

ORDINANCE NO. 886
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
APPROVING AND ADOPTING THE REDEVELOPMENT PLAN
FOR THE DESERT COMMUNITIES REDEVELOPMENT PROJECT AREA,
AMENDMENT NO. 2-100 PALMS, OASIS, MECCA, AND NORTH SHORE SUB-AREAS

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

Section 1. FINDINGS.

- a. The Redevelopment Agency for the County of Riverside (the "Agency") has prepared a Redevelopment Plan for the Desert Communities Project Area, Amendment No. 2 – 100 Palms, Oasis, Mecca, and North Shore Sub-Areas (the "Redevelopment Plan" for the "Amendment Area") in compliance with the California Community Redevelopment Law (Health and Safety Code, Sections 33000, et seq.; the "CRL").
- b. The Board of Supervisors of the County of Riverside (the "Board of Supervisors") has received the following from the Agency:
 - i. The proposed Redevelopment Plan for the Amendment Area;
 - ii. The Agency report (the "Report to the Board of Supervisors") prepared pursuant to Section 33352 of the CRL;
 - iii. The reasons for the selection of the Amendment Area and a discussion of certain other matters as set forth in CRL Section 33352;
 - iv. An analysis of the physical and economic conditions existing in the Amendment Area;
 - v. The proposed method of financing the redevelopment of the Amendment Area;
 - vi. A plan for the relocation of business owners and tenants who may be temporarily or permanently displaced under the Redevelopment Plan as amended;
 - vii. An analysis of the Preliminary Plan, the report and recommendations of the Planning Commission of the County of Riverside (the "Planning Commission");
 - viii. The minutes of consultations with affected taxing agencies, the Final Environmental Impact Report on the Redevelopment Plan, and an implementation plan.
- c. The Planning Commission has submitted to the Board of Supervisors its report and recommendations for approval of the Redevelopment Plan and its certification that the Redevelopment Plan conforms to the Riverside County General Plan (the "General Plan").
- d. The Board of Supervisors and the Agency held a joint public hearing on December 16, 2008, concerning the adoption of the Redevelopment Plan.
- e. Notice of the hearing was duly and regularly published in a newspaper of general circulation in the County of Riverside in accordance with Section 33361 of the CRL, and a copy of said notice and affidavit of publication

- are on file with the Clerk of the Board of the County of Riverside and Secretary of the Agency.
- f. Copies of the notice of joint public hearing were mailed by first class mail to the last known address of each assessee, as shown on the last equalized assessment roll of the County of Riverside, of each parcel of land in the Amendment Area, to each resident, and to each business as practicable.
 - g. Copies of the notice of joint public hearing were mailed by certified mail with return receipt requested to the governing body of each taxing agency which receives taxes from property in the Amendment Area.
 - h. The Agency adopted on December 9, 2008, a method for the relocation of persons and businesses who may be displaced as a result of carrying out redevelopment activities in accordance with the Redevelopment Plan.
 - i. The Board of Supervisors has knowledge of the conditions in the Amendment Area and of the availability of suitable housing for the relocation of families and persons who may be displaced by redevelopment activities, and in light of such knowledge of local housing conditions, has carefully considered and reviewed such program for relocation.
 - j. The Board of Supervisors has considered the report and recommendations of the Planning Commission, the report of the Agency, the Redevelopment Plan and its economic feasibility, the feasibility of the relocation program and the Environmental Impact Report, and has provided an opportunity for all persons to be heard and has received and considered all evidence and testimony presented for or against any and all aspects of the Redevelopment Plan.
 - k. The Agency and the Board of Supervisors have reviewed and considered the Final Environmental Impact Report for the Redevelopment Plan, prepared and submitted pursuant to Public Resources Code Section 21151 and CRL Section 33352, and certified the completion of said Environmental Impact Report on January 6, 2009, by Board of Supervisors Resolution No. 2009-008.
 - l. The Amendment Area is a blighted area pursuant to CRL Section 33030. These findings are based in part on the research and facts contained in the Report to the Board of Supervisors.
 - m. The Amendment Area is a predominately urbanized area. As demonstrated by the Agency's Report to the Board of Supervisors, not less than eighty percent (80%) of the property in the Amendment Area is urbanized.
 - n. The Redevelopment Plan will assist in the Agency's efforts to redevelop the Amendment Area in conformity with the CRL and in the interests of the public health, safety and welfare. This finding is based in part upon the fact that redevelopment of the Amendment Area will implement the objectives of the CRL by aiding in the elimination and correction of the conditions of blight, providing for planning, development, redesign,

clearance, reconstruction or rehabilitation of properties which need improvement, and providing for higher economic utilization of potentially useful land.

