

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
November 28, 2006

SUBJECT: Riverside County Land Use and Development Ordinance (Ord. No. 850)

RECOMMENDED MOTION: That the Board of Supervisors continue Ordinance No. 850 without discussion until March 27, 2007.

BACKGROUND: On November 28, 2006 the Board approved a contract with Robert Klotz Esq. to review Ordinance 850. County Counsel has requested a 90-day continuance to provide Mr. Klotz sufficient time to review Ordinance 850. In addition, the continuance will afford staff time to present the draft Ordinance 850 before the Airport Land Use Commission in January 2007.

Ordinance No. 348, the land use ordinance for Riverside County, was originally adopted in 1948 and has been amended on a frequent basis in the 58 years that it has governed land use for Riverside County. With the adoption of the Riverside County General Plan in 2003 it became apparent that the existing zoning designations within Ordinance No. 348 did not fulfill the intent of the newly adopted general plan land use categories. State law requires that county zone designations be consistent with the adopted general plan. In this regard the County retained the services of Hogle-Ireland, a land-planning and development consulting firm, to revise the land use ordinance and insure that it is fully consistent with the general plan as prescribed by state law.

Prior to initiating work on the new Land Use Ordinance, County staff identified four primary objectives for the updating of the development. We wanted: (1) to implement general plan policies and ensure

Mark F. Balys for
Robert C. Johnson
Planning Director

MB:mfb

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REVIEWED BY EXECUTIVE OFFICE

DATE 12/1/06 YMB

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is continued to March 27, 2007 as recommended.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley
Nays: None
Absent: None
Date: December 12, 2006
xc: Planning, COB

Nancy Romero
Clerk of the Board
By: *[Signature]*
Deputy

Prev. Agn. Ref.

District:
Countywide

Agenda Number:

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

consistent zoning regulations, (2) to simplify the existing zoning requirements, (3) to make the new ordinance user-friendly so that it is understandable to the development community and the general public, and (4) to incorporate flexibility so that new and innovative development ideas can be considered.

ZONES: The new ordinance will include new zoning classifications established with a direct relationship to the General Plan foundation Components. Examples include:

CDF-RED Community Development Foundation-Residential Estate Density
RF-R Rural Foundation-Residential
RF-D Rural Foundation-Desert

In addition to the Foundation-based zoning classifications, there are also zoning classifications that are not specific to the General Plan foundation Components and that will be more broadly applied across Foundation Components. These broader zoning classifications include the Special, Combining, and Overlay classifications which are developed to implement land use policies or other policies of the General Plan. Examples include:

Combining Zone RF-D:WE Rural Foundation-Desert with Wind Energy Combining Zone
Overlay Zone CDF-LI:BO Community Development Foundation-Light Industrial with Billboard Overlay zone.
RF-R:SHO Rural Foundation-Residential with Scenic Highway Overlay zone.

FORMAT: The structure of the ordinance is organized around a simplified outline format. There are 12 Chapters. Headings and subheadings are shown for each chapter and quickly direct users to the applicable section. User-friendly tables provide at-a-glance information about permitted uses, the required land use permit, and applicable development standards.

PLANNING REVIEW PROCESS: In terms of the Planning Review Process Ordinance 850 consolidates the multiplicity of existing permits into 3 types of permits based upon the approval body and whether noticing or a hearing is required. The new permits will be either a Level I, a Level II, or a Level III permit. In addition to these permits the ordinance includes provisions for Zoning clearance, Administrative Adjustment, and for Variance. Ordinance 850 introduces increased flexibility into the review process with provisions that allow a staff determination to " bump up" a Level I Permit to a Level II, and a Level II to a Level III as the complexity of a project or public controversy may dictate.

February 27, 2007

Supervisor John Tavaglione
County Administrative Center
4080 Lemon St. – 5th Floor
Riverside, Ca. 92501

Subject: March 27th agenda: Draft Land Use Codes - Rural Community Foundation
minimum lot sizes for RLD & RVLD

Dear Supervisor Tavaglione,

On the Board of Supervisor's March 27th agenda will be the draft Land Use Codes. We are asking you to consider enlarging the minimum lot sizes for Rural Community Foundation Residential Very Low Density (RVLD) and Residential Low Density (RLD). As proposed, the lot sizes will be 20,000 sq. ft. for a "1/2 acre lot" and 40,000 sq. ft. for a "one acre lot". We are asking that these lot sizes be increased to a true net 1/2 acre of 21,780 sq. ft., and a true net one acre of 43,560 sq. ft. (see the enclosed draft land use code table 17.20.010-B).

