

ORDINANCE NO. 7591

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING NUMEROUS SECTIONS IN TITLE 18 OF THE RIVERSIDE
MUNICIPAL CODE REGARDING SUBDIVISION.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 18.050.010 of the Riverside Municipal Code is hereby amended as follows:

“Section 18.050.010 Approving authority.

A. The Planning Commission of the City, as defined in Section 806 of the City's Charter and further defined in Title 2 of this Municipal Code, is designated as the advisory and/or approving agency with respect to subdivisions as set forth in the Subdivision Map Act except as otherwise specifically delegated in this title; and shall have all such powers and duties with respect to subdivision maps and all other related proceedings as are provided by law and this title.

...

C. The City Surveyor is hereby designated as the advisory and/or approving agency for those proceeding authorized pursuant to 18.085 Urban Lot Splits, 18.100 Lot Line Adjustments, Consolidations and Mergers, 18.110 Parcel Map Waivers and 18.120 Certificates of Compliance of this title.

...”

Section 2: Section 18.080.040 of the Riverside Municipal Code is hereby amended as follows:

“Section 18.080.040 Tentative parcel maps required.

A. A tentative parcel map, as defined under Article 6 Definitions, shall be required for all subdivisions creating four or fewer parcels or where:

...

B. A tentative parcel map shall not be required ~~for~~ as set forth in Section 18.080.090.

1 “Section 3: Section 18.080.090 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 18.080.090 Tentative maps not required.**

4 This article shall not be applicable to:

5 ...

6 I. Subdivisions of four parcels or less for construction of removable commercial buildings
7 having a floor area of less than 100 square feet. (California Government Code §§ 66412, 66412.1,
8 66412.2 and 66412.5.)

9 J. Subdivisions of a portion of the operating right-of-way of a railroad corporation, as defined
10 by Section 230 of the Public Utilities Code, that are created by short-term leases (terminable by
11 either party on not more than 30 days' notice in writing); or

12 K. Land conveyed to or from a governmental agency, public entity, public utility, or for land
13 conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way,
14 unless a showing is made in individual cases, upon substantial evidence, that public policy
15 necessitates a parcel map. For purposes of this subdivision, land conveyed to or from a governmental
16 agency shall include a fee interest, a leasehold interest, an easement or a license. (California
17 Government Code §§ 66428 (a)(2)).

18 L. Subdivisions for urban lot splits made pursuant to California Government Code § 66411.7.”

19 Section 4: Section 18.085 of the Riverside Municipal Code entitled “Urban Lot Splits” is
20 hereby added as shown in Exhibit “A” attached hereto and incorporated herein.

21 Section 5: Section 18.130.020 of the Riverside Municipal Code is hereby amended as
22 follows:

23 **“Section 18.130.020 Maps, permits and actions covered by this title.**

24 A. *Definition.* Discretionary permits or actions apply to projects which require the exercise of
25 judgment or deliberation when the approving or appeal authority decides to approve or disapprove
26 a particular map, permit or action, as distinguished from situations where a City Department,
27 Planning Commission or City Council merely has to determine whether there has been conformity
28 with applicable statutes, Codes or regulations.

B. *Ministerial parcel map for urban lot split.* A parcel map for an urban lot split, as defined in Section 18.260.220 of this Title and pursuant to §64411.7 of the California Government Code, shall be reviewed and ministerially approved by the City Surveyor or his or her designee according to the procedures set forth in Chapter 18.150 (General Application Processing Procedures). The approval of a parcel map for an urban lot split shall not be considered a discretionary action and shall not be appealable.

C. *Discretionary administrative maps, permits and actions not requiring a public hearing.* The Community & Economic Development Director, acting as the advisory agency, has primary administrative approving authority over maps, permits and actions which require the determination of compliance with applicable subdivision provisions and the application of judgment to a given set of facts. No public hearing is required for administrative maps, permits and actions unless the decision is appealed in accordance with provisions of Chapter 18.170 Appeals. Table 18.140.040 Approving and Appeal Authority describes the various administrative permits which can be approved by the Community & Economic Development Director.

D. *Discretionary maps, permits and actions requiring a public hearing.* Except when combined with legislative actions (see Section 18.140.030 Concurrent Processing of Permits), the Planning Commission is the designated approving authority for discretionary maps, permits and actions. The table in Section 18.140.040 describes the various discretionary maps, permits and actions which can be approved by the Planning Commission.”

Section 6: Section 18.140.040 of the Riverside Municipal Code is hereby amended as follows:

“Section 18.140.040 Approving and appeal authority table.

Type of Map, Permit or Action	City Surveyor	Community & Economic Development Director ⁽⁶⁾	City Planning Commission (CPC)	City Council (CC) ^{1, 2}
Administrative				
Certificate of Compliance	F		AR	A/F
Final Condominium Map				F ⁽³⁾

Final Environmental Subdivision Map				F ⁽³⁾
Final Parcel Map				F ⁽³⁾
Final Reversion to Acreage Map				F ⁽³⁾
Final Tract Map				F ⁽³⁾
Final Vesting Map				F ⁽³⁾
Lot Line Adjustments	F		AR	A/F
Lot Consolidations	F		AR	A/F
Lot Mergers/Unmergers	F		AR	A/F
Modifications		F	AR	A/F ⁽⁴⁾
Notice of Violation		F	AR	A/F
Parcel Map Waivers		F	AR	A/F
Tentative Parcel Map		F	AR	A/F ⁽⁵⁾
Time Extensions		F	AR	A/F
Urban Lot Split	F ⁽⁷⁾			
Public Hearing				
Tentative Condominium Map			F	A/F
Tentative Environmental Subdivision			F	A/F
Tentative Reversion to Acreage Map			F	A/F
Tentative Tract Map			F	A/F ⁽⁵⁾
Tentative Vesting Map			R	A/F

R = Recommending Authority; F = Final Action Authority (unless appealable or referred); A = Appeal Authority; AR = Approving Authority as Community & Economic Development Director on Referral

- (1) Decisions of the City Council are final and cannot be appealed.
- (2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing, will need to be re-advertised for such hearing prior to being heard.
- (3) The Public Works Department submits all Tract Maps and those Parcel Maps that require offers of dedications to the City Council for adoption. After adoption they are transmitted to the County Recorder for recordation. Parcel Maps not requiring offers of dedication are approved by the Public Works Department and submitted to the County Recorder for recordation.
- (4) See Title 19 (Zoning Code) of the Riverside Municipal Code, Section 19.650.020.C.2 - Designated Approving Authority
- (5) Tentative RC Zone Maps require City Council approval on its consent calendar.

1 (6) As set forth in this title, either the Community & Economic Development Director or the City Surveyor shall be the approving authority for
the action listed.

2 (7) Urban Lot Splits are subject only to ministerial approval and cannot be appealed.

3 Note: The Community & Economic Development Director or City Surveyor may refer the action to the next higher Approving Authority in the
hierarchy of decision-making.

4 Section 7: Section 18.210.030 of the Riverside Municipal Code is hereby amended as
5 follows:

6 **"Section 18.210.030 Streets.**

7 3. *Private driveway standards.*

8 a. For private driveways, the minimum widths shall be prescribed in Chapter 19.580 of Title
9 19 (Zoning)

10 b. The connection between the private driveways and any street shall be by an approved
11 connection.

12 ..."

13
14 Section 8: Section 18.210.080 of the Riverside Municipal Code amended as shown in
15 Exhibit "B" attached hereto and incorporated herein.

16 Section 9: Section 18.260.220 of the Riverside Municipal Code is hereby amended as
17 follows:

18 **"Section 18.260.220 "U" Definitions.**

19 *Urban lot split* means a subdivision pursuant to Section 66411.7 of the California
20 Government Code."

21 Section 10: The City Council has reviewed the matter and, based upon the facts and
22 information contained in the staff reports, administrative record, and written and oral testimony,
23 hereby finds that this ordinance is not subject to CEQA pursuant to Section 15061(b)(3) (General
24 Rule), as it can be seen with certainty that approval of the project will not have an effect on the
25 environment; and further that the adoption of an ordinance to implement Sections 65852.21 and
26 64411.7 of the California Government Code (SB 9) is not a Project and therefore not subject to
27 CEQA.
28

ADOPTED by the City Council this 5th day of July, 2022.

Attest:

I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 21st day of June, 2022, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 5th day of July, 2022, by the following vote, to wit:

Abstain: None

DONESIA GAUSE
City Clerk of the City of Riverside

EXHIBIT "A"

Chapter 18.085 Urban Lot Splits

18.085.010 Applicability.

The provisions of this chapter are applicable to all parcels created pursuant to California Government Code Section 66411.7, otherwise known as Senate Bill 9.

18.085.020 Approving authority.

The approving and appeal authority for urban lot splits shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

18.085.030 Requirements

A parcel map for an urban lot split made pursuant to California Government Code § 66411.7 shall conform with the following:

- A. *Location.* The parcel being subdivided shall:
1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
 2. Not be located within a Very High Fire Hazard Severity Zone;
 3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation, as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
 4. Not be located within a designated hazardous waste site;
 5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
 6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
 7. Not be located on a site that is designated or listed as a city or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.
- B. *Prior lot split.* The parcel proposed for an urban lot split shall not have been formed through a previous parcel map for an urban lot split.
- C. *Eligibility.* A parcel that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income shall not be eligible for an urban lot split. Further, a parcel is not eligible for an urban lot split if the subdivision would require demolition or alteration of:
1. Housing that is subject to any form of rent or price control;
 2. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years; or
 3. Housing that has been occupied by a tenant in the last three years.
- D. *Number of parcels.* No more than two parcels may be established through a parcel map for an urban lot split pursuant to this Chapter.

- E. *Adjacent parcels.* Neither the owner of the parcel being subdivided nor any person acting in concert with the owner may have previously subdivided an adjacent parcel through an urban lot split.

18.085.040 Subdivision Standards

- A. *Lot size.* The new parcels shall be of approximately equal parcel area. In no instance shall a parcel be smaller than 40 percent of the lot area of the original parcel proposed for subdivision, or smaller than 1,200 square feet, whichever is greater.
- B. *Access to streets.* Every parcel shall have access to, provide access to, or adjoin the public right-of-way.
- A minimum 10-foot-wide direct access corridor or easement shall be required when parcels do not adjoin the public right-of-way.
 - Additional access requirements, including but not limited to a wider access corridor or easement, may be required where necessary to provide adequate access for fire safety equipment as determined by the Fire Marshal.
- C. *Corridor access lots.* Corridor access lots may be approved ministerially. The corridor width shall be a minimum of 10 feet.
- D. *Dedications and Easements.* Easements may be required to convey public utilities, access, and other services. Right-of-way dedication and offsite improvements shall not be required, except in connection with a Building Permit.
- E. *Utilities.* Parcels created through an urban lot split shall have separate sewer, water and electrical utility services.
- F. The application of any subdivision standard that would physically prevent the development of two units of at least 800 square feet on either of the resulting parcels shall be waived. No Modification or other discretionary action shall be required.
- G. All other development standards contained within Titles 17, 18, and 19 shall apply.

18.085.050 Procedure

- A. *Pre-Clearance.* The Applicant for an urban lot split shall first submit for pre-clearance approval from the Planning Division. The Planning Division shall determine whether the request meets the eligibility requirements for an urban lot split.
- B. *Final Parcel Map.* Upon pre-clearance of an urban lot split application, the applicant shall file a final parcel map pursuant to Chapter 18.090.
- C. An urban lot split application shall follow the processing procedures for a final parcel map as set forth in Chapter 18.150 (General Application Processing Procedures).
- D. *Effective Date and Time Limits.*
- Expiration of pre-clearance.* Pre-clearance approval of an urban lot split for which a final parcel map has not been recorded as a final map shall expire within 36 months of the date of approval.
 - Applicants shall be required to re-submit for pre-clearance approval from the Planning Division if a final map has not been recorded within 36 months of the initial pre-clearance approval.

18.085.060 Noticing

- A. The Applicant of a proposed urban lot split shall provide written notice to the record owners of all property adjacent to/within 300 feet of the exterior boundaries of the property on which the subdivision is proposed.
- B. The notice shall be mailed via Certified United States Mail to the last known name and address of such owners as shown on the latest available equalized assessment roll of the County Assessor.

- C. The notice shall identify:
1. The location of the property;
 2. The nature of the proposed subdivision;
 3. Contact information for the project manager;
 4. Contact information for the Public Works Department; and
 5. The following statement: "This Notice is sent for informational purposes only and does not confer a right on the noticed party or any other person to comment on the proposed project. Approval of this project is ministerial, meaning the City of Riverside has no discretion in approving or denying the project if it complies with all legal requirements. Approval of this project is final and not subject to appeal."
- D. The notice shall be sent no fewer than 30 days after pre-clearance approval of the urban lot split. Urban lot split applications that include a two-unit development shall follow the noticing requirements for the two-unit development (19.443.080 Noticing).
- E. A final parcel map for an urban lot split shall not be recorded until such time as evidence of the completed certified mailing has been furnished to the Public Works Department.

18.085.070 Additional Requirements

- A. *Two units.* A maximum of two units may be permitted on a parcel created through an urban lot split. "Unit" means any dwelling unit, inclusive of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) pursuant to the requirements of Chapter 19.442 and Two-Unit Developments pursuant to the requirements of Chapter 19.443 of the Zoning Code.
- B. *Further subdivision.* Further subdivision of a parcel established through an urban lot split shall be prohibited. A restrictive covenant shall be recorded on each lot created through an urban lot split prohibiting further subdivision in perpetuity.
- C. *Owner occupancy.* The Applicant for an urban lot split shall sign an affidavit stating that they intend to occupy one of the dwelling units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
1. This requirement shall not apply to an Applicant that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.
- D. *Short-term rentals prohibited.* Units created pursuant to this Chapter shall be rented or leased for a term longer than 30 days. A Covenant shall be recorded against title to any property developed pursuant to this Chapter restricting rental or lease of any unit on the property for a term longer than 30 days.
- E. The correction of nonconforming zoning conditions shall not be required as a condition for ministerial approval of an urban lot split.
- F. *Setbacks.* Setbacks for a unit or units on a parcel created through an urban lot split shall be as set forth in Chapter 19.443 of the Zoning Code.

18.085.080 Severability

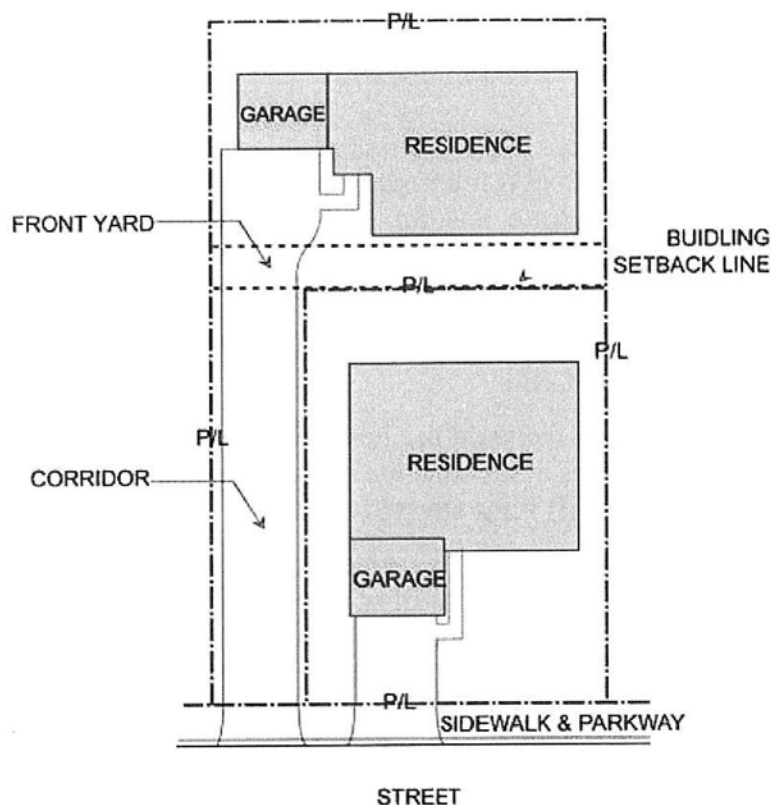
If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other

provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.

