

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

301 B



REVIEWED BY EXECUTIVE OFFICE

DATE

Tina Grande

Departmental Concurrence

FROM: TLMA - Planning Department

SUBMITTAL DATE:
September 23, 2010

SUBJECT: ORDINANCE NO. 348.4703 – CEQA Exempt – Applicant: County of Riverside. – All Supervisorial Districts – All Zoning Districts and Areas –The Ordinance Amendment is a proposal to amend Section 18.18 of Ordinance No. 348 regarding Detached Accessory Buildings. The proposed change will include language to allow Guest Quarters in all zones where the principal use of a lot is a one-family dwelling. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarter within the lot. The proposed ordinance amendment requires that any guest quarter be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres or smaller in size are prohibited from having both a guest quarter and a second unit. The proposed amendment will also include new development standards that will apply to all detached accessory buildings as set forth in b.(12) through b.(16). With the exception of b.(14), all development standards for detached accessory buildings shall apply to guest quarters, as well as the standards of the particular zone and the standards in subsection c. of Section 18.18.

RECOMMENDED MOTION:

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION RECOMMENDS:

ADOPTION OF ORDINANCE NO. 348.4703

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:vc

(continued on attached page)

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended, and that the above Ordinance is adopted with waiver of the reading.

Ayes: Buster, Tavaglione, Stone and Benoit
Nays: None
Absent: Ashley
Date: October 19, 2010
xc: Planning, Co.Co., MC, COB(2)

Kecia Harper-Ihem
Clerk of the Board

By: *[Signature]*
Deputy

Prev. Agn. Ref.

District: ALL

Agenda Number:

16.1

BACKGROUND: Interim Ordinance No. 449.236 was adopted on July 29, 2008 which prohibited the approval of Guest Dwellings. The purpose of Interim Ordinance No. 449.236 was due to the immediate need to study the impacts of recent revisions to the second unit and guest dwelling zoning requirements on the public's health, safety, and welfare, and to revise the appropriate zoning provision to be more consistent with the General Plan and its application. Interim ordinance expired on September 11, 2008 and was replaced with Interim Ordinance No. 449.237, which extended Ordinance No. 449.236 for 30 days (October 11, 2008). Subsequent from this 30-day extension, Ordinance No. 449.238 was adopted to extend the previous ordinance one year and nine months. Ordinance No. 449-238 expired on July 29, 2010.

During the period of the interim ordinance, the Planning Department, in conjunction with the Departments of Building and Safety, Code Enforcement, Land Use Counter Services, TLMA, and County Counsel studied, revised, and prepared an amendment to Ordinance No. 348, Section 18.18 to include provisions and development standards to allow Guest Quarters, which will avoid previous conflicts with other portions of Ordinance No. 348 and ensure that Guest Quarters are consistent with all aspects of the Riverside County General Plan. The proposed ordinance amendment, Ordinance No. 348.4703, meets the standards and requirements set forth in Section 3 of Ordinance No. 449.238, which require that any guest dwelling be proportionate in size to the main structure, that lots less than two acres in size are prohibited from constructing a guest dwelling and a second unit permit (SUP). The amended ordinance section will also provide development standards that ensure all guest quarters are consistent and compatible with their surrounding environments and that enforcement of code violations relative to guest quarters can be clearly enforced through the Riverside County Code Enforcement department without creating additional ambiguity within the code requirements.

ORDINANCE NO. 348.4703
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. Subsection b. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"b. DEVELOPMENT STANDARDS. Where the principal use of a lot is a one family dwelling, a detached accessory building shall be permitted subject to the following requirements. These requirements are in addition to the development standards 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 development standard a depth of not more than 75 feet shall be deemed to be such front half of such adjacent lot.

(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 detached 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.

1 (6) In the case of through lots, no detached accessory building shall
2 encroach upon the required front yard on either street.

3 (7) In mountain resort areas at altitudes above 4000 feet, a detached
4 accessory building may be constructed to the same building setback line as is
5 required for a dwelling on the same premises.

6 (8) No detached accessory building shall be nearer than ten feet to the
7 principal building.

8 (9) For lots two acres or smaller, the minimum setback from a side
9 property line shall be five feet and the minimum setback from a rear property
10 line shall be ten feet; provided, however, that where the applicable zone
11 provides for a greater side or rear yard setback, such greater setback shall
12 apply. For lots larger than two acres, the minimum setback from a side property
13 line and from a rear property line shall be ten feet; provided, however, that
14 where the applicable zone provides for a greater side or rear yard setback, such
15 greater setback shall apply.

16 (10) Notwithstanding the height limitations of any zone, the height limit
17 on any lot shall be twenty feet for lots two acres or smaller and thirty-five feet
18 for lots larger than two acres.

19 (11) Bare metal buildings (metal buildings without paint or exterior
20 architectural coatings or treatments), shall not be located on a lot one acre or
21 smaller. This prohibition shall not apply to single-story garden sheds,
22 playhouses or similar buildings of 120 square feet or less.