- o. The adoption and carrying out of the Redevelopment Plan is economically sound and feasible. This finding is based in part on the fact that under the Redevelopment Plan no public redevelopment activity will be undertaken unless the Agency can demonstrate that it has adequate revenue to finance the activity; the Agency's Report to the Board of Supervisors further discusses and demonstrates the economic soundness and feasibility of the Redevelopment Plan and undertakings pursuant thereto.
- p. The Redevelopment Plan conforms to the General Plan, including, but not limited to, the Housing Element thereof. This finding is based in part on the finding of the Planning Commission that the Redevelopment Plan conforms to the General Plan.
- q. The carrying out of the Redevelopment Plan will promote the public peace, health, safety and welfare of the County of Riverside and will effectuate the purposes and policies of the CRL. This finding is based on the fact that redevelopment will benefit the Amendment Area and the community by correcting conditions of blight and by coordinating public and private actions to stimulate development, contribute toward needed public improvements and improve the economic, and physical conditions of the Amendment Area and the community.
- r. The Agency has a feasible method for the relocation of families and persons displaced from the Amendment Area. The Board of Supervisors and the Agency recognize that the provisions of Sections 7260 to 7276 of the California Government Code would be applicable to any relocation that would occur due to the implementation by the Agency of the Redevelopment Plan. The Board of Supervisors finds and determines that the provision of relocation assistance according to law constitutes a feasible method for relocation.
- s. There shall be provided, within the Amendment Area or within other areas not generally less desirable with regard to public utilities and public and commercial facilities and at rents or prices within the financial means of any families and persons who might be displaced from the Amendment Area, decent, safe and sanitary dwellings equal in number to the number of and available to the displaced families and persons, and reasonably accessible to their places of employment. Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to CRL Sections 33411 and 33411.1. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to CRL Sections 33334.5, 33413, and 33413.5. This finding is based upon the Rules Governing Participation and Preferences for Owners, Operators of Businesses and Tenants, which was adopted on April 18,

- 2006, as the “Owner Participation Rules” for the Amendment Area, and the Housing Element of the Comprehensive General Plan.
- t. The elimination of blight and the redevelopment of the Amendment Area would not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency. This finding is based in part upon the existence of blighting influences in the Amendment Area, including, without limitation, the demonstrated lack of private sector interest in redeveloping properties in the Amendment Area, structural deficiencies and other indications of blight more fully enumerated in the Agency’s Report to the Board of Supervisors, and the infeasibility due to cost of requiring individuals (by means of assessments or otherwise) to eradicate or significantly alleviate existing deficiencies in properties and facilities and the inability and inadequacy of other governmental programs and financing mechanisms to eliminate the blighting conditions.
 - u. The Redevelopment Plan contains adequate safeguards so that the work of redevelopment will be carried out pursuant to the Redevelopment Plan, and it provides for the retention of controls and the establishment of restrictions and covenants running with the land sold or leased for private use for periods of time and under conditions specified in the Redevelopment Plan, which the Board of Supervisors deems necessary to effectuate the purposes of the CRL.
 - v. The time limitations and financial limitations established for the Amendment Area are reasonably related to the projects proposed in the Redevelopment Plan and to the ability of the Agency to eliminate blight within the Amendment Area.
 - w. All non-contiguous areas of the Amendment Area are either blighted or necessary for effective redevelopment, and are not included for the purpose of obtaining the allocation of taxes from the non-contiguous areas pursuant to CRL Section 33670 without other substantial justification for their inclusion. Said justification and documentation of blighting conditions is contained in the Report to the Board of Supervisors.
 - x. All areas of the Amendment Area are blighted, are an integral part of an otherwise blighted area, or are necessary for effective redevelopment and are not included for the sole purpose of obtaining the allocation of taxes from the Amendment Area pursuant to Section 33670 of the CRL without other substantial justification for their inclusion. This finding is based in part upon the fact that, following careful study documented in the Report to the Board of Supervisors, the Amendment Area was identified as an area within the County suffering conditions of physical and economic blight.
 - y. The Redevelopment Plan does not authorize eminent domain authority to the Agency.
 - z. The Board of Supervisors has considered written objections, to the Redevelopment Plan and all evidence and testimony for and against the

adoption of the Redevelopment Plan. All written objections have been overruled.