EXHIBIT "B"

18.210.080 Lots.

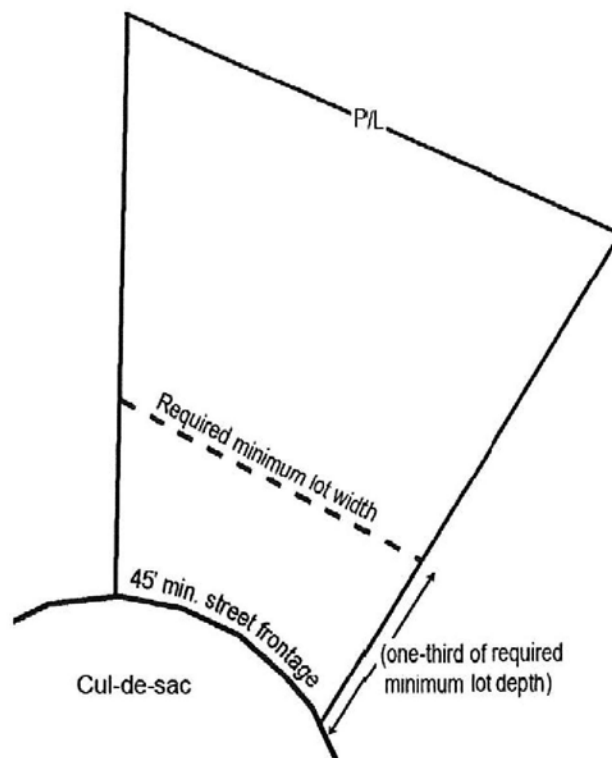
- A. *Suitability for purpose.* The subdivision plan shall result in the creation of lots which can be used or built upon. No subdivision shall create lots for building purposes which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape or other physical conditions.
- B. *Lot size.* The minimum area and dimensions of all lots shall conform with the requirements of the Zoning Code, Title 19 of the Municipal Code.
- C. *Lot lines.* Lot lines shall be located so as to facilitate the best utilization of existing and potential building sites. Normally, the side lines of lots shall be straight and approximately at right angles to the street, or approximately radial if the street is curved.
- D. *Access to streets.* Every lot for building purposes shall have direct vehicular access to a street meeting the minimum requirements of this title for right-of-way width and improvements. Lots, other than corner lots, normally shall not have access to more than one street. On any lot intended for residential occupancy, it shall be possible to provide safe vehicular access by way of a private driveway with a grade not in excess of 15 percent from the street to a garage, carport or parking site on the lot in a location conforming with the requirements of Titles 17 and 19 of this Code.
- E. *Corridor access lots.* Corridor access lots may be approved only where there is no reasonable alternative available to develop the interior portions of excessively deep parcels or where required by unusual physical constraints, subject to the approval of a modification in accordance with Chapter 18.230. For the purposes of this chapter the development standards for corridor access lots shall be as follows:
 - 1. The corridor width shall be a minimum of 20 feet; except for an urban lot split pursuant to California Government Code § 66411.7 shall be as set forth in Chapter 18.085 of this Title;
 - 2. The building pad shall be located behind at least one of the proposed, existing or potential building pads on an adjoining lot to either side;
 - 3. The building line means a line parallel with the street, independent of the corridor or panhandle;
 - 4. The front yard means a yard extending across the full width of the lot as measured from the building line; and
 - 5. The area of the corridor shall not count in computing lot area for purposes of ascertaining compliance with the provisions of Title 19 of the Code.
 - 6. No modification shall be required for the approval of a corridor access lot created pursuant to § 66411.7 of the California Government Code.
 - 7. The Approving Authority may interpret the standards of the corridor lot.



Corridor Access Lot

- F. *Property remnants.* Remnants of property which do not conform to lot requirements or which are not required for a public or private utility or other public use or approved access purpose should not be created by or included in a subdivision. Remnants may be approved where exceptional circumstances exist.
- G. *Reverse frontage lots.* Reverse frontage residential lots shall typically be required where those lots are adjacent to arterial street as shown on the Master Plan of Roadways in the General Plan, or to overcome specific disadvantages of topography and orientation. Where reverse frontage lots are approved, the right to vehicular and pedestrian ingress and egress over rear or side lot lines may be required to be relinquished.
- H. *Drainage.* All lots shall be adequately drained to the specifications of Title 17 and the City Engineer.
- I. *Cluster developments.* Subdivisions may be arranged in a cluster fashion, in compliance with the planned residential development regulations indicated in Title 19, Section 19.780, Riverside Municipal Code.
- J. *Cul-de-sac lots, and knuckle lots.* For purposes of this chapter, cul-de-sac lots and street knuckle lots, lot width means the horizontal distance between the side lot lines measured by a straight line drawn at one-third (i.e., 33.3 percent) the minimum required lot depth on each side lot line. At the front property line along a cul-de-sac bulb and street knuckle, there shall be a minimum distance of at least 45 feet. The Approving Authority may interpret the

standards of cul-de-sac lots and street knuckle lots. For more on cul-de-sac streets see Section 18.210.030.



ORDINANCE NO. 7592

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING NUMEROUS SECTIONS IN TITLE 19 OF THE RIVERSIDE
MUNICIPAL CODE REGARDING ZONING.

The City Council of the City of Riverside does ordain as follows:

Section 1: Chapter 19.080 of the Riverside Municipal Code entitled "Nonconformities" is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2: Chapter 19.100 of the Riverside Municipal Code entitled "Residential Zones (RA-5, RC, RR, RE, R-1-½ ACRE, R-1-13000, R-1-10500, R-1-8500, R-1-7000, R-3-4000, R-3-3000, R-3-2500, R-3-2000, R-3-1500, R-4)" is hereby amended as set forth in Exhibit "B" attached hereto and incorporated herein by reference.

Section 3: Chapter 19.120 of the Riverside Municipal Code entitled "Mixed-Use Zones (MU-N, MU-V, MU-U)" is hereby amended as set forth in Exhibit "C" attached hereto and incorporated herein by reference.

Section 4: Chapter 19.150 of the Riverside Municipal Code entitled "Base Zones Permitted Land Uses" is hereby amended as set forth in Exhibit "D" attached hereto and incorporated herein by reference.

Section 4: Chapter 19.219 of the Riverside Municipal Code entitled "Residential Protection Overlay Zone (RP)" is hereby amended as set forth in Exhibit "E" attached hereto and incorporated herein by reference.

Section 5: Chapter 19.442 of the Riverside Municipal Code entitled "Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)⁴" is hereby amended as set forth in Exhibit "F" attached hereto and incorporated herein by reference.

Section 6: Chapter 19.443 of the Riverside Municipal Code entitled "Two-Unit Developments" is hereby added as set forth in Exhibit "G" attached hereto and incorporated herein by reference.

1 Section 7: Chapter 19.520 of the Riverside Municipal Code entitled "Rental of Rooms"
2 is hereby amended as set forth in Exhibit "H" attached hereto and incorporated herein by reference.

3 Section 8: Chapter 19.580 of the Riverside Municipal Code entitled "Parking and
4 Loading" is hereby amended as set forth in Exhibit "I" attached hereto and incorporated herein by
5 reference.

6 Section 9: Chapter 19.680 of the Riverside Municipal Code entitled "Appeals" is hereby
7 amended as set forth in Exhibit "J" attached hereto and incorporated herein by reference.

8 Section 10: Chapter 19.720 of the Riverside Municipal Code entitled "Variance" is
9 hereby amended as set forth in Exhibit "K" attached hereto and incorporated herein by reference.
10

11 Section 11: Chapter 19.895 of the Riverside Municipal Code entitled "Room Rental
12 Permit" is hereby amended as set forth in Exhibit "L" attached hereto and incorporated herein by
13 reference.

14 Section 12: Chapter 19.910 of the Riverside Municipal Code entitled "Definitions" is
15 hereby amended as set forth in Exhibit "M" attached hereto and incorporated herein by reference.


16 Section 13: The City Council has reviewed the matter and, based upon the facts and
17 information contained in the staff reports, administrative record, and written and oral testimony,
18 hereby finds that this ordinance is not subject to CEQA pursuant to Section 15061(b)(3) (General
19 Rule), as it can be seen with certainty that approval of the project will not have an effect on the
20 environment; and further that the adoption of an ordinance to implement Sections 65852.21 and
21 64411.7 of the California Government Code (SB 9) is not a Project and therefore not subject to
22 CEQA.

23 Section 14: The City Clerk shall certify to the adoption of this ordinance and cause
24 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
25 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
26 adoption.

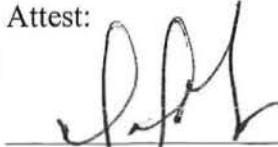
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1 ADOPTED by the City Council this 5th day of July, 2022.

2 
3 PATRICIA LOCK DAWSON
4 Mayor of the City of Riverside

5 Attest:

6 
7 DONESIA GAUSE
8 City Clerk of the City of Riverside

9 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
10 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 21st
11 day of June, 2022, and that thereafter the said ordinance was duly and regularly adopted at a meeting
12 of the City Council on the 5th day of July, 2022, by the following vote, to wit:

13 Ayes: Councilmembers Edwards, Cervantes, Fierro, Conder, Perry,
14 Hemenway and Councilwoman Plascencia

15 Noes: None

16 Absent: None

17 Abstain: None

18 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
19 City of Riverside, California, this 7th day of July, 2022.

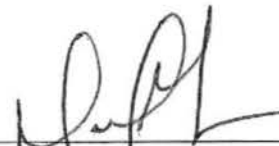
20 
21 DONESIA GAUSE
22 City Clerk of the City of Riverside

EXHIBIT “A”

Chapter 19.080 NONCONFORMITIES

19.080.070 Modification or expansion of nonconforming structures.

A nonconforming structure or use shall not be altered or expanded to increase the degree of nonconformity, except as follows:

- A. Expansion of a nonconforming structure with respect to development standards, including, but not limited to, setbacks, height, distances between structures and parking facilities shall be subject to the granting of a variance. The granting of a variance for the expansion of the nonconforming structure shall not authorize any expansion of the use. A minor conditional use permit shall also be required for expansions to a nonconforming use according to the applicability of the provisions found in paragraphs B and C.
- B. Expansion of a nonconforming nonresidential use is permitted subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:
 - 1. The expansion of the use will protect a valuable property investment;
 - 2. The expansion of the use will not adversely affect or be materially detrimental to the surrounding neighborhood;
 - 3. There is a need for modernization in order to properly operate the use and protect valuable property rights;
 - 4. The expansion of the use which included expansion of a structure shall be architecturally compatible with the existing building;
 - 5. The expansion of the use shall be compatible with the character of the surrounding area;
 - 6. The expansion shall not displace on-site parking; and
 - 7. The use has not been discontinued for a period of one year or more, except as provided in Section 19.080.040.
- C. Expansion of a nonconforming residential use is subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:
 - 1. The expansion shall not increase the number of living units on the property, except as allowed by California state law;
 - 2. The expansion of the use shall benefit the health, safety, and welfare of the occupants;
 - 3. The expansion of the use which includes expansion of a structure shall be architecturally compatible with the existing building;
 - 4. The expansion of the use shall be compatible with the character of the surrounding area; and
 - 5. The expansion shall not displace required on-site parking.

EXHIBIT “B”

Chapter 19.100 RESIDENTIAL ZONES (RA-5, RC, RR, RE, R-1-½ ACRE, R-1-13000, R-1-10500, R-1-8500, R-1-7000, R-3-4000, R-3-3000, R-3-2500, R-3-2000, R-3-1500, R-4)

19.100.010 Purpose.

The purpose of this chapter is to define allowable land uses and property development standards, including density of development, for all residential zones in order to produce healthy, safe, livable and attractive neighborhoods within the City of Riverside, consistent with the goals and policies of the City's General Plan. Fourteen residential zones are established to implement the residential land use designations of the General Plan. The purpose of each of the residential zones is as follows:

- A. *Residential Agricultural Zone (RA-5).* The Residential Agricultural Zone (RA-5) is established to provide areas where general agricultural uses can occur independently or in conjunction with a single-family residence, that preserves the agricultural character of the area.
- B. *Residential Conservation Zone (RC).* The Residential Conservation Zone (RC) is established consistent with General Plan objectives and voter approved initiatives (Proposition R and Measure C) to protect prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic conditions that warrant sensitive development from adverse development practices, and specifically, to achieve the following objectives:
 - 1. To preserve and enhance the beauty of the City's landscape;
 - 2. To maximize the retention of the City's natural topographic features, including, but not limited to, skyline profiles, ridgelines, ridge crests, hilltops, hillsides, slopes, arroyos, ravines, canyons, prominent trees and rock outcrops, view corridors, and scenic vistas through the careful selection and construction of building sites and building pads on said topographic features.
 - 3. To assure that residential use of said topographic features will relate to the surrounding topography and will not be conspicuous and obtrusive because of the design and location of said residential use;
 - 4. To reduce the scarring effects of excessive grading for building pads and cut and fill slopes;
 - 5. To prevent the construction of slopes inadequately protected from erosion, deterioration or slippage; and
 - 6. To conserve the City's natural topographic features.
- C. *Rural Residential Zone (RR).* The Rural Residential Zone (RR) is established to provide areas for single-family residences on large lots where flexible provisions apply pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats, sheep, and swine under Future Farmers of America-supervised and 4-H-supervised projects. These zones are established in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RR Zone to provide opportunities for persons whose lifestyles include the keeping of such animals in areas where such animal-keeping activities minimize impact to other residential properties.
- D. *Residential Estate Zone (RE) and R-1-½ Acre Zone.* The Residential Estate Zone (RE) and R-1-½ Acre Zone are established to provide areas for large lot single-family residences where the keeping of livestock and other farm animals and agricultural uses are not permitted.
- E. *Additional Single-family Residential Zones (R-1-13000, R-1-10500, R-1-8500 and R-1-7000).* Additional Single-family Residential Zones (R-1-½ Acre, R-1-13000, R-1-10500, R-1-8500 and R-1-7000) are established to provide areas for single-family residences with a variety of lot sizes and housing choices.