23 (12) No detached accessory building shall be erected unless a one family
24 dwelling exists on the same lot or a building permit has been issued for a one
25 family dwelling on the same lot pursuant to Ordinance No. 457. No certificate
26 of occupancy shall be issued or final inspection shall be done for the detached
27 accessory building until a certificate of occupancy has been issued or final
28 inspection has been done for the one family dwelling, whichever occurs first.

(13) No detached accessory building shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, by the same renter or lessee.

(14) No detached accessory building shall be used for overnight accommodations.

(15) No detached accessory building shall contain a kitchen.

(16) Any detached accessory building must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building.”

Section 2. A new subsection c. of Section 18.18 of Ordinance No. 348 is added to read as follows:

“c. GUEST QUARTERS. Excluding subsection b.14 of this Section 18.18, all development standards for detached accessory buildings shall apply to guest quarters. In addition, the following development standards shall apply to guest quarters:

(1) Only one guest quarter shall be allowed on a lot regardless of lot size.

(2) The square footage of any guest quarter shall not exceed 1/50 (2 %) of the lot size and shall in no case exceed six hundred (600) square feet.

(3) A guest quarter shall be used exclusively by occupants of the premises and their non-paying guests.

(4) No reduction of the side and rear yard setbacks shall be allowed for any guest quarter.

(5) For lots two acres or smaller, a guest quarter shall not be allowed if the lot has an existing or approved second unit.”

Section 3. Existing subsections c. and d. of Section 18.18 of Ordinance No. 348 are re-lettered d. and e. respectively.

Section 4. Re-lettered subsection d. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

1 “d. PERMIT REQUIREMENT. Where the principal use of a lot is a one family
2 dwelling, the approval of a plot plan pursuant to Section 18.30 of this ordinance shall be
3 required for either: (1) a detached accessory building with a floor area of 651 square feet or
4 more; or (2) a detached accessory building with a floor area of 120 square feet or more on
5 a lot which already has one or more existing or approved detached accessory buildings
6 with a floor area of 120 square feet or more. Notwithstanding the above, the approval of a
7 plot plan shall not be required for a detached accessory building with a floor area of less
8 than 1,201 square feet if the detached accessory building is located on a lot larger than one
9 acre, is setback from all lot lines a minimum of 50 feet, and there are no other detached
10 accessory buildings with a floor area of 120 square feet or more already approved or
11 existing on the lot. All plot plans required pursuant to this subsection shall be subject to the
12 hearing requirements of Section 18.30 d.(2). In addition to all other requirements, a plot
13 plan for a detached accessory building located less than 30 feet from the principal building
14 may be approved only if it is found that the detached accessory building is compatible with
15 the architecture of the principal building and consistent with the character of the
16 surrounding neighborhood. In addition to all other requirements, a plot plan for a detached
17 accessory building located 30 feet or more from the principal building may be approved
18 only if it is found that the detached accessory building is consistent with the character of
19 the surrounding neighborhood.”

20 Section 5. Re-lettered subsection e. of Section 18.18 of Ordinance No. 348 is amended to read
21 as follows:

22 “e. EXCEPTIONS.

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

24 Section 6. A new subsection (4) is added to subsection c. of Section 18.28a of Ordinance No.
25 348 to read as follows:

26 “(4) For lots two acres or smaller, a second unit shall not be allowed if the lot has
27 an existing or approved guest quarter.”

28 Section 7. Existing subsections (4) through (12) of subsection c. of Section 18.28a of
Ordinance No. 348 are re-numbered (5) through (13) respectively.

Section 8. Section 21.1 of Ordinance No. 348 is amended to read as follows:

“SECTION 21.1 ACCESSORY BUILDING. A subordinate building on the same lot or building site, the use of which is incidental to that of the principal building. A mobilehome shall constitute a principal building where installed as provided in Section 19.77 or Section 19.79 of this ordinance. A second unit, as defined by state law and this ordinance, shall not constitute an accessory building.”

Section 9. Section 21.31. of Ordinance No. 348 is repealed in its entirety.

Section 10. A new Section 21.35a of Ordinance No. 348 is added to read as follows:

“SECTION 21.35a GUEST QUARTER. A detached accessory building designed and intended to provide overnight accommodations.”

Section 11. This ordinance shall take effect thirty (30) days after its adoption.