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

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

- a. Eliminate blighting conditions and to prevent the acceleration of blight in and about the Amendment Area;
- b. Effectuate the comprehensive planning, redesign, replanning, reconstruction and/or rehabilitation of the Amendment Area in such a manner as to facilitate a higher and better utilization of the land within the Amendment Area for uses in accordance with the General Plan;
- c. Use the redevelopment process and provisions permitted by the CRL to promote redevelopment that is consistent with the General Plan and the Riverside County Zoning Ordinance (the “Zoning Ordinance”);
- d. Encourage the better utilization of real property, and a more efficient and effective circulation system;
- e. Provide for adequate parcels and required public improvements to encourage new construction by private enterprise;
- f. Promote the rehabilitation of deteriorated residential units through the provision of grants and loans to property owners. Where deterioration makes rehabilitation infeasible, the Agency will assist property owners in the demolition and replacement of such residential units on a one-for-one basis.

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

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

- a. Encourage development according to the General Plan;
- b. Promote comprehensive planning, redesign, replanning, reconstruction and/or rehabilitation in such a manner as to achieve a higher and better utilization of the land within the Amendment Area;
- c. Encourage investment in the Amendment Area by the private sector;
- d. Promote the development of new and diverse employment opportunities;

- e. Enhance and expand shopping facilities in the Amendment Area by encouraging the development of new commercial uses and the rehabilitation of existing commercial uses in conformance with the General Plan and the Zoning Ordinance;
- f. Promote the improvement and centralization of industrial areas to make the provision of public services more efficient;
- g. Promote the expansion of the Amendment Area's commercial base and local employment opportunities to provide jobs to unemployed and underemployed workers in the area and County-wide;
- h. Consolidate parcels as needed to induce new or expanded development in the Amendment Area;
- i. Protect the health and general welfare of the Amendment Area's many low- and moderate-income residents by utilizing twenty percent (20%) of the tax increment revenues from the Amendment Area to improve and preserve the supply of low- and moderate-income housing, including senior housing, both inside and outside the Amendment Area;
- j. Upgrade the physical appearance of the Amendment Area;
- k. Assist with rehabilitation of deteriorated structures to eliminate safety deficiencies and to extend the useful lives of these structures, by providing grants and low-interest loans to interested property owners;
- l. Remove economic impediments to land assembly and in-fill development in areas that are not properly subdivided for development or redevelopment;
- m. Buffer residential neighborhoods from the intrusion of incompatible land uses and noise;
- n. Mitigate potential relocation impacts resulting from changes in Amendment Area land use from non-conforming and dilapidated uses to development in conformance with the General Plan and the Zoning Ordinance;
- o. Provide replacement housing as required by law when dwellings housing low- or moderate-income persons or families are lost to the low- or moderate-income housing market as a result of Agency activities;
- p. Provide relocation assistance to displaces as provided in the CRL in order to mitigate possible hardships due to relocation activities;
- q. Provide a broad range of public service infrastructure improvements to induce private investment and improve emergency response in the Amendment Area. Such improvements could include the construction or reconstruction of roads, streets, curbs and gutters, sidewalks; the upgrading of street-side landscaping; the construction and reconstruction of water storage and distribution facilities; the construction and

reconstruction of sewerage systems; and the development of drainage and flood control facilities;

- r. Provide new or improved community facilities such as fire stations, schools, park and recreational facilities, a community center and library, and the expansion of public health and social service facilities, where appropriate to enhance the public health, safety and welfare;
- s. Encourage the cooperation and participation of Amendment Area property owners, public agencies and community organizations in the elimination of blighting conditions and the promotion of new or improved development in all portions of the Amendment Area;
- t. Provide a procedural and financial mechanism by which the Agency can assist, complement and coordinate public and private development, redevelopment, revitalization and enhancement of the community;
- u. Provide landscaping in Rights-of-Way;
- v. Provide multi-use trails (e.g., bike, horse, hiking, etc.);
- w. Expand sustained and on going code enforcement activities in the Amendment Area.

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

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

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

- a. Pledges its cooperation in helping to carry out the Redevelopment Plan;
- b. Requests the various officials, departments, boards and agencies of the County of Riverside having administrative responsibilities in the Amendment Area likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment of the Amendment Area;
- c. Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan;
- d. Declares its intention to undertake and complete any proceeding

necessary to be carried out by the County of Riverside under the provisions of the Redevelopment Plan.

Section 8. BOARD DIRECTIVES.

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

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

Section 10. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Adopted:

Item 3.14a of 01/27/2009 (Eff: 02/26/2009)