- F. *Multiple-Family Residential Zones (R-3-4000, R-3-3000, R-3-2500, R-3-2000 and R-3-1500).* Medium High-Density Residential Zones (R-3-4000 and R-3-3000) and High-Density Residential Zones (R-3-2500, R-3-2000 and R-3-1500) are established to provide areas for multiple family residences, including such residential development types as apartments, town homes, condominiums, and tiny homes (foundation) in tiny home communities.
- G. *Multiple-Family Residential Zone (R-4).* The Very High-Density Residential Zone (R-4) is established to provide areas for higher density multiple family residences in areas of the City readily served by public transit and near commercial zones and other nonresidential areas that meet the everyday shopping, educational, health service and similar needs of residents.

19.100.040 Residential development standards.

Tables 19.100.040.A (Residential Development Standards: Single-Family Residential Zones) and 19.100.040.B (Residential Development Standards: Multiple-Family Residential Zones) establish the development standards applicable to all development within the residential zones.

Table 19.100.040.A
Residential Development Standards: Single-family Residential Zones

Development Standards	Single-family Residential Zones								
	RA-5	RC ¹²	RR	RE	R-1-1/2 Acre	R-1-1300	R-1-10500	R-1-8500	R-1-7000
Density - Maximum (Dwelling Units per Gross Acre) ^{1,15, 16}	0.20	0.50 ¹¹	2.1 ¹¹	1.0 ¹¹	2.0 ¹¹	3.4 ¹¹	4.1 ¹¹	5.1 ¹¹	6.2 ¹¹
Lot Area - Minimum (Net) ¹⁶	5 Acres ^{2,9,14}	Varies ^{2,14}	20,000 sq. ft.	1 Acre	21,780 sq. ft.	13,000 sq. ft.	10,500 sq. ft.	8,500 sq. ft.	7,000 sq. ft.
Lot Width - Minimum ¹⁶	300 ft. ²	130 ft. ²	100 ft. ^{13,14}	130 ft. ^{13,14}	125 ft. ^{13,14}	100 ft. ^{13,14}	90 ft. ^{13,14}	80 ft. ^{13,14}	60 ft. ^{13,14}
Lot Depth - Minimum ¹⁶	500 ft. ²	100 ft. ²	150 ft.	150 ft.	150 ft.	110 ft.	110 ft.	100 ft.	100 ft.
Building Height - Maximum ^{10,15}	35 ft.	20 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Number of Stories - Maximum ¹⁵	2	1	2	2	2	2	2	2	2
Lot Coverage - Maximum	30%	N/A	30%	30%	30%	30%	35%	35%	40%
Setbacks - Minimum ⁸									
A. Front ⁷	40 ft. ²	30 ft. ^{2,6}	30 ft.	30 ft.	30 ft. ⁴	25 ft. ⁴	25 ft. ⁴	25 ft. ⁴	20 ft. ⁴

B. Side ^{5, 16}	20 ft. ²	25 ft. ²	20 ft.	25. ft.	20 ft.	15 ft. ³	10/15 ft. ³	7.5/12.5 ft. ³	7.5/10 ft. ³
C. Rear ^{5, 16}	25 ft. ²	25 ft. ²	100 ft.	30 ft.	35 ft.	30 ft.	25 ft.	25 ft.	25 ft.

Notes:

1. See Section 19.100.060 A (Additional Density). Gross acreage means streets are included for density purposes. Notwithstanding allowable density on a gross acreage basis, individual lots must meet the minimum lot size requirements exclusive of streets, except in the RA-5 Zone as described in Note 9.
2. Lot width, depth and area; building area; and setback requirements shall be as required as set forth in the Table. However, the zoning standards and requirements of the RC and RA-5 Zones shall not apply to any buildings existing prior to or under construction on November 13, 1979, or to the restoration or rehabilitation of or to any additions to such buildings, provided that the use, restoration, rehabilitation or addition shall conform to the current standards and requirements of the zoning in existence immediately prior to November 13, 1979. Also see Section 19.100.050 A (Lot Area).
3. Where a lot is less than 65 feet in width and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, the required side yards adjacent to interior side lot lines shall be reduced to five feet.
4. Front setback exceptions: See Section 19.100.060 C (Exceptions to Setback Requirements).
5. Side and rear setback exceptions: See Sections 19.100.060 C (Exceptions to Setback Requirements). The side setback can be applied to either side except that the larger setback is required when a side yard is adjacent to a street.
6. No lot that fronts onto Hawarden Drive within the Hawarden Drive Special Design Area, generally between Anna Street and the Alessandro Arroyo, shall have a front yard depth of less than 50 feet.
7. Where a lot or parcel of land at the junction of two intersecting streets in any residential zone has frontage on each street over 130 feet in length, front yards of the depth required in the appropriate zone shall be required on both frontages. Also see Chapter 19.630 (Yard Requirements and Exceptions).
8. No dwelling shall be located closer than five feet to any retaining wall exceeding two feet in height, unless such retaining wall is an integral part of an approved dwelling.
9. Lot area in the RA-5 Zone is measured to the centerline of the adjoining street or streets; provided, however, individuals may construct one single-family dwelling on a lot of less than five acres existing as of May 15, 1979 and the residence is owner occupied after construction.
10. Refer to Chapter 19.560 (Building Height Measurement) for height measurement and exceptions to height limits.
11. Project density may be greater in a Planned Residential Development (see Chapter 19.780).
12. See Section 19.100.050 (Additional Regulations for the RC Zone).
13. See Section 18.210.080 (Lots) and Article X (Definitions) for exceptions for cul-de-sac lots, knuckle lots, lots on curves and corridor lots.
14. See Section 18.210.030 N.2.a for exception to lot size on private streets if over 20,000 square feet.
15. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
16. See Chapter 18.085 (Urban Lot Splits) of the Subdivision Code and Chapter 19.443 (Two-Unit Developments) of this Title for density, lot area, lot width, lot depth, side setback and rear setback requirements for residential development pursuant to California Government Code § 65852.21 and § 66411.7.

Table 19.100.040 B
Residential Development Standards: Multiple-family Residential Zones

Multiple-Family Residential Zones
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Development Standards	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Density - Maximum (Dwelling Units per Gross Acre) ⁵	10.9	14.5	17.4	21.8	29	40
Lot Area - Minimum	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.
Lot Width ⁴ - Minimum	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	100 ft.
Lot Depth ⁴ - Minimum	150 ft.	150 ft.	100 ft.	100 ft.	100 ft.	150 ft.
Building Height ^{3, 5} - Maximum	30 ft./ 40 ft. ²	30 ft./ 40 ft. ²	30 ft./ 40 ft. ²	30 ft./ 40 ft. ²	30 ft./ 40 ft. ²	50 ft.
Number of Stories ⁵ - Maximum	2 ²	2 ²	2 ²	2 ²	2 ²	4
Setbacks - Minimum						
A. Front ¹	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	15 ft.
B. Front (Arterial Streets over 110 feet) ¹	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	15 ft.
C. Interior Side ¹	10 ft.	10 ft.	10 ft.	7.5 ft.	7.5 ft.	7.5 ft.
D. Street Adjoining Side ¹	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
E. Rear ¹	20 ft.	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.
<p>Notes:</p> <p>1. Where a property abuts the RA-5, RC, RR, RE or R-1 Zone, for buildings over two stories in height, the required side and rear yards shall be increased by two and one-half feet for each story in excess of two stories, except as otherwise stated in this footnote.</p> <p>2. Up to 60% of units may be located in three-story buildings with a maximum height of 40 feet.</p> <p>3. Refer to Chapter 19.560 (Building Height Measurement) for height measurements and exceptions to height limits.</p> <p>4. See Section 18.210.080 (Lots) and Article X (Definitions) for exemptions for cul-de-sac lots and knuckle lots.</p> <p>5. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.</p>						

19.100.050 Additional regulations for the RC Zone.

A. Lot area.

1. The lot area requirements for land Zoned RC varies based on average natural slope and the date the property was zoned RC, as set forth in this section.
2. The lot area requirements for land Zoned RC prior to May 15, 1979, shall be as follows:
 - a. Every lot shall have a minimum width at the building line of 130 feet and a minimum area of one-half acre; provided, however, that the average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.
 - b. Notwithstanding the provisions of subdivision 1 of this subsection, every lot or parcel located within the Hawarden Drive Special Design Area, generally between Anna Street and Alessandro Arroyo, shall have a minimum width at the building line of 130 feet and a minimum area of two acres; provided, however, that where a lot or parcel located within said area has less width or less

area than herein required and was a legally created lot of record prior to June 16, 1977, such lot may be occupied by a single-family residential use if the lot has a minimum area of one-half acre.

3. The lot area requirements for land zoned RC on or after May 15, 1979, shall be as follows:
 - a. Every lot with an average natural slope of less than 15 percent shall have a minimum width at the building line of 130 feet and a minimum area of one-half acre.
 - b. Every lot with an average natural slope from 15 percent to 30 percent shall have a minimum width at the building line of 130 feet and a minimum area of two acres.
 - c. Every lot with an average natural slope over 30 percent shall have a minimum width at the building line of 200 feet and a minimum area of five acres.
 - d. The average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.
 - e. These provisions shall not apply to lots created pursuant to California Government Code § 66411.7.
- B. *Nonconforming lot size—dwelling unit permitted.* Notwithstanding the provisions of subdivision 3 of subsection A above, individuals may construct one single-family dwelling on a lot existing as of May 15, 1979, of less than the minimum lot size required by Section A-3 if such individuals occupy the residence after construction.
- C. *Average natural slope.* For the purposes of this section, "average natural slope" shall mean the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the following formula:

$$S = \frac{0.002296 \times I \times L}{A}$$

where:

S = average natural slope in percent

I = natural contour interval in feet

L = length of natural contours in feet

A = acres of property (parcel of record existing on November 13, 1979)

0.002296 = Constant that converts square feet into acres and expresses slope percent.

The average natural slope shall be computed from photogrametric maps, grading permit plans and other data or evidence approved by the Public Works Department.

- D. *Grading.*
 1. No grading permit shall be issued for any grading in the RC Zone until grading plans and, if required, special drawings showing grading and topography as viewed from critical locations within the neighborhood or community, have been submitted to and approved by the designated Approving or Appeal Authority as set forth in Table 19.650.020 (Approving and Appeal Authority).
 2. The Approving and/or Appeal Authority shall consider the following items of particular concern in the review of grading proposals in the RC Zone. Conditions may be applied in the approval of grading plans so as to achieve these objectives pursuant to adopted standards included in the City's Grading Ordinance (Title 17).
 - a. The maximum retention of vistas, natural plant communities and natural topographic features including ridgelines, hilltops, slopes, rock outcroppings, arroyos, ravines and canyons;
 - b. The avoidance of excessive building padding or terracing and cut and fill slopes to reduce the scarring effects of grading;

- c. The encouragement of sensitive grading to ensure optimum treatment of natural hillside and arroyo features; and
 - d. The encouragement of imaginative grading plans to soften the impact of grading on hillsides including rolled, sloping or split pads; rounded cut and fill slopes and post and beam construction techniques.
- E. *Design review.*
 - 1. No building permit shall be issued for any building or structure in the RC Zone until slope planting and irrigation plans and the drawings required by Chapter 19.710 (Design Review) have been submitted to and approved in accordance with the provisions of Chapter 19.710 (Design Review).
 - 2. In addition to the standards established in the Zoning Code and in Chapter 19.710 (Design Review), the Design Review Approving or Appeal Authority shall consider the following items of particular concern in the RC Zone and shall approve the plans and drawings if all applicable standards are met:
 - a. The encouragement of unique site design to ensure optimum treatment of natural hillside and arroyo features and avoid inharmonious, incongruent, conspicuous and obtrusive development;
 - b. The reduction of the scarring effects of grading and the protection of slopes subject to erosion, deterioration or slippage, and fire by the use of appropriate slope planting, irrigation and maintenance; and
 - c. The encouragement of structures that will relate spatially and architecturally with the environment and complement the natural land forms.
 - 3. Conditions may be applied when the proposed development does not comply with applicable standards and shall be such as to bring such development into conformity or the plans and drawings may be disapproved and the Design Review Approving or Appeal Authority shall specify the standard or standards that are not met.
 - 4. All cut and fill slopes exceeding five feet in height shall be suitably landscaped with plant materials and adequately irrigated in accordance with approved plans and maintained on completion of the grading operations. The applicant or developer shall be responsible for the maintenance of all slope planting and irrigation systems until such time as the properties are occupied or until a homeowner's association accepts the responsibility to maintain the landscaping in common areas.
- F. *Subdivisions.* To assure compliance with the provisions of this chapter and the Zoning Code where a planned development permit is not required, there shall be submitted along with every tentative subdivision map and parcel map filed for approval in accordance with the provision of Title 18 (Subdivision Code) a preliminary grading plan showing at least one practical usable building site that can be developed in accordance with the provisions of this chapter for each lot or parcel.

19.100.060 Additional regulations for the RA-5, RE, RC, RR and R-1 Zones.

- A. *Additional density.* In the RE, RC, RR and R-1 zones and where consistent with the applicable General Plan land use designation the typical project density may be increased according to the regulations set forth in the Planned Residential Development Permit (PRD) process (Chapter 19.780 - Planned Residential Development Permit).
- B. *Conversion of existing dwelling unit to an accessory structure.* In the RE, RA-5, RR and R-1 zones, one entirely new single-family dwelling may be constructed upon a lot where there already exists not more than one single-family dwelling, provided that:
 - 1. At the time of issuance of a building permit for the new dwelling, the property owner/applicant also obtains a building permit to make alterations to the existing dwelling as are required by the City to reduce the character of use of the existing dwelling to a lawful accessory building, or the owner/applicant obtains a building moving permit to remove the existing dwelling from the lot;

2. The owner of the lot executes and delivers to the City a written agreement in a form approved by the City to make the required alterations or to remove the existing dwelling concurrently with or immediately after the construction and completion of the new dwelling, together with a faithful performance surety bond or other security, in the form approved by the City and in the amount of 100 percent of the amount of the cost of such alterations or removal, as estimated by the City; and
3. The Building Official determines that the requirements of Section 19.100.040 (Residential Development Standards) and Building Code and Fire Prevention Code will be complied with.

C. *Exceptions to setback requirements.*

1. *Front porches and balconies.* In the R-1 Zones, front porches that are open except for an overhead covering and have no habitable space above may encroach into the front setback up to a maximum of six feet.
2. *Flexible yard setbacks.*
 - a. In the R-1 Zones, on local streets only, where the residential structure has the garage set back ten or more feet from the required front yard setback, the habitable portion of the residential structure may extend into the front setback up to a maximum of five feet.
 - b. In conjunction with the consideration of a tentative tract or parcel map in the R-1-7000 Zone, interior side yard setbacks may be reduced to five feet provided a minimum distance of 15 feet is maintained between adjacent dwellings.
 - c. In the R-1 Zones, portions of the dwelling may encroach up to ten feet into the required rear yard setback provided that the encroachment does not exceed 500 square feet in total area.
3. *Accessory structures.* Refer to Chapter 19.440 (Accessory Buildings and Structures) for development standards.
4. *Stairway projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
5. *Fire escape projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
6. *Cornice, eave and sill projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
7. *Additions to established dwellings.* For lawfully established dwellings that do not conform to the side yards required in the RC, RR, RE and R-1 Zones additions may be constructed within such required side yards if such additions are located not closer to the side lot line than the existing dwelling; provided, that in no case shall such additions be located closer than five feet to interior side lot lines or ten feet to street side lot lines.
8. *Garage in the R-1-7000 Zone.* In the R-1-7000 Zone, a garage that is an integral part of the main dwelling may be located not closer than five feet to any interior side lot line.
9. *Setbacks for RR Zoned Properties less than 20,000 square feet in area.* For legally created parcels within the RR Zone which are less than 20,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:
 - a. For lots less than 8,500 square feet in area, the R-1-7000 standards apply.
 - b. For lots greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-8500 standards apply.
 - c. For lots greater than 10,500 square feet in area, but less than 13,000 square feet in area, the R-1-10500 standards apply.