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

By: Marion Ashley
Chairman
Marion Ashley


ATTEST: Kecia Harper-Ihem
CLERK OF THE BOARD

By: Karen B. Jutan
Deputy

(SEAL)

APPROVED AS TO FORM

June 29, 2010

By: 
TIFFANY N. NORTH
Deputy County Counsel

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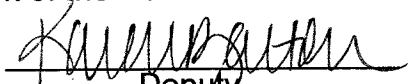
STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on October 19, 2010, the foregoing ordinance consisting of 11 Sections was adopted by the following vote:

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

DATE: October 19, 2010

KECIA HARPER-IHEM
Clerk of the Board

BY: 
Deputy

SEAL

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department

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

NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: Riverside County Planning Department
☐ 4080 Lemon Street, 9th Floor
P. O. Box 1409
Riverside, CA 92502-1409

Initial
☐ 38686 El Cerrito Road
Palm Desert, CA 92201

Project Title/Case No.: Ordinance No. 348.4703

Project Location: This project affects all parcels and property in the unincorporated Riverside County

Project Description: Ordinance 348.4703 is a proposal to amend Section 18.18 of Ordinance No. 348 for Detached Accessory Buildings. The proposed change will include language to allow Guest Quarters in all zones in which a one family dwelling has been legally erected or permitted. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarters within the lot. The proposed ordinance amendment requires that any guest quarters be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres and smaller in size are prohibited from having both a guest quarters and a second unit. The proposed amendment will also include new development standards that will apply to all detached accessory buildings.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: County of Riverside

Exempt Status: (Check one)

- | | |
|---|---|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) | <input checked="" type="checkbox"/> Categorical Exemption (_____) |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) | <input type="checkbox"/> Statutory Exemption (_____) |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | <input type="checkbox"/> Other: _____ |

Reasons why project is exempt: 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 conversation of small structures". subsection 'e' references "Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The Planning Department has found that the project is exempt from the provisions of CEQA based on Section 15601(b)(3) of the State CEQA Guidelines. Section 15601(b)(3) the general rule of the California Environmental Quality Act (CEQA). The General Rule of 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 may have a significant effect on the environment, the activity is not subject to CEQA. It can be foreseen, with certainty that the project relates to minor alterations of land and will not create a significant disturbance to land or the surrounding environment and therefore the project can be found exempt.

Adam Rush

County Contact Person

955-6646

Phone Number

Karen Klotz

Signature

Board Assistant

Title

10-19-10

Date

Verifying: Karen Klotz

Date Received for Filing and Posting at OPR: _____

Revised: 6/21/10 by A. Rush
F:\Ord. 348\Klotz Zoning\Guest Quarters\NOE Form.doc

Please charge deposit fee case#: ZRCZ1000 ZCFG No. - FREE POSTING per Ca. Govt. Code 6103 and 27383
FOR COUNTY CLERK'S USE ONLY

10-19-10 16.1

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department

Carolyn Syms Luna · Director

361B

DATE: September 20, 2010

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office *p.m.*

10-19-10

SUBJECT: ORDINANCE NO. 348.4703 – CEQA Exempt

(Charge your time to these case numbers)

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

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

Designate Newspaper used by Planning Department for Notice of Hearing:

COUNTY WIDE - Press Enterprise

Need Director's signature by 9/22/10

Please schedule on the October 19, 2010 BOS Agenda

Riverside Office · 4080 Lemon Street, 9th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-3157

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

RECEIVED
SEP 22 2010
COUNTY COUNSEL

**PLANNING COMMISSION
MINUTE ORDER SEPTEMBER 15, 2010
RIVERSIDE COUNTY ADMINISTRATION CENTER**

I. AGENDA ITEM 2.1: ORDINANCE NO. 348.4703 – CEQA Exempt

II. PROJECT DESCRIPTION

Proposes to amend Section 18.18 of Ordinance No. 348 for Detached Accessory Buildings. The proposed change will include language to allow Guest Quarters in all zones in which a one family dwelling has been legally erected or permitted. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarters within the lot. The proposed ordinance amendment requires that any guest quarters be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres and smaller in size are prohibited from having both a guest quarters and a second unit.

III. MEETING SUMMARY

The following staff presented the subject proposal:

Project Planner: Adam Rush Phone: 951-955-6646 or e-mail arush@rctlma.org.

The following person(s), spoke in favor of the subject proposal:

None

The following person(s), spoke in opposition of the subject proposal.

Randy Williams 31500 Scenic Hills Dr. 951-966-7714

No one spoke in neutral of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

V. PLANNING COMMISSION ACTION

The Planning Commission, by a vote of 5-0; recommend to the Board of Supervisors;

APPROVAL OF ORDINANCE NO. 348.4703

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at dbowie@rctlma.org.

Agenda Item No.: **2.1**
Area Plan: All Area Plans
Zoning: All Zoning Areas and District:
Supervisory District: All Districts
Project Planner: Adam Rush
Planning Commission: September 15, 2010
Continued from: August 18, 2010

Ordinance No. 348.4703
CEQA Exempt
Applicant: County of Riverside

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Ordinance 348.4703 is a proposal to amend Section 18.18 of Ordinance No. 348 regarding Detached Accessory Buildings. The proposed change will include language to allow Guest Quarters in all zones where the principal use of a lot is a one family dwelling. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarter within the lot. The proposed ordinance amendment requires that any guest quarter be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres or smaller in size are prohibited from having both a guest quarter and a second unit. The proposed amendment will also include new development standards that will apply to all detached accessory buildings as set forth in b. (12) through b. (16). With the exception of b.(14), all development standards for detached accessory buildings shall apply to guest quarters, as well as the standards of the particular zone and the standards in subsection c. of Section 18.18.

