

FORM APPROVED COUNTY COUNSEL  
BY: *[Signature]* 7/7/09  
DATE: TIFFANY N. NORTH

REVIEWED BY EXECUTIVE OFFICE  
DATE  
Tina Grande  
Departmental Concurrence

Dept't Reco  Consent  Policy   
Per Exec. Ofc.:  Consent  Policy

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



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
July 7, 2009

**SUBJECT:** Ordinance No. 348.4647, an Ordinance of the County of Riverside amending Section 18.18 of Article XVIII of Ordinance No. 348 regarding Detached Accessory Buildings.

**RECOMMENDED MOTION:**

1. That the Board of Supervisors adopt Ordinance No. 348.4647 as recommended by the Planning Commission.
2. That the Board of Supervisors find the adoption of Ordinance No. 348.4647 is exempt from CEQA pursuant to CEQA Guidelines Section 15303. CEQA Guidelines Section 15303 is a categorical exemption for new construction or conversion of small structures.
3. Further, that the Board of Supervisors direct the Planning Department to file the Notice of Exemption with the County Clerk for filing and posting.

**BACKGROUND:**

Section 18.18 of Article XVIII of Ordinance No. 348 currently requires a Plot Plan with a public hearing for a detached accessory building of 401 square feet or more, and for a detached accessory building with a floor area of 120 square feet or more on a lot which already has one or more approved or existing detached accessory buildings with a floor area of 120 square feet or more.

Ron Goldman  
Planning Director

RG:lr

(Continued On Attached Page)

Prev. Agn. Ref.

District: ALL

Agenda Number:

The Honorable Board of Supervisors

RE: Ordinance No. 348.4647, an Ordinance of the County of Riverside amending Section 18.18 of Article XVIII of Ordinance No. 348 regarding Detached Accessory Buildings.

July 7, 2009

Page 2 of 2

The proposed amendment revises the detached accessory building size thresholds that will require a Plot Plan where there are no detached accessory buildings with a floor area more than 120 square feet already approved or existing on the lot.

Specifically:

1. A Plot Plan will not be required for a detached accessory building of 1200 square feet or less if the accessory building is located on a lot larger than one acre, and the building is set back from all property lines a minimum of 50 feet.
2. A Plot Plan will not be required for a detached accessory building of 650 square feet or less.

The existing requirement for a Plot Plan for any detached accessory building with a floor area of 120 square feet or more on a lot which already has one or more approved or existing detached accessory structures will remain unchanged.

Ordinance 348.4647 was approved by the Planning Commission on May 13, 2009 and recommended for adoption by the Board of Supervisors based upon the findings and conclusions in the Planning Department Staff Report attached hereto and incorporated herein by reference.

Agenda Item No.: 6.1  
Area Plan: All  
Supervisory District: All  
Project Planner: Larry Ross  
Planning Commission: May 13, 2009

Ordinance Amendment No. 348.4647  
E.A./EIR Number: Exempt  
Applicant: County of Riverside

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

Ordinance 348.4647 is a proposal to amend Section 18.18 of Article XVIII Ordinance 348 regarding accessory structures. The proposed amendment would change the public hearing requirement for accessory buildings from 401 square feet or larger to 651 square feet or larger. A public hearing will not be required for a detached accessory building 1,201 square feet or less if the building is located on a parcel larger than one acre and the building is setback from all property lines a minimum of 50 feet. All other provisions of the ordinance remain in place.

This proposed amendment applies to all the unincorporated areas of the County of Riverside.

### BACKGROUND:

The accessory building section of ordinance 348 was changed in response to a large number of complaints received from neighbors regarding the land impacts of accessory buildings. The complaints were received both from urban and rural communities, even with large parcels accessory buildings were being placed in such a way as to cause an impact to the neighbors. Numerous changes were made to the ordinance, but these changes were consistent with operational policies and had no impact to applicants. The most significant change was the new requirement for a public hearing for a new accessory structure over 400 square feet, that being the typical size of a two car garage.

From March 26, 2008 to March 26, 2009, the Planning Department:

Approved 126 accessory structure applications  
Denied 3 accessory structure applications  
81 accessory structure applications remain in process  
23 accessory structure applications are at hearing  
Received a total of 233 applications for accessory structures

The large number of applications that are still in process or are at hearing, are either due to the emergency ordinance on guest dwellings or as a result of remedying code enforcement actions.