- d. For lots greater than 13,000 square feet in area, but less than 20,000 square feet in area, the R-1-13000 standards apply.

19.100.070 Additional regulations for the R-3 and R-4 Zones.

A. *Usable open space.*

1. The minimum usable open space, as defined in Article X (Definitions), required for each dwelling unit shall be as set forth in Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones) below:

Table 19.100.070						
Usable Open Space Standards: Multi-Family Residential Zones						
Usable Open Space Standards	Multi-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Common Usable Open Space - Minimum per Unit	400 sq. ft.	400 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.	150 sq. ft.
Private Usable Open Space Ground Floor/Upper Story Unit	120 sq. ft./50 sq. ft.	120 sq. ft./50 sq. ft.	120 sq. ft./50 sq. ft.	100 sq. ft./50 sq. ft.	100 sq. ft./50 sq. ft.	50 sq. ft./50 sq. ft.

2. *Development consisting of 20 units or fewer.* Common open space may be divided into multiple areas; provided, however, that at least one area shall have no dimension smaller than 25 feet.
3. *Development consisting of 21 units to 75 units.*
- a. Common open space may be divided into multiple areas; provided, however, that at least one area shall have no dimension smaller than 50 feet.
- b. Common open space shall include but not be limited to two of the recreational amenities listed below:
- (1) One child's outdoor play area, which shall include a range of age-appropriate equipment including those rated for use by children younger than five.
 - (2) Pool and spa.
 - (3) One outdoor cooking facility with sheltered dining area to accommodate seating for a minimum of twelve adults.
 - (4) Court facilities (e.g., tennis, volleyball, basketball, etc.).
 - (5) Exercise room.
 - (6) Clubhouse with wet bar/counter facilities.
 - (7) Dog park.
4. *Development consisting of 76 units or more.*
- a. Common open space may be divided into multiple areas; provided, however, that at least one area shall have at least one dimension of 100 feet.
- b. Common open space shall include but not be limited to four of the following recreational amenities:

- (1) One child's outdoor play area, which shall include a range of age-appropriate equipment including those rated for use by children younger than five.
 - (2) Pool and spa.
 - (3) Clubhouse with a central multi-purpose room equipped with full kitchen facilities; and at least two separate and defined areas/rooms for games, exercises, recreation, entertainment, etc.
 - (4) Two outdoor cooking facilities each with sheltered dining area to accommodate seating for a minimum of twelve adults.
 - (5) Court facilities (e.g., tennis, volleyball, basketball, etc.).
 - (6) Jogging/walking trails with exercise stations.
 - (7) Community garden.
 - (8) Theater.
 - (9) Computer room or coworking space.
 - (10) Exercise room.
 - (11) Dog park.
5. Other recreational amenities not listed above may be considered in lieu of those listed subject to Community & Economic Development Director review and approval.
6. Recreational amenities may be grouped together and located at any one area of the common space.
7. Recreational amenities shall be evenly dispersed throughout the site with separate recreational amenities; if not centrally located and equidistant to all residential units within the development.
8. All recreation areas or facilities required by this section shall be maintained by private homeowners' associations, property owners, or private assessment districts subject to Community & Economic Development Director review and approval.
9. In the R-4 Zone, the required common usable open space may be located on the roof of a garage or building, provided that minimum dimensional standards and the minimum number of amenities can be met.
10. Onsite common useable open space reduction.
 - a. Required common usable open space may be reduced by up to 20 percent for multifamily residential development located within:
 - (1) One-quarter mile (1,320 feet) of a Neighborhood Park or Special Use Park; or
 - (2) One-half mile (2,640 feet) of a Community Park or Regional Park.
 - b. Park types shall be those defined and listed in the Comprehensive Park, Recreation & Community Services Master Plan (2020).
 - c. Distances shall be measured from the outside perimeter the public park to the property line of the development site.
- B. *Private usable open space.* Dwelling units shall be provided with private usable open space, as defined in Article X (Definitions), accessible directly from the living area of the unit and as set forth in Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones) and in the following:
 1. *Ground floor units.* Private usable open space for ground floor units shall be in the form of a fenced yard or patio. Such private usable open space shall have no dimension of less than eight feet in R-3 zones and five feet in the R-4 Zone.

2. *Upper story units.* Each dwelling unit shall have private usable open space area of at least 50 square feet. Such private usable open space shall have no dimension of less than five feet. Upper story private usable open space shall have at least one exterior side open above railing height.
 3. Each square foot of private usable open space provided beyond the minimum requirement of this section shall be considered equivalent to one and one-half square feet of the required common usable open space provided in the project; provided, however, that in no case shall private usable open space constitute more than 40 percent of the total required common usable open space for the project.
- C. *Distance between buildings.* The minimum distance between buildings shall be not less than 15 feet, except within a Tiny Home Community, in which case the minimum distance between buildings shall not be less than five feet.
 - D. *Trash collection areas.* Common trash collection areas shall be provided and conform to the regulations set forth in Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures).
 - E. *Keeping of animals.* Domestic animals in accordance with Table 19.150.020 B (Incidental Uses Table) pursuant to Chapter 19.455 (Animal Keeping) are permitted. All other animal keeping is prohibited. No poultry, pigeons, rabbits, horses, mules, ponies, goats, swine, cows or similar animals generally considered to be non-household pets shall be kept in any R-3 or R-4 Zone.
 - F. *Private streets and driveways.* All driveways and streets provided within any multi-family development shall be private and shall be maintained by a private homeowners' association, property owner, or private assessment district. Such private streets and driveways shall be designed, built and maintained as set forth in the permit conditions authorizing such development.
 - G. *Recreational vehicle parking.* Recreational vehicle parking shall be in accordance with Section 19.580.070 A.4 (Recreational Vehicle Parking in Residential Zones). In addition to providing all required parking spaces, a development may provide a special parking area and spaces for recreational vehicles, provided such area and spaces are screened from view from surrounding properties by a block wall of a minimum height of eight feet, with finish surfaces matching the color and materials used on the primary buildings within the development.
 - H. *Landscaping.* Landscaping shall be provided and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).
 - I. *Lighting.*
 1. The provisions of Section 19.590.070 (Light and Glare) shall apply.
 2. The provisions of Chapter 19.556 (Lighting) shall apply.
 - J. *Site Planning.*
 1. Primary building entrance(s) shall be oriented toward the following (listed in priority order):
 - a. Public right-of-way;
 - b. Primary internal streets and pedestrian walkways, not including drive aisles;
 - c. Common usable open space;
 - d. Secondary internal streets or drive aisles.
 2. *Pedestrian walkways.*
 - a. Pedestrian walkways shall be included and shall be clearly demarcated from vehicular circulation areas through the use of different surfacing materials if at the same finished elevation; or shall be a raised sidewalk separated by a curb with a minimum height of six inches; and shall be ADA compliant.
 - b. Pedestrian walkways shall connect building entrances with public sidewalks and on-site facilities including, but not limited to, open space, plazas, courtyards, and parking areas.

- K. *Parking.* In addition to the standards and requirements of Chapter 19.580 (Parking and Loading) the following standards shall apply:
1. No parking shall be permitted between the primary building or buildings and the public right-of-way.
 2. Garages and carports visible from the public right-of-way shall match architectural style, finish materials and colors of the primary building(s).
 3. Parking garages/structures visible to the public shall match exterior building cladding materials of the primary building(s).
- L. *Building appearance.*
1. A minimum of two of the following window accent features shall be used on all windows visible from the public right-of-way: sills, shutters, canopies, awnings and/or multi-paned windows.
 2. Building facades shall be designed so as to define and articulate each vertical module of residential units, using at least two of the following:
 - a. Providing a variation in the wall plane (projection or recess) a minimum of two feet in depth between the modules;
 - b. Varying a minimum of two of the following architectural elements between modules: window recess depth, roof shape, window shape, stoop detail, and/or railing type;
 - c. Providing porches and balconies;
 3. Windows visible from the public right-of-way shall be recessed a minimum of four inches.
 4. A minimum of three exterior cladding or finish materials shall be used per building. Variation in color, texture or application method among the same material shall not be considered a different material.
- M. *Fences and walls.* In addition to the standards and requirements of Chapter 19.550 (Fences, Walls, and Landscape Materials) the following standards shall apply.
1. Fences and/or walls located anywhere between the primary building(s) and the public right-of-way shall not exceed the following:
 - a. Three feet in height for solid fences and walls;
 - b. Four feet in height for openwork or combination solid and openwork fences and walls provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet.
 - c. Fences and/or walls that enclose common usable open space amenities such as swimming pools and playgrounds, and excluding passive landscape areas, shall have a maximum height of six feet and, if solid, shall match the exterior finish material(s) and color(s) of the primary building(s).
 2. Permitted materials for fences and/or walls shall include decorative masonry split face block, brick, natural stone, precast concrete panels, stucco, wrought iron, aluminum, wood, chemically treated or naturally resistant to decay.
 3. As applicable, perimeter fencing of residential development shall be located and contain breaks to connect on-site pedestrian pathways within the development to any trails shown in the General Plan, when these residential developments are in the vicinity of planned trails outlined in the General Plan.

EXHIBIT “C”

Chapter 19.120 MIXED-USE ZONES (MU-N, MU-V, MU-U)

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19.120.050 Development Standards.

- A. *General.* Table 19.120.050 (Mixed-Use Zones Development Standards) identifies the development standards applicable to all development in the mixed-use zones. Certain development standards may be subject to special conditions. These standards are provided here or as otherwise referenced. Under Site Plan Review, when required, more restrictive development standards may be applied by the Planning Commission. Development standards established by other provisions of this Zoning Ordinance and not specifically prescribed in Table 19.120.050 shall apply.

Table 19.120.050
Mixed-Use Zones Development Standards

Zones				
Development Standards	MU-N	MU-V	MU-U	Notes, Exceptions & Special Provisions
Lot Area - Minimum	7,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	See Note 1
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	See Note 1
Lot Width - Minimum	60 ft.	75 ft.	80 ft.	See Note 1
Front Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	
Side Yard Setback - Minimum	0 ft.	0 ft.	0 ft.	See Note 2
Rear Yard Setback - Minimum	15 ft.	15 ft.	15 ft.	See Note 3
Building Height - Maximum	35 ft.	45 ft.	60 ft.	
FAR - Maximum	1.0	2.5	4.0	See Notes 4 and 7
Residential Density - Maximum (Gross)	10 du/ac	30 du/ac	40 du/ac	See Notes 4 and 7
Open Space Requirements - Stand Alone Residential	See R-3-4000 Standards	See R-3-1500 Standards	See R-4 Standards	See Table 19.100.070 (Additional regulations for the R-3 and R-4 Zones)
Open Space Requirements - Mixed-Use Development ⁸				
Minimum Private Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du for at least 50% of the units	See Note 5 See Section 19.120.070(H) (Residential Useable Open Space)
Minimum Common Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du	See Note 6 See Section 19.120.070(H) (Residential Useable Open Space)
Notes, Exceptions and Special Provisions.				
1. Standard shall apply to newly created lots or parcels only.				

2. The minimum side yard setback in the MU-N Zone shall be 10 feet when adjacent to a residential zone. The minimum side yard setback in the MU-V and MU-U Zones shall be 15 feet when adjacent to a residential zone.
3. The minimum rear yard setback for any mixed-use zone shall be 25 feet when adjacent to a residential zone. Where a development abuts an alley to the rear, the rear setback shall be measured from the centerline of the alley.
4. Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit station may have a residential density of up to 40 dwelling units per acre in the MU-V Zone with a maximum total permissible FAR of 2.5 and up to 60 dwelling units per acre in the MU-U Zone with a maximum total permissible FAR of 4.0. This provision is permissible, not mandatory, and subject to discretion as part of the Site Plan Review process.
5. Private useable open space shall have a minimum dimension on any side of five feet. Private useable open space can also be met through equivalent design features as approved by the Planning Commission.
6. Common useable open space may be divided into more than one area; however, at least one area shall be a minimum of 625 square feet, with no dimension on any side of less than 25 feet.
7. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
8. For the purposes of this section, Mixed-Use Development shall incorporate a minimum amount of leasable retail, office or other commercial floor area as follows:
 - MU-N Zone 1,000 square feet or 10% of the gross floor area of the project, whichever is greater.
 - MU-V Zone 40% of the lineal frontage of the ground floor fronting on any arterial street.
 - MU-U Zone 80% of the lineal frontage of the ground floor fronting on any arterial street.
 Where a Mixed-Use Development has frontage on more than one arterial street having different classifications according to the Circulation and Community Mobility Element of the General Plan, this requirement shall apply only to the arterial street with the higher classification.

B. *Parking requirements.*

1. Parking for uses in the mixed-use zones shall be provided as required in Chapter 19.580 (Parking and Loading).
2. Parking structures shall be architecturally integrated with the project design and their visual impact minimized through placement of buildings, use of screening materials, architectural treatment, artwork, landscaping, or other methods subject to the approval of the Approving Authority.
3. Parking between the public right-of-way and buildings shall be prohibited.
4. The perimeter of parking areas and driveways adjacent to streets and sidewalks shall be screened with an attractive low wall, berm, fence, landscaping, or similar methods subject to the approval of the Approving Authority.

C. *Special provisions for live/work units.*

1. *Floor area requirements.* The minimum floor area of a live/work unit shall be 750 square feet.
2. *Internal layout.* The residential component of the live/work unit shall be internally connected to the working space.
3. *Occupancy and employees.* At least one of the full-time employees of the live/work unit shall reside in the unit. The residential area shall not be rented separately from the working space. The business activity occupying the live/work unit may utilize employees in addition to residents as necessary.
4. *Retail sales.* Retail space may be integrated with working space.
5. *Business Tax Certificate.* A business tax certificate shall be obtained in compliance with the Municipal Code, Title 5, for business activities conducted within the live/work unit.

19.120.070 Design standards.

The purpose of this section is to facilitate high quality development within mixed-use zones with an emphasis on innovative project design, infill development, and reuse of existing structures. These standards address site planning and building design and are in addition to the development standards in Section 19.120.060 (Development Standards) of this chapter.

