

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



FROM: Economic Development Agency

SUBMITTAL DATE:
January 8, 2009

SUBJECT: Desert Communities Redevelopment Project Area, Amendment No. 2-100 Palms, Oasis, Mecca, and North Shore Sub-Areas, and the Mid-County Redevelopment Project Area, Amendment No. 2-Garnet and West Garnet Sub-Areas

RECOMMENDED MOTION: That the Board of Supervisors:

1. Re-introduce and adopt, on successive weeks, Ordinance No. 886 adopting the Redevelopment Plan for the Desert Communities Redevelopment Project Area, Amendment No. 2-100 Palms, Oasis, Mecca, and North Shore Sub-Areas; and,
2. Re-introduce and adopt, on successive weeks, Ordinance No. 887 adopting the Redevelopment Plan for the Mid-County Redevelopment Project Area, Amendment No. 2-Garnet and West Garnet Sub-Areas.

BACKGROUND:

On January 6, 2009, the Board of Supervisors introduced Ordinance 886, adopting and designating the Redevelopment Plan as the official Redevelopment Plans for the Desert Communities Redevelopment Project Area, Amendment No. 2-100 Palms, Oasis, Mecca, and North Shore Sub-Areas, and Ordinance 887, adopting and designating the Redevelopment Plan as the official Redevelopment Plans for the Mid-County Redevelopment Project Area, Amendment No. 2-Garnet and West Garnet Sub-Areas.
(continued on Page 2)

RZ: DL:TE:RD:LB

Robin Zimpfer

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Assistant County Executive Officer/EDA

S:\RDACOMRDA_ADMRDA Plan Amendments\2007 RDA Plan Amendments\Jan 16 Form 11s\Jan 13 BOS F11 Ordinance (re-introduction).doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	08/09

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*

Jennifer L. Sargent

County Executive Office Signature

Policy

Consent

Dept Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 3.10: 1/6/09; 3.9: 11/15/07

District: 4, 5

Agenda Number:

3.10 + 3.11

FORM APPROVED COUNTY COUNSEL
DATE 1/13/09
MICHELLE CLACK
Departmental Concurrence

January 8, 2009

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BACKGROUND (continued):

Minor changes have been integrated into the text of Ordinance 886 and Ordinance 887. Section 1, Subsection (aa) has been added to Ordinance 886 to ensure that all existing redevelopment plans in the Desert Communities Project Area (adopted by Ordinance Nos. 638, 647, 668, 794 and 795) remain in full force and effect. Additionally, Section 1, Subsection (aa) has been added to Ordinance 887 to ensure that all existing redevelopment plans for the Mid-County Project Area (adopted by Ordinance Nos. 637, 646, 676, 785 and 786) remain in full force and effect.

The Ordinance adopting the Redevelopment Plan for Desert Communities Redevelopment Project Area, Amendment No. 2-100 Palms, Oasis, Mecca, and North Shore Sub-Areas, and the Ordinance adopting the Redevelopment Plan for the Mid-County Redevelopment Project Area, Amendment No. 2-Garnet and West Garnet Sub-Areas will become effective 30 days following its adoption.

Agency staff recommend that the Board of Supervisors and the Agency re-introduce Ordinance 886, adopting the Redevelopment Plan for the Desert Communities Redevelopment Project Area, Amendment No. 2-100 Palms, Oasis, Mecca, and North Shore Sub-Areas, and Ordinance 887, *adopting the Redevelopment Plan for the Mid-County Redevelopment Project Area, Amendment No. 2-Garnet and West Garnet Sub-Areas.*

