

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



3.74

On motion of Supervisor Buster, seconded by Supervisor Benoit and duly carried, IT WAS ORDERED the reading being waived, that an ordinance bearing the following title, is adopted:

**ORDINANCE NO. 875.1**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE 875**  
**ESTABLISHING A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE**  
**PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE**  
**COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN**

Roll Call:

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

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on July 26, 2011 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: July 26, 2011  
Kecia Harper-Ihem, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By:  Deputy

AGENDA NO.  
3.74

xc: TLMA, MC, COB



1 greater than the amount of the Fee to be paid by that project.”

2 Section 4. Subsection H. of Section 2. of Ordinance No. 875 is amended to read as  
3 follows:

4 “H. The facts and evidence provided to and considered by the  
5 Board of Supervisors establish that there is a reasonable relationship between the need for  
6 acquiring and conserving in perpetuity the natural ecosystems and covered species  
7 identified in the MSHCP, and the impacts to such natural ecosystems and species created  
8 by the types of development on which the Fee will be imposed; and that there is a  
9 reasonable relationship between the Fee’s use and the types of development for which the  
10 Fee is charged. This reasonable relationship is described in more detail in the MSHCP and  
11 Mitigation Fee Nexus Report.”

12 Section 5. Subsection I. of Section 2. of Ordinance No. 875 is amended to read as  
13 follows:

14 “I. The Fees collected pursuant to this Ordinance are reasonable  
15 and will not exceed the estimated total cost of the acquisition and perpetual conservation of  
16 the lands necessary to protect natural ecosystems and covered species set forth in the  
17 MSHCP. Conservation of the land shall require monitoring and management beyond the  
18 life of the MSHCP permit.”

19 Section 6. Subsection J. of Section 2. of Ordinance No. 875 is amended to read as  
20 follows:

21 “J. The Fees shall be used to finance the acquisition and  
22 perpetual conservation of lands and certain improvements necessary to implement the  
23 goals and objectives of the MSHCP.”

24 Section 7. The definition of “Coachella Valley Conservation Commission” set forth in  
25 Section 4. of Ordinance No. 875 is amended to read as follows:

26 “ ‘Coachella Valley Conservation Commission’ or ‘Commission’ means the  
27 governing body established pursuant to the MSHCP that is delegated the authority to  
28 oversee and implement the provisions of the MSHCP.”

1           Section 8.     Section 4 of Ordinance No. 875 is amended to add the definition of  
2 Conservation after the definition of Coachella Valley Conservation Commission to read as follows:

3           “ ‘Conservation’ means all the actions necessary for the permanent  
4 protection of species, natural communities and habitat land as required of the Commission  
5 under the MSHCP including land acquisition, land management, biological monitoring,  
6 law enforcement and administration.”

7           Section 9.     The definition of “Revenue” or “Revenues” set forth in Section 4. of  
8 Ordinance No. 875 is amended to read as follows:

9           “ ‘Revenue’ or ‘Revenues’ means any funds received by the County  
10 pursuant to the provisions of this Ordinance for the purpose of defraying all or a portion of  
11 the cost of acquiring and perpetually conserving vegetation communities and natural areas  
12 within the County and the region which are known to support threatened, endangered or  
13 key sensitive populations of plant and wildlife species.”

14           Section 10.   Section 5. of Ordinance No. 875 is amended to read as follows:

15           “Section 5.   LOCAL DEVELOPMENT MITIGATION FEE.

16           A.     To assist in providing revenue to acquire and conserve in  
17 perpetuity lands necessary to implement the MSHCP, the Fee shall be paid for each  
18 residential unit, Development Project or portion thereof to be constructed within the  
19 County. Five categories of the Fee are defined and include: residential units, density less  
20 than 8.0 dwelling units per acre; residential units, density between 8.1 and 14.0 dwelling  
21 units per acre; residential units, density greater than 14.1 dwelling units per acre;  
22 commercial acreage; and industrial acreage. Because there can be mixed traditional  
23 commercial, industrial and residential uses within the same project, for Fee assessment  
24 purposes only, the Fee which is applicable to commercial or industrial Development  
25 Projects shall be applied to the whole Project based upon the existing underlying zoning  
26 classification of the property at the time of issuance of a building permit. The following  
27 Fee shall be paid for each Development Project to be constructed within the boundaries of  
28 the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community

1 Conservation Plan fee area. The fees are calculated using an Equivalent Benefit Unit  
2 methodology:

- 3 1. Residential, density less than 8.0 dwelling units per  
4 acre - \$1,254.00 per dwelling unit.
- 5 2. Residential, density between 8.1 and 14.0 dwelling  
6 units per acre - \$521.00 per dwelling unit.
- 7 3. Residential, density greater than 14.1 dwelling units  
8 per acre - \$230.00 per dwelling unit.
- 9 4. Commercial - \$5,600.00 per acre.
- 10 5. Industrial - \$5,600.00 per acre.

