

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

880



FROM: County Counsel

SUBMITTAL DATE:
June 2, 2011

SUBJECT: Ordinance No. 449.244, An Ordinance of the County of Riverside Extending Urgency Interim Ordinance No. 449.239, Previously Extended by Ordinance No. 449.240, Prohibiting Parolee-Probationer Homes

RECOMMENDED MOTION: That the Board of Supervisors adopt Ordinance No. 449.244 following the public hearing, thereby extending Urgency Interim Ordinance No. 449.239 which was previously extended by Ordinance No. 449.240, for one (1) year (4/5ths vote required).

BACKGROUND: On July 27, 2010, the Board adopted Urgency Interim Ordinance No. 449.239 prohibiting parolee-probationer homes for the reasons set forth therein. Ordinance No. 449.239, valid for a period of forty-five (45) days was subsequently extended for ten (10) months and fifteen (15) days on August 10, 2010 by Ordinance No. 449.240. Ordinance No. 449.239 shall be of no further force or effect on June 25, 2011 unless further extended by this ordinance.


State law requires a legislative body to issue a written report ten (10) days before the expiration of an interim ordinance describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

(Continued on next page)


Tiffany N. North for
PAMELA J. WALLS, County Counsel

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	YES
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	10/11

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


C.E.O. RECOMMENDATION: APPROVE
BY: 
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above Ordinance is adopted as recommended with waiver of reading.

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: June 7, 2011
xc: Co.Co., DA, MC, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Prev. Agn. Ref.: 3.90 7/27/10; 9.19 | **District:** ALL | **Agenda Number:**

9.10

Dept's Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Departmental Concurrence

08/10/2010

BACKGROUND: (continued)

The report is set forth in Section 5. of Ordinance No. 449.244 which extends Ordinance No. 449.239, previously extended by Ordinance No. 449.240, for one (1) year as noted above.

It is unlikely that Ordinance No. 449.244 will have the effect of denying approvals needed for the development of projects with a significant component of multi-family housing because such projects are not typically constructed exclusively for parolee-probationers. Multi-family housing projects may, in most cases, be occupied by anyone. The appropriate findings, however, have been made in Section 4. of Ordinance No. 449.244 in the event the ordinance has such an effect. The continued approval of the development of multi-family housing occupied by parolee-probationers would have the specific adverse public health and safety impacts described in Section 3. of Ordinance No. 449.244. The prohibition of parolee-probationer homes in Ordinance No. 449.244 is necessary to mitigate or avoid these adverse impacts because there is no feasible alternative that would ensure such mitigation or avoidance. The placement of parolee-probationers could be restricted or parolee-probationers could be required to wear monitoring devices, but the County has no jurisdiction to impose such requirements.

1 the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole
2 Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and
3 Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority")
4 who has received conditional and revocable release in the community under the supervision of the
5 California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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

9 d. State-Licensed Residential Care Facility. A facility licensed by the State
10 of California to provide residential care services, including those facilities described in Health & Safety
11 Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq.
12 and those facilities described in Welfare and Institutions Code section 5116.

13 Section 2. This ordinance shall not apply to any application for a land use approval,
14 building permit or any other entitlement for a parolee-probationer home filed before the effective date of
15 Ordinance No. 449.239 or to any parolee-probationer home operating in accordance with any of the
16 above-referenced entitlements issued before the effective date of Ordinance No. 449.239.

17 Section 3. Pursuant to section 65858 of the Government Code and section 20.4 of
18 Ordinance No. 348, this ordinance is hereby declared to be an urgency measure and shall take effect
19 upon its adoption. It shall be of no further force or effect one (1) year from the date of expiration of
20 Ordinance No. 449.240. In adopting this ordinance, the Board finds that parolee-probationer homes
21 pose a current and immediate threat to the public health, safety and welfare for the following reasons:

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

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

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

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

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

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

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

13 Section 4. In adopting this ordinance, the Board finds each of the following:
14 continued approval of the development of multi-family housing projects that parolee-probationers may
15 occupy would have the specific, adverse impacts upon the public health or safety described in Section 3.
16 of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and
17 there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or
18 better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

19 Section 5. In adopting this ordinance, the Board reports that the following measures
20 have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No.
21 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the
22 Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning
23 ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating
24 regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes
25 and protect the public from their harmful secondary effects. A Planning Commission workshop
26 regarding the revised zoning ordinance was held May 25, 2011.