- 1 vi. A plan for the relocation of business owners and tenants who may
2 be temporarily or permanently displaced under the Redevelopment
3 Plan as amended;
- 4 vii. An analysis of the Preliminary Plan, the report and
5 recommendations of the Planning Commission of the County of
6 Riverside (the "Planning Commission");
- 7 viii. The minutes of consultations with affected taxing agencies, the Final
8 Environmental Impact Report on the Redevelopment Plan, and an
9 implementation plan.
- 10 c. The Planning Commission has submitted to the Board of Supervisors its
11 report and recommendations for approval of the Redevelopment Plan and
12 its certification that the Redevelopment Plan conforms to the Riverside
13 County General Plan (the "General Plan").
- 14 d. The Board of Supervisors and the Agency held a joint public hearing on
15 December 16, 2008, concerning the adoption of the Redevelopment Plan.
- 16 e. Notice of the hearing was duly and regularly published in a newspaper of
17 general circulation in the County of Riverside in accordance with Section
18 33361 of the CRL, and a copy of said notice and affidavit of publication are
19 on file with the Clerk of the Board of the County of Riverside and Secretary
20 of the Agency.
- 21 f. Copies of the notice of joint public hearing were mailed by first class mail
22 to the last known address of each assessee, as shown on the last equalized
23 assessment roll of the County of Riverside, of each parcel of land in the
24 Amendment Area, to each resident, and to each business as practicable.
- 25 g. Copies of the notice of joint public hearing were mailed by certified mail
26 with return receipt requested to the governing body of each taxing agency
27 which receives taxes from property in the Amendment Area.
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- 1 h. The Agency adopted on December 9, 2008, a method for the relocation of
2 persons and businesses who may be displaced as a result of carrying out
3 redevelopment activities in accordance with the Redevelopment Plan.
- 4 i. The Board of Supervisors has knowledge of the conditions in the
5 Amendment Area and of the availability of suitable housing for the
6 relocation of families and persons who may be displaced by redevelopment
7 activities, and in light of such knowledge of local housing conditions, has
8 carefully considered and reviewed such program for relocation.
- 9 j. The Board of Supervisors has considered the report and recommendations
10 of the Planning Commission, the report of the Agency, the Redevelopment
11 Plan and its economic feasibility, the feasibility of the relocation program
12 and the Environmental Impact Report, and has provided an opportunity for
13 all persons to be heard and has received and considered all evidence and
14 testimony presented for or against any and all aspects of the Redevelopment
15 Plan.
- 16 k. The Agency and the Board of Supervisors have reviewed and considered
17 the Final Environmental Impact Report for the Redevelopment Plan,
18 prepared and submitted pursuant to Public Resources Code Section 21151
19 and CRL Section 33352, and certified the completion of said Environmental
20 Impact Report on January 6, 2009, by Board of Supervisors Resolution No.
21 2009-008.
- 22 l. The Amendment Area is a blighted area pursuant to CRL Section 33030.
23 These findings are based in part on the research and facts contained in the
24 Report to the Board of Supervisors.
- 25 m. The Amendment Area is a predominately urbanized area. As demonstrated
26 by the Agency's Report to the Board of Supervisors, not less than eighty
27 percent (80%) of the property in the Amendment Area is urbanized.
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- 1 n. The Redevelopment Plan will assist in the Agency's efforts to redevelop the
2 Amendment Area in conformity with the CRL and in the interests of the
3 public health, safety and welfare. This finding is based in part upon the fact
4 that redevelopment of the Amendment Area will implement the objectives
5 of the CRL by aiding in the elimination and correction of the conditions of
6 blight, providing for planning, development, redesign, clearance,
7 reconstruction or rehabilitation of properties which need improvement, and
8 providing for higher economic utilization of potentially useful land.
- 9 o. The adoption and carrying out of the Redevelopment Plan is economically
10 sound and feasible. This finding is based in part on the fact that under the
11 Redevelopment Plan no public redevelopment activity will be undertaken
12 unless the Agency can demonstrate that it has adequate revenue to finance
13 the activity; the Agency's Report to the Board of Supervisors further
14 discusses and demonstrates the economic soundness and feasibility of the
15 Redevelopment Plan and undertakings pursuant thereto.
- 16 p. The Redevelopment Plan conforms to the General Plan, including, but not
17 limited to, the Housing Element thereof. This finding is based in part on the
18 finding of the Planning Commission that the Redevelopment Plan conforms
19 to the General Plan.
- 20 q. The carrying out of the Redevelopment Plan will promote the public peace,
21 health, safety and welfare of the County of Riverside and will effectuate the
22 purposes and policies of the CRL. This finding is based on the fact that
23 redevelopment will benefit the Amendment Area and the community by
24 correcting conditions of blight and by coordinating public and private
25 actions to stimulate development, contribute toward needed public
26 improvements and improve the economic, and physical conditions of the
27 Amendment Area and the community.
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1 r. The Agency has a feasible method for the relocation of families and persons
2 displaced from the Amendment Area. The Board of Supervisors and the
3 Agency recognize that the provisions of Sections 7260 to 7276 of the
4 California Government Code would be applicable to any relocation that
5 would occur due to the implementation by the Agency of the
6 Redevelopment Plan. The Board of Supervisors finds and determines that
7 the *provision of relocation* assistance according to law constitutes a feasible
8 method for relocation.