A. *Setbacks.*

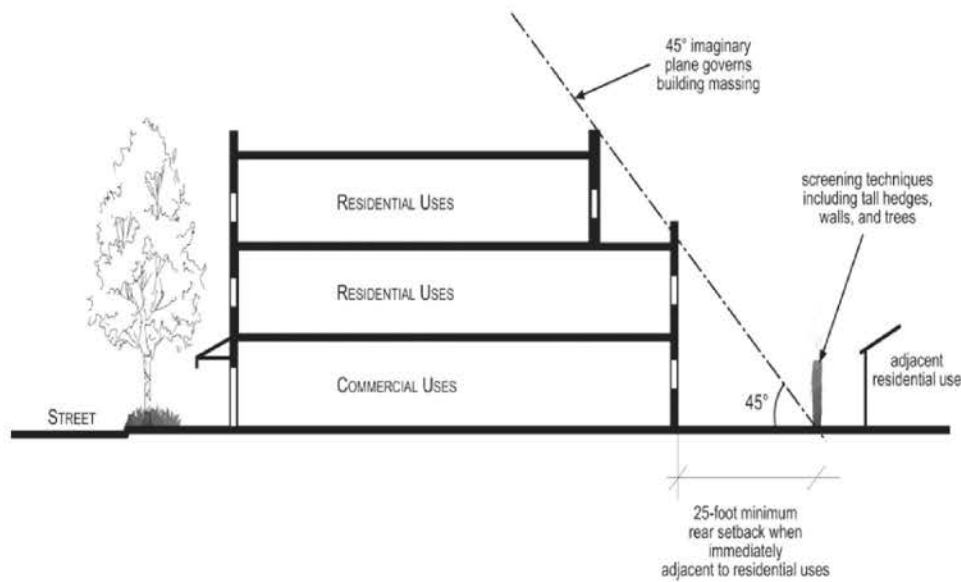
1. The front setback area shall include landscaping and/or a hard-surface expansion of the public sidewalk.
2. Along street frontages in the MU-U Zone, if any portion of the building is set back 15 feet or greater at the ground level, at least one of those setback areas shall include non-residential outdoor uses consisting of plazas, patio dining, displays, public art, or entry courts.

B. *Building siting, orientation and entrances.*

1. Buildings shall be sited and oriented adjacent to the following, in order of priority:
 - a. Public right-of-way;
 - b. Primary internal streets and pedestrian walkways, not including drive aisles;
 - c. Common usable open space;
 - d. Secondary internal streets or drive aisles.
2. *Building entrances.*
 - a. Primary building entrance(s) and commercial storefronts shall be oriented toward the following (listed in priority order):
 - (1) Public right-of-way;
 - (2) Primary internal streets and pedestrian walkways, not including drive aisles;
 - (3) Plazas or common usable open space;
 - (4) Secondary internal streets or drive aisles.
 - b. Pedestrian walkway connections to building entrances shall include special paving treatment, color or materials.
 - c. At least one of the following shall be used to demarcate primary building entrances: awnings, canopies, overhangs, recesses, porticos, and/or arcades.

C. *Building step back.* Buildings shall provide a transition between urban and residential areas (Figure 19.120.070 C. - Building step back). Taller elements of the building shall increasingly step back from adjacent single-family residential zones. No portion of the building, excluding parapets, shall extend above an imaginary plane drawn at the property line that is adjacent to the RA-5, RC, RR, RE, and R-1 Zones, and extended at an angle of 45 degrees toward the center of the property.

Figure 19.120.070 C. Building step back



Setbacks and massing for buildings adjacent to residential uses.

E. Building appearance.

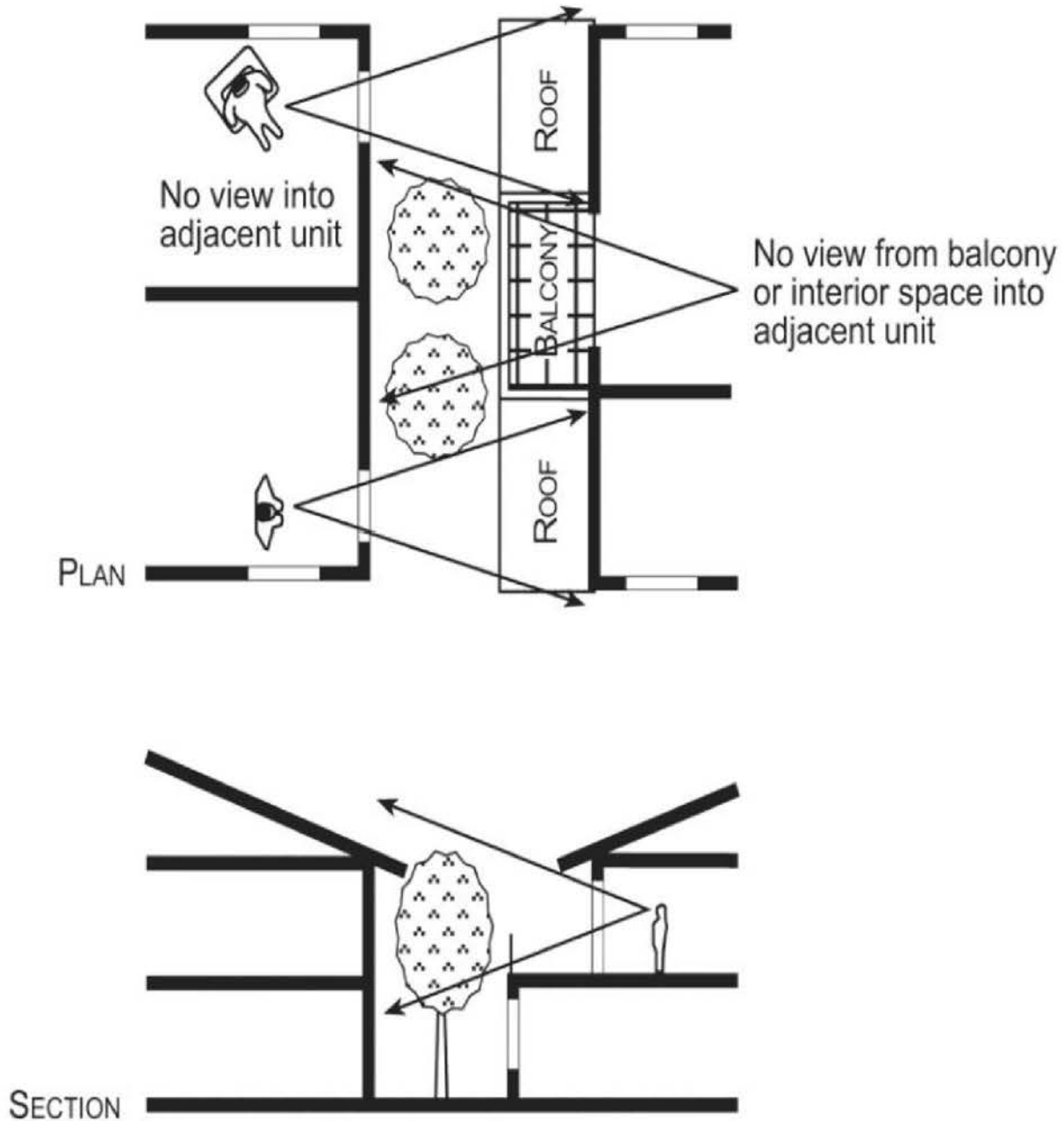
1. The design of mixed-use development shall incorporate the following provisions:
 - a. All building elevations visible from the public right-of-way shall be modulated at least every 50 feet by changes in building mass, facade treatment, fenestration pattern, roof form or other architectural features.
 - b. Where residential and nonresidential uses are located within the same building, the nonresidential component shall be differentiated from residential component through changes in exterior finish material, floor height, glazing pattern, building wall plane, and/or horizontal projection.
 - c. A minimum of three exterior cladding or finish materials shall be used per building. Variation in color, texture or application method among the same material shall not be considered a different material.
 - d. Building facades shall be designed to define and articulate each vertical module of residential units, using at least two of the following:
 - (1) Providing a variation in the wall plane (projection or recess) a minimum of two feet in depth between the modules;
 - (2) Varying a minimum of two of the following architectural elements between modules: window recess depth, roof shape, window shape, stoop detail, and/or railing type;
 - (3) Providing porches and balconies;
 - e. Windows visible from the public right-of-way shall be recessed a minimum of four inches.

F. Privacy for residential units.

1. The windows of a residential unit shall not directly align with the windows of the unit of an adjacent building; but shall be offset by a minimum of ten feet from window edge to opposing window edge (Figure 19.120.070 E. – Privacy for Residential Unit(s)).

2. Patios, balconies or similar openings of a residential unit shall not directly align with that of the unit of an adjacent building; but shall be oriented or offset by a minimum of 15 feet from opening edge to opposing opening edge (Figure 19.120.070 E. - Privacy for Residential Units).

Figure 19.120.070 E. Privacy for Residential Units



Plant appropriate trees and offset windows and balconies (or patios) to maintain privacy between residential units.

G. *Vehicle circulation and access.*

1. On-site vehicular circulation serving non-residential uses shall be open and not obstructed by the use of fences and gates. Private residential parking areas may be secured and gated.
2. Vehicular entrances, including private garages, carports and parking structure entrances, shall be oriented toward the following (listed in priority order):
 - a. Public alleys;
 - b. Secondary internal streets or drive aisles;
 - c. Primary internal streets;
 - d. Public streets (except private garages and carports shall not take direct access from a public street).

H. *Pedestrian walkways.*

1. On-site pedestrian walkways shall be provided between adjacent uses within the project and align with walkways on neighboring properties where pedestrian connections exist.
2. Pedestrian walkways shall connect residential and non-residential uses in the project, common open space, plazas and courtyards, parking areas and public sidewalks.
3. Pedestrian walkways shall be clearly demarcated from vehicular circulation areas through the use of different surfacing materials if at the same finished elevation; or shall be a raised sidewalk separated by a curb with a minimum height of six inches; and shall be ADA compliant.

I. *Fences and walls.* In addition to the standards and requirements of Chapter 19.550 (Fences, Walls, and Landscape Materials) the following standards shall apply:

1. Fences and/or walls located anywhere between the primary building and the public right-of-way shall not exceed the following:
 - a. Three feet in height for solid fences and walls;
 - b. Four feet in height for openwork or combination solid and openwork fences and walls provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet;
 - c. Fences and/or walls that enclose common usable open space amenities such as swimming pools and playgrounds, and excluding passive landscape areas, shall have a maximum height of six feet and, if solid, shall match the exterior finish material and color of the primary building(s).

J. Permitted materials for fences and/or walls shall include decorative masonry split face block, brick, natural stone, precast concrete panels, stucco, wrought iron, aluminum, wood, chemically treated or naturally resistant to decay.

K. *Residential usable open space.*

1. Common and private usable open space shall be provided as set forth in Table 19.120.050 - Mixed-Use Development Standards.
2. Common open space areas shall include the minimum number and type of amenities based on the project's size as set forth in 19.100.070 A. (Usable open space).
3. Private useable open space shall be contiguous to the unit served.
4. In the MU-V and MU-U Zones, private and common usable open space may be provided on the roofs of buildings and parking garages.

- L. *Outdoor display and storage.* Commercial outdoor display and storage shall not be permitted except as specified in Chapters 19.500 (Outdoor Display of Incidental Plant Materials), 19.505 (Outdoor Display and Sales) and 19.510 (Outdoor Storage).
- M. *Trash receptacles and enclosures.*
 - 1. The trash storage container areas for residential and non-residential uses shall be separate.
 - 2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.
- N. *Mechanical equipment screening.* The provisions of Chapter 19.555 (Outdoor Equipment Screening) regarding required screening of mechanical equipment shall apply.

19.120.080 Performance standards.

The purpose of this section is to ensure that residential uses in mixed-use zones are not adversely impacted by adjacent commercial uses, including, but not limited to, traffic, noise, light and safety impacts. In the interests of both the residents and the businesses, no site plan review permit shall be approved for a project unless the project is designed to meet the following performance standards, in addition to performance standards set forth in Chapter 19.590 (Performance Standards).

- A. *Noise.* Development in mixed-use zones shall comply with all requirements of Title 7 (Noise) and the California Building Standards Code.
- B. *Security.*
 - 1. The residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits. Where residential units are in the same structure as a commercial use, access to residential units shall be from a secured area located on the first floor at the ground level.
 - 2. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.
 - 3. Any multi-family residential development or group home shall participate in the City's Crime Free Multi-Housing Program, or successor equivalent program.
- C. *Light and glare.*
 - 1. All outdoor lighting associated with commercial uses adjacent to or within the immediate vicinity of residential uses shall be designated with fixtures and poles that illuminate commercial uses, while minimizing light trespass into residential areas.
 - 2. The provisions of Section 19.590.070 (Light and Glare) shall apply.
 - 3. The provisions of Chapter 19.556 (Lighting) shall apply.
- D. *Odor.*
 - 1. All trash storage areas for non-residential uses shall be located so as to be convenient and where associated odors and noise will not adversely impact the residential uses.

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EXHIBIT “D”

Chapter 19.150 BASE ZONES PERMITTED LAND USES

19.150.020 Permitted land uses.

[illegible]

* = For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.			
** = For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (RA-5 Zone Permitted Uses) and 19.100.030.B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.			
*** = Refer to Chapter 19.149 - Airport Land Use Compatibility and applicable Airport Land Use Compatibility Plan for airport land use compatibility zones where use may be strictly prohibited.			
X = Prohibited	C = Subject to the granting of a conditional use permit (CUP), Chapter 19.760	MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730	P = Permitted
PRD = Planned Residential Development Permit, Chapter 19.780	RCP = Recycling Center Permit, Chapter 19.870	SP = Site Plan Review Permit, Chapter 19.770	sq. ft. = Square Feet

¹ Commercial Storage Facilities are permitted in all zones with the Commercial Storage Overlay Zone (Chapter 19.190).

² Legal, existing duplexes built prior to the adoption of this Zoning Code are permitted in the R-1-7000 Zone see 19.100.060 D.

³ Allowed with a Planned Residential Development (PRD) Permit, Chapter 19.780.

⁴ One single-family detached dwelling allowed on one legal lot 0.25 acres in size or less in existence prior to January 1, 2018 subject to the development standards of the R-1-7000 Zone.

⁵ Permitted or conditionally permitted on sites that do not include a residential use.

⁶ Allowed for Two-Unit Developments pursuant to Chapter 19.443.

EXHIBIT “E”

Chapter 19.219 RESIDENTIAL PROTECTION OVERLAY ZONE (RP)

19.219.010 Purpose.

The Residential Protection Overlay Zone (RP) is established to preserve the character of single-family residential neighborhoods where the physical conversion of single-family dwellings to higher occupancy rental housing units has the potential to increase densities beyond those intended for single-family zoned neighborhoods. Modifications that essentially transform single-family dwellings into multiple-family dwellings or boardinghouses, both of which are prohibited within single-family zones, has a negative cumulative effect on the public's health, safety and welfare. These conversions can lead to overcrowding, excessive on-street parking, neighborhood disturbances, and other undesirable impacts.

The specific purpose of the Residential Protection Overlay Zone is to:

- A. Establish development standards for affected properties to ensure the development review process provides for consideration of the impacts of new construction, alterations, and changes in use that have the potential to increase the intensity of single-family properties beyond that anticipated by the established zoning or the City's General Plan.
- B. Ensure the design of dwellings and on-site parking is appropriate for the area's character, and is appropriate for the area's capacity to accommodate increases in densities, which may be limited due to infrastructure, such as sewer, traffic control, on- and off-street parking, safety services, parkland, etc.