27 Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board,
28 in consultation with the Planning Director, shall issue a written report describing therein all measures

1 taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance
2 No. 449.240, and the adoption of Ordinance No. 449.239.

3
4 BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

5 By: Bob Buster
6 Chairman, Board of Supervisors

7 Bob Buster

8 ATTEST: Kecia Harper-Ihem
9 CLERK OF THE BOARD

10 By: Kecia Harper-Ihem
Deputy

11 (SEAL)

12
13 APPROVED AS TO FORM

14 June 2, 2011

15 By: Tiffany N. North
16 TIFFANY N. NORTH
Deputy County Counsel

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18
19
20
21 G:\PROPERTY\TNORTH\ORD. 449.244 PAROLEE-PROBATIONER HOME INTERIM ZONE FINAL EXTENSION.DOC

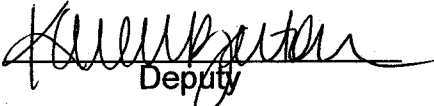
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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on June 7, 2011, the foregoing ordinance consisting of 6 Sections was adopted by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

DATE: June 7, 2011

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

May 25, 2011

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: NOTICE OF PUBLIC HEARING FOR ORDINANCE NO. 449.244

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, May 28, 2011**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

9-10

Gil, Cecilia

From: PE Legals <legals@pe.com>
Sent: Wednesday, May 25, 2011 12:03 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Ord. No. 449.244

Received for publication on May 28. Proof with cost to follow.

Please Note: The Press-Enterprise offices will be closed on Monday, May 30th in observance of Memorial day. Below are our Memorial Day Holiday Deadlines.

Deadlines:

- Wed., May 25th at 10:30 am for all ads publishing on Fri. 5/27 or Sat. 5/28
- Thurs. May 26th at 10:30 am for all ads publishing on Sun. 5/29, Mon. 5/30, Tues. 5/31
- Fri. May 27th at 10:30 am for all ads publishing on Wed. 6/1

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, May 25, 2011 12:02 PM
To: PE Legals
Subject: FW: FOR PUBLICATION: Ord. No. 449.244

This is final...can you please send confirmation? Thank you!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

From: Gil, Cecilia
Sent: Wednesday, May 25, 2011 10:51 AM
To: legals@pe.com
Subject: FOR PUBLICATION: Ord. No. 449.244

Maria,

Here's the Draft for publication for above-mentioned Ordinance, which needs to be published on Saturday, May 28, 2011. No need to confirm until we've finalized the draft. This is for space-saving purposes only. Thank you!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
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OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

May 25, 2011

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: NOTICE OF PUBLIC HEARING FOR ORDINANCE NO. 449.244

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, May 28, 2011**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, May 25, 2011 12:09 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: INTRO for ORD. NO. 449.244

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator
The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com | dpwlegals@thedesertsun.com
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From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, May 25, 2011 12:01 PM
To: tds-legals
Subject: FOR PUBLICATION: INTRO for ORD. NO. 449.244

Hello Charlene,

One more Notice of Public Hearing for publication on Saturday, May 28, 2011. Please confirm.
THANK YOU!