ISSUES OF POTENTIAL CONCERN:

Pursuant to County Ordinance No. 348, Section 18.18, detached accessory structures require a plot plan application for any structure over 650 square feet or any detached accessory building larger than 120 square feet, if a detached accessory building is already existing or approved on the lot. Since a guest quarter is a detached accessory building that can never be larger than 600 square feet, a guest quarter will not require a plot plan unless the lot already has one or more existing or approved detached accessory buildings with a floor area of 120 square feet or more.

FURTHER PLANNING CONSIDERATIONS

July 20, 2010

At the July 14, 2010 Planning Commission public hearing, the Commission reviewed staff's report and expressed concerns with structure and certain development standards of the proposed ordinance. The Commission continued the project until the next available Planning Commission hearing date (August 18th) to allow for an opportunity for a Planning Commission sub-committee of two representatives to meet with Planning Staff to discuss the proposed ordinance. As of the writing of this staff report, this meeting has been scheduled; yet has not occurred.

BACKGROUND

June 14, 2010

Interim Ordinance No. 449.236 was adopted on July 29, 2008 which prohibited the approval of Guest Dwellings. The purpose of this ordinance is due to the immediate need to study the impacts of recent revisions to the second unit and guest dwelling zoning requirements on the public's health, safety, and welfare, and to revise the appropriate zoning provision to be more consistent with the General Plan and in its application. Interim ordinance expired on September 11, 2008 and was replaced with Interim Ordinance No. 449.237, which extended Ordinance No. 449.236 for 30-days (October 11, 2008). Subsequent from this 30-day extension, Ordinance No. 449.238 was adopted to extend the previous ordinance one-year and nine months. Ordinance No. 449-238 expires on July 29, 2010.

During the period of the interim ordinance, the Planning Department, in conjunction with the Department's of Building and Safety, Code Enforcement, Land Use Counter Services, TLMA, and County Counsel has studied, revised, and prepared an amendment to Ordinance No. 348, Section 18.18 to include provisions and development standards to allow Guest Quarters, which will avoid previous conflicts with other portions of Ordinance 348 and ensure that Guest Quarters are consistent with all aspects of the Riverside County General Plan. The ordinance amendment meets the standards and requirements set forth in Section 3 of Ordinance No. 449.238, which require that any guest dwelling be proportionate in size to the main structure, that lots less than two acres in size are prohibited from constructing a guest dwelling and a second unit permit (SUP). The amended ordinance section will also provide development standards that ensure all guest dwellings are consistent and compatible with their surrounding environments and that enforcement of code violations relative to guest quarters can be clearly enforced through the Riverside County Code Enforcement department without creating additional ambiguity within the code requirements.

RECOMMENDATIONS:

TENTATIVE APPROVAL of Ordinance No. 348.4703, subject to the attached conditions of approval, and 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 classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348
3. The public health, safety, and general welfare are protected through this ordinance amendment.
4. The public's health, safety, and general welfare are protected through project design.
5. The project will not have a significant effect onto the surrounding environment.

FINDINGS: The following findings are in addition to those incorporated in the summary of findings and in the attached environmental assessment, which is incorporated herein by reference.

1. The proposed amendment applies to all areas within the unincorporated area of Riverside County.
2. 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.
3. The Planning Department has found that the project is exempt from the provisions of CEQA based on Section 15601(b)(3) of the State CEQA Guidelines. CEQA applies only to projects,

which have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment; the activity is not subject to CEQA. It can be foreseen, with certainty that the project relates to minor alterations of land and will not create a significant disturbance to land or the surrounding environment and therefore the project can be found exempt.

INFORMATIONAL ITEMS:

1. As of this writing, no letters, in support or opposition have been received.
2. The project covers all properties and parcels within the County of Riverside.

AR:ar

F:\Ord. 348\Klotz Zoning\Guest Quarters\08_18_10_PC\Staff Report_FINAL_08_18_10.doc

Date Prepared: 06/14/2010

Date Revised: 7/20/2010 by A. Rush



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

October 6, 2010

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

E-MAIL: legals@pe.com
FAX: 951-368-9018

RE: NOTICE OF PUBLIC HEARING: ORDINANCE NO. 348.4703, ORDINANCE
AMENDMENT REGARDING DETACHED ACCESSORY BUILDINGS

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on Friday,
October 8, 2010.

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 FORMAT INTO A 1/8TH PAGE DISPLAY AD

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

From: PE Legals [legals@pe.com]
Sent: Tuesday, October 05, 2010 5:01 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ORD. NO. 348.4703 DETACHED ACCESSORY BUILDINGS

Received for publication on Friday, Oct. 8

Thank You!
Maria

Maria G. Tinajero • Legal Advertising Department • 1-800-880-0345 • Fax: 951-368-9018

enterprisemedia

Publisher of the Press-Enterprise

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

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Tuesday, October 05, 2010 4:59 PM
To: PE Legals
Subject: FOR PUBLICATION: ORD. NO. 348.4703 DETACHED ACCESSORY BUILDINGS

Hello!

Attached is a Notice of Public Hearing for above-mentioned Ordinance Amendment, for publication on Friday, Oct. 8, 2010. This will be a 1/8th Page Display AD.

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.**

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN ORDINANCE AMENDMENT REGARDING DETACHED ACCESSORY BUILDINGS IN ALL SUPERVISORIAL DISTRICTS IN THE COUNTY OF RIVERSIDE, AND INTENT TO FILE NOTICE OF EXEMPTION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 19, 2010 at 1:30 p.m.** to consider Ordinance No. 348.4703, an amendment, which proposes to amend Section 18.18 of Riverside County Land Use Ordinance No. 348 regarding Detached Accessory Buildings ("the project"). The proposed change will include language to allow Guest Quarters in all zones where the principal use of a lot is a one-family dwelling. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarter within the lot. It will also require that any guest quarter be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres or smaller in size are prohibited from having both a guest quarter and a second unit. The proposed amendment will also include new development standards that will apply to all detached accessory buildings as set forth in b.(12) through b.(16). With the exception of b.(14), all development standards for detached accessory buildings shall apply to guest quarters, as well as the standards of the particular zone and the standards in subsection c. of Section 18.18.

The Planning Commission approved the project and also determined that the project is exempt from the provisions of the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Central Files Division of Riverside County Planning Department at 4080 Lemon Street, 9th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT ADAM RUSH, PROJECT PLANNER, AT (951) 955-6646 OR EMAIL arush@rctlma.org.

Any person wishing to testify in support of or in opposition to the 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 written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: October 6, 2010

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

CERTIFICATE OF POSTING

(Original copy, duly executed, must be attached to
the original document at the time of filing)

I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on October 6, 2010, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

Notice of Public Hearing for: Ordinance No. 348.4703 – Detached Accessory Buildings

to be posted, pursuant to Government Code Section 21092 et seq, in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

Board Agenda Date: October 19, 2010 @ 1:30 PM

SIGNATURE: Mcgil
Cecilia Gil

DATE: October 6, 2010

Gil, Cecilia

From: Meyer, Mary Ann [MaMeyer@asrcrkrec.com]
Sent: Tuesday, October 05, 2010 5:09 PM
To: Gil, Cecilia
Subject: RE: FOR POSTING: ORD. No. 348.4703 detached accessory buildings

will post 10-6-10

From: Gil, Cecilia
Sent: Tuesday, October 05, 2010 5:01 PM
To: Meyer, Mary Ann
Cc: Marshall, Tammie
Subject: FOR POSTING: ORD. No. 348.4703 detached accessory buildings

Hello!

Attached is a Notice of Public Hearing, for POSTING. 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.***

⑨ REMITTANCE ADDRESS
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FAX (951) 368-9026

① BILLING PERIOD 10/08/10 - 10/08/10
⑤ BILLING DATE 10/08/10
② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
FOR BILLING INFORMATION CALL (951) 368-9713
④ PAGE NO 1
③ TOTAL AMOUNT DUE 491.40
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TERMS OF PAYMENT Due Upon Receipt

⑧ BILLED ACCOUNT NAME AND ADDRESS

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

⑦ BILLED ACCOUNT NUMBER 045202 | REP NO LE04

Statement #: 56564858 Amount Paid \$ _____ Your Check # _____

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⑩ DATE	⑪ REFERENCE	⑫ ⑬ ⑭ DESCRIPTION-OTHER COMMENTS-CHARGES	⑮ AD SIZE ⑯ BILLED UNITS	⑰ RATE	⑱ GROSS AMOUNT	⑲ NET AMOUNT
10/08	4235052 CO	ORDINANCE NO. 348.4703 Class : 10 Ctext Ad# 10421307 Placed By : Cecilia Gil	378 L	1.30		491.40

*Planning
16-1 of 10/19/10*

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2010 OCT 18 PM 3:26

① CURRENT NET AMOUNT DUE	② 30 DAYS	③ 60 DAYS	④ OVER 90 DAYS	⑤ UNAPPLIED AMOUNT	⑥ PLEASE PAY THIS AMOUNT
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56564858	10/08/10 - 10/08/10	045202		BOARD OF SUPERVISORS

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Riverside CA 92501-3878
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951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ordinance No. 348.4703

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 of 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 dates, to wit:

10-08-10

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

Date: Oct. 8, 2010
At: Riverside, California

BOARD OF SUPERVISORS

P.O. BOX 1147
COUNTY OF RIVERSIDE
RIVERSIDE CA 92502

Ad #: 10421307

PO #:

Agency #: _____

Ad Copy:

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN ORDINANCE AMENDMENT REGARDING DETACHED ACCESSORY BUILDINGS IN ALL SUPERVISORIAL DISTRICTS IN THE COUNTY OF RIVERSIDE, AND INTENT TO FILE NOTICE OF EXEMPTION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, October 19, 2010 at 1:30 p.m.** to consider Ordinance No. 348.4703, an amendment, which proposes to amend Section 18.18 of Riverside County Land Use Ordinance No. 348 regarding Detached Accessory Buildings ("the project"). The proposed change will include language to allow Guest Quarters in all zones where the principal use of a lot is a one-family dwelling. The proposed ordinance will include development standards to regulate the size, orientation, and compatibility of the guest quarter within the lot. It will also require that any guest quarter be proportionate in size to the lot and in no case larger than 600 square feet. Lots two acres or smaller in size are prohibited from having both a guest quarter and a second unit. The proposed amendment will also include new development standards that will apply to all detached accessory buildings as set forth in b.(12) through b.(16). With the exception of b.(14), all development standards for detached accessory buildings shall apply to guest quarters, as well as the standards of the particular zone and the standards in subsection c. of Section 18.18.

The Planning Commission approved the project and also determined that the project is exempt from the provisions of the California Environmental Quality Act. The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Central Files Division of Riverside County Planning Department at 4080 Lemon Street, 9th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT ADAM RUSH, PROJECT PLANNER, AT (951) 955-6646 OR EMAIL arush@rcflma.org.

Any person wishing to testify in support of or in opposition to the 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 written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147

Dated: October 6, 2010

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

10/8



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

October 28, 2010

THE PRESS ENTERPRISE
ATTN: LEGALS
PO BOX 792
RIVERSIDE, CA 92501

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

RE: ADOPTION OF ORDINANCE NO. 348.4703

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, October 30, 2010**.

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

From: PE Legals [legals@pe.com]
Sent: Wednesday, October 27, 2010 4:43 PM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: ADOPTION OF ORD. NO. 348.4703

Received for publication on Oct. 30

Thank You!
Maria

Maria G. Tinajero • Legal Advertising Department • 1-800-880-0345 • Fax: 951-368-9018

enterprise media

Publisher of the Press-Enterprise

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

From: Gil, Cecilia [mailto:CCGIL@rcbos.org]
Sent: Wednesday, October 27, 2010 4:33 PM
To: PE Legals
Subject: FOR PUBLICATION: ADOPTION OF ORD. NO. 348.4703

Hello!

Attached is an Adoption of Ordinance, for publication on Saturday, Oct. 30, 2010. 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.**

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

ORDINANCE NO. 348.4703
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.

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

"b. **DEVELOPMENT STANDARDS.** Where the principal use of a lot is a one family dwelling, a detached accessory building shall be permitted subject to the following requirements. These requirements are in addition to the development standards 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 development standard a depth of not more than 75 feet shall be deemed to be such front half of such adjacent lot.
- (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 detached 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 detached accessory building 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 principal building.
- (9) For lots two acres or smaller, 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 lots larger than two acres, the minimum setback from a side property line and 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.
- (10) Notwithstanding the height limitations of any zone, the height limit on any lot shall be twenty feet for lots two acres or smaller and thirty-five feet for lots larger than two acres.
- (11) Bare metal buildings (metal buildings without paint or exterior architectural coatings or treatments), shall not be located on a lot one acre or smaller. This prohibition shall not apply to single-story tool and storage sheds or playhouses of 120 square feet of floor area or less.
- (12) No detached accessory building shall be erected unless a one family dwelling exists on the same lot or a building permit has been issued for a one family dwelling on the same lot pursuant to Ordinance No. 457. No final inspection shall be done for the detached accessory building until a final inspection has been done for the one family dwelling.

- (13) No detached accessory building shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, by the same renter or lessee.
- (14) No detached accessory building shall be used for overnight accommodations.
- (15) No detached accessory building shall contain a kitchen.
- (16) Any detached accessory building must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building."

Section 2.

A new subsection c. of Section 18.18 of Ordinance No. 348 is added to read as follows:

"c. GUEST QUARTERS. Excluding subsection b.14 of this Section 18.18, all development standards for detached accessory buildings shall apply to guest quarters. In addition, the following development standards shall apply to guest quarters:

- (1) Only one guest quarter shall be allowed on a lot regardless of lot size.
- (2) The square footage of any guest quarter shall not exceed 1/50 (2 %) of the lot size and shall in no case exceed six hundred (600) square feet.
- (3) A guest quarter shall be used exclusively by occupants of the premises and their non-paying guests.
- (4) No reduction of the side and rear yard setbacks shall be allowed for any guest quarter.
- (5) For lots two acres or smaller, a guest quarter shall not be allowed if the lot has an existing or approved second unit."

Section 3.

Existing subsections c. and d. of Section 18.18 of Ordinance No. 348 are re-lettered d. and e. respectively.

Section 4.

Re-lettered subsection d. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"d. PERMIT REQUIREMENT. Where the principal use of a lot is a one family dwelling, the approval of a plot plan pursuant to Section 18.30 of this ordinance shall be required for either: (1) a detached accessory building with a floor area of 651 square feet or more; or (2) a detached accessory building with a floor area of 120 square feet or more on a lot which already has one or more existing or approved detached accessory buildings with a floor area of 120 square feet or more. Notwithstanding the above, the approval of a plot plan shall not be required for a detached accessory building with a floor area of less than 1,201 square feet if the detached accessory building is located on a lot larger than one acre, is setback from all lot lines a minimum of 50 feet, and there are no other detached accessory buildings with a floor area of 120 square feet or more already approved or existing on the lot. All plot plans required pursuant to this subsection shall be subject to the hearing requirements of Section 18.30 d.(2). In addition to all other requirements, a plot plan for a detached accessory building located less than 30 feet from the principal building may be approved only if it is found that the detached accessory building is compatible with the architecture of the principal building and consistent with the character of the surrounding neighborhood. In addition to all other requirements, a plot plan for a detached accessory building located 30 feet or more from the principal building may be approved only if it is found that the detached accessory building is consistent with the character of the surrounding neighborhood."

Section 5.

Re-lettered subsection e. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"e. EXCEPTIONS.

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

Section 6. A new subsection (4) is added to subsection c. of Section 18.28a of Ordinance No. 348 to read as follows:

"(4) For lots two acres or smaller, a second unit shall not be allowed if the lot has an existing or approved guest quarter."

Section 7. Existing subsections (4) through (12) of subsection c. of Section 18.28a of Ordinance No. 348 are re-numbered (5) through (13) respectively.

Section 8. Section 21.1 of Ordinance No. 348 is amended to read as follows:
"SECTION 21.1 ACCESSORY BUILDING. A subordinate building on the same lot or building site, the use of which is incidental to that of the principal building. A mobilehome shall constitute a principal building where installed as provided in Section 19.77 or Section 19.79 of this ordinance. A second unit, as defined by state law and this ordinance, shall not constitute an accessory building."

Section 9. Section 21.31. of Ordinance No. 348 is repealed in its entirety.

Section 10. A new Section 21.35a of Ordinance No. 348 is added to read as follows:
"SECTION 21.35a GUEST QUARTER. A detached accessory building designed and intended to provide overnight accommodations."

Section 11. This ordinance shall take effect thirty (30) days after its adoption.

Marion Ashley, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **October 19, 2010**, the foregoing Ordinance consisting of eleven (11) sections was adopted by said Board by the following vote:

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

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

⑨ REMITTANCE ADDRESS
POST OFFICE BOX 12009
RIVERSIDE, CA 92502-2209
FAX (951) 368-9026

① BILLING PERIOD 10/30/10 - 10/30/10
② ADVERTISING/CLIENT NAME BOARD OF SUPERVISORS
⑤ BILLING DATE 10/30/10
⑥ FOR BILLING INFORMATION CALL (951) 368-9713
③ TOTAL AMOUNT DUE 595.40
④ UNAPPLIED AMOUNT 0
⑦ TERMS OF PAYMENT Due Upon Receipt
⑧ PAGE NO 1

⑥ BILLED ACCOUNT NAME AND ADDRESS
BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
P.O. BOX 1147
RIVERSIDE CA 92502

⑥ BILLED ACCOUNT NUMBER 045202
⑦ REP NO LE04

Statement #: 56567182 Amount Paid \$ _____ Your Check # _____


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10/30	4242322 CO	ORDINANCE NO. 348.4703 Class : 10 Ctext Ad# 10448787 Placed By : Cecilia Gil	458 L	1.30		595.40

*Planning
16.1 of 10/19/10
Z 1 hr*

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2010 NOV 10 PM 12:41

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THE PRESS-ENTERPRISE 
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* UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE



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56567182	10/30/10 - 10/30/10	045202		BOARD OF SUPERVISORS

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.)**

Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: Ordinance No. 348.4703

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 of 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 dates, to wit:

10-30-10

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

Date: Oct. 30, 2010
At: Riverside, California

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

Ad #: 10448787

PO #:

Agency #: _____

Ad Copy:

BOARD OF SUPERVISORS OF THE COUNTY OF
RIVERSIDE, STATE OF CALIFORNIA
ORDINANCE NO. 348.4703
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. Subsection b. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"b. DEVELOPMENT STANDARDS. Where the principal use of a lot is a one family dwelling, a detached accessory building shall be permitted subject to the following requirements. These requirements are in addition to the development standards 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 development standard a depth of not more than 75 feet shall be deemed to be such front half of such adjacent lot.
- (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.
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- (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 detached accessory building 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 principal building.
- (9) For lots two acres or smaller, 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 lots larger than two acres, the minimum setback from a side property line and 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.
- (10) Notwithstanding the height limitations of any zone, the height limit on any lot shall be twenty feet for lots two acres or smaller and thirty-five feet for lots larger than two acres.
- (11) Bare metal buildings (metal buildings without paint or exterior architectural coatings or treatments), shall not be located on a lot one acre or smaller. This prohibition shall not apply to single-story tool and storage sheds or playhouses of 120 square feet of floor area or less.
- (12) No detached accessory building shall be erected unless a one family dwelling exists on the same lot or a building permit has been issued for a one family dwelling on the same lot pursuant to Ordinance No. 457. No final inspection shall be done for the detached accessory building until a final inspection has been done for the one family dwelling.
- (13) No detached accessory building shall be rented or leased, or offered for rent or lease, unless the one family dwelling on the lot is also being rented or leased, or offered for rent or lease, by the same renter or lessee.
- (14) No detached accessory building shall be used for overnight accommodations.
- (15) No detached accessory building shall contain a kitchen.
- (16) Any detached accessory building must have the same lot access as the one family dwelling on the lot. No additional curb cuts, rear access or any other type of access is allowed to the detached accessory building."

Section 2. A new subsection c. of Section 18.18 of Ordinance No. 348 is added to read as follows:

"c. GUEST QUARTERS. Excluding subsection b.14 of this Section 18.18, all development standards for detached accessory buildings shall apply to guest quarters. In addition, the following development standards shall apply to guest quarters:

- (1) Only one guest quarter shall be allowed on a lot regardless of lot size.
- (2) The square footage of any guest quarter shall not exceed 1/50 (2 %) of the lot size and shall in no case exceed six hundred (600) square feet.
- (3) A guest quarter shall be used exclusively by occupants of the premises and their non-paying guests.
- (4) No reduction of the side and rear yard setbacks shall be allowed for any guest quarter.
- (5) For lots two acres or smaller, a guest quarter shall not be allowed if the lot has an existing or approved second unit."

Section 3. Existing subsections c. and d. of Section 18.18 of Ordinance No. 348 are re-lettered d. and e. respectively.

Section 4. Re-lettered subsection d. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"d. PERMIT REQUIREMENT. Where the principal use of a lot is a one family dwelling, the approval of a plot plan pursuant to Section 18.30 of this ordinance shall be required for either: (1) a detached accessory building with a floor area of 651 square feet or more; or (2) a detached accessory building with a floor area of 120 square feet or more on a lot which already has one or more existing or approved detached accessory buildings with a floor area of 120 square feet or more. Notwithstanding the above, the approval of a plot plan shall not be required for a detached accessory building with a floor area of less than 1,201 square feet if the detached accessory building is located on a lot larger than one acre, is setback from all lot lines a minimum of 50 feet, and there are no other detached accessory buildings with a floor area of 120 square feet or more already approved or existing on the lot. All plot plans required pursuant to this subsection shall be subject to the hearing requirements of Section 18.30 d.(2). In addition to all other requirements, a plot plan for a detached accessory building located less than 30 feet from the principal building may be approved only if it is found that the detached accessory building is compatible with the architecture of the principal building and consistent with the character of the surrounding neighborhood. In addition to all other requirements, a plot plan for a detached accessory building located 30 feet or more from the principal building may be approved only if it is found that the detached accessory building is consistent with the character of the surrounding neighborhood."

Section 5. Re-lettered subsection e. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"e. EXCEPTIONS.

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

Section 6. A new subsection (4) is added to subsection c. of Section 18.28a of Ordinance No. 348 to read as follows:

"(4) For lots two acres or smaller, a second unit shall not be allowed if the lot has an existing or approved guest quarter."

Section 7. Existing subsections (4) through (12) of subsection c. of Section 18.28a of Ordinance No. 348 are re-numbered (5) through (13) respectively.

Section 8. Section 21.1 of Ordinance No. 348 is amended to read as follows:

"SECTION 21.1 ACCESSORY BUILDING. A subordinate building on the same lot or building site, the use of which is incidental to that of the principal building. A mobilehome shall constitute a principal building where installed as provided in Section 19.77 or Section 19.79 of this ordinance. A second unit, as defined by state law and this ordinance, shall not constitute an accessory building."

Section 9. Section 21.31. of Ordinance No. 348 is repealed in its entirety.

Section 10. A new Section 21.35a of Ordinance No. 348 is added to read as follows:

"SECTION 21.35a GUEST QUARTER. A detached accessory building designed and intended to provide overnight accommodations."

Section 11. This ordinance shall take effect thirty (30) days after its adoption.

Marion Ashley, Chairman of the Board
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **October 19, 2010**, the foregoing Ordinance consisting of eleven (11) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, and Benoit

NAYS: None

ABSENT: Ashley

Kecia Harper-Ihem, Clerk of the Board

By: Cecilia Gil, Board Assistant

10/30