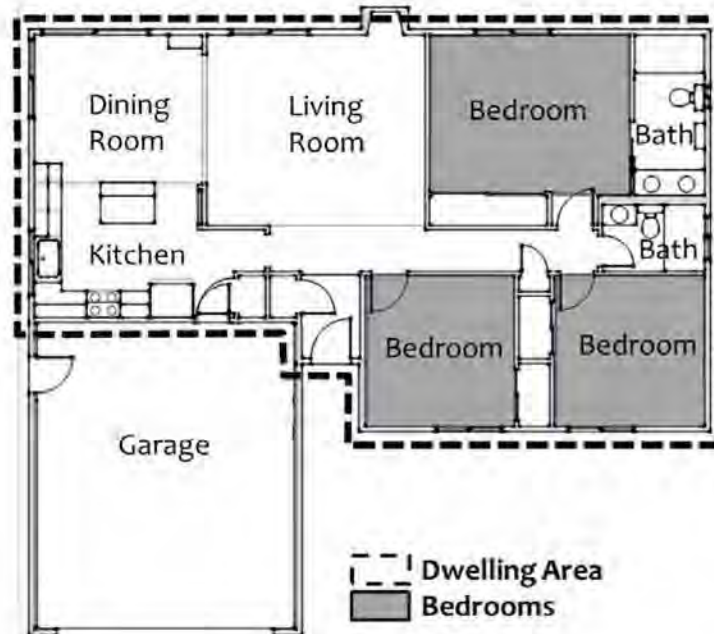
19.219.020 Application.

- A. The Residential Protection Overlay Zone shall require the provisions of this chapter to apply to any construction that results in a new habitable structure, the addition to an existing habitable structure, or modifications to the configuration (i.e., floor plan, layout, etc.) of an existing habitable structure.
- B. The provisions of this chapter shall not apply to any new construction, additions or modifications that result in 1,000 square feet or less of total dwelling area on a lot.
- C. For any lot developed with more than one dwelling unit, including Accessory and Junior Accessory Dwelling Units pursuant to Chapter 19.442 and Two-Unit Developments pursuant to 19.443, the provisions of this Chapter shall apply individually to each dwelling unit on the lot.

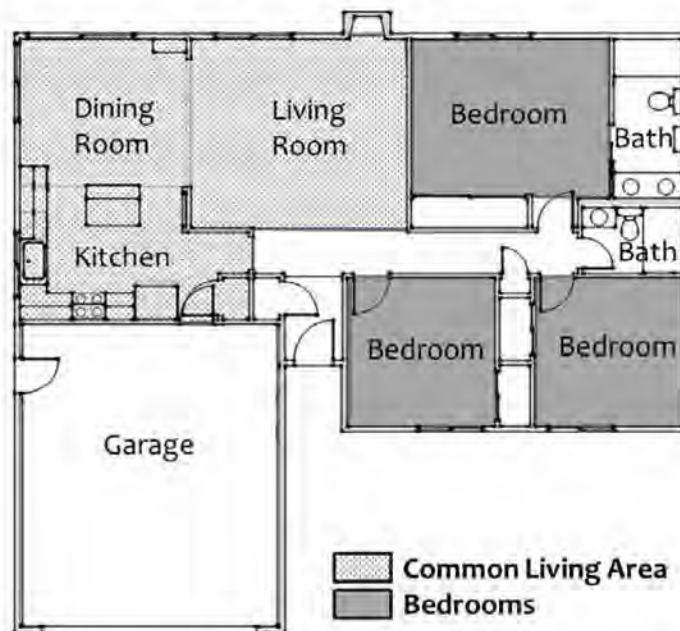
19.219.030 Development standards.

The following development standards shall apply to the dwelling area of single-family residential structures (exclusive of garages, unconditioned patios, porches, and other such accessory structures).

- A. *Bedrooms.* The total area of all bedrooms shall not exceed 50 percent of the total dwelling area of the structure, as defined by Article X of the Zoning Code. The calculation of bedroom area shall not include closets or bathrooms, and measurements shall be from the centerline of interior walls, and the exterior of exterior walls.



- B. *Common living area.* The total combined common living area as defined by Article X of the Zoning Code shall be equal to or greater than the total combined area of all bedrooms. The calculation of common living area and bedroom area shall not include closets, bathrooms or hallways, and shall be measured from the centerline of interior walls, and the exterior of exterior walls.



- C. *Parking.* In addition to the minimum parking requirements of Chapter 19.580 - Parking and Loading, any new construction, or modification to an existing dwelling, which results in a dwelling with five or more bedrooms, shall comply with the following:
1. When the number of bedrooms in a dwelling equals or exceeds five, an additional open parking space shall be provided in a location that does not block access to other required parking spaces.

The additional open parking space shall be in a location that complies with 19.580.070.A.2, except an existing driveway in front of a garage converted to a habitable space may remain and be counted toward the additional required open space, provided the driveway space meets the minimum parking space dimensions specified in this chapter.

2. This provision shall not apply to units developed pursuant to Chapter 19.443 (Two-Unit Developments).

19.219.040 Nonconforming structures.

Notwithstanding other provisions of the Zoning Code to the contrary, a nonconforming structure shall not be expanded or modified, unless such modifications bring the structure into compliance with the requirements of the Residential Protection Overlay Zone, or return the structure to the original single-family residential floor plan, subject to granting of the necessary building permits and other applicable permits.

EXHIBIT “F”

Chapter 19.442 ACCESSORY DWELLING UNITS (ADU)

19.442.010 Purpose.

The State of California has identified accessory dwelling units (ADU) and junior accessory dwelling units (JADU) as valuable forms of housing. Movable accessory dwelling units (MADUs) are also recognized throughout the State as a potential option to provide needed housing. The City recognizes the importance of providing housing and balancing that with an attractive living environment for all residents. The availability of ADUs, MADUs and JADUs contributes to local housing and the community's housing stock while providing residential uses consistent with the General Plan and Zoning Code. The purpose of this Chapter is to ensure compliance with California Government Code Sections 65852.2 65852.22 and minimize impacts to surrounding uses and properties.

19.442.020 Applicability and permit requirements.

ADUs, MADUs and JADUs, as defined in Article X (Definitions), are permitted in all residential zones, including all multi-family and mixed-use zones that include an existing or proposed dwelling.

19.442.030 Requirements.

An application for an ADU, MADU or JADU shall demonstrate compliance with all the standards and limitations set forth in this section, to the satisfaction of the Community & Economic Development Director or his/her designee.

A. General.

1. ADUs and JADUs shall comply with State and local building code requirements for dwellings.
2. MADUs shall meet the requirements as defined in Article X (Definitions).
3. ADUs and JADUs in an historic district shall comply with California Government Codes Section 65852.2 and 65852.22, and Title 20 of the Riverside Municipal Code.
4. MADUs are not permitted in any Historic District, Neighborhood Conservation Area or on a lot with a designated Cultural Resources as defined in Title 20.
5. ADUs, MADUs and JADUs, when rented, must be used for rentals of terms longer than 30 days.
6. No actions to correct zoning nonconformities related to physical improvements are required for ADUs.
7. There shall be no minimum lot size requirement to establish an ADU, MADU or JADU.
8. The floor area of an ADU, MADU or JADU shall not be counted when calculating lot coverage.
9. ADUs may not be sold or otherwise conveyed separate from the primary residence with the exception of a primary dwelling and ADU developed by an IRS recognized 501(c)(3) housing-related nonprofit or a faith-based organization, working with the Housing Authority, whose mission is to provide units to low-income households.
10. For JADUs, a deed restriction shall be recorded, to run with the land, to prohibit the sale of the JADU separate from the sale of the primary dwelling and restrict its size as identified in 19.442.030(F).

B. Location.

1. An ADU, MADU or JADU shall be located on the same lot as the proposed or existing primary dwelling.

2. A MADU shall not be located between the primary dwelling and the street within any front or street side yard .
3. An ADU may be either attached, located within the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling.
4. If attached, an ADU or JADU must have independent exterior access separate from the proposed or existing primary dwelling.
5. A JADU shall be constructed and located within the walls of the proposed or existing primary dwelling and include:
 - a. Cooking facilities with appliances, a food preparation counter, refrigeration facilities and storage cabinets that are of reasonable size in relation to the size of the JADU.
 - b. Separate sanitation facilities or shared sanitation facilities with the existing structure.

C. *Setbacks.*

1. Attached or Detached – Existing Structures.
 - a. Existing structures converted to an ADU or JADU, if applicable, shall require no additional setback.
 - b. Second story ADUs on Existing Structures
 - i. No additional setback is required if the second story exists.
 - ii. For a new second story ADU being added to an existing structure, the setbacks of the ADU shall comply with the setbacks of the underlying zone applicable to the primary dwelling.
2. Attached or Detached – New Structures.
 - a. Side and Rear Setbacks
 - i. A minimum side and rear setback of 4 feet shall be provided for new one-story ADUs and MADUs under 16 feet in height.
 - ii. For ADUs over 16 feet in height, the side and rear setback shall follow the underlying zone applicable to the primary dwelling.
 - b. Front and street side setbacks shall be in full compliance with the underlying zone for new ADUs or MADUs.
 - c. For any ADU located on the second floor of any new structure, the setbacks of the ADU shall comply with the setbacks of the underlying zone applicable to the primary dwelling.
3. The side and rear setbacks for an ADU, MADU or JADU must be sufficient for fire and safety.

D. *Unit Size.*

1. Attached ADUs.
 - a. The total floor space of an attached ADU, including conversion of existing floor area, shall not exceed 50 percent of the existing primary dwelling living area or 1,200 square feet, whichever is less.
 - b. The total floor space requirements shall not prevent the establishment of an ADU that is at least:
 - i. 850 square feet for units with one bedroom or less; or
 - ii. 1,000 square feet for units with more than one bedroom .
2. The total floor space of any detached ADU shall not exceed 1,200 square feet.
3. The total floor space of any MADUs shall be between 150 square feet and 430 square feet as measured within the exterior faces of the exterior walls.

4. JADUs shall be no more than 500 square feet in size.
5. The size of an ADU or JADU shall not be less than that of an efficiency dwelling unit, as set forth in Section 1207.4 of the California Building Code.

E. *Number of Units.*

1. Single-family.
 - a. The number of dwellings permitted on a lot developed with a single-family residence, or proposed to be developed with a single-family residence, shall be limited to the primary dwelling, one ADU or MADU, and one JADU.
 - b. The number of dwellings permitted on a lot developed pursuant to California Government Code §§65852.21 and 66441.7, including ADUs, JADUs and MADUs, shall be as set forth in Chapter 19.443 (Two-Unit Developments).
2. Multi-family.
 - a. Existing Structures
 - i. At least one ADU, but no more than 25 percent of the existing number of multi-family dwellings, shall be permitted within existing structures on lots with multi-family dwelling structures.
 - ii. ADUs can include conversion of storage rooms, boiler rooms, passageways, attics, basements or garages provided the ADU complies with building standards for dwellings.
 - b. New Structures. No more than two new detached ADUs shall be permitted on a lot that has an existing multi-family dwelling.
 - c. MADUS are not permitted.

F. *Owner Occupancy.*

- a. On a single lot with a primary dwelling and ADU/MADU, neither is required to be owner-occupied.
- b. On a single lot, one JADU is allowed if the primary dwelling or JADU is owner-occupied which shall be recorded with the deed restriction.

G. *Height.*

1. Attached ADUs shall comply with the height restrictions of the underlying zone.
2. Single-story detached ADUs and MADUs shall not exceed 20 feet in height.
3. Two-story detached ADUs and ADUs constructed on the second floor of an existing accessory building, shall not exceed 30 feet in height.
4. In the RC zone, the height of any detached ADU shall not exceed 20 feet and one story in height.

H. *Parking.*

1. No parking shall be required for an ADU, MADU or JADU.
2. No replacement parking shall be required for the primary dwelling if a garage, carport or covered parking is converted to an ADU.

I. *MADU Additional Requirements*

1. MADUs shall not have separate street addresses from the primary dwelling unit.
2. Screening – Wheels and Undercarriage
 - a. The undercarriage of any MADU (axles, tongue and hitch) shall be fully screened and hidden from view; and

- b. The leveling or support jacks must sit on a paved surface.
- 3. Mechanical equipment shall be incorporated into the structure and not located on the roof.
- 4. Materials used on the exterior shall exclude single piece composite, laminates, or interlocked metal sheathing.
- 5. Windows and Doors
 - a. Windows shall be at least double pane glass and labelled for building use and shall include exterior trim.
 - b. All windows and doors shall not have radius corners.
- 6. Roofs
 - a. Roofs shall be consistent with the architecture of the primary dwelling in term of pitch and roofing materials.; and
 - b. Roofs shall not be composed of wooden shingles.
- 7. All exterior walls and roof of a MADU shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating room area extensions.
- 8. Design Elements - A MADU shall be constructed to include the following design elements:
 - a. Cladding and Trim: Materials used on the exterior shall not be single piece composite, laminates, or interlocked metal sheathing;
 - b. Windows and Doors: Windows shall be at least double pane glass, labeled for building use, and include exterior trim. Windows and doors shall not have radius comers;
 - c. All mechanical equipment, including heating, ventilation, and air conditioning, shall be incorporated into the structure and not located on the roof; and
 - d. Living Area Extensions: The roof and all exterior walls shall not be fixed with slide-outs, tip-outs, or other forms of mechanically articulating room area extensions

J. Utilities.

- 1. MADUs shall be connected to water, sewer and electric utilities.
- 2. ADUs shall not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service unless the ADU is constructed with a new single-family dwelling.
- 3. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU located within the existing primary dwelling unit.
- 4. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU or MADU unless the ADU is constructed concurrently with a new primary dwelling.
- 5. For new ADUs or MADUs on a lot with an existing primary dwelling unit, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed ADU, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system.
- 6. ADUs served by a private sewage system shall comply with County Health Department requirements, as applicable.

K. *Impact Fees.*

1. For ADUs under 750 square feet, no City impact fees shall apply.
2. For ADUs over 750 square feet, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.

L. Fire sprinklers

1. Fire sprinklers shall not be required within an ADU or JADU, unless fire sprinklers are provided in the primary dwelling.
2. MADUs are not required to have sprinklers but shall meet the ANSI A119.5 or NFPA 1192 standards relating to health, fire and life-safety.

EXHIBIT "G"

Chapter 19.443 TWO-UNIT DEVELOPMENTS

19.443.010 Purpose.

The purpose of this Chapter is to establish standards for Two-Unit Developments to ensure compliance with California Government Code Sections 65852.21 and 66411.7, otherwise known as Senate Bill 9, while minimizing impacts to surrounding uses and properties.

19.443.020 Applicability.

Two-unit developments, as defined in Chapter 19.910 (Definitions), are permitted in the R-1, RE, RR, RC, DSP-RES, and NSP-MDR single-family residential zones.

19.443.030 Review Authority.

Applications for two-unit developments shall be considered ministerially, without discretionary review or a hearing, subject only to permit requirements applicable to the new construction or alteration of residential dwellings, including but not limited to building permits.

19.443.040 Requirements.

- A. *Location.* A parcel for a two-unit development or urban lot split shall:
 - 1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
 - 2. Not be located within a Very High Fire Hazard Severity Zone;
 - 3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
 - 4. Not be located within a designated hazardous waste site;
 - 5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
 - 6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
 - 7. Not be located on a site that is designated or listed as a City or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.
- B. *Eligibility.* A parcel is not eligible for a two-unit development if the project would require demolition or alteration of:
 - 1. More than 25% of the exterior walls of a unit that is occupied by a tenant or has been occupied by a tenant at any time in the previous three years;
 - 2. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
 - 3. Housing that is subject to any form of rent or price control; and

4. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years.

19.443.050 Development standards.

Development pursuant to this Chapter shall comply with the following:

A. *Number of units.*

1. Two-unit developments.
 - a. The maximum number of attached or detached primary dwelling units permitted on any lot in a single-family zone is two.
 - b. No more than three total dwelling units, inclusive of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) pursuant to the requirements of Chapter 19.442, may be constructed on any undivided lot in a single-family zone.
2. Urban lot splits.
 - a. A maximum of two dwelling units of any kind may be constructed on any single-family lot established through an urban lot split pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, inclusive of ADUs and JADUs, for a maximum of four units total on both lots.
 - b. The maximum number of units that result from any urban lot split may include primary dwellings, ADUs and JADUs.

B. *Parking.* One on-site covered parking space shall be required per unit.

1. This requirement may be satisfied by an attached or detached carport or enclosed garage.
2. Exceptions. No on-site parking shall be required when:
 - a. The site is located within one-half mile walking distance of a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code;
 - b. The site is located within one-half mile of a major transit stop, as defined in Section 21064.3 of the Public Resources Code; or
 - c. The site is located within one block of a permanently established car-share vehicle pick-up/drop-off location.
3. Required parking spaces shall comply with the applicable standards of Chapter 19.580 (Parking and Loading).

C. *Setbacks.*

1. The interior side yard and rear yard setbacks for two-unit developments shall be four feet.
2. The front yard and street side yard setbacks for two-unit developments shall be as required by the Zone.
3. Additional setbacks shall not be required for an existing structure or for a structure constructed in the same location and to the same dimensions as an existing structure (i.e., a building reconstructed on the same footprint).
4. Notwithstanding the above, an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet Building Code safety standards and are sufficient to allow separate conveyance.

D. *Additional requirements for two-unit developments.*

1. Unless otherwise specified in this Chapter, all development standards applicable to the construction of a single-family dwelling shall apply to two-unit developments, including but not limited to:
 - a. Building height;

- b. Number of stories; and
 - c. Lot coverage.
- 2. Applicable Chapters. The requirements of the following Chapters of this Title shall apply to two-unit developments:
 - a. Chapter 19.440 - Accessory buildings and structures;
 - b. Chapter 19.550 - Fences, walls and landscape materials;
 - c. Chapter 19.554 - Trash/recyclable materials collection area enclosures;
 - d. Chapter 19.555 - Outdoor equipment screening;
 - e. Chapter 19.556 - Outdoor lighting; and
 - f. Chapter 19.580 - Parking and loading.
- 3. All other development standards contained within Titles 17, 18, and 19 shall apply.
- E. The application of any development standard that would physically prevent the development of at least two primary dwelling units of at least 800 square feet shall be waived. No Variance or other discretionary action shall be required.
- F. Additional requirements for urban lot splits shall be as set forth in Chapter 18.085 (Urban Lot Splits) of the Subdivision Code.

19.443.060 Design Standards

A. Privacy.

- a. A minimum separation of 10 feet shall be provided between any detached dwellings on the site.
- b. Windows within 30 feet of a neighboring structure on another parcel shall not directly align with the windows of the neighboring structure.
- c. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining property shall be located a minimum of 15 feet from the interior lot lines.

B. Building Height.

Where any portion of the proposed construction consists of two stories or exceeds 16 feet in overall height, upper floors and the portions of the structure exceeding 16 feet in height shall comply with the minimum required setbacks of the underlying zone.

C. Materials.

- a. On sites already developed with an existing residential unit, the new construction shall be designed and constructed to match the existing dominant roof pitch, paint color and exterior finish materials, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.
- b. Where no development currently exists or where existing development is to be removed, two-unit developments shall be designed so that the units match one another in dominant roof pitch, paint color and exterior building finishes, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.
- c. Design elements and detailing shall be continued completely around the structure. Such elements shall include but not be limited to window types and treatments, trim detailing, and exterior wall materials.
- d. Window and door types and styles shall be consistent on all elevations.

- e. All vents, downspouts, flashings, electrical conduit, etc., shall be painted to match the color of the adjacent surface unless specifically designed as an accent material.
- f. Exterior building lighting shall be directed downward, have a shielded light source, and be designed so that the light is not directed off site.

D. Landscaping.

- a. Front and street side yard areas shall be fully landscaped pursuant to the requirements of Chapter 19.570 (Water Efficient Landscaping and Irrigation) and the Citywide Design Guidelines.
- b. A minimum of one 24-inch box tree of a broadleaf or evergreen species shall be provided on site per unit constructed. Palms shall not be considered to satisfy this requirement.
- c. Complete landscaping and irrigation plans shall be submitted to the Planning Division prior to the issuance of building permits.
- d. Installation of approved landscaping shall be completed prior to release of final occupancy.

19.443.070 Additional Requirements

A. *Short-term rentals.*

- a. Units created pursuant to this Chapter shall be rented or leased for a term longer than 30 days.
- b. A Covenant shall be recorded against title to any property developed pursuant to this Chapter restricting rental or lease of any unit on the property for a term longer than 30 days.

B. *Owner occupancy.*

- a. Unless the lot on which a two-unit development is constructed was established through an Urban Lot Split pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, the owner of the property shall reside in one of the units as their principal residence.
- b. A deed restriction shall be recorded on title to the subject property binding current and future owners to this requirement.
- c. Owner occupancy requirements for two-unit developments constructed on lots established through an Urban Lot Split shall be as set forth in Chapter 18.085 of the Subdivision Code.

C. *Nonresidential uses.* Except for permitted home occupations pursuant to Chapter 19.485, non-residential uses shall be prohibited.

19.443.080 Noticing

- A. The Applicant of a proposed two-unit development shall provide written notice to the record owners of all properties within 300 feet of the exterior boundaries of the property on which the development is proposed.
- B. The notice shall be mailed via Certified United States Mail to the last known name and address of such owners as shown on the latest available equalized assessment roll of the County Assessor.
- C. The notice shall identify:
 - a. The location of the property;
 - b. The nature of the proposed construction;
 - c. The anticipated start and end dates of construction;
 - d. Contact information for the project manager;

- e. Contact information for the Community & Economic Development Department; and
 - f. The following statement: "This Notice is sent for informational purposes only and does not confer a right on the noticed party or any other person to comment on the proposed project. Approval of this project is ministerial, meaning the City of Riverside has no discretion in approving or denying the project if it complies with all legal requirements. Approval of this project is final and not subject to appeal."
- D. The notice shall be sent no fewer than 14 days prior to the issuance of a permit for the proposed two-unit development.
- E. No permit shall be issued until such time as evidence of the completed certified mailing has been furnished to the Planning Division and it has been verified that the minimum notice period has elapsed.

19.443.090 Variances

- A. No variances from the provisions of this Chapter shall be permitted.
- B. Waiver of any development standard necessary to permit the minimum amount of development authorized by California Government Code §65852.21 shall not require the granting of a Variance or any other discretionary approval.

19.443.100 Severability

If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.

EXHIBIT “H”

Chapter 19.520 RENTAL OF ROOMS

19.520.010 Purpose.

The purpose of regulating the rental of a room or rooms is to ensure compatibility of such uses with surrounding neighborhoods and properties and to avoid any impacts associated with such uses (e.g., parking, open space, etc.).

19.520.020 Applicability and permit requirements.

The rental of a room or rooms, as defined in Article X (Definitions), is permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this chapter.

19.520.030 Site location, operation and development standards.

Rented rooms are permitted in any single-family residence/dwelling , including the primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit, for the occupancy of not more than two individuals per single-family residence/dwelling.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to rental of rooms, unless otherwise specified here.

Notwithstanding the foregoing, a room rental permit agreement may be issued for occupancy by up to four individual renters if all the following conditions are met.

A. Site location standards.

1. The use shall be compatible with neighboring uses.
2. The establishment of the rental of rooms shall not result in harm to the health, safety or general welfare of the surrounding neighborhood or create substantial adverse impacts on adjoining properties or land uses.

B. Operation and development standards.

1. Noise levels generated at the premises shall conform to Chapter 19.590 of the Zoning Code and Title 7 (Noise Control) of the Riverside Municipal Code.
2. Tenants shall be required to preserve and maintain neighborhood peace and order.
3. Properties covered by a room rental permit agreement shall be maintained in a manner compatible with the adjacent properties and neighborhood and comply with the property maintenance provisions of "Title 6 (Health and Sanitation) of the Riverside Municipal Code." Property maintenance includes, but is not limited to, landscape maintenance, trash and debris, inoperable vehicles, parking on unimproved surfaces, failure to remove trash containers from the curb on trash collection day and improper outdoor storage.
4. Rental of rooms shall be limited to no more than four individual renters per single-family residential property inclusive of the primary dwelling or dwellings, accessory dwelling unit and junior accessory dwelling unit..
5. This section shall be applicable to any room rental or lease agreement signed after the effective date of this chapter.

EXHIBIT “I”

Chapter 19.580 PARKING AND LOADING

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19.580.050 Basic limitations for off-street parking.

- A. Except as otherwise permitted herein, all required off-street parking spaces shall be independently accessible from a street at all times.
- B. On-street-parking within public streets shall not be used to satisfy the off-street parking requirements.
- C. Parking a vehicle on any portion of a lot, other than areas permitted by Section 19.580.070 (Off Street Parking Location and type Requirements), is prohibited.
- D. Parking spaces shall not preclude direct and free access to stairways, walkways, elevators, any pedestrian route or fire safety equipment. Such access shall be a clear minimum width required by State law, no part of which shall be within a parking space.
- E. Except as otherwise permitted herein, parking facilities shall be used for vehicle parking only. No sales, storage, repair work, dismantling, or servicing of any kind shall be permitted without necessary permits for such use.
- F. Living or sleeping in any vehicle, trailer, or vessel is prohibited when parked or stored on private property.
- G. Any vehicle, trailer, or vessel, including a recreational vehicle, that is inoperable and/or without current registration shall be stored entirely within an enclosed structure and shall not be parked or stored in any yard on residential property, except as may be provided by State law. Boats and other non-motorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.
- H. Except as may be otherwise provided by this title, landscape front and street side yard setbacks shall not be used for off-street parking spaces, turning or maneuvering aisles. However, entrance and exit drives to access off-street spaces are permitted.
- I. Temporary outdoor flex spaces.
 - 1. The number of required parking spaces for all existing uses on the same parcel shall be reduced by the amount necessary to accommodate an outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining.
 - 2. The provisions of this subsection shall only apply to approved and permitted temporary outdoor flex spaces pursuant to the City’s Temporary Outdoor Flex-Space Permit Program.
 - 3. This subsection implements California Government Code §65907
 - 4. Unless extended by the State legislature, the provisions of this subsection shall remain in effect until January 1, 2024, after which it shall be considered repealed and parking spaces shall be restored for vehicular access and use.

19.580.060 Parking requirements.

- A. *Minimum parking requirements.* The number of off-street parking spaces required by Table 19.580.060 (Required Spaces) shall be considered the minimum necessary for each use, unless off-street parking

reductions are permitted pursuant to provisions herein. In conjunction with a conditional use, site plan review or planned residential development permit, the designated approving or appeal authority may increase these parking requirements if it is determined that they are inadequate for a specific project.

- B. *Uses not listed.* The number of parking spaces required for uses not specifically listed in Table 19.580.060 (Required Spaces) shall be determined by the Community & Economic Development Director or his/her designee based on common functional, product or compatibility characteristics and activities.
- C. *Mixed-use development and parking credits.*
 - 1. In the case of shared parking facilities serving a mixed-use development, the development shall provide the sum of parking spaces required for each separate use.
 - 2. The Community & Economic Development Director or his/her designee may grant a mixed-use parking credit to reduce the total number of required spaces by up to 15 percent, provided the following:
 - a. The development is located within a Transit Priority Area as defined by Senate Bill 743 (Public Resources Code §21099); or
 - b. A shared parking analysis specifying the proposed mix of uses and the operating characteristics of each use type, including hours of operation, typical capacity and parking demand generation rates, is provided demonstrating adequate justification for granting the credit.
- D. *Incentives for additional measures to reduce Vehicle Miles Traveled (VMT).*
 - 1. Developments that satisfy the project-level VMT assessment requirements established by the Public Works Department are encouraged to implement additional VMT reduction measures including, but not limited to:
 - a. Permanent on-site private or public shared mobility facilities;
 - b. Unbundled residential parking (on-site parking spaces are leased or sold separately from dwelling units);
 - c. Bicycle parking facilities and amenities (lockers, showers, repair facilities or similar) in excess of the minimum requirements of the California Building Standards Code;
 - d. Off-site pedestrian, bicycle or transit improvements; or
 - e. Alternative VMT reduction measures, subject to the approval of the Public Works Director or his/her designee.
 - 2. Developments that voluntarily provide one or more of the VMT reduction measures listed above shall be eligible for a reduction in the total number of required on-site parking spaces of up to ten percent.
 - 3. For mixed-use development receiving a mixed-use parking credit pursuant to 19.580.060 C. above, the VMT reduction measure incentive and mixed-use parking credit may be combined for a maximum reduction of required on-site parking spaces not to exceed 20 percent.
- E. *Required spaces.* Table 19.580.060 (Required Spaces) below sets forth minimum off-street parking requirements for number of spaces. Except as otherwise specifically stated, the following rules apply to this table.
 - 1. "Square feet" (sq. ft.) means "gross square feet" and refers to total building gross floor area unless otherwise specified, not including areas used for off-street parking or loading spaces.
 - 2. Where parking spaces are required based on a per-employee ratio, this shall mean the total number of employees on the largest working shift.
 - 3. Where the number of seats is listed to determine required parking, seats shall be construed to be fixed seats. Where fixed seats provided are either benches or bleachers, each 24 linear inches of the bench or bleacher shall be considered a seat.

4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded to the nearest whole number.
 5. In addition to the requirements in Table 19.580.060 (Required Spaces), spaces shall be provided for trucks and other vehicles used in the business, of a number and size adequate to accommodate the maximum number of types of trucks and/or vehicles to be parked on the site at any one time.
 6. Where maximum distance is specified from the lot, the distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building or area that such facility is required to serve.
 7. Unless otherwise stated, the required parking shall be located on the same lot or within the same complex as the use.
 8. Unless specifically listed in Table 19.580.060 (Required Spaces) below or required by other provisions of this Title, no additional parking spaces shall be required for a use listed as an incidental type of use in Table 19.150.020 A. (Permitted Uses Table) or in Table 19.150.020 B. (Incidental Uses Table).
- F. *Cultural resources parking exemption.* Any new uses within the confines of an existing structure in a nonresidential zone, designated as a historic resource or a contributor to a historic district, as defined in Title 20 of the Riverside Municipal Code, are exempt from providing any additional parking. If an existing structure is expanded, additional parking will be required to accommodate the expansion, as set forth in Table 19.580.060.