Cecilia Gil
Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 7, 2011 at 9:30 a.m.** to consider adoption of the following ordinance:

ORDINANCE NO. 449.244 **AN ORDINANCE OF THE COUNTY OF RIVERSIDE** **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. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.239, previously extended by Ordinance No. 449.240, is hereby further extended for one (1) year from the date of expiration of Ordinance No. 449.240, during which time parolee-probationer homes are prohibited in the unincorporated area of Riverside County because they may be in conflict with a contemplated zoning proposal that the Planning Department is studying and because they may subject County residents to the adverse effects described in Section 3. of this ordinance. Until this ordinance expires or is repealed, the County shall not issue a land use approval, a building permit or any other entitlement for a parolee-probationer home and no person shall operate a parolee-probationer home in the County. As used in this ordinance, the following terms shall have the following meanings:

a. Parolee-Probationer Home. Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by the parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any state-licensed residential care facility serving six (6) or fewer persons. In determining whether a state-licensed residential care facility serves six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime and sentenced to a United States federal prison who has received conditional and revocable release in the community under the supervision of a federal parole officer; a person serving a period of supervised community custody as defined by Penal Code section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq. and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. 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 one (1) year from the date of expiration of Ordinance No. 449.240. 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.

Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance took place in May of this year.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 15, 2011

THE PRESS ENTERPRISE
ATTN: LEGALS
P.O. BOX 792
RIVERSIDE, CA 92501

FAX: (951) 368-9018
E-MAIL: legals@pe.com

RE: ADOPTION OF ORDINANCE NO. 449.244

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, June 17, 2011**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: PE Legals <legals@pe.com>
Sent: Wednesday, June 15, 2011 10:41 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO. 449.244

Received for publication on June 17

Thank You!

enterprisemedia

Publisher of the Press-Enterprise

Maria G. Tinajero • Legal Advertising Department

1-800-880-0345 • Fax: 951-368-9018 • email: legals@pe.com

Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.

Additional days required for larger ad sizes

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, June 15, 2011 10:23 AM
To: PE Legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO. 449.244

Good Morning! Attached is an Adoption of Ord. for publication on Friday, June 17, 2011. Please confirm. THANK YOU!

Cecilia Gil

Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

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OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

June 15, 2011

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 449.244

To Whom It May Concern:

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Mcgil

Cecilia Gil, Board Assistant to
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, June 15, 2011 10:31 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO. 449.244

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator
The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
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legals@thedesertsun.com | dpwlegals@thedesertsun.com
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www.mydesert.com | twitter @MyDesert | facebook MyDesert.com

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, June 15, 2011 10:29 AM
To: tds-legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO. 449.244

Good Morning! Attached is an Adoption of Ordinance, for publication on Friday, June 17, 2011. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant to the
Clerk of the Board of Supervisors
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

ORDINANCE NO. 449.244
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
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. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.239, previously extended by Ordinance No. 449.240, is hereby further extended for one (1) year from the date of expiration of Ordinance No. 449.240, during which time parolee-probationer homes are prohibited in the unincorporated area of Riverside County because they may be in conflict with a contemplated zoning proposal that the Planning Department is studying and because they may subject County residents to the adverse effects described in Section 3. of this ordinance. Until this ordinance expires or is repealed, the County shall not issue a land use approval, a building permit or any other entitlement for a parolee-probationer home and no person shall operate a parolee-probationer home in the County. As used in this ordinance, the following terms shall have the following meanings:

a. Parolee-Probationer Home. Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by the parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any state-licensed residential care facility serving six (6) or fewer persons. In determining whether a state-licensed residential care facility serves six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime and sentenced to a United States federal prison who has received conditional and revocable release in the community under the supervision of a federal parole officer; a person serving a period of supervised community custody as defined by Penal Code section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq. and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. 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 one (1) year from the date of expiration of Ordinance No. 449.240. 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.

Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance was held May 25, 2011.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239.

