

ORDINANCE NO. 348.4744
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348
RELATING TO ZONING

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

Section 1. A new subsection (20) is added to Section 9.1.d. of Article IX of Ordinance No. 348 to read as follows:

“(20) Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52 of this ordinance.”

Section 2. A new subsection (26) is added to Section 9.50.b. of Article IXb of Ordinance No. 348 to read as follows:

“(26) Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52 of this ordinance.”

Section 3. A new subsection (5) is added to Section 10.1.b. of Article X of Ordinance No. 348 to read as follows:

“(5) Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52 of this ordinance.”

Section 4. A new subsection (20) is added to Section 11.2.c. of Article XI of Ordinance No. 348 to read as follows:

“(20) Parolee-Probationer Home developed in accordance with the standards set forth in Section 18.52 of this ordinance.”

Section 5. A new subsection (9) is added to Section 18.8.c. of Article XVIII of Ordinance No. 348 to read as follows:

“(9) Parolee-Probationer Home: 1 year.”

Section 6. Section 18.52 of Article XVIII of Ordinance No. 348 is added to read as follows:

“Section 18.52. PAROLEE-PROBATIONER HOMES.

- a. APPLICATION. In addition to the application requirements of Section 18.28 of this ordinance, an application for a conditional use permit for a parolee-probationer home shall include the following information:
 - (1) Client profile (the subgroup of the population the parolee-probationer home is intended to serve).
 - (2) Maximum number of occupants and hours of parolee-probationer home operation.
 - (3) Term of client stay.
 - (4) Support services to be provided on-site and projected staffing levels.
 - (5) Business Operations Plan, including, but not limited to the rules of conduct.
 - (6) Such additional information as shall be required by the Planning Director.

- b. **DEVELOPMENT STANDARDS.** Where a parolee-probationer home is conditionally permitted in a zone, the parolee-probationer home shall be subject to the following requirements. These requirements are in addition to the development standards and requirements of the applicable zone.
- (1) The use shall be compatible with neighboring uses.
 - (2) The use shall not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result.
 - (3) Any parolee-probationer homes shall be located near ready access to public transportation, such as bus, light rail transit, bicycle and carpool programs, and shall be accessible to necessary support services.
 - (4) To avoid over-concentration of parolee-probationer homes, there shall be a two thousand (2,000) feet separation requirement between parolee-probationer homes.
 - (5) A parolee-probationer home shall not be located within two thousand (2,000) feet of any of the following: a child day care center, a public or private school, a public or private school bus stop, a park, a public library, a public swimming or wading pool, a commercial establishment that has an on-site or adjacent children's playground, or a place where classes or group activities for children are held, any other group housing, assisted living facility, emergency shelter, supportive housing or transitional housing development.
 - (6) The parolee-probationer home shall be compatible with the character of the surrounding neighborhood.
 - (7) Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based upon the operating characteristics of the specific parolee-probationer home.
 - (8) Both indoor and outdoor common areas shall be provided on site.
 - (9) On-site staff supervision shall be required during all hours of the parolee-probationer home operation.
- c. **SPECIAL NOTICING REQUIREMENTS.** In addition to any other requirements of Section 18.28 of this ordinance, all owners of real property which is located within one thousand (1,000) feet of the exterior boundaries of the subject property on which the parolee-probationer home is proposed, as such owners are shown on the last equalized assessment roll and any update, shall be notified of the proposed conditional use permit and any public hearing on the proposed parolee-probationer home.
- d. **EXISTING PAROLEE-PROBATIONER HOMES REQUIRE A PERMIT.**
- (1) Any existing unpermitted parolee-probationer home that has not complied with these requirements is in violation of this

ordinance and is subject to appropriate enforcement, legal procedures and penalties.

(2) An existing facility, established pursuant to an active discretionary permit approved under this Ordinance prior to the effective date of Ordinance No. 348.4744, which would now qualify as a parolee-probationer home as defined by this Ordinance shall not be subject to complying with the development standards of this Section. However, any change in operating conditions from what was originally approved and imposed by the County, including, but not limited to, the number of occupants, residents, parolees-probationers, change in size of facility or any modifications to the conditions of approval pursuant to the required discretionary permit shall require the immediate submittal of an application for a revised permit. In all circumstances under this subsection, the application for a revised permit shall be approved, conditionally approved or disapproved in accordance with the procedures for processing a conditional use permit, including any requirements for public hearing, notice of hearing, and all rights of appeal.

e. ABANDONMENT OF USE. An existing parolee-probationer home established pursuant to any permit discontinued or that discontinues operations for one year or more is deemed abandoned. Any subsequent establishment of a parolee-probationer home at the same location shall be required to first obtain a new conditional use permit.”

Section 7. Section 21.37 of Article XXI of Ordinance No. 348 is amended to read as follows:

“Section 21.37. Half Way House. A rehabilitation center for treatment, counseling, rooming and boarding of persons, not including parolees, probationers, or persons released to post release community supervision under the “Postrelease Community Supervision Act of 2011” (Penal Code section 3450 et seq.).”

Section 8. A new section 21.56c. of Article XXI of Ordinance No. 348 is added to read as follows:

“Section 21.56c. 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.”

Section 9. A new section 21.56d. of Article XXI of Ordinance No. 348 is added to read as follows:

“Section 21.56d. 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. As used herein, the term parolee-probationers includes parolees, probationers, and/or persons released to postrelease community supervision under the “Postrelease Community Supervision Act of 2011” (Penal Code section 3450 et seq.). 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.”

Section 10. A new section 21.59f. of Article XXI of Ordinance No. 348 is added to read as follows:

“Section 21.59f. Probationer. A person convicted of a felony who has received a suspension of the imposition or execution of a sentence and an order of conditional and revocable release in the community under the supervision of a probation officer.”

Section 11. A new section 21.64a. of Article XXI of Ordinance No. 348 is added to read as follows:

“Section 21.64a. 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 12. This ordinance shall take effect thirty (30) days after its adoption.

Adopted: 16.1 of 06/19/12