

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



1.1

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

<u>ORDINANCE</u>	<u>DATE</u>	<u>NEWSPAPER</u>
No. 449.241	Oct. 30, 2010	The Press-Enterprise
No. 348.4703	Oct. 30, 2010	The Press-Enterprise

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on December 7, 2010 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: December 7, 2010
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in and
for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Adoption of Ord. No. 449.241

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

10-30-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Oct. 30, 2010
At: Riverside, California



BOARD OF SUPERVISORS
P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10448788

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 449.241

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 449.240 EXTENDING URGENCY INTERIM ORDINANCE NO. 449.239 PROHIBITING PAROLEE-PROBATIONER HOMES

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

Section 1. Section 1.c. of Ordinance No. 449.240 is amended to read as follows:

"c. Probationer. A person convicted of a felony who has received a suspension of the imposition or execution of a sentence and an order of conditional and revocable release in the community under the supervision of a probation officer."

Section 2. A new Section 2. is added to Ordinance No. 449.240 to read as follows:

"This ordinance shall not apply to any application for a land use approval, building permit or any other entitlement for a parolee-probationer home filed before the effective date of Ordinance No. 449.239 or to any parolee-probationer home operating in accordance with any of the above-referenced entitlements issued before the effective date of Ordinance No. 449.239."

Section 3. Existing Sections 2. through 6. of Ordinance No. 449.240, and all references thereto, are renumbered Sections 3. through 7. respectively.

Section 4. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect upon its adoption. It shall be of no further force or effect ten (10) months and fifteen (15) days from the date of expiration of Ordinance No. 449.239, unless extended pursuant to law. In adopting this ordinance, the Board finds that parolee-probationer homes pose a current and immediate threat to the public health, safety and welfare for the following reasons:

Parolee-probationer homes are proliferating in Riverside County as a result of new laws mandating the early release of certain state prisoners;

Riverside County can expect over 5,000 inmates to be paroled in the next twelve (12) months with ties to the area;

The California Department of Corrections and Rehabilitation is increasingly placing parolees and probationers in the County even when they committed crimes in other counties and have no ties to the area;

Based on reports generated by various public agencies throughout California, parolee-probationer homes often result in increased criminal activity and generate a disproportionate number of requests for law enforcement services; this adversely affects other segments of the community needing such services and unduly imposes a burden on law enforcement services in general;

Parolee-probationer homes often result in parking and noise problems and have other harmful secondary effects, such as encouraging the illegal conversion of garages and living spaces into sleeping spaces;

The harmful secondary effects associated with parolee-probationer homes may negatively affect surrounding home values and result in increased foreclosures and resident displacement;

Existing zoning regulations do not adequately address parolee-probationer homes and absent this ordinance, parolee-probationer homes could be located near schools, day care centers, parks, playgrounds and other sensitive uses.

Marion Ashley, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on October 19, 2010, the foregoing Ordinance consisting of four (4) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, Benoit and Ashley

NAYS: None

ABSENT: None

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

10/30

THE PRESS-ENTERPRISE

3450 Fourteenth Street
Riverside CA 92501-3878
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ordinance No. 348.4703

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

10-30-10

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Oct. 30, 2010
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10448787

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 348.4703
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

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

Section 1. Subsection b. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"b. DEVELOPMENT STANDARDS. Where the principal use of a lot is a one family dwelling, a detached accessory building shall be permitted subject to the following requirements. These requirements are in addition to the development standards of the applicable zone.

(1) Where a rear yard is required by this ordinance, a detached accessory building may occupy not more than one-half of the required rear yard.

(2) No detached accessory building shall be within five feet of the front half of an adjacent lot. For the purpose of this development standard a depth of not more than 75 feet shall be deemed to be such front half of such adjacent lot.

(3) Where the average slope of the front half of the lot is greater than one foot rise or fall in a seven foot run from the established street elevation at the property line, or where the front half of the lot is more than four feet above or below such established street elevation, a private garage may be built to the street and side lines.

(4) In the case of an interior lot, no detached accessory building shall be erected so as to encroach upon the front half of the lot, provided, however, such detached accessory building need not be more than 75 feet from the street line.

(5) In the case of a corner lot abutting upon more than two streets, no detached accessory building shall be nearer any street line than one-fifth of the width or length of the lot.

(6) In the case of through lots, no detached accessory building shall encroach upon the required front yard on either street.

(7) In mountain resort areas at altitudes above 4000 feet, a detached accessory building may be constructed to the same building setback line as is required for a dwelling on the same premises.

(8) No detached accessory building shall be nearer than ten feet to the principal building.

(9) For lots two acres or smaller, the minimum setback from a side property line shall be five feet and the minimum setback from a rear property line shall be ten feet; provided, however, that where the applicable zone provides for a greater side or rear yard setback, such greater setback shall apply. For lots larger than two acres, the minimum setback from a side property line and from a rear property line shall be ten feet; provided, however, that where the applicable zone provides for a greater side or rear yard setback, such greater setback shall apply.

(10) Notwithstanding the height limitations of any zone, the height limit on any lot shall be twenty feet for lots two acres or smaller and thirty-five feet for lots larger than two acres.

(11) Bare metal buildings (metal buildings without paint or exterior architectural coatings or treatments), shall not be located on a lot one acre or smaller. This prohibition shall not apply to single-story tool and storage sheds or playhouses of 120 square feet of floor area or less.

(12) No detached accessory building shall be erected unless a one family dwelling exists on the same lot or a building permit has been issued for a one family dwelling on the same lot pursuant to Ordinance No. 457. No final inspection shall be done for the detached accessory building until a final inspection has been done for the one family dwelling.

(13) No detached accessory building shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, by the same renter or lessee.

(14) No detached accessory building shall be used for overnight accommodations.

(15) No detached accessory building shall contain a kitchen.

(16) Any detached accessory building must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building."

Section 2. A new subsection c. of Section 18.18 of Ordinance No. 348 is added to read as follows:

"c. GUEST QUARTERS. Excluding subsection b.14 of this Section 18.18, all development standards for detached accessory buildings shall apply to guest quarters. In addition, the following development standards shall apply to guest quarters:

(1) Only one guest quarter shall be allowed on a lot regardless of lot size.

(2) The square footage of any guest quarter shall not exceed 1/50 (2 %) of the lot size and shall in no case exceed six hundred (600) square feet.

(3) A guest quarter shall be used exclusively by occupants of the premises and their non-paying guests.

(4) No reduction of the side and rear yard setbacks shall be allowed for any guest quarter.

(5) For lots two acres or smaller, a guest quarter shall not be allowed if the lot has an existing or approved second unit."

Section 3. Existing subsections c. and d. of Section 18.18 of Ordinance No. 348 are re-lettered d. and e. respectively.

Section 4. Re-lettered subsection d. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"d. PERMIT REQUIREMENT. Where the principal use of a lot is a one family dwelling, the approval of a plot plan pursuant to Section 18.30 of this ordinance shall be required for either: (1) a detached accessory building with a floor area of 651 square feet or more; or (2) a detached accessory building with a floor area of 120 square feet or more on a lot which already has one or more existing or approved detached accessory buildings with a floor area of 120 square feet or more. Notwithstanding the above, the approval of a plot plan shall not be required for a detached accessory building with a floor area of less than 1,201 square feet if the detached accessory building is located on a lot larger than one acre, is setback from all lot lines a minimum of 50 feet, and there are no other detached accessory buildings with a floor area of 120 square feet or more already approved or existing on the lot. All plot plans required pursuant to this subsection shall be subject to the hearing requirements of Section 18.30 d.(2). In addition to all other requirements, a plot plan for a detached accessory building located less than 30 feet from the principal building may be approved only if it is found that the detached accessory building is compatible with the architecture of the principal building and consistent with the character of the surrounding neighborhood. In addition to all other requirements, a plot plan for a detached accessory building located 30 feet or more from the principal building may be approved only if it is found that the detached accessory building is consistent with the character of the surrounding neighborhood."

Section 5. Re-lettered subsection e. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"e. EXCEPTIONS.

(1) This section shall not apply in the A-P, A-2 or A-D zones."

Section 6. A new subsection (4) is added to subsection c. of Section 18.28a of Ordinance No. 348 to read as follows:

"(4) For lots two acres or smaller, a second unit shall not be allowed if the lot has an existing or approved guest quarter."

Section 7. Existing subsections (4) through (12) of subsection c. of Section 18.28a of Ordinance No. 348 are re-numbered (5) through (13) respectively.

Section 8. Section 21.1 of Ordinance No. 348 is amended to read as follows:

"SECTION 21.1 ACCESSORY BUILDING. A subordinate building on the same lot or building site, the use of which is incidental to that of the principal building. A mobilehome shall constitute a principal building where installed as provided in Section 19.77 or Section 19.79 of this ordinance. A second unit, as defined by state law and this ordinance, shall not constitute an accessory building."

Section 9. Section 21.31. of Ordinance No. 348 is repealed in its entirety.

Section 10. A new Section 21.35a of Ordinance No. 348 is added to read as follows:

"SECTION 21.35a GUEST QUARTER. A detached accessory building designed and intended to provide overnight accommodations."

Section 11. This ordinance shall take effect thirty (30) days after its adoption.

Marion Ashley, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on October 19, 2010, the foregoing Ordinance consisting of eleven (11) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, and Benoit

NAYS: None

ABSENT: Ashley

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

10/30