Bob Buster, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **June 7, 2011**, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

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COUNTY OF RIVERSIDE
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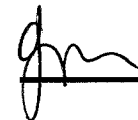
Ad Desc.: Ordinance No. 449.244

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:

05-28-11

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

Date: May. 28, 2011
At: Riverside, California



BOARD OF SUPERVISORS

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

Ad #: 10672750

PO #:

Agency #: _____

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, June 7, 2011 at 9:30 a.m.** to consider adoption of the following ordinance:

ORDINANCE NO. 449.244

AN ORDINANCE OF THE COUNTY OF RIVERSIDE 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. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.239, previously extended by Ordinance No. 449.240, is hereby further extended for one (1) year from the date of expiration of Ordinance No. 449.240, during which time parolee-probationer homes are prohibited in the unincorporated area of Riverside County because they may be in conflict with a contemplated zoning proposal that the Planning Department is studying and because they may subject County residents to the adverse effects described in Section 3. of this ordinance. Until this ordinance expires or is repealed, the County shall not issue a land use approval, a building permit or any other entitlement for a parolee-probationer home and no person shall operate a parolee-probationer home in the County. As used in this ordinance, the following terms shall have the following meanings:

a. Parolee-Probationer Home. Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by the parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any state-licensed residential care facility serving six (6) or fewer persons. In determining whether a state-licensed residential care facility serves six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime and sentenced to a United States federal prison who has received conditional and revocable release in the community under the supervision of a federal parole officer; a person serving a period of supervised community custody as defined by Penal Code section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq. and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. 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 one (1) year from the date of expiration of Ordinance No. 449.240. 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;

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Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance took place in May of this year.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

The Desert Sun

mydesert.com

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Customer No.	Invoice No.
RIV069	0004050255
For the Period	Thru
05/02/11	05/29/11
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06/15/11	6,259.36
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Date	EDT	Class	Description	Times Run	Col	Depth	Total Size	Rate	Amount
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0508	CLS	0001	CECILIA NO 1538 / GATE F	1	4	6.00	24.00		288.88
0508	CLS	0001	CECILIA NO 1539/ RES 201	1	4	14.00	56.00		680.64
0508	CLS	0001	CECILIA NO 1540 NOTICE O	2	2	117.00	468.00		210.22
0511	CLS	0001	CECLIA NO 1561	10	2	74.00	1480.00		630.20
0513	CLS	0001	CECILIA NO 1612 BOARD OF	2	2	207.00	828.00		359.62
0513	CLS	0001	CECILIA NO 1613 NOTICE O	2	2	89.00	356.00		163.74
0513	CLS	0001	CECILIA NO 1614 NOTICE I	4	2	105.00	840.00		364.60
0520	CLS	0001	CECILIA NO 1719 NOTICE I	4	2	79.00	632.00		278.28
0522	CLS	0001	CECILIA NO 1758 NOTICE O	2	2	71.00	284.00		133.86
0526	CLS	0001	CECILIA NO 1797 NOTICE O	2	2	70.00	280.00		132.20
0528	CLS	0001	CECILIA NO 1825 NOTICE O	2	2	196.00	784.00		341.36
0528	CLS	0001	CECILIA NO 1826 NOTICE O	2	2	190.00	760.00		337.00
									2011 JUN - 8 PM 3:29
Current		Over 30 Days	Over 60 Days	Over 90 Days	Over 120 Days	Total Due			
3,915.00		2,344.36	.00	.00	.00	6,259.36			
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THE DESERT SUN PUBLISHING CO.
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9.10 of 06/07/11

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County of Riverside

Advertiser:

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2000263961

I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: .The Desert Sun

5/28/2011

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of May, 2011 in Palm Springs, California



Declarant's Signature

No 1825
NOTICE OF PUBLIC HEARING BEFORE
THE BOARD OF SUPERVISORS OF THE
COUNTY OF RIVERSIDE

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on Tuesday, June 7, 2011 at 9:30 a.m. to consider adoption of the following ordinance:

ORDINANCE NO. 449,244
AN ORDINANCE OF THE COUNTY OF RIVERSIDE EXTENDING URGENCY INTERIM ORDINANCE NO. 449,239 PROHIBITING PAROLEE-PROBATIONER HOMES

