

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

113 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
March 30, 2009

SUBJECT: Ordinance Amendment No. 348.4636, an ordinance of the County of Riverside amending Ordinance No. 348 to establish the Bermuda Dunes Neighborhood Preservation Overlay (BDNPO) Zone

RECOMMENDED MOTION:

1. That the Board of Supervisors adopt Ordinance No. 348.4636; and
2. That the Board of Supervisors find the adoption of Ordinance No. 348.4636 is exempt from CEQA pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

BACKGROUND:

Ordinance No. 348.4636 proposes to establish a Bermuda Dunes Neighborhood Preservation Overlay zone for all areas within the Bermuda Dunes Community Council boundary. This amendment will supplement or restrict uses on properties beyond the general requirements of underlying zoning classification as identified in Ordinance 348. As a result of this amendment, the property owners within the Bermuda Dunes Community will be required to comply with the overlay standards in addition to the underlying zone. The Riverside County Department of Code Enforcement will be the lead agency enforcing the provisions of the BDNPO zone according to the protocols established in Ordinance 725.

The Bermuda Dunes Community is located within the Western Coachella Valley Area Plan near the intersection of Washington Street and Interstate 10. The area has good access to Interstate 10 and State Route 111. The area south of Interstate 10 is characterized by medium density residential and resort-type development, with limited higher density development along Washington Street and 42nd Street. There are existing industrial developments near the Bermuda Dunes Airport. The proposed BDNPO will provide standards to address unique

Ron Goldman
Planning Director

RG:JL

(Continued On Attached Page)

FORM APPROVED COUNTY COUNSEL
BY: JEFFREY N. NORTH
DATE: 3/30/09
Department of Conference

REVIEWED BY EXECUTIVE OFFICE
DATE: 4/1/09
Tina Grande

Policy Policy

Consent Consent

Dept Recomm.:
Per Exec. Ofc.:

PREVIOUS DOCUMENTS FILED WITH THE CLERK OF THE BOARD
District: 4

Agenda Number:

16.1

The Honorable Board of Supervisors

RE: Ordinance Amendment No. 348.4636, an ordinance of the County of Riverside amending Ordinance No. 348 to establish the Bermuda Dunes Neighborhood Preservation Overlay (BDNPO) Zone

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community concerns regarding built environment of the community. Specifically, the BDNPO addresses the following categories of built environment: Street Environment, Parking, Yard Maintenance, Façade Treatment, Fences and Walls, and Temporary Exterior Display and Holiday Display. Ordinance No. 348.4636 is a property maintenance community improvement ordinance intended to enhance the quality of life for the Bermuda Dunes Community and is in conformance with the land use designations of the Bermuda Dunes Community , as well as all other elements of the General Plan.

The process began in 2006 when the community leaders were concerned with the maintenance of the built environment of the Bermuda Dunes community. The first attempt at addressing these concerns was the development of design guidelines, which were adopted by the Board of Supervisors in April 2008. Although the design guidelines resolved many issues related to new developments, there were still outstanding issues related to property maintenance of the existing community. Thus, an effort to duplicate the Eastvale Neighborhood Preservation Overlay zone began for Bermuda Dunes in December 2007.

In April of 2008, Planning Department, working with the Fourth District Staff, arranged an initial community workshop. The results from this workshop indicated that the community had a strong desire for stricter property maintenance restrictions. Even the residents, who were opposed to certain provisions of the overlay, were in favor of working together to develop an overlay that would advance the quality of life for the community. Besides the regular community council meetings, the community leaders setup an eight person subcommittee to assist Planning Department staff in finalizing the provisions of this BDNPO. The recommended draft ordinance language by the subcommittee was approved by the Bermuda Dunes Community Council on November 13, 2008 and by the Planning Commission on February 18, 2009 after a public hearing.

Ordinance No. 348.4636 is exempt from CEQA based under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. The proposed amendment will only improve and not adversely impact the environmental settings of the Bermuda Dunes community. It will not cause any unusual circumstances to significantly impact the environment or have negative cumulative impacts on the environment. It will assist the residents, as well as the Code Enforcement Department, in maintaining a safe, clean, orderly, sanitary, and aesthetically pleasing neighborhood.