With one year's experience with the hearing requirement, staff proposes a further refinement of the hearing requirement. Changing the hearing requirement threshold from over 400 to over 650 would allow applicants to place a typical three car garage without having to go to hearing. Out of the 233 applications received, only 36 were below 651 square feet. Based upon the experience at Director's Hearing, placement of accessory structures under 651 square feet had a little or no land use conflicts with neighbors, as a result staff is recommending that the requirement be changed.

Also as a result of experience at Director's Hearing, it was discovered that on larger parcels when the accessory structure was setback 50 or more feet it did not appear to have very few land use conflicts with the neighbors. Large structures did, however, have land use conflicts with the neighbors on large parcels, especially ones ranging between 1,500 and 10,000 square feet, so staff came up with the 1,200 square foot limitation which could accommodate a 6 car garage or a large barn on large parcels.

**ISSUES OF POTENTIAL CONCERN:**

None at this time.

**RECOMMENDATIONS:**

**APPROVAL** of Ordinance 348.4647, based upon the findings and conclusions incorporated in the staff report.

**CONCLUSIONS:**

1. The proposed ordinance amendment is in conformance with the Land Use Designations of the unincorporated areas of Riverside County and with all other elements of the Riverside County General Plan.
2. The proposed ordinance amendment is consistent with the zoning classifications of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through this ordinance amendment.
4. The Planning Department has found that the project is exempt from the provisions of CEQA based on Section 15303 (e) of the State CEQA Guidelines.

**FINDINGS:** The following findings are in addition to those incorporated in the summary of findings which is incorporated herein by reference.

1. The proposed amendment applies to all areas within the unincorporated area of Riverside County.
2. Section 65802 of State Planning law provides that no provisions of the law shall restrict or limit the procedures that the legislative body of any county enacts, amends, administers, or provides for the administration of any zoning law, ordinance, rule, or regulation.
3. Section 65800 of State Planning law states that it is the State's intention to provide only a minimum of limitation in order that counties may exercise the maximum degree of control over local zoning matters.
4. Appendix K, Section AI-1 of the Riverside County General Plan Implementation Program provides for the preparation of a County Development Code that is consistent with the County of Riverside General Plan and Land Use Map.
5. The Planning Department has found that the project is exempt from the provisions of CEQA based on Section 15303 (e) of the State CEQA Guidelines. Section 15303 is the categorical exemption for "new construction or conversion of small structures", subsection e references "Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences."



1 requirements, a plot plan for a detached accessory building located 30 feet  
2 or more from the main building may be approved only if it is found that the  
3 detached accessory building is consistent with the character of the  
4 surrounding neighborhood.”

5 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

6  
7 BOARD OF SUPERVISORS OF THE COUNTY  
8 OF RIVERSIDE, STATE OF CALIFORNIA

9 By: \_\_\_\_\_  
10 Chairman

11 ATTEST:

12 CLERK OF THE BOARD

13  
14 By: \_\_\_\_\_  
15 Deputy

16 (SEAL)

17  
18 APPROVED AS TO FORM

19 July 7, 2009

20  
21  
22 By:   
23 TIFFANY N. NORTH  
24 Deputy County Counsel

25 TNN:mdk  
26 04/27/09  
27 G:\Property\TNorth\RCO No 348\348 4647accessory buildings final.doc  
28

**The previous amendment for  
reference**

Adopted February 26, 2008, effective March 26, 2008

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

915B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
February 8, 2008

SUBJECT: Ordinance 348.4481

**BACKGROUND:** On October 2, 2007 (Agenda item 15.5) the Board of Supervisors tentatively approved Ordinance No. 348.4481 amending Ordinance No. 348 relating to Accessory Buildings. The amendment was tentatively approved and referred to the Office of County Counsel to make minor revisions and prepare the final amendment for adoption. Counsel has prepared the final document and it is now ready for adoption.

**RECOMMENDED MOTION:** That the Board of Supervisors adopt Ordinance Amendment No. 348.4481

REVIEWED BY EXECUTIVE OFFICE

DATE

1/10/08

Tina Grande  
Departmental Concurrence

Ron Goldman  
Planning Director

Damien Meins  
Assistant Planning Director

MFB:mfb

Policy

Policy

Consent

Consent

Dept Recd

Per Exec. Ofc.:

Prev. Agn. Ref.

District: ALL

Agenda Number:

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ORDINANCE NO. 348.4481

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. Section 18.17 of Ordinance No. 348 is amended to read as follows:

“SECTION 18.17. ACCESSORY USES. The express enumeration of permitted uses in all districts shall be construed to include accessory uses. Detached accessory buildings shall be subject to the requirements of Section 18.18.”

Section 2. Section 18.18 of Ordinance No. 348 is amended to read as follows:

“SECTION 18.18. DETACHED ACCESSORY BUILDINGS.

- a. INTENT. The Board of Supervisors has adopted the following provisions to establish minimum development requirements for the erection of detached accessory buildings in the unincorporated areas of Riverside County. These requirements are intended to provide for the appropriate construction of detached accessory buildings, enhance the aesthetic appearance of the community, preserve property values and protect the public health, safety and welfare.
- b. DEVELOPMENT STANDARDS. Detached accessory buildings shall be permitted in all zones subject to the following requirements. These requirements are in addition to the requirements of the applicable zone.
  - (1) Where a rear yard is required by this ordinance, a detached accessory building may occupy not more than one-half of the required rear yard.
  - (2) No detached accessory building shall be within five feet of the front half of an adjacent lot. For the purpose of this regulation a depth of not more than 75 feet shall be deemed to be such front half of such adjacent lot.

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- (3) Where the average slope of the front half of the lot is greater than one foot rise or fall in a seven foot run from the established street elevation at the property line, or where the front half of the lot is more than four feet above or below such established street elevation, a private garage may be built to the street and side lines.
  - (4) In the case of an interior lot, no detached accessory building shall be erected so as to encroach upon the front half of the lot, provided, however, such accessory building need not be more than 75 feet from the street line.
  - (5) In the case of a corner lot abutting upon more than two streets, no detached accessory building shall be nearer any street line than one-fifth of the width or length of the lot.
  - (6) In the case of through lots, no detached accessory building shall encroach upon the required front yard on either street.
  - (7) In mountain resort areas at altitudes above 4000 feet a private garage in any residential zone or on premises used for residential purposes may be constructed to the same building setback line as is required for a dwelling on the same premises.
  - (8) No detached accessory building shall be nearer than ten feet to the main building.
  - (9) For parcels two acres or smaller located in any residential zone or where a dwelling is the principal use, the minimum setback from a side property line shall be five feet and the minimum setback from a rear property line shall be ten feet; provided, however, that where the applicable zone provides for a greater side or rear yard setback, such greater setback shall apply. For parcels larger than two acres located in any residential zone or where a dwelling is the principal use, the minimum setback from a side property line and from a rear

1 property line shall be ten feet; provided, however, that where the  
2 applicable zone provides for a greater side or rear yard setback, such  
3 greater setback shall apply.

4 (10) Notwithstanding the height limitations of any zone, the height limit  
5 on any parcel in any residential zone or on any parcel where a  
6 dwelling is the principal use shall be twenty feet for parcels two  
7 acres or smaller and thirty-five feet for parcels larger than two acres.

8 (11) In any residential zone or where a dwelling is the principal use, bare  
9 metal buildings (metal buildings without paint or exterior  
10 architectural coatings or treatments), shall not be located on a parcel  
11 one acre or smaller. This prohibition shall not apply to single-story  
12 garden sheds, playhouses or similar buildings of 120 square feet or  
13 less.

14 c. PERMIT REQUIREMENT. In any residential zone or where the principal  
15 use of a parcel is a dwelling, the approval of a plot plan pursuant to Section  
16 18.30 of this ordinance shall be required for either: (1) a detached accessory  
17 building with a floor area of 401 square feet or more; or (2) a detached  
18 accessory building with a floor area of 120 square feet or more on a parcel  
19 which already has one or more existing or approved detached accessory  
20 buildings with a floor area of 120 square feet or more. All plot plans  
21 required pursuant to this subsection shall be subject to the hearing  
22 requirements of Section 18.30 d.(2). In addition to all other requirements,  
23 a plot plan for a detached accessory building located less than 30 feet from  
24 the main building may be approved only if it is found that the detached  
25 accessory building is compatible with the architecture of the main building  
26 and consistent with the character of the surrounding neighborhood. In  
27 addition to all other requirements, a plot plan for a detached accessory  
28 building located 30 feet or more from the main building may be approved

1 only if it is found that the detached accessory building is consistent with the  
2 character of the surrounding neighborhood.

3 d. EXCEPTIONS.

4 (1) This section shall not apply in the A-P, A-2 or A-D zones.

5 (2) The provisions of subsections b.(9), b.(10), b.(11) and c. of this Section  
6 18.18 shall not apply to any detached accessory building for which a  
7 building permit was issued prior to the effective date of Ordinance No.  
8 348.4481 (March 27, 2007)."

9 Section 3. A new section 18.50 is added to Ordinance No. 348 to read as follows:

10 "SECTION 18.50. METAL SHIPPING CONTAINERS.

11 a. INTENT. The Board of Supervisors has enacted the following provisions  
12 to establish minimum development standards for the placement of metal  
13 shipping containers within the unincorporated areas of Riverside County.  
14 These standards are designed to enhance the aesthetic appearance of the  
15 community, preserve property values and protect the public health, safety  
16 and welfare.

17 b. PERMITTED ZONING AND DEVELOPMENT STANDARDS.

18 Placement of metal shipping containers shall be subject to the following  
19 limitations:

20 (1) Metal shipping containers shall not be allowed as a principal use in  
21 any zone.

22 (2) Metal shipping containers shall be allowed in all zones on a  
23 temporary basis when utilized during construction or grading  
24 operations for the site where located and when utilized solely for the  
25 storage of supplies and equipment that are used for construction or  
26 grading on that site.

27 (3) In commercial and industrial zones, placement of metal shipping  
28 containers as an accessory use is permitted provided a plot plan has





## NOTICE OF PUBLIC HEARING

**A PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY PLANNING COMMISSION** to consider the project shown below:

**ORDINANCE 348.4647 – CEQA Exempt – REQUEST:** The ordinance is a proposal to amend Section 18.18 of Article XVIII Ordinance 348 regarding accessory structures. The proposed amendment would change the existing requirement for a public hearing for accessory buildings that are in excess of 400 square feet to a public hearing for accessory buildings that are in excess of 650 square feet in size. Also, a public hearing will not be required for parcels larger than one acre so long as the detached accessory building is less than 1,201 square feet and is setback from all property lines a minimum of 50 feet, if one or more of these conditions are not met, then a public hearing is required. All other provisions of the ordinance remain in place.

This proposed amendment applies to all the unincorporated areas of the County of Riverside. (Legislative)

TIME OF HEARING: 1:30 p.m. or as soon as possible thereafter.  
DATE OF HEARING: May 13, 2009  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET  
RIVERSIDE, CA 92501

For further information regarding this project, please contact Larry Ross, Project Planner at 951-955-3585 or e-mail [lross@rctlma.org](mailto:lross@rctlma.org), or go to the County Planning Department's Planning Commission agenda web page at [www.tlma.co.riverside.ca.us/planning/pc.html](http://www.tlma.co.riverside.ca.us/planning/pc.html)

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Commission will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 9th Floor, Riverside, CA 92501.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: Larry Ross  
P.O. Box 1409, Riverside, CA 92502-1409

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

*George A. Johnson · Agency Director*

**Planning Department**

*Ron Goldman · Planning Director*

**Memorandum**

**DATE:** May 13, 2009  
**TO:** Planning Commission  
**FROM:** Larry Ross, Principal Planner  
**RE:** Item 6.1

**Attached is corresponance regarding the proposed Ordinanace Amendment.**

Y:\Planning Master Forms\Templates\Letterhead Memo 2008-Formatted.doc

## Ross, Larry

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**From:** CindyRAGLM@aol.com  
**Sent:** Thursday, May 07, 2009 6:33 AM  
**To:** Ross, Larry; LakeMathewsTalks@Yahoogroups.com; RAGLMNotice@Yahoogroups.com; WoodcrestTalks@Yahoogroups.com  
**Subject:** Agenda Item 6.1/Wed. May 13/Planning Commission Hearing/Accessory Buildings  
**Attachments:** cindy.jpg

In regard to:

Planning Commission Hearing Agenda item 6.1, for Wed. May 13, 2009, set for hearing at 1:30 p.m. or later

### ORDINANCE 348.4647

**REQUEST:** The ordinance is a proposal to amend Section 18.18 of Article XVIII Ordinance 348 regarding accessory structures. The proposed amendment would change the existing requirement for a public hearing for accessory buildings that are in excess of 400 square feet to a public hearing for accessory buildings that are in excess of 650 square feet in size. Also, a public hearing will not be required for parcels larger than one acre so long as the detached accessory building is less than 1,201 square feet and is setback from all property lines a minimum of 50 feet, if one or more of these conditions are not met, then a public hearing is required. All other provisions of the ordinance remain in place. This proposed amendment applies to all the unincorporated areas of the County of Riverside.

Project Planner: Larry Ross, Principal Planner  
Ph: (951) 955-3585 or E-mail [lross@rctlma.org](mailto:lross@rctlma.org)  
(Legislative)

Staff Recommendation: APPROVAL

### Click The Links Below to View Items Related to Agenda Item 6.1

- [Staff Report \(20KB / PDF\)\\* - Item 6.1](#)
- [Ordinance 348.4647 \(18KB / PDF\)\\* - Item 6.1](#)
- [Notice of Exemption from CEQA \(25KB / PDF\)\\* - Item 6.1](#)
- [Public Hearing Presentation \(PDF\)\\* - Item 6.1](#)

As you may be well aware of from previous hearings, the Greater Lake Mathews area is seeing a number of code violations for outside storage issues. This ordinance is stating that no public hearing will be required, however, will plot plans and permits still be required? What size storage shed may be erected without the requirement of a plot plan and or permit?

With the fire risk in this area and the large lot sizes in this area the county needs to encourage storage sheds. Getting the word out to the average residents may help the county in general to minimize its workload and cut back on the number of citations written by code enforcement. Can you give me more clarification on this issue so that I can pass this information on to our area residents?

I fully support this change to ordinance 348 and hope the county will also look at the cost connected to placing storage sheds on parcels. This too would go a long way to encourage residents to keep items in sheds for esthetic reasons as well as minimizing fire risks and improved longevity of these items that would otherwise be left out to the exposure of the elements. All of these then add to the property values throughout the community. Many of our residents have shown a desire to erect sheds but find the cost outside their ability. How do we go about addressing the cost of obtaining permits for storage sheds? Lowering some of the counties permits costs would again bring more residents in to apply and thereby generate needed revenue for the county, while also improving the over appearance of the county and its communities.

Please make this a part of the public record for this agenda item.

Thank you,  
Cindy Ferry



Community Spokesperson for the Greater Lake Mathews area.

Owner/Operator of: [LakeMathewsTalks@Yahoogroups.com](mailto:LakeMathewsTalks@Yahoogroups.com), [GHSchoolRedistrictingCommittee@Yahoogroups.com](mailto:GHSchoolRedistrictingCommittee@Yahoogroups.com),  
[Lake Mathews Transit@Yahoogroups.com](mailto:LakeMathewsTransit@Yahoogroups.com) and [Watt LMCOI@Yahoogroups.com](mailto:WattLMCOI@Yahoogroups.com)

Member/Monitor of: [RAGLMNotice@Yahoogroups.com](mailto:RAGLMNotice@Yahoogroups.com) and [WoodcrestTalks@Yahoogroups.com](mailto:WoodcrestTalks@Yahoogroups.com)

[CindyRAGLM@aol.com](mailto:CindyRAGLM@aol.com) (best way to reach me)

[\(951\) 657-6610](tel:9516576610)

[16115 Rocky Bluff Road](#)

[Gavilan Hills, CA. 92570-7471](#)

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# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

### Planning Department

Ron Goldman · Planning Director

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 9th 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. 348.4647

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

Project Description: Ordinance 348.4647 is a proposal to amend Section 18.18 of Article XVIII Ordinance 348 regarding accessory structures. The proposed amendment would change the public hearing requirement for accessory buildings from 401 square feet or larger to 651 square feet or larger. A public hearing will not be required for a detached accessory building 1,201 square feet or less if the building is located on a parcel larger than one acre and the building is setback from all property lines a minimum of 50 feet. All other provisions of the ordinance remain in place.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Riverside County Planning Department

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)  Categorical Exemption (15303)  
 Declared Emergency (Sec. 21080(b)(3); 15269(a))  Statutory Exemption ( )  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Other: \_\_\_\_\_

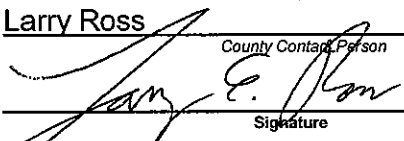
Reasons why project is exempt: The project is exempt from the provisions of CEQA based on Section 15303 of the State CEQA Guidelines. Section 15303 is the categorical exemption for "new construction or conversion of small structures".

Larry Ross

951-955-3585

County Contact Person

Phone Number

  
Signature

Principal Planner

Title

May 1, 2009

Date

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

Y:\Planning Master Forms\CEQA Forms\NOE Form.doc Revised: 5/5/09

Please charge deposit fee case#: County Benefit, no charge.

FOR COUNTY CLERK'S USE ONLY