11 B. The amount of the Local Development Mitigation Fee for a  
12 commercial or industrial Development Project required to be paid shall be based on the  
13 acreage to be developed and shall be calculated on the basis of Project Area, in accordance  
14 with the following:

- 15 1. The Project Area shall be determined by County staff  
16 based on the subdivision map, plot plan, and other information submitted to or required by  
17 the County.
- 18 2. If the difference between the net acreage, as exhibited  
19 on the plot plan, and the Project Area is less than one-quarter acre, the Fee shall be paid on  
20 the full gross acreage.
- 21 3. An applicant may elect, at his or her own expense, to  
22 have a Project Area dimensioned, calculated, and certified by a registered civil engineer or  
23 licensed land surveyor. The engineer or land surveyor shall prepare a wet-stamped letter  
24 of certification of the Project Area dimensions and a plot plan exhibit thereto that clearly  
25 delineates the Project Area. Upon receipt of the letter of certification and plot plan exhibit,  
26 the County shall review submitted documents. If the Project Area dimensions, the letter of  
27 certificate, and the plot plan are acceptable to the County, the County shall calculate the  
28 Local Development Mitigation Fee required to be paid based on the certified Project Area.

1 If the Project Area dimensions, the letter of certification, and the plot plan are not  
2 acceptable to the County, the applicant shall perform such actions as directed by the  
3 County in order to resolve any deficiencies perceived by the County.

4 4. Where construction or other improvements on Project  
5 Area are prohibited due to legal restrictions on the Project Area, such as Federal  
6 Emergency Management Agency designated floodways or areas legally required to remain  
7 in their natural state, that portion of the Project Area so restricted shall be excluded for the  
8 purpose of calculating the Local Development Mitigation Fee.”

9 Section 11. Section 6. of Ordinance No. 875 is amended to read as follows:

10 “Section 6. COACHELLA VALLEY MULTIPLE SPECIES HABITAT  
11 CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN FEE  
12 AREA BOUNDARY. The boundary of the Coachella Valley Multiple Species Habitat  
13 Conservation Plan/Natural Community Conservation Plan fee area is the same as the  
14 MSHCP boundary set forth in the MSHCP and in Exhibit A which is attached hereto and  
15 incorporated herein by this reference.”

16 Section 12. Section 7. of Ordinance No. 875 is amended to read as follows:

17 “Section 7. IMPOSITION OF THE LOCAL DEVELOPMENT  
18 MITIGATION FEE. No building permit shall be issued for any Development Project  
19 except upon the condition that the Local Development Mitigation Fee applicable to such  
20 Development Project has been paid in accordance with the provisions of this Ordinance.”

21 Section 13. Subsection B. of Section 8 of Ordinance No. 875 is amended to read as

22 follows:

23 “B. The Local Development Mitigation Fee shall be assessed one  
24 time per lot or parcel, except in cases of changes in land use. The Fee required to be paid  
25 when there is a change in land use shall be reduced by the amount of any previously paid  
26 Fee for that property. No refunds shall be provided for changes in land use to a lower Fee  
27 category. It shall be the responsibility of the applicant to provide documentation of any  
28 previously paid Fee.”

1            Section 14.    Subsection H. of Section 8 of Ordinance No. 875 is amended to read as  
2 follows:

3            “H.    For Development Projects which the County does not require  
4 a final inspection or issuance of a certificate of occupancy, the Fee shall be paid prior to  
5 any use or occupancy.”

6            Section 15.    Subsection J. of Section 8 of Ordinance No. 875 is amended to read as  
7 follows:

8            “J.    The Local Development Mitigation Fee for wind turbines  
9 and other structures and disturbances related to the location or siting of wind turbines shall  
10 be calculated solely upon the net permanent above ground disturbance area. Said Fee shall  
11 not in this instance be calculated based upon the size of the parcel of land containing the  
12 wind turbine, other related structures or disturbances.”

13           Section 16.    Subsection A. of Section 10. of Ordinance No. 875 is amended to read as  
14 follows:

15           “A.    All Fees paid pursuant to this Ordinance shall be deposited,  
16 accounted for, and expended in accordance with Section 66006 of the Government Code  
17 and all other applicable provisions of law.”

18           Section 17.    Subsection B. of Section 10. of Ordinance No. 875 is amended to read as  
19 follows:

20           “B.    Subject to the provisions of this section, all Fees collected  
21 pursuant to this Ordinance shall be remitted monthly to the Coachella Valley Conservation  
22 Commission and will be expended solely for the purpose of conservation of the vegetation  
23 communities and natural areas within the County and the region which support species  
24 covered in the MSHCP in accordance with the provisions of the MSHCP.”

25           Section 18.    Section 11. of Ordinance No. 875 is amended to read as follows:

26           “Section 11.    AUTOMATIC ANNUAL FEE ADJUSTMENT.    The Fee  
27 established by this Ordinance shall be revised annually by means of an automatic  
28 adjustment at the beginning of each fiscal year based on the average percentage change

1 over the previous calendar year set forth in the Consumer Price Index for "All Urban  
2 Consumers" in the Los Angeles-Anaheim-Riverside Area, measured as of the month of  
3 December in the calendar year which ends in the previous fiscal year. The first Fee  
4 adjustment shall not be made prior to a minimum of ten (10) months subsequent to the  
5 effective date of this Ordinance. The Fee, as revised annually, shall be compiled by the  
6 Coachella Valley Conservation Commission and shall be included in an annual report to  
7 the Board of Supervisors pertaining to the accounting for the MSHCP Fee as required by  
8 Government Code section 66006."

9 Section 19. Subsection G. of Section 12. of Ordinance No. 875 is amended to read as  
10 follows:

11 "G. Guest Quarters as defined in Section 21.35a of Ordinance  
12 No. 348."

13 Section 20. Section 13. of Ordinance No. 875 is amended to read as follows:

14 "Section 13. FEE CREDITS. The County may grant to owners or  
15 developers of real property, a Credit against the Fee that would otherwise be charged  
16 pursuant to this Ordinance, for the dedication of land determined to be necessary for  
17 inclusion in the MSHCP Conservation Area, provided, however, that no Credit shall be  
18 given unless 1. the dedication is secured by a conservation easement acceptable to a  
19 grantee legally authorized to accept and hold such easements pursuant to Civil Code  
20 section 815.3 or pursuant to another legal instrument that ensures the area will be  
21 conserved in perpetuity; 2. the land to be dedicated is appropriate for conservation and  
22 dedication thereof is consistent with and furthers the goals of the MSHCP; and 3. the  
23 dedication and Credit complies with all procedures and policies of the Coachella Valley  
24 Conservation Commission. The amount of the Credit granted shall be determined by an  
25 estimate of the fair market value of the land dedicated. Any Credit granted by the County  
26 shall be given in stated dollar amounts only. An applicant for a proposed Development  
27 Project may apply for Credit to reduce the amount of the Fee required to be paid prior to  
28 approval of the Development Project. Any Credit granted and the amount of the Fee to be



1 paid shall be included as a condition of approval for the Development Project. However, if  
2 an applicant has already received approval from the County and has not previously applied  
3 for a Credit to reduce the amount of the Fee required to be paid, an applicant may apply for  
4 such Credit at any time prior to issuance of a grading permit for the Development Project.  
5 Any Credit granted and the amount of the Fee required to be paid shall be included as a  
6 condition of approval on the grading permit issued for the Development Project.”

7 Section 21. This ordinance shall take effect on September 1, 2011.

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

10 By: Bob Buster  
11 Chairman  
Bob Buster

12 ATTEST: Kecia Harper-Ihem

13 CLERK OF THE BOARD:

14 By: Kecia Harper-Ihem  
15 Deputy

16  
17  
18 (SEAL)  
19  
20  
21

22 APPROVED AS TO FORM:

23 June 22, 2011

24 By: Karin Watts Bazan  
25 KARIN WATTS-BAZAN  
26 Principal Deputy County Counsel

27 KWB:ay  
06/22/11

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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 July 26, 2011, the foregoing ordinance consisting of 21 Sections was adopted by the following vote:

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

DATE:        July 26, 2011

KECIA HARPER-IHEM  
Clerk of the Board  
BY: *Kecia Harper-Ihem*  
Deputy

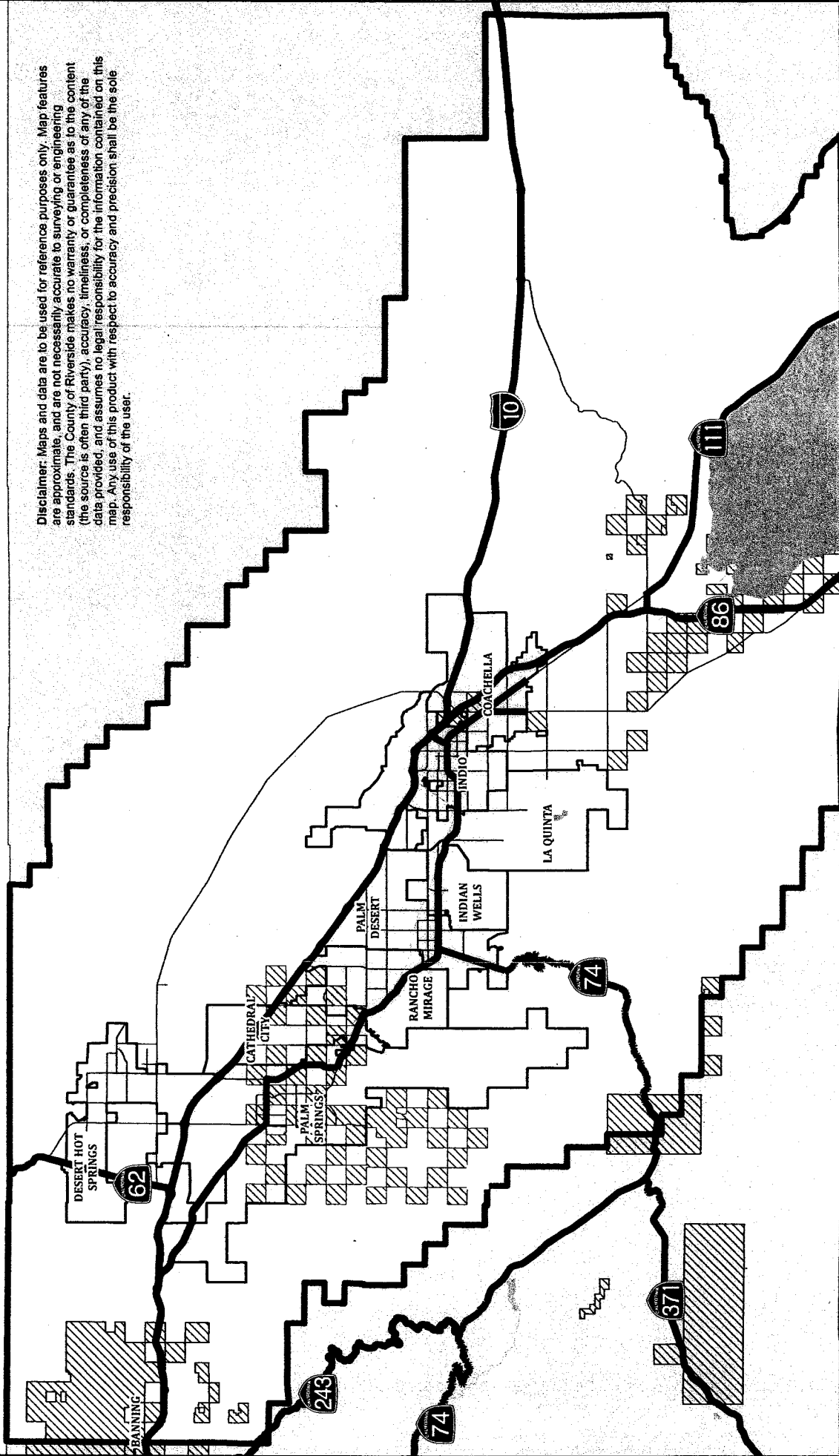
SEAL

# Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) Area

SAN BERNARDINO COUNTY

## Exhibit A

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



CVMSHCP Boundary  
 City Boundaries  
 Indian Reservation (Not a Part)  
 Major Roads

SAN DIEGO COUNTY

IMPERIAL COUNTY



July 12 2011



# COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



George A. Johnson  
Agency Director

Carolyn Syms Luna  
Director  
Planning Department

Juan C. Perez  
Director  
Transportation Department

Mike Lara  
Director  
Building & Safety Department

Glenn Baude  
Director  
Code Enforcement Department

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 12th Floor  38686 El Cerrito Road  
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201  
 County of Riverside County Clerk  Riverside, CA 92502-1409

Project Title/Case No.: Ordinance No. 875.1 – amending Ordinance No. 875 the CVMSHCP

Project Location: In the unincorporated area of Riverside County, more specifically located in the Eastern Riverside County.

Project Description: Ordinance No. 875.1 amends Ordinance No. 875 to reduce the Local Development Mitigation Fee (LDMF) for funding the preservation of natural ecosystems in accordance with the requirements of the Coachella Valley Multiple Species Habitat Conservation Plan. Additionally, the LDMF collected will be used for management and monitoring; includes a new LDMF boundary exhibit; changes the guest dwelling exemption to a guest quarter exemption; incorporates revisions to the fee credit provisions of the ordinance; and corrects minor typographical errors.

Name of Public Agency Approving Project: County of Riverside, Transportation and Land Management Agency

Project Sponsor: Transportation and Land Management Agency, Administrative Services

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (\_\_\_\_)
- Statutory Exemption (\_\_\_\_)
- Other: Section 15061 (b) 3

Reasons why project is exempt: Ordinance No. 875.1 reduces the Mitigation Fee to be collected and makes other minor changes to Ordinance 875. There are no issues of concern based on the findings of General Rule Exemptions of the CEQA Guidelines sec. 15061 (b) 3. "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment the activity is not subject to CEQA." The fee reduction and minor implementation changes to Ordinance No. 875 do not have an impact on the environment.

Dianna Ross 951-955-6574

County Contact Person

Phone Number

Dianna Ross  
Signature

Regional Office Manager  
Title

6/29/11  
Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

Revised: 3/15/10: Y:\Planning Master Forms\Templates\CEQA Forms\NOE Form.docx

No fee, 6103 Government Code, Benefit of Riverside County

FOR COUNTY CLERK'S USE ONLY

JUL 26 2011 374

Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

7/27/11  
Date

kb  
Initial



**COUNTY OF RIVERSIDE  
TRANSPORTATION AND LAND MANAGEMENT AGENCY**



*George A. Johnson  
Agency Director*

*Carolyn Syms Luna  
Director  
Planning Department*

*Juan C. Perez  
Director  
Transportation Department*

*Mike Lara  
Director  
Building & Safety Department*

*Glenn Baude  
Director  
Code Enforcement Department*

324

**DATE:** June 30, 2011

**TO:** Clerk of the Board of Supervisors

**FROM:** Transportation and Land Management Agency - Administrative Services

**SUBJECT:** Ordinance No. 875.1 - amending the CVMSHCP Ordinance No. 875

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- |  |   |
|--|---|
| <input type="checkbox"/> Place on Administrative Action (Receive & File;<br><input type="checkbox"/> Labels provided If Set For Hearing<br><input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day | <input type="checkbox"/> Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)<br><input type="checkbox"/> Publish in Newspaper:                |
| <input type="checkbox"/> Place on Consent Calendar   | <input type="checkbox"/> **SELECT CEQA Determination**<br><input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day |
| <input checked="" type="checkbox"/> Place on Policy Calendar (Resolutions; Ordinances;   | <input type="checkbox"/> Notify Property Owners (app/agencies/property owner labels provided)   |
| <input type="checkbox"/> Place on Section Initiation Proceeding  | Controversial: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  |

Please schedule on the July 12, 2011 BOS Agenda

**Documents to be sent to County Clerk's Office for Posting within five days:**

Notice of Exemption

No fee, 6103 Government Code, Benefit of Riverside County

**Do not send these documents to the County Clerk for  
posting until the Board has taken final action on the subject cases.**

**Packet also includes Ordinance summary for your use,  
Pursuant to California Government Code Section 25124(b)**

**SUMMARY OF ORDINANCE NO. 875.1**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING**  
**ORDINANCE NO. 875 ESTABLISHING A LOCAL DEVELOPMENT MITIGATION**  
**FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN**  
**ACCORDANCE WITH THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT**  
**CONSERVATION PLAN**

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 875.1 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 875.1 amends Ordinance No. 875 to reduce the Local Development Mitigation Fee (LDMF) for funding the preservation of natural ecosystems in accordance with the requirements of the Coachella Valley Multiple Species Habitat Conservation Plan. Additionally, this amendment revises Ordinance No. 875 to allow the LDMF collected to be used for management and monitoring; includes a new LDMF boundary exhibit; changes the guest dwelling exemption to a guest quarter exemption; incorporates revisions to the fee credit provisions of the ordinance; and corrects minor typographical errors.

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

324



**FROM:** Transportation and Land Management Agency

**SUBMITTAL DATE:**  
June 22, 2011

**SUBJECT:** Amendment to Ordinance No. 875 - CVMSHCP Mitigation Fee

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Adopt the findings of the Nexus Study dated May 2011 for the Local Development Mitigation Fee; and
2. Introduce Ordinance No. 875.1 and adopt said Ordinance on successive weeks.

**BACKGROUND:** The Coachella Valley Conservation Commission (CVCC) has prepared a new Nexus Study dated May 2011 to analyze the current overall financing of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). CVCC staff worked with the nexus consultant, Wildan Financial Services, to develop funding scenarios that would address the numerous changes in potential revenue for the CVMSHCP since the 2007 Nexus Study, without

*George A. Johnson*  
George A. Johnson  
Director, Transportation and Land Management Agency

FORM APPROVED COUNTY COUNSEL  
 BY: KARIN L. WATTS-BAZAN  
 DATE: 5/23/11  
 Departmental Concurrence

|                       |                               |        |                         |     |
|-----------------------|-------------------------------|--------|-------------------------|-----|
| <b>FINANCIAL DATA</b> | Current F.Y. Total Cost:      | \$ N/A | In Current Year Budget: | N/A |
|                       | Current F.Y. Net County Cost: | \$ N/A | Budget Adjustment:      | N/A |
|                       | Annual Net County Cost:       | \$ N/A | For Fiscal Year:        | N/A |

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

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

APPROVE

BY: *Tina Grande*  
Tina Grande

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended, and the above ordinance is approved as introduced with waiver of reading.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
 Nays: None  
 Absent: None  
 Date: July 12, 2011  
 xc: TLMA, COB

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *Kecia Harper-Ihem*  
 Deputy

Prev. Agn. Ref. 6/28/11, 3.7 | District: 4,5 | Agenda Number:

**3.40**

raising the current mitigation fee. Additionally, a market study was prepared by Mike Scarcella, Capital Realty Analysts. The market study explored the CVCC practice of purchasing the most biologically sensitive land with the greatest development potential, the possibility of revising the acquisition period from 30 years to 45 years and the CVCC practice on future land acquisition.

The Nexus Study provides the technical documentation required to update the mitigation fee pursuant to the requirements of the Mitigation Fee Act set forth in the Government Code. This analysis recognizes the following changes in key program assumptions:

1. An increase in the acquisition period from 30 to 45 years.
2. Land acquisition for Reserve System that occurred since late 2006 has reduced the amount of acreage CVCC must acquire in future years.
3. Land price estimates have been adjusted to reflect the CVCC's recent experience and priority locations in the short run, and updated market study values in the long run.
4. Estimates of annual land development have been revised downward to reflect actual, recent development patterns in the Coachella Valley and the constraints of the current economic climate.
5. Eagle Mountain Landfill is no longer considered a source of revenue.

The 2011 Nexus Study supports lowering the commercial/industrial fee from \$5730 to \$5600 per disturbed acre. It also allow for the residential per unit fee to be adjusted as shown in the table below.

|                               | Current based<br>on 2007 Nexus<br>Study | Proposed based<br>on 2011 Nexus<br>Study |
|-------------------------------|---|--|
| <u>Residential:</u>           |   |  |
| 0-8 units/acre, per unit      | \$1,284                                 | \$1,254                                  |
| 8.1 – 14 units/acre, per unit | \$533                                   | \$521                                    |
| 14+ units/acre, per unit      | \$235                                   | \$230                                    |

Additionally, the proposed amendment revises Ordinance No. 875 as follows:

1. Allows fees collected to be used for management and monitoring in addition to the acquisition of property for conservation pursuant to the requirements of the CVMSHCP.
2. Includes a new exhibit identifying the CVMSHCP boundary as the fee area boundary.
3. Changes the guest dwelling exemption to a guest quarter exemption consistent with the current requirements of Ordinance No. 348.
4. Incorporates certain revisions to the fee credit provisions requested by the CVCC.
5. Corrects minor typographical errors.





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

August 3, 2011

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

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

RE: ADOPTION OF ORDINANCE NO. 875.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, August 5, 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**

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**From:** PE Legals <legals@pe.com>  
**Sent:** Wednesday, August 03, 2011 8:04 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. NO. 875.1

Received for publication on Aug. 5

Thank You!

**enterprisemedia**

Publisher of the Press-Enterprise

Maria G. Tinajero • Legal Advertising Department

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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\*\*

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Tuesday, August 02, 2011 5:26 PM  
**To:** PE Legals  
**Subject:** FOR PUBLICATION: Adoption of Ord. NO. 875.1

Please publish attach on Friday, Aug. 5, 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.**



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

August 3, 2011

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

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

RE: ADOPTION OF ORDINANCE NO. 875.1

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Friday, August 5, 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

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**From:** Moeller, Charlene <CMOELLER@palmspri.gannett.com>  
**Sent:** Wednesday, August 03, 2011 8:40 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: Adoption of Ord. NO. 875.1

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](mailto:legals@thedesertsun.com) | [dpwlegals@thedesertsun.com](mailto:dpwlegals@thedesertsun.com)  
The Coachella Valley's #1 Source in News & Advertising!  
[www.mydesert.com](http://www.mydesert.com) | twitter @MyDesert | facebook MyDesert.com

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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Tuesday, August 02, 2011 5:27 PM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: Adoption of Ord. NO. 875.1

Attached is an Adoption of Ord., for publication on Friday, Aug. 5, 2011. Please confirm. THANK YOU!

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

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

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

**SUMMARY OF ORDINANCE NO. 875.1**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING**  
**ORDINANCE NO. 875 ESTABLISHING A LOCAL DEVELOPMENT MITIGATION FEE FOR**  
**FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE**  
**COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN**

This summary is presented pursuant to California Government Code Section 25124(b): a certified copy of the full text of Ordinance No. 875.1 may be examined at the Office of the Clerk of the Board of Supervisors of the County of Riverside, located at 4080 Lemon Street, 1<sup>st</sup> Floor, Riverside, California.

Ordinance No. 875.1 amends Ordinance No. 875 to reduce the Local Development Mitigation Fee (LDMF) for funding the preservation of natural ecosystems in accordance with the requirements of the Coachella Valley Multiple Species Habitat Conservation Plan. Additionally, this amendment revises Ordinance No. 875 to allow the LDMF collected to be used for management and monitoring; includes a new LDMF boundary exhibit; changes the guest dwelling exemption to a guest quarter exemption; incorporates revisions to the fee credit provisions of the ordinance; and corrects minor typographical errors.

Bob Buster, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 26, 2011**, the foregoing Ordinance consisting of twenty (21) 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



THE PRESS-ENTERPRISE **TM.com**



**WEEKLY**



**HS**

**8-MEDIA waves**

**LANDSOCAL**

| 10   | 11               | 12                                   | 13           | 15   | 16           | 17        | 18   | 19           | 20         |
|------|------------------|--------------------------------------|--------------|------|--------------|-----------|------|--------------|------------|
| DATE | REFERENCE NUMBER | DESCRIPTION - OTHER COMMENTS/CHARGES | PRODUCT/ZONE | SIZE | BILLED UNITS | TIMES RUN | RATE | GROSS AMOUNT | NET AMOUNT |

|            |                    |  |                  |           |     |   |      |        |        |
|------------|--------------------|--|------------------|-----------|-----|---|------|--------|--------|
| 08/05/2011 | 100586812-08052011 | BOARD OF SUPERVISORS OF THE CC<br>Order Placed by: Cecilia Gil | Press-Enterprise | 2 x 54 LI | 108 | 1 | 1.30 | 140.40 | 140.40 |
|------------|--------------------|--|------------------|-----------|-----|---|------|--------|--------|

RECEIVED RIVERSIDE COUNTY CLERK / BOARD OF SUPERVISORS  
 2011 AUG 18 PM 12:58

TLMA  
 3.74 of 07/26/11

### Legal Advertising Invoice

|                |
|----------------|
| <b>BALANCE</b> |
| \$140.40       |

| SALES CONTACT INFORMATION      |                         | ADVERTISER INFORMATION   |                        |                      |   |  |
|--------------------------------|-------------------------|--------------------------|------------------------|----------------------|---|--|
| 1                              | 25                      | 6                        | 7                      | 2                    | 7 |  |
| BILLING PERIOD                 | BILLED ACCOUNT NUMBER   | ADVERTISER/CLIENT NUMBER | ADVERTISER/CLIENT NAME |                      |   |  |
| Maria Tinajero<br>951-368-9225 | 08/05/2011 - 08/05/2011 | 100141323                | 100141323              | BOARD OF SUPERVISORS |   |  |

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE



Legal Advertising Invoice

| ADVERTISER/CLIENT NAME  |                       |                          |   |
|-------------------------|-----------------------|--------------------------|---|
| BOARD OF SUPERVISORS    |                       |                          |   |
| 1                       | 6                     | 7                        | 7 |
| BILLING PERIOD          | BILLED ACCOUNT NUMBER | ADVERTISER/CLIENT NUMBER |   |
| 08/05/2011 - 08/05/2011 | 100141323             | 100141323                |   |
| 23                      | 24                    | 3                        | 3 |
| BALANCE                 | INVOICE NUMBER        | TERMS OF PAYMENT         |   |
| \$140.40                | 100586812-08052011    | DUE UPON RECEIPT         |   |

8 BILLING ACCOUNT NAME AND ADDRESS

9 REMITTANCE ADDRESS

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

Enterprise Media  
 POST OFFICE BOX 12009  
 RIVERSIDE, CA 92502-2209

# 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)

Publication(s): Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: /

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 in 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

**08/05/2011**

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

Date: August 05, 2011



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

Ad Number: 0000586812-01

P.O. Number:

### Ad Copy:

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

**SUMMARY OF ORDINANCE NO. 875.1  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 875 ESTABLISHING  
A LOCAL DEVELOPMENT MITIGATION FEE FOR  
FUNDING THE PRESERVATION OF NATURAL  
ECOSYSTEMS IN ACCORDANCE WITH THE  
COACHELLA VALLEY MULTIPLE SPECIES  
HABITAT CONSERVATION PLAN**

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Ordinance No. 875.1 amends Ordinance No. 875 to reduce the Local Development Mitigation Fee (LDMF) for funding the preservation of natural ecosystems in accordance with the requirements of the Coachella Valley Multiple Species Habitat Conservation Plan. Additionally, this amendment revises Ordinance No. 875 to allow the LDMF collected to be used for management and monitoring; includes a new LDMF boundary exhibit; changes the guest dwelling exemption to a guest quarter exemption; incorporates revisions to the fee credit provisions of the ordinance; and corrects minor typographical errors.

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NAYS: None  
ABSENT: Tavaglione

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

8/5

# The Desert Sun

mydesert.com

750 N. Gene Autry Trail  
Palm Springs, CA 92262  
Billing Inquiries: (866) 875-0854  
Main Office: (760) 322-8889

## ADVERTISING INVOICE/STATEMENT

Make Checks payable to DESERT SUN PUBLISHING CO.  
P.O. Box 677368 Dallas, TX 75267-7368  
A finance charge of 1.5% per month(18% Annually) will be added to balances not paid by the 20th.

RIV069000000000000000000000041239910104075610825

85

RIVERSIDE COUNTY-BOARD OF SUP.  
PO BOX 1147  
RIVERSIDE CA 92502-1147

|                    |                   |
|--------------------|-------------------|
| Customer No.       | Invoice No.       |
| RIV069             | 0004123991        |
| For the Period     | Thru              |
| 08/01/11           | 08/28/11          |
| <b>Due Date</b>    | <b>Amount Due</b> |
| <b>09/15/11</b>    | <b>10,407.56</b>  |
| <b>AMOUNT PAID</b> |                   |

PLEASE RETURN THIS TOP SECTION WITH PAYMENT IN THE ENCLOSED ENVELOPE AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

| Date          | EDT            | Class           | Description              | Times Run    | Col                | Depth            | Total Size | Rate | Amount   |
|---------------|----------------|-----------------|--------------------------|--------------|--------------------|------------------|------------|------|----------|
| 0801          |                |                 | BALANCE FORWARD          |              |                    |                  |            |      | 6,339.88 |
| 0728          | CLS            | 0001            | CECILIA NO 2558 NOTICE I | 4            | 2                  | 79.00            | 632.00     |      | 278.28   |
| 0805          | CLS            | 0001            | CECILIA NO 2648 NOTICE O | 2            | 2                  | 127.00           | 508.00     |      | 226.82   |
| 0805          | CLS            | 0001            | CECILIA NO 2649 BOARD OF | 2            | 2                  | 173.00           | 692.00     |      | 303.18   |
| 0805          | CLS            | 0001            | CECILIA NO 2650 BOARD OF | 2            | 2                  | 52.00            | 208.00     |      | 102.32   |
| 0805          | CLS            | 0001            | CECILIA NO 2667 /DBF FY  | 1            | 5                  | 8.00             | 40.00      |      | 474.80   |
| 0806          | CLS            | 0001            | CECILIA NO 2668 NOTICE O | 2            | 2                  | 109.00           | 436.00     |      | 196.94   |
| 0811          | CLS            | 0001            | CECILIA NO 2710 NOTICE O | 2            | 2                  | 105.00           | 420.00     |      | 190.30   |
| 0824          | CLS            | 0001            | CECILIA NO 2846 BOARD OF | 2            | 2                  | 944.00           | 3776.00    |      | 1,583.04 |
| 0824          | CLS            | 0001            | CECILIA NO 2847 BOARD OF | 2            | 2                  | 90.00            | 360.00     |      | 165.40   |
| 0824          | CLS            | 0001            | CECILIA NO 2848 NOTICE I | 10           | 2                  | 47.00            | 940.00     |      | 406.10   |
| 0828          | CLS            | 0001            | CECILIA NO 2892 NOTICE O | 2            | 2                  | 75.00            | 300.00     |      | 140.50   |
| Current       |                | Over 30 Days    | Over 60 Days             | Over 90 Days | Over 120 Days      | <b>Total Due</b> |            |      |          |
| 4,067.68      |                | 3,240.40        | 3,099.48                 | .00          | .00                | <b>10,407.56</b> |            |      |          |
| Contract Type | Contract Qnty. | Expiration Date | Current Usage            | Total Used   | Quantity Remaining | Salesperson      |            |      |          |
|               |                |                 |                          |              |                    | MOELLER          |            |      |          |

RECEIVED RIVERSIDE COUNTY  
 CLERK/BOARD OF SUPERVISORS  
 2011 SEP - 7 PM 3:45

The Advertiser shall make payment within 15 days of the billing date indicated on Company's statement, and, in the event that it fails to make payment within such time, Company may reject advertising copy and / or immediately cancel this contract and Advertiser agrees to indemnify Company for all expenses incurred in connection with the collection of amounts payable under this contract, including but not limited to collection fees, attorney's fees and court costs. If this agreement is cancelled due to Advertiser's failure to make timely payment, Company may rebill the Advertiser for the outstanding balance due at the open or earned contract rate, whichever is applicable.

TO ENSURE PROPER CREDIT, PLEASE RETURN THE TOP SECTION AND INCLUDE YOUR CUSTOMER NUMBER ON REMITTANCE.

| Customer Number | Name                           | Invoice Number | Amount Paid |
|-----------------|--------------------------------|----------------|-------------|
| RIV069          | RIVERSIDE COUNTY-BOARD OF SUP. |                |             |

THE DESERT SUN PUBLISHING CO.  
ADVERTISING INVOICE/STATEMENT

3.74 of 07/26/11



The Desert Sun  
750 N Gene Autry Trail  
Palm Springs, CA 92262  
760-778-4578 / Fax 760-778-4731

**Certificate of Publication**

State Of California ss:  
County of Riverside

**Advertiser:**

RIVERSIDE COUNTY-BOARD OF SUP.  
4080 LEMON ST  
RIVERSIDE CA 925013

2000273419

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

8/5/2011

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 5th day of August, 2011 in Palm Springs, California.

Declarant's Signature

2011 AUG - 5 6:15:30

RECEIVED BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, CALIFORNIA

No 2650  
BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA  
**SUMMARY OF ORDINANCE NO. 875.1**  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 875 ESTABLISHING A LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE COACHELLA VALLEY MULTIPLE SPECIES HABITAT CONSERVATION PLAN  
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ABSENT: Tavaglione  
Kecia Harper-Ihem, Clerk of the Board  
By: Cecilia Gil, Board Assistant  
Published: 8/5/11