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

Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449,239, previously extended by Ordinance No. 449,240, is hereby further extended for one (1) year from the date of expiration of Ordinance No. 449,240, during which time parolee-probationer homes are prohibited in the unincorporated area of Riverside County because they may be in conflict with a contemplated zoning proposal that the Planning Department is studying and because they may subject County residents to the adverse effects described in Section 3, of this ordinance. Until this ordinance expires or is repealed, the County shall not issue a land use approval, a building permit or any other entitlement for a parolee-probationer home in the County. Ordinance No. 449,239 shall remain in effect and shall operate a parolee-probationer home in the County. As used in this ordinance, the following terms shall have the following meanings:

a. Parolee-Probationer Home. Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any state-licensed residential care facility serving six (6) or fewer persons. In determining whether a state-licensed residential care facility serves six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime and sentenced to a conditional and revocable release in the community under the supervision of a federal parole officer, a person serving a period of supervised community custody as defined by Penal Code section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 12500 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1500 et seq., and 11834.20 et seq., and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348, this ordinance is hereby declared to be an emergency measure and shall take effect upon its adoption. It shall be of no further force or effect one (1) year from the date of expiration of Ordinance No. 449,240. 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 to the area.

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

Based on reports generated by various agencies throughout California, parolee-probationer homes often result in increased criminal activity and generate a disproportionate burden on law enforcement services and unduly burden other segments of the community. These services often result in increased costs to the County.

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of May, 2011 in Palm Springs, California



Declarant's Signature

the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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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.

Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance took place in May of this year.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239.

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the hearing or may appear and be heard in support or opposition to the project at the time of the hearing. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public hearing.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

Published: 5/28/11



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Press-Enterprise

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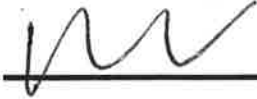
Ad Desc.: Adoption of Ord. 449.244

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:

06-17-11

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

Date: Jun. 17, 2011
At: Riverside, California



BOARD OF SUPERVISORS

P.O. BOX 1147
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BOARD OF SUPERVISORS OF THE COUNTY OF
RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 449.244
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
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. Pursuant to section 65858 of the Government Code and section 20.4 of Ordinance No. 348 and, notwithstanding any provision of Ordinance No. 348 to the contrary, Ordinance No. 449.239, previously extended by Ordinance No. 449.240, is hereby further extended for one (1) year from the date of expiration of Ordinance No. 449.240, during which time parolee-probationer homes are prohibited in the unincorporated area of Riverside County because they may be in conflict with a contemplated zoning proposal that the Planning Department is studying and because they may subject County residents to the adverse effects described in Section 3. of this ordinance. Until this ordinance expires or is repealed, the County shall not issue a land use approval, a building permit or any other entitlement for a parolee-probationer home and no person shall operate a parolee-probationer home in the County. As used in this ordinance, the following terms shall have the following meanings:

a. Parolee-Probationer Home. Any residential building, or portion thereof, owned or operated by any person which houses two (2) or more parolee-probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given or paid by the parolee-probationers, or given or paid by any person on behalf of the parolee-probationers, excluding any state-licensed residential care facility serving six (6) or fewer persons. In determining whether a state-licensed residential care facility serves six (6) or fewer persons, the licensee, members of the licensee's family and persons employed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime and sentenced to a United States federal prison who has received conditional and revocable release in the community under the supervision of a federal parole officer; a person serving a period of supervised community custody as defined by Penal Code section 3000, following a term of imprisonment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq. and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. 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 one (1) year from the date of expiration of Ordinance No. 449.240. 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.

Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance was held May 25, 2011.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449.240, and the adoption of Ordinance No. 449.239.

Bob Buster, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 7, 2011, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley

NAYS: None

ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

6/17

The Desert Sun

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07/15/11	7,014.48
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0530			BALANCE FORWARD						6,259.36
0617			PAYMENT - THANK YOU						3,134.86-
0528	CLS	0001	CECILIA NO 1827 NOTICE I	4	2	63.00	504.00		215.16
0603	CLS	0001	CECILIA NO 1882 BOARD OF	2	2	120.00	480.00		215.20
0605	CLS	0001	CECILIA NO 1921 NOTICE O	4	2	158.00	1264.00		540.56
0611	CLS	0001	CECILIA NO 2004 NOTICE O	4	2	105.00	840.00		364.60
0615	CLS	0001	CECILIA NO 2018 NOTICE	10	2	47.00	940.00		406.10
0617	CLS	0001	CECILIA NO 2066 BOARD OF	2	2	183.00	732.00		319.78
0617	CLS	0001	CECILIA NO 2067 BOARD OF	2	2	715.00	2860.00		1,202.90
0617	CLS	0001	CECILIA NO 2065 NOTICE O	2	2	87.00	348.00		160.42
0622	CLS	0001	CECILIA NO 2110 BOARD OF	2	2	157.00	628.00		276.62
0622	CLS	0001	CECILIA NO 2111 NOTICE O	2	2	104.00	416.00		188.64
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									9.10 of 06/07/11
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3,099.48	3,915.00	.00	.00	.00	7,014.48				
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The Desert Sun
750 N Gene Autry Trail
Palm Springs, CA 92262
760-778-4578 / Fax 760-778-4731

Certificate of Publication

No 2066
BOARD OF SUPERVISORS OF THE COUNTY
OF RIVERSIDE, STATE OF CALIFORNIA

ORDINANCE NO. 449.244
AN ORDINANCE OF THE COUNTY OF RIVER-
SIDE EXTENDING URGENCY INTERIM ORDI-
NANCE NO. 449.239 PROHIBITING PAROLEE-
PROBATIONER HOMES

The Board of Supervisors of the County of River-
side ordains as follows:
Section 1. Pursuant to section 65858 of the Gov-
ernment Code and section 20.4 of Ordinance No.
348 and, notwithstanding any provision of Ordinance
No. 348 to the contrary, Ordinance No.
449.239, previously extended by Ordinance No.
449.240, is hereby further extended for one (1)
year from the date of expiration of Ordinance No.
449.240, during which time parolee-probationer
homes are prohibited in the unincorporated area
of Riverside County because they may be in con-
flict with a contemplated zoning proposal that the
Planning Department is studying and because
they may subject County residents to the adverse
effects described in Section 3. of this ordinance.
Until this ordinance expires or is repealed, the
County shall not issue a land use approval, a
building permit or any other entitlement for a
parolee-probationer home and no person shall op-
erate a parolee-probationer home in the County.
As used in this ordinance, the following terms shall
have the following meanings:

a. Parolee-Probationer Home. Any residential
building, or portion thereof, owned or operated by
any person which houses two (2) or more parolee-
probationers, unrelated by blood, marriage, or leg-
al adoption, in exchange for monetary or non-
monetary consideration given or paid by the
parolee-probationers, or given or paid by any per-
son on behalf of the parolee-probationers, exclud-
ing any state-licensed residential care facility serv-
ing six (6) or fewer persons. In determining
whether a state-licensed residential care facility
serves six (6) or fewer persons, the licensee,
members of the licensee's family and persons em-
ployed as facility staff shall not be counted.

b. Parolee. A person convicted of a federal crime
and sentenced to a United States federal prison
who has received conditional and revocable re-
lease in the community under the supervision of a
federal parole officer; a person serving a period of
supervised community custody as defined by Pen-
al Code section 3000, following a term of impris-
onment in a state prison, who is under the supervi-
sion of the California Department of Corrections
and Rehabilitation, Division of Adult Parole Opera-
tions; or an adult or juvenile sentenced to a term in
the California Department of Corrections and Re-
habilitation, Division of Juvenile Facilities (formerly
known as the "California Youth Authority") who
has received conditional and revocable release in
the community under the supervision of the Cali-
fornia Department of Corrections and Rehabilitation,
Division of Juvenile Parole Operations.

c. Probationer. A person convicted of a felony
who has received a suspension of the imposition
of execution of a sentence and an order of condi-
tional and revocable release in the community un-
der the supervision of a probation officer.

d. State-Licensed Residential Care Facility. A fa-
cility licensed by the State of California to provide
residential care services, including those facilities
described in Health & Safety Code sections 1250
et seq., 1500 et seq., 1568.01 et seq., 1569 et
seq., 1760 et seq., and 11834.20 et seq. and
those facilities described in Welfare and Institu-
tions Code section 5116.