Table 19.580.060
Required Spaces

Use	Number of Spaces Required
A	
Adult-Oriented Businesses	(5)
Agriculture, Horticulture and Growing of Nursery Plants	1 space/two employees
Aircraft Charter Services	See "Offices – Business & Professional"
Aircraft Parts, Supplies, Merchandise and Equipment Shops	See "Vehicle Sales, Rental & Leasing"
Aircraft Sales, Rental, Service, Repair and Storage	See "Vehicle Sales, Rental & Leasing"
Airports (Public or Private)	(5)
Ambulance Company	1 space/ambulance plus 1 space/250 square feet of office area
Animal Keeping: a. Kennel (Dogs and Cats) b. Horse Stable - Commercial	a. 1 space/250 square feet of floor area b. 1 space/employee plus 1 space/5 stalls
Arcades and Internet Cyber Cafes	1 space/250 square feet of floor area ⁽¹³⁾
Artist Studio	See "Offices – Business & Professional"
Assemblies of People - Entertainment and Non-Entertainment ⁽¹⁵⁾ (Includes places of worship, fraternal service organizations, indoor theater, stadiums, auditoriums, auction houses, community centers, clubs or meeting halls)	1 space/4 fixed seats or 1 space/30 square feet of floor area in the main assembly area for non-fixed seats. ⁽¹³⁾ Additional requirements applicable to incidental Dwelling Unit(s) ⁽¹⁷⁾
Assisted Living (Residential Care Facilities)	0.5 spaces/bed
Astrology and Fortune-telling (Occultist)	See "Offices – Business & Professional"
Auction House (Indoor)	See "Assemblies of People"

B	
Bail Bonds Office	See "Offices – Business & Professional"
Bakery - Retail	See "Retail Sales"
Banks & Financial Institutions/Services, including Brokerages	1 space/180 square feet ⁽¹³⁾
a. Automated teller situated as part of a bank or financial institution, located indoor or outdoor	a. No spaces required.
b. Automated teller separate from a bank or financial institution, located outdoor	b. 2 spaces for the first teller station and 1 space per each additional teller station, all located on the same lot or within 100 feet of the teller station. ⁽¹¹⁾
c. Drive through automated teller or indoor automated teller associated with a retail use.	c. No spaces required.
Bars, Saloons, Cocktail, Lounges and Taverns	1 space/100 square feet of floor area ⁽¹²⁾
Bed and Breakfast Inn	1 space/guest room ⁽¹⁶⁾
Boardinghouse	1 space/guest room ⁽¹²⁾
Boarding of Cats and Dogs/Kennels	See "Animal Keeping"
Brewery/Winery/Distillery	
a. Manufacturing/Wholesale only	a. See "Manufacturing"
b. Off-sale Retail & On-Site Tasting	b. See "Retail Sales"
c. Brewpub	c. See "Restaurant"
Building Materials Supply - Wholesale	See "Warehousing & Wholesale"
Bus Terminal	⁽⁵⁾
Business Support Services (Including graphic reproduction, computer services, etc.)	1 space/250 square feet of floor area ⁽¹³⁾
C	
Caretaker Living Quarters	1 space/dwelling unit
Catering Establishment	1 space/employee plus 1 space/500 square feet of floor area ⁽¹³⁾
Cemeteries, Mortuaries, Funeral Chapels and ancillary uses	
a. With indoor facilities	a. See "Assemblies of People"
b. Outdoor only	b. ⁽⁵⁾
Check Cashing	See "Banks & Financial Institutions/Services"
Commercial Kitchen (no on-site dining)	See "Manufacturing"
Commercial Storage Facilities (mini-warehouse, self-storage facilities)	1 space/250 square feet of office area plus 1 space for a resident manager or caretaker ⁽¹⁰⁾
D	
Day Care Centers not including family day care homes	1 space/employee plus 1 space/facility vehicle plus 1 space/10 persons at facility capacity. ⁽¹⁰⁾
Drug Store/Pharmacy	1 space/250 square feet of floor area ⁽¹³⁾
Dwelling:	
a. Single-family dwelling	a. 2 spaces within a private garage/dwelling unit
b. Multiple-family dwelling	b. 1.5 spaces/dwelling unit with 1 bedroom plus 2

c. Live/Work, Studio Unit/Tiny Home (Foundation) d. Accessory Dwelling Unit and Junior Accessory Dwelling Unit	spaces/dwelling unit with 2 or more bedrooms ⁽¹⁾ c. 1 space/dwelling unit d. No replacement parking is required when a garage, carport or covered parking is demolished. No parking is required for the ADU or JADU.
E	
Equipment Sales and Rental: a. Small – Sales, Rental and Repair b. Large – Sales, Rental and Repair	a. 1 space/500 square feet of office or retail area b. 1 space/500 square feet of office area and 2 spaces/repair bay, in addition to the service bays
F	
Farmers Market - Certified	(5)
Florist Shops	See "Retail Sales"
Flying Schools	See "Schools – Vocational & Technical"
Furniture Upholstery	1 space/500 square feet of floor area ⁽¹³⁾
G	
Group Housing: a. 6 or fewer residents b. more than 6 residents	a. See "Dwelling" b. (5)
H	
Hangars	1 space/1,000 square feet of floor area
Heliport or Helistop	(5)
Home Improvement Sales and Service a. With outdoor storage/display area b. Under 20,000 square feet c. Over 20,000 square feet	a. 1 space/1000 square feet storage/outdoor display area b. 1 space/500 square feet of floor area c. 1 space/500 square feet of floor area
Hotel or Motel	1 space/guest room ⁽¹⁰⁾
L	
Laboratories – Research	1 space/250 square feet of floor area
Laundry, Commercial	1 space/350 square feet of floor area
Live/Work Unit	See "Dwelling"
Low Barrier Navigation Center	See "Shelter, Emergency"
Lumber Yard and Building Materials (Wholesale) - With or Without Outdoor Storage	1 space/350 square feet of office area plus 1 space/1000 square feet storage/outdoor display area
M	
Manufactured Dwellings a. Single-family dwelling b. Sales	a. See "Dwelling" b. See "Vehicle Sales, Rental & Leasing"
Manufacturing ⁽³⁾	1 space/500 square feet of floor area ⁽¹³⁾
Medical Services: a. Hospital b. Medical/Dental Office c. Laboratory, Research/Development	a. 1 space/bed ⁽¹²⁾ b. 1 space/180 square feet of floor area ⁽¹³⁾ c. 1 space/250 square feet of floor area

d. Emergency Medical Service - urgent care e. Optometrist office	d. 1 space/180 square feet of floor area e. 1 space/250 sq. ft. of floor area (minimum of 5 spaces) ⁽¹³⁾
Mobile Home Park	1 space/mobile home site plus 1 off-street guest space/5 mobile home sites
Model Homes	2 spaces/model home
Multiple-family Dwelling	See "Dwelling"
O	
Offices - Business and Professional	1 space/250 square feet of gross floor area ⁽¹³⁾
Outdoor sales , display or storage	5 spaces plus 1 space/250 square feet of office area
Outdoor Storage Yard	The greater of: 1 space/4,000 square feet net lot area or 1 space/250 square feet of office space or 1 space/500 square feet of enclosed storage
P	
Parking Lot or Parking Structure	1 space/employee if manned ingress/egress
Parolee/Probationer Home: a. 6 or fewer residents b. more than 6 residents	a. See "Dwelling" b. ⁽⁵⁾
Pawn Shop/Gold Buying	See "Retail Sales"
Personal Service ⁽⁷⁾	1 space/250 square feet of floor area ⁽¹³⁾
Planned Residential Development	⁽⁵⁾
Plant Nurseries ⁽⁶⁾	5 spaces plus 1 space/250 square feet of building area
Publishing & Printing	See "Manufacturing"
R	
Rail Transit Station	⁽⁵⁾
Recreational Facilities - Commercial: a. Billiard Parlor and Pool Halls b. Bowling Alleys c. Skate Facility (indoor/outdoor) d. Amusement Parks e. Golf Courses and Driving Ranges f. Health/Fitness Club ⁽¹⁵⁾ g. Swimming Pool h. Specialty Non-Degree (Dance, Music, Martial Arts or similar) i. Other indoor and outdoor facilities	a. 1 space/250 square feet b. 5 spaces/bowling lane ⁽¹²⁾ c. 1 space/100 square feet of floor area d. ⁽⁵⁾ e. 5 spaces/hole, 1.5 spaces/tee on the driving range plus additional spaces required for ancillary uses per the provisions of the Zoning Code. f. 1 space/150 square feet of floor area g. ⁽⁵⁾ h. 1 space/250 square feet, or ⁽⁵⁾ i. ⁽⁵⁾
Recycling Centers: a. Paper, glass plastic, aluminum and nonferrous metals b. Solid Waste Transfer Stations and Material Recovery Facilities	a. 1 space/employee plus 1 space/1,000 square feet of floor area b. 1 space/employee
Recycling Facilities: a. Indoor Collection Center	a. 5 spaces, plus 1 space per employee b. No additional parking is required

b. Reverse Vending Machine c. Bulk Reverse Vending Machine d. Mobile Recycling Unit	c. ⁽⁵⁾ d. 1 space/attendant (if applicable)
Repair Shop – Small Items	See “Retail Sales”
Restaurant (sit-down, drive-through, fast food, take-out, café, cafeteria, excluding any outdoor dining area)	1 space/100 square feet of floor area ⁽¹²⁾
Retail Sales (uses not located in a regional shopping center - i.e., In the CRC Zone) ⁽⁸⁾	1 space/250 square feet of floor area ⁽¹³⁾
S	
Schools: a. College, Community College, University, and Professional b. Elementary or Secondary (Junior High) c. High School d. Vocational and Technical	a. ⁽⁵⁾ b. 2 space/classroom plus 2 bus loading spaces c. 7 spaces/classroom plus 3 bus loading spaces d. 0.75 spaces/employee plus 0.75 spaces/student at maximum enrollment ^{(9) (13)}
Senior Housing	1 space/unit ⁽²⁾
Shelters, Emergency	Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking than that for other residential or commercial uses within same zone.
Shopping Center - Regional (i.e., in the CRC Zone)	1 space/200 square feet of gross leasable floor area
Showroom	1 space/500 square feet of floor area
Single-family Dwelling	See “Dwelling”
Single Room Occupancy (SRO)	1 space/dwelling unit
Smog Shop	See “Vehicle Repair Facilities”
Sober Living Homes	See “Dwelling”
Student Housing (including dormitories, fraternities, sororities, etc.)	1.1 spaces/bed ⁽¹⁰⁾
Supportive Housing	See “Dwelling”
T	
Tattoo & Body Piercing Parlors	See “Personal Service”
Taxi Company with Vehicle Storage	1 space/taxi plus 1 space/250 square feet of office area
Tiny Home Community a. Foundation b. Chassis	a. See “Dwelling” b. See “Mobile Home Park”
Transitional Housing	See “Dwelling”
Tutoring Center	1 space per each faculty/staff; 1 space/2 students, for students 16 years old or older; and, 1 space/10 students, for students under 16 years old
V	
Vehicle Fuel Station: a. With Accessory Retail/Convenience Market b. With Vehicle Maintenance/Repair c. With Indoor Storage Area	a. 1 space/250 square feet of retail area including cooler areas ⁽¹⁴⁾ b. 2 spaces/service bay ⁽¹⁴⁾ c. 1 space/1,000 square feet of storage area ⁽¹⁴⁾

d. With Restaurants (including all cooking, serving and seating areas) e. With Car Wash	d. 1 space/100 square feet of floor area ⁽¹⁴⁾ e. 1 space/washing bay, not including vacuum stalls ⁽¹⁴⁾
Vehicle Impound & Tow	(5)
Vehicle Parts and Accessories a. Sales Only b. Sales and Installation (Indoor Only)	a. See "Retail Sales" b. See "Vehicle Repair Facilities"
Vehicle Repair Facilities - Major or Minor	6 spaces on same lot plus 2 additional spaces/service bay, in addition to the service bays ⁽¹¹⁾
Vehicle Sales, Rental, Leasing - New or Used a. Without Outdoor Display b. With Outdoor Display	a. See "Retail Sales" b. 5 spaces plus 1 space/250 square feet of office area
Vehicle Wash Facilities: a. Full Service and Express b. Self Service - (No separate office or retail use)	a. 1 space/2 employees of largest shift, not including vacuum stalls (adequate stacking and drying areas as determined by Conditional Use Permit) b. 1 space/2 washing bays or stalls in addition to the bays, not including vacuum stalls
Vehicle Wholesale Business a. Indoor (less than 5,000 sq. ft.) b. Outdoor & Indoor (over 5,000 sq. ft.)	a. See "Offices" b. ⁽⁵⁾
Veterinary Services (clinic and hospital, may include accessory grooming and boarding)	1 space/180 square feet of floor area
W	
Warehousing and Distribution Facilities a. 10,000 sq. ft. or less b. Greater than 10,000 sq. ft. and less than 100,000 sq. ft. c. 100,000 sq. ft. or more	1 space/1,000 square feet of floor area plus 1 space/250 square feet of office area ⁽¹³⁾
Wireless Telecommunication Facilities	(5)

Table 19.580.060

Notes:

1. See Section 19.580.070 B (Multiple Family Dwellings) for additional requirements. For the purpose of calculating parking requirements for multiple family dwellings, dens, studies, or other similar rooms that may be used as bedrooms shall be considered bedrooms.
2. For senior housing projects, 50 percent of the required spaces shall be covered either in a garage or carport.
3. For the purposes of parking requirements, this category includes corporation yards, machine shops, tin shops, welding shops, manufacturing, processing, packaging, treatment, fabrication, woodworking shops, cabinet shops, and carpenter shops and uses with similar circulation and parking characteristics.
4. Required parking spaces may be in tandem, and the driveway may be used for the required drop-off and pick-up space.
5. Parking ratio to be determined by the designated Approving or Appeal Authority in conjunction with required land use or development permits, based on the impacts of the particular proposal and similar uses in this table.
6. Excluding lath and green houses.
7. Includes barber shops, beauty salons/spas, massage, tanning, tailors, dry cleaning, self-service laundry, travel agencies, electrolysis, acupuncture/acupressure, and tattoo parlors.
8. For the purposes of parking requirements, this category includes antique shops, gun shops, pawn shops, pet stores, and second-hand stores.
9. Additional parking for assembly rooms or stadiums is not required.
10. Parking may be provided on the same or adjoining lot.
11. Parking may be provided on the same lot or within 100 feet of the subject site.
12. Parking may be provided on the same lot or within 150 feet of the subject site.
13. Parking may be provided on the same lot or within 300 feet of the subject site.
14. The pump islands are not counted as parking stalls.
15. A reduction in the number of required parking spaces may be permitted subject to a parking study and a shared parking arrangement.
16. Where strict adherence to any parking standards would significantly compromise the historic integrity of a property, the Community & Economic Development Director, or his/her designee, may consider variances that would help mitigate such negative impacts, including consideration of tandem parking, allowances for on-street parking, alternatives to planter curbing, wheel stops, painted striping, and asphalt or concrete surfacing materials.
17. Parking shall be provided in accordance with Chapter 19.545.060 (Parking Standards Incentive). A parking analysis may be provided to justify modifications from those standards. The parking analysis shall identify the parking needs to address the operating hours and characteristics of the operations to provide for adequate parking at all times.
18. Refer to Section 19.580.060 E for new uses within a designated cultural resource as defined in Chapter 20 of the Riverside Municipal Code.

