO. 348. 4774** amending the zoning in the Rancho California Area shown on Map No. 2.2357 Change of Zone No. 7794, attached hereto and incorporated herein by reference.

**BACKGROUND:**

**Summary**

On February 19, 2014, the Riverside County Planning Commission voted to recommend approval of this project 5-0.

**Impact on Citizens and Businesses**

The project is consistent with the General Plan density for the site and is implementing the General Plan Vision of the area. The Zone Change is making the site consistent with the General Plan as well. All infrastructure in the area has been designed to accommodate the project density.

**ATTACHMENTS:**

- A. Planning Commission Staff Report**
- B. Ordinance No. 348.4774**

1 ORDINANCE NO. 348.4774

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
3 AMENDING ORDINANCE NO. 348 RELATING TO ZONING  
4

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

6 Section 1. Section 4.1 of Ordinance No. 348, and official Zoning Plan Map No. 2, as  
7 amended, are further amended by placing in effect in the Rancho California Area, the zone or zones as  
8 shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No.  
9 2.2357, Change of Zone Case No. 7794" which map is made a part of this ordinance.

10 Section 2. This ordinance shall take effect 30 days after its adoption.

11  
12 BOARD OF SUPERVISORS OF THE COUNTY  
13 OF RIVERSIDE, STATE OF CALIFORNIA

14 By: \_\_\_\_\_  
Chairman, Board of Supervisors

15 ATTEST: Kecia Harper-Ihem  
16 Clerk of the Board

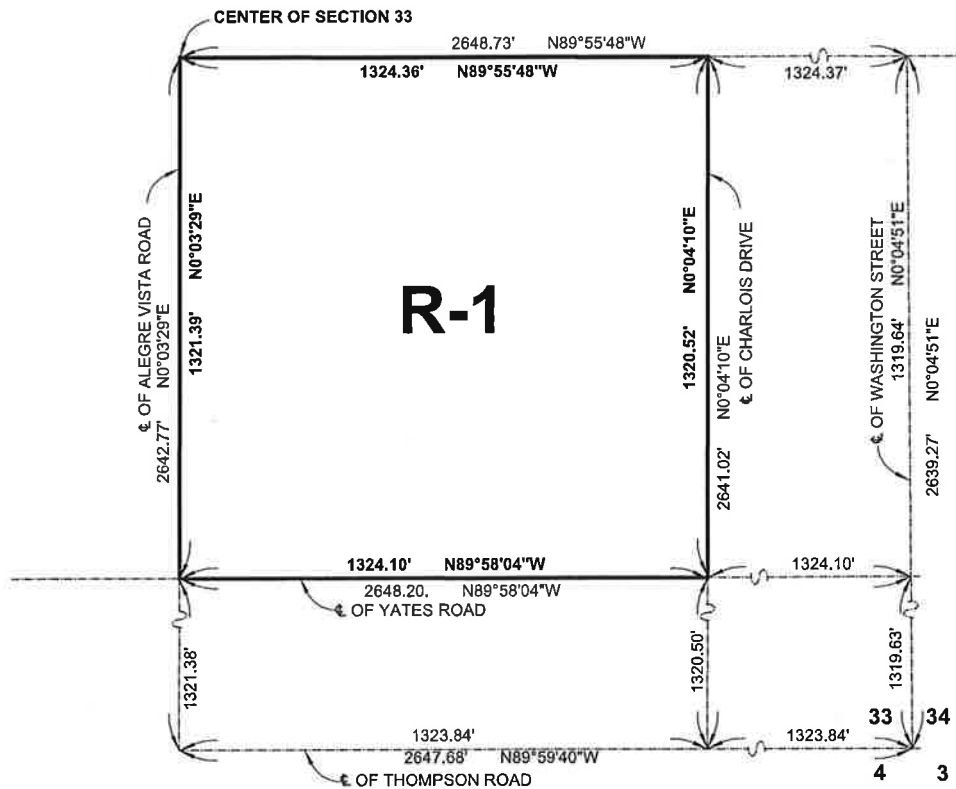
17  
18 By: \_\_\_\_\_  
19 Deputy

20  
21 (SEAL)

22 APPROVED AS TO FORM  
23 February 19, 2014

24  
25 By:   
26 MICHELLE CLACK  
27 Deputy County Counsel

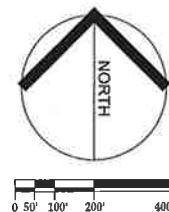
**RANCHO CALIFORNIA**  
SEC. 33, T6S, R2W, S. B. B. & M.



**LEGEND**

**R-1**

ONE-FAMILY DWELLINGS



MAP NO. 2.2357

**CHANGE OF OFFICIAL ZONING PLAN  
AMENDING**

**MAP NO. 2, ORDINANCE NO 348**

CHANGE OF ZONE CASE NO. 07794  
ADOPTED BY ORDINANCE NO. 348.4774

MARCH 25, 2014

RIVERSIDE COUNTY BOARD OF SUPERVISORS

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



**16-1**

10:30 a.m. being the time set for public hearing on the recommendation from Transportation & Land Management Agency/Planning regarding Public Hearing on Change of Zone No. 7794 / Tentative Tract Map No. 36437 – Recommendation of Adoption of a Mitigated Negative Declaration for Environmental Assessment No. 42561; Approval of Change of Zone No. 7794 to change the zoning from Residential Agriculture - 2 ½ Acre Minimum (R-A-2 ½) to One Family Dwellings (R-1); and Approval of Tentative Tract Map No. 36437, Schedule A, which proposes subdivision of 40.16 acres into 102 residential lots with a minimum lot size of 7,200 sq. ft., 1 water quality lot, and one park lot; and ADOPTION OF ORDINANCE NO. 348.4774, an Ordinance of the County of Riverside Amending Ordinance No. 348 relating to Zoning. The project is located westerly of Charlois Road and northerly of Yates Road, 3<sup>rd</sup>/3<sup>rd</sup> District, the Chairman called the matter for hearing.

Dave Mares, Principal Planner, Planning Department, presented the matter.

The following people spoke on the matter:

Paul Jacobs  
Mike White  
Sam Alhadeff

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to Tuesday, April 8, 2014 at 10:30 a.m.

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 25, 2014 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 25, 2014  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: [Signature] Deputy

AGENDA NO.  
**16-1**

xc: Planning, Applicant, COB

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

944A



**FROM:** TLMA – Planning Department

**SUBMITTAL DATE:**  
**March 12, 2014**

**SUBJECT:** INDIGO RANCH SOLAR PROJECT - AGRICULTURAL PRESERVE CASE NO. 1027, CONDITIONAL USE PERMIT NO. 3693 – Fast Track Authorization No. 2013-008 - Applicant: Indigo Ranch Project LLC - Engineer/Representative Silverado Power – Fourth/Fourth Supervisorial District – Desert Center Area Plan - Location: northerly of Oasis Road, and westerly of Highway 177. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors open the public hearing and at the close of the public hearing:

1. **ADOPT** a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42580**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,
2. **ADOPT RESOLUTION NO. 2014-050**, approving Agricultural Preserve Case No. 1027, issuing Certificates of Tentative Cancellation and diminishing Chuckwalla Agricultural Preserve No. 2, Map No. 622; and,
3. **TENTATIVELY APPROVE AGRICULTURAL PRESERVE CASE NO. 1027**, a proposal to diminish Chuckwalla Agricultural Preserve No. 2, Map No. 622 and cancel two separate land conservation contracts as depicted on Map No. 1027 subject to the conditions in Resolution No. 2014-050; and,
4. **APPROVE CONDITIONAL USE PERMIT NO. 3693**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report and environmental assessment.

Initials  
JCP:lr

(continued next page)

Juan C. Perez  
TLMA Director/ Interim Planning  
Director

| FINANCIAL DATA                              | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost:                 | POLICY/CONSENT<br>(per Exec. Office)                                        |
|---------------------------------------------|----------------------|-------------------|-------------|-------------------------------|-----------------------------------------------------------------------------|
| COST                                        | \$ N/A               | \$ N/A            | \$ N/A      | \$ N/A                        | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST                             | \$ N/A               | \$ N/A            | \$ N/A      | \$ N/A                        |                                                                             |
| <b>SOURCE OF FUNDS:</b> Deposit based funds |                      |                   |             | <b>Budget Adjustment:</b> N/A |                                                                             |
|                                             |                      |                   |             | <b>For Fiscal Year:</b> N/A   |                                                                             |

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

APPROVE

BY:

Denise C. Harden

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

**Prev. Agn. Ref.:**

**District:** 4/4

**Agenda Number:**

**16 - 2**

FORM APPROVED COUNTY COUNSEL  
BY: DATE: 3/24/14  
JEF:YV/N: NORTH

- ☐ A-30
- ☐ Positions Added
- ☐ 4/5 Vote
- ☐ Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: INDIGO RANCH SOLAR PROJECT - AGRICULTURAL PRESERVE CASE NO. 1027, CONDITIONAL**  
**USE PERMIT NO. 3693 - Fast Track Authorization No. 2013-008 - Applicant: Indigo Ranch Project, LLC –**  
**Fourth/Fourth Supervisorial District – Desert Center Area Plan.**  
**DATE: March 12, 2014**  
**PAGE: Page 2 of 3**

**BACKGROUND:**

**Summary**

The project site is within the Chuckwalla Agricultural Preserve No. 2, designated Agriculture on the Riverside County General Plan, and it is zoned Light Agricultural - 20 Acre Minimum (A-1-20). Agricultural Preserve Case No. 1027 proposes to diminish the Chuckwalla Agricultural Preserve No. 2 by 40.12 acres. In order for parcels to be removed from an Agricultural Preserve, the land owner must provide an alternative land use. The applicant proposes the alternative use of a 4.5 megawatt (MW) photovoltaic solar power plant for the 40.12 acres. Ordinance No. 509, the ordinance regulating agricultural preserves, lists which uses are allowed in an agricultural preserve. A solar power plant is not listed, therefore it is considered an alternative land use and the agricultural preserve must be diminished.

Pursuant to Government Code Section 51284.1, a copy of the complete Diminishment/Cancellation Application for Agricultural Preserve Case No. 1027 was submitted to the State Department of Conservation (SDC) on November 18, 2013.

On December 18, 2013, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) considered the application to diminish Chuckwalla Agricultural Preserve No. 2, Map No. 622. CAPTAC recommended denial of the proposed application citing that the cancellation was not consistent with the provisions of the Agricultural Land Conservation Act of 1965; however, the Planning Department does not concur with CAPTAC's conclusion and is recommending APPROVAL of the diminishment of the agricultural preserve and cancellation of the subject two land conservation contracts based upon the conditions of approval, findings, and conclusions set forth in Resolution No. 2014-050. Considering the decline of agriculture in that specific area, the physical characteristics of the site which are favorable for solar power plant development, and the state mandates for renewable energy, the Planning Department considers the solar power plant project to be a better use of the land.

Should the Board of Supervisors tentatively approve the proposed cancellation and diminishment, the applicant would be required to comply with the conditions of approval identified in Resolution No. 2014-050 prior to the issuance of a Certificate of Final Cancellation as outlined in Government Code Section 51283.4.

Conditional Use Permit No. 3693 (Indigo Ranch Solar project) is a proposal for a 4.5 megawatt (MW) photovoltaic solar power plant on two parcels of private land totaling 40.12 acres. The project proposes to deliver power through an interconnection on Southern California Edison's Desert Center, 12.47 kilovolt (kV) distribution line which transects the subject site. The project includes the installation of a 12 kV Remote Automatic Recloser (RAR), or breaker, on an existing pole of SCE's 12 kV circuit located east of the project site within the existing SCE easement, installation of two new 60 ft. overhead poles on the regulator located within an existing right-of-way along Phone Line Road, and replacement of three protection relays within SCE's Eagle Mountain Substation.

Since the solar power plant project is less than 20 megawatts, it is exempt from Board of Supervisors Policy No. B-29 regarding solar power plants.

The applicant has requested a 20 year term for the conditional use permit. Without a development agreement, Planning staff recommends a 10 year term for the conditional use permit. Given that Riverside County is one of the fastest growing counties in the state, the commitment of large areas of land to a single use for an extended period of time has serious consequences that the County must consider and evaluate carefully. A development agreement, negotiated between the County and the applicant, would ensure that the solar power plant is developed and maintained in a fiscally and environmentally responsible manner by balancing the private benefits of the project with agreed upon and documented public benefits so as make certain that the County's General Plan policies and vision are not harmed by the extended length of the permit, which could be up to a 30 year term. If the applicant does not wish to enter into a development agreement with the County, the applicant can still seek to extend the 10 year term

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11: INDIGO RANCH SOLAR PROJECT - AGRICULTURAL PRESERVE CASE NO. 1027, CONDITIONAL**  
**USE PERMIT NO. 3693 - Fast Track Authorization No. 2013-008 - Applicant: Indigo Ranch Project, LLC -**  
**Fourth/Fourth Supervisorial District - Desert Center Area Plan.**  
**DATE: March 12, 2014**  
**PAGE: Page 3 of 3**

of the permit as allowed under Section 18.43 (Applications for Modifications of Approved Permits) of Ordinance No. 348 as the expiration date nears.

The project is located northerly of Belsby Avenue, southerly of Investor Avenue, easterly of Melon Street, and westerly of Plantation Street. Assessor's Parcel Nos. 808-240-007 and 808-240-010.

**Impact on Citizens and Businesses**

Environmental Assessment No. 42580 studied the project and its impacts, as described in the attached staff report and initial study. The project will aid in the transmission of renewable energy to the power grid.

Staff labor and expenses to process this project have been paid directly through Indigo Ranch's deposit based fees.