Section 2. 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. Pursuant to section 65858 of the Gov-
ernment Code and section 20.4 of Ordinance No.
348, this ordinance is hereby declared to be an ur-
gency measure and shall take effect upon its
adoption. It shall be of no further force or effect
one (1) year from the date of expiration of Ordinance
No. 449.240. 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 rea-
sons:

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 Re-
habilitation is increasingly placing parolees and
probationers in the County even when they com-
mitted 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 crimi-
nal activity and generate a disproportionate num-
ber of requests for law enforcement services; this
adversely affects other segments of the commu-
nity 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 sec-
ondary effects, such as encouraging the illegal
conversion of garages and living spaces into
sleeping spaces;

The harmful secondary effects associated with

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County of Riverside

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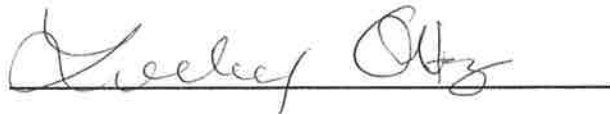
I am over the age of 18 years old, a citizen of the United States and not a party to, or have interest in this matter. I hereby certify that the attached advertisement appeared in said newspaper (set in type not smaller than non pariel) in each and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

Newspaper: The Desert Sun

6/17/2011

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 17th day of June, 2011 in Palm Springs, California.



Declarant's Signature

I acknowledge that I am a principal clerk of the printer of The Desert Sun, printed and published weekly in the City of Palm Springs, County of Riverside, State of California. The Desert Sun was adjudicated a newspaper of general circulation on March 24, 1988 by the Superior Court of the County of Riverside, State of California Case No. 191236.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 17th day of June, 2011 in Palm Springs, California.



Declarant's Signature

onment in a state prison, who is under the supervision of the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations; or an adult or juvenile sentenced to a term in the California Department of Corrections and Rehabilitation, Division of Juvenile Facilities (formerly known as the "California Youth Authority") who has received conditional and revocable release in the community under the supervision of the California Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations.

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.

d. State-Licensed Residential Care Facility. A facility licensed by the State of California to provide residential care services, including those facilities described in Health & Safety Code sections 1250 et seq., 1500 et seq., 1568.01 et seq., 1569 et seq., 1760 et seq., and 11834.20 et seq. and those facilities described in Welfare and Institutions Code section 5116.

Section 2. 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. 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 one (1) year from the date of expiration of Ordinance No. 449,240. 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.

Section 4. In adopting this ordinance, the Board finds each of the following: continued approval of the development of multi-family housing projects that parolee-probationers may occupy would have the specific, adverse impacts upon the public health or safety described in Section 3. of this ordinance; this ordinance is necessary to mitigate or avoid these specific, adverse impacts; and there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impacts as well or better, with a less burdensome or restrictive effect, than the adoption of this ordinance.

Section 5. In adopting this ordinance, the Board reports that the following measures have been taken to alleviate the condition which led to its adoption, the adoption of Ordinance No. 449,240, and the adoption of Ordinance No. 449,239: the Planning Department, in consultation with the Office of County Counsel, is currently engaged in a comprehensive revision of the County's zoning ordinance. As part of this comprehensive revision, the Planning Department is studying and formulating regular zoning regulations, consistent with State law, that adequately address parolee-probationer homes and protect the public from their harmful secondary effects. A Planning Commission workshop regarding the revised zoning ordinance was held May 25, 2011.

Section 6. At least ten (10) days prior to the expiration of this ordinance, the Board, in consultation with the Planning Director, shall issue a written report describing therein all measures taken to alleviate the condition which led to the adoption of this ordinance, the adoption of Ordinance No. 449,240, and the adoption of Ordinance No. 449,239.

Bob Buster, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on June 7, 2011, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Buster, Stone, Benoit and Ashley
NAYS: None
ABSENT: Tavaglione

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant