

Agenda Item No.: 5.1  
Area Plan: Southwest  
Zoning Area: Rancho California  
Supervisory District: First  
Project Planner: Damaris Abraham

Plot Plan Number: 23632  
Applicant: Steven Taylor  
Planning Commission: February 4, 2009  
Directors Hearing: December 15, 2008  
CEQA Exempt

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### **PROJECT DESCRIPTION AND LOCATION:**

This plot plan is a proposal to permit an existing unpermitted 3,000 square foot conversion of an agricultural building to a barn and a horse stall on 5.14 acres associated with the 5,938 square foot residence located at 38750 Avenida Carolinas in Murrieta.

### **BACKGROUND:**

The applicant filed this plot plan application on July 30, 2008 in an attempt to resolve a code violation (CV07-10713) issued by the Code Enforcement Division at the County of Riverside for construction without a permit.

The project was approved at the December 15, 2008 Planning Director's Hearing as a 3,000 square foot conversion of an agricultural building to a barn and a horse stall based on the information submitted with the project. However, the planning department has received an appeal for this project from a concerned neighbor. The appellant has indicated that the applicant's recent submittal contains information that is not accurate.

### **ISSUES OF POTENTIAL CONCERN:**

One of the issues raised by the appellant was that the structure is not a 3,000 square foot conversion of an agricultural building to barn and horse stall but rather an unpermitted newly constructed RV parking and garage. However, the planning department has located an agricultural building registration (BFE070028) for the property. Based on the information submitted by the applicant and as shown on the exhibits it appears that a portion of this agricultural building was converted to a barn and a horse stall.

### **ADDITIONAL ISSUES OF CONCERN:**

A portion of the agricultural building is converted to a second unit. The applicant has submitted a Second Unit Permit application (SUP01385) for the 1,048 square foot second unit conversion.

### **SUMMARY OF FINDINGS:**

1. Existing General Plan Land Use (Ex. #5): Rural: Rural Mountainous (R:RM) (10 Acres Minimum)
2. Surrounding General Plan Land Use (Ex. #5): Rural: Rural Mountainous (R:RM) (10 Acres Minimum)
3. Existing Zoning (Ex. #2): Residential Agricultural -5 Acres Minimum (R-A-5)
4. Surrounding Zoning (Ex. #2): Residential Agricultural -5 Acres Minimum (R-A-5) to the north, east, and west  
Residential Agricultural – 10 Acres Minimum (R-A-10) to the south

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|-----------------------------------|---|
| 5. Existing Land Use (Ex. #1):    | Single family residence   |
| 6. Surrounding Land Use (Ex. #1): | Single family residence to north and<br>Vacant to the south, east, and west |
| 7. Project Data:                  | Total Acreage: 5.14   |
| 8. Environmental Concerns:        | CEQA Exempt per Section 15303(e)  |

**RECOMMENDATIONS:**

**DENIAL** of the Appeal for Plot Plan No. 23632 based upon the findings and conclusions incorporated in the staff report; and,

**APPROVAL** of Plot Plan No. 23632, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

**CONCLUSIONS:**

1. The proposed project is in conformance with the Riverside County General Plan.
2. The proposed project is consistent with Section 18.18 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 project design.
4. The proposed project is compatible with the present and future logical development of the area.
5. The proposed project will not have a significant effect on the environment.
6. Accessory buildings are exempt under section 15303(e) of the California Environmental Quality Act.

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

1. The project has a primary dwelling on the parcel where the accessory structure is proposed.
2. The project site is designated Rural: Rural Mountainous (10 Acres Minimum) on the Southwest Area Plan.
3. The proposed accessory use is a permitted use in the general plan designation.
4. The proposed accessory use is a permitted use, subject to approval of a plot plan in the Residential Agricultural - 5 Acres Minimum (R-A-5) zone.
5. The proposed accessory use is consistent with the development standards set forth in the zone.
6. The proposed barn and horse stall is considered a detached accessory building under section 18.18 of Ordinance 348.

7. The accessory building is located 30 feet or more from the main building.
8. The accessory building is consistent with the character of the surrounding community.
9. The project conforms to Section 15303, New Construction or Conversion of Small Structures, of the CEQA guidelines and is exempt from CEQA if the project meets the following conditions: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: ... (e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.