This increase may seem small, but the affect on helping preserve our rural communities will be very significant. The Board of Supervisors passed the General Plan in 2003 with the intent on preserving our rural communities. To this end, the General Plan states for our Rural Communities "limited agriculture, intensive equestrian and animal keeping uses are expected and encouraged". These larger lot sizes are needed to encourage people to come to our rural communities and establish rural land uses. As an example, the extra 1,780 sq. ft. in the 1/2 acre lots is enough land to have several horse corrals, numerous small animal pens, and a large barn. The extra 3,560 sq. ft. in the 1 acre lots will give these lots ample land for more than one rural land use.

As a member of the Riverside County Trails Committee, we are working (along with the Supervisor's financial support) to establish trails all over the county, many of them to be used by equestrian riders. We must keep areas of our county preserved for rural land uses so that equestrian riders have a place to live and house their animals. As it is now, the smaller 20,000 sq. ft. lots are being utilized for large two story houses in an urban setting of cul-de-sacs with curbs and gutters, sidewalks, street lights and block walls. These are not the types of developments that encourage rural land uses.

The Planning Department has made some changes in the Rural Community Foundation draft land use codes that will benefit rural land uses. But we must have the larger lot sizes to guarantee that our Rural Communities will stay rural. The only reason presented by the Planning Department for not increasing these lot sizes was that, with the larger lot sizes, the County could not guarantee a landowner the maximum number of homes per acre, and still be able to install the required infrastructure. So, unfortunately, the smaller lot sizes are being emphasized. But nowhere in the General Plan does it say that maximum dwelling units per acre is guaranteed. It is only a suggested range of dwelling units (such as 1-2 DU/ac for the ½ acre lots). The smaller lot sizes only benefit the larger developers at the expense of our rural community. Rural communities do not lend themselves to large developments. Smaller lot sizes are fine in the Community Development Foundation, but not if we want to preserve our rural communities.

By making these small changes you would be helping to insure the preservation of our rural communities. We need the net ½ acre and a net 1 acre lot sizes in the Rural Community Foundation Land Use Codes. Please help us by requiring these changes when you review the draft land use codes on March 27th.

Respectfully,

A handwritten signature in cursive script that reads "Robert S. Hewitt". The signature is written in black ink and is positioned below the word "Respectfully,".

Robert S. Hewitt
42913 Johnston Ave,
Hemet, Ca. 92544
(951-654-7139 office)

**Table 17.20.010-B
Development Standards for RCF Zoning Classifications**

Development Standards	RCF Zoning Classifications			Notes/Reference
	RED Residential Estate Density	RVLD Residential Very Low Density	RLD Residential Low Density	
Density Range	1 du/2-5 acres	1 du/1-2 acres	1-2 du/acre	
Minimum Lot Size	2 acres	1 acre (1)	20,000 sq ft (2)	
Minimum Lot Width	100 ft	100 ft	100 ft	Note 1
Cul-de-sac/Knuckle Lot Width	40 ft	40 ft	40 ft	
Minimum Lot Depth	150 ft	150 ft	150 ft	
Minimum Front Setback	20 ft	20 ft	20 ft	
Side-Loaded Garage	15 ft	15 ft	15 ft	
Minimum Side Setback:				
First Side	20 ft	20 ft	20 ft	Note 2
Second Side	10 ft	10 ft	10 ft	
Minimum Rear Setback	20 ft	20 ft	20 ft	Note 3
Maximum Building Height	35 ft	35 ft	35 ft	Notes 4, 5
Maximum Second-Story Building Area	50% of first story	50% of first story	50% of first story	Note 6
Maximum Lot Coverage	25%	30%	35%	
Minimum Building Separation:				
One-story	10 ft	10 ft	10 ft	
Two-story or more	15 ft	15 ft	15 ft	
Landscaping		Section 17.44.070		
Parking		Section 17.44.090		
Signs		Section 17.44.140		
Walls and Fences		Section 17.44.050		
Cluster Development Standards		TBD		

Notes:

1. Flag lots shall also maintain a minimum width of 20 feet for the portion of the lot used for access.
2. Corner lots shall maintain the first side setback in the side yard adjacent to the street.
3. Minimum rear yard setbacks for accessory structures in the RCF-RED, RCF-RVLD and RCF-RLD Zoning Classifications shall be 10 feet.
4. Certain structures may exceed the maximum building height of the Zoning Classification; however, additional building height requires consideration through a Level II Permit as regulated by Section 17.44.030 (Height of Buildings and Structures).
5. Certain architectural elements may exceed the maximum building height of the Zoning Classification as regulated by Section 17.44.020 (Yards – Setbacks, Projections, Encroachments)
6. Maximum second-story building area is based on habitable area of first story.

Change RCF-RVLD to 1 acre NET or 43,560 sq. ft. 1

Change RCF-RLD to 1/2 acre NET or 21,780 sq. ft. 2