9 s. There shall be provided, within the Amendment Area or within other areas
10 not generally less desirable with regard to public utilities and public and
11 commercial facilities and at rents or prices within the financial means of any
12 families and persons who might be displaced from the Amendment Area,
13 decent, safe and sanitary dwellings equal in number to the number of and
14 available to the displaced families and persons, and reasonably accessible to
15 their places of employment. Families and persons shall not be displaced
16 prior to the adoption of a relocation plan pursuant to CRL Sections 33411
17 and 33411.1. Dwelling units housing persons and families of low or
18 moderate income shall not be removed or destroyed prior to the adoption of
19 a replacement housing plan pursuant to CRL Sections 33334.5, 33413, and
20 33413.5. This finding is based upon the Rules Governing Participation and
21 Preferences for Owners, Operators of Businesses and Tenants, which was
22 adopted on April 18, 2006, as the "Owner Participation Rules" for the
23 Amendment Area, and the Housing Element of the Comprehensive General
24 Plan.

25 t. The elimination of blight and the redevelopment of the Amendment Area
26 would not reasonably be expected to be accomplished by private enterprise
27 acting alone without the aid and assistance of the Agency. This finding is
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1 based in part upon the existence of blighting influences in the Amendment
2 Area, including, without limitation, the demonstrated lack of private sector
3 interest in redeveloping properties in the Amendment Area, structural
4 deficiencies and other indications of blight more fully enumerated in the
5 Agency's Report to the Board of Supervisors, and the infeasibility due to
6 cost of requiring individuals (by means of assessments or otherwise) to
7 eradicate or significantly alleviate existing deficiencies in properties and
8 facilities and the inability and inadequacy of other governmental programs
9 and financing mechanisms to eliminate the blighting conditions.

10 u. The Redevelopment Plan contains adequate safeguards so that the work of
11 redevelopment will be carried out pursuant to the Redevelopment Plan, and
12 it provides for the retention of controls and the establishment of restrictions
13 and covenants running with the land sold or leased for private use for
14 periods of time and under conditions specified in the Redevelopment Plan,
15 which the Board of Supervisors deems necessary to effectuate the purposes
16 of the CRL.

17 v. The time limitations and financial limitations established for the
18 Amendment Area are reasonably related to the projects proposed in the
19 Redevelopment Plan and to the ability of the Agency to eliminate blight
20 within the Amendment Area.

21 w. All non-contiguous areas of the Amendment Area are either blighted or
22 necessary for effective redevelopment, and are not included for the purpose
23 of obtaining the allocation of taxes from the non-contiguous areas pursuant
24 to CRL Section 33670 without other substantial justification for their
25 inclusion. Said justification and documentation of blighting conditions is
26 contained in the Report to the Board of Supervisors.

27 x. All areas of the Amendment Area are blighted, are an integral part of an
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1 otherwise blighted area, or are necessary for effective redevelopment and
2 are not included for the sole purpose of obtaining the allocation of taxes
3 from the Amendment Area pursuant to Section 33670 of the CRL without
4 other substantial justification for their inclusion. This finding is based in
5 part upon the fact that, following careful study documented in the Report to
6 the Board of Supervisors, the Amendment Area was identified as an area
7 within the County suffering conditions of physical and economic blight.

8 y. The Redevelopment Plan does not authorize eminent domain authority to
9 the Agency.

10 z. The Board of Supervisors has considered written objections, to the
11 Redevelopment Plan and all evidence and testimony for and against the
12 adoption of the Redevelopment Plan. All written objections have been
13 overruled.

14 aa. Adoption of this ordinance will not affect the status of the existing
15 redevelopment plans in the Desert Communities Redevelopment Project
16 Area adopted by Ordinance Nos. 638, 647, 668, 794 and 795, which remain
17 in full force and effect.

18 Section 2. PURPOSE. The purpose of this ordinance is to adopt and designate the
19 Redevelopment Plan as the official redevelopment plan for the Desert Communities Redevelopment
20 Project Area, Amendment No. 2 – 100 Palms, Oasis, Mecca and North Shore Sub Areas. The purpose of
21 the Redevelopment Plan is to provide for the elimination or alleviation of physical and economic
22 conditions of blight. More specifically, the Redevelopment Plan is intended to achieve the following
23 goals:

24 a. Eliminate blighting conditions and to prevent the acceleration of blight in
25 and about the Amendment Area;

26 b. Effectuate the comprehensive planning, redesign, replanning, reconstruction
27 and/or rehabilitation of the Amendment Area in such a manner as to
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1 facilitate a higher and better utilization of the land within the Amendment
2 Area for uses in accordance with the General Plan;

- 3 c. Use the redevelopment process and provisions permitted by the CRL to
4 promote redevelopment that is consistent with the General Plan and the
5 Riverside County Zoning Ordinance (the "Zoning Ordinance");
- 6 d. Encourage the better utilization of real property, and a more efficient and
7 effective circulation system;
- 8 e. Provide for adequate parcels and required public improvements to
9 encourage new construction by private enterprise;
- 10 f. Promote the rehabilitation of deteriorated residential units through the
11 provision of grants and loans to property owners. Where deterioration
12 makes rehabilitation infeasible, the Agency will assist property owners in
13 the demolition and replacement of such residential units on a one-for-one
14 basis.

15 Section 3. AUTHORITY. This ordinance is adopted pursuant to CRL Sections 33365
16 and 33367, which provides that the legislative body by ordinance may adopt the redevelopment plan as
17 the official redevelopment plan for the project area and sets forth the required contents of the ordinance.

18 Section 4. REDEVELOPMENT PLAN PROGRAMS AND POLICIES. The
19 Agency will institute the following programs and policies:

- 20 a. Encourage development according to the General Plan;
- 21 b. Promote comprehensive planning, redesign, replanning, reconstruction
22 and/or rehabilitation in such a manner as to achieve a higher and better
23 utilization of the land within the Amendment Area;
- 24 c. Encourage investment in the Amendment Area by the private sector;
- 25 d. Promote the development of new and diverse employment opportunities;
- 26 e. Enhance and expand shopping facilities in the Amendment Area by
27 encouraging the development of new commercial uses and the rehabilitation
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1 of existing commercial uses in conformance with the General Plan and the
2 Zoning Ordinance;

3 f. Promote the improvement and centralization of industrial areas to make the
4 provision of public services more efficient;

5 g. Promote the expansion of the Amendment Area's commercial base and
6 local employment opportunities to provide jobs to unemployed and
7 underemployed workers in the area and County-wide;

8 h. Consolidate parcels as needed to induce new or expanded development in
9 the Amendment Area;

10 i. Protect the health and general welfare of the Amendment Area's many low-
11 and moderate-income residents by utilizing twenty percent (20%) of the tax
12 increment revenues from the Amendment Area to improve and preserve the
13 supply of low- and moderate-income housing, including senior housing,
14 both inside and outside the Amendment Area;

15 j. Upgrade the physical appearance of the Amendment Area;

16 k. Assist with rehabilitation of deteriorated structures to eliminate safety
17 deficiencies and to extend the useful lives of these structures, by providing
18 grants and low-interest loans to interested property owners;

19 l. Remove economic impediments to land assembly and in-fill development in
20 areas that are not properly subdivided for development or redevelopment;

21 m. Buffer residential neighborhoods from the intrusion of incompatible land
22 uses and noise;

23 n. Mitigate potential relocation impacts resulting from changes in Amendment
24 Area land use from non-conforming and dilapidated uses to development in
25 conformance with the General Plan and the Zoning Ordinance;

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- o. Provide replacement housing as required by law when dwellings housing low- or moderate-income persons or families are lost to the low- or moderate-income housing market as a result of Agency activities;
- p. Provide relocation assistance to displaces as provided in the CRL in order to mitigate possible hardships due to relocation activities;
- q. Provide a broad range of public service infrastructure improvements to induce private investment and improve emergency response in the Amendment Area. Such improvements could include the construction or reconstruction of roads, streets, curbs and gutters, sidewalks; the upgrading of street-side landscaping; the construction and reconstruction of water storage and distribution facilities; the construction and reconstruction of sewerage systems; and the development of drainage and flood control facilities;
- r. Provide new or improved community facilities such as fire stations, schools, park and recreational facilities, a community center and library, and the expansion of public health and social service facilities, where appropriate to enhance the public health, safety and welfare;
- s. Encourage the cooperation and participation of Amendment Area property owners, public agencies and community organizations in the elimination of blighting conditions and the promotion of new or improved development in all portions of the Amendment Area;
- t. Provide a procedural and financial mechanism by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization and enhancement of the community;
- u. Provide landscaping in Rights-of-Way;
- v. Provide multi-use trails (e.g., bike, horse, hiking, etc.);

1 w. Expand sustained and on going code enforcement activities in the
2 Amendment Area.

3 Section 5. AVAILABILITY OF PERMANENT HOUSING FACILITIES. The
4 Board of Supervisors is satisfied that permanent housing facilities will be available within three (3) years
5 from the time occupants of the Amendment Area, if any, are displaced, and that pending the development
6 of such permanent facilities, there will be available to any such displaced occupants temporary housing
7 facilities at rents comparable to those in the County of Riverside at the time of their displacement.

8 Section 6. INCORPORATION OF MAPS AND REPORTS. That certain document
9 entitled "Redevelopment Plan for the Desert Communities Project Area, Amendment No. 2 - 100 Palms,
10 Oasis, Mecca, and North Shore Sub-Areas", the maps contained therein and such other reports as are
11 incorporated therein by reference, a copy of which is on file in the Office of the Clerk of the Board of the
12 County of Riverside, having been duly reviewed and considered, is hereby incorporated in this ordinance
13 by reference and made a part hereof.

14 Section 7. COOPERATION WITH DEPARTMENTS, BOARDS AND AGENCIES.
15 In order to implement and facilitate the effectuation of the Redevelopment Plan as hereby adopted, the
16 Board of Supervisors hereby declares the following:

- 17 a. Pledges its cooperation in helping to carry out the Redevelopment Plan;
18 b. Requests the various officials, departments, boards and agencies of the
19 County of Riverside having administrative responsibilities in the
20 Amendment Area likewise to cooperate to such end and to exercise their
21 respective functions and powers in a manner consistent with the
22 redevelopment of the Amendment Area;
23 c. Stands ready to consider and take appropriate action upon proposals and
24 measures designed to effectuate the Redevelopment Plan;
25 d. Declares its intention to undertake and complete any proceeding necessary
26 to be carried out by the County of Riverside under the provisions of the
27 Redevelopment Plan.
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1 Section 8. **BOARD DIRECTIVES.**

- 2 a. The Clerk of the Board is hereby directed to send a certified copy of this
3 ordinance to the Agency, whereupon the Agency is vested with the
4 responsibility for carrying out the Redevelopment Plan.
- 5 b. The Clerk of the Board is hereby directed to record with the County
6 Recorder of Riverside County a description of the land within the
7 Amendment Area and a statement that proceedings for the redevelopment of
8 the Amendment Area have been instituted under the CRL.
- 9 c. The County Clerk is hereby directed to transmit a copy of the description
10 and statement to be recorded by the County Clerk of the Board pursuant to
11 Section 8(b) of this ordinance, a copy of this ordinance and a map or plat
12 indicating the boundaries of the Amendment Area, to the auditor and tax
13 assessor of the County of Riverside, to the governing body of each of the
14 taxing agencies which receives taxes from property in the Amendment Area
15 and to the State Board of Equalization.
- 16 d. The Building Department of the County of Riverside is hereby directed as
17 of the effective date of this ordinance to advise all applicants for building
18 permits within the Amendment Area that the site for which a building
19 permit is sought for the construction of buildings or for other improvements
20 is within a redevelopment project area.

21 Section 9. **SEVERABILITY.** If any provision, clause, sentence or paragraph of
22 this ordinance or the application thereof to any person or circumstance shall be held invalid, such
23 invalidity shall not affect the other provisions of this ordinance which can be given effect without the
24 invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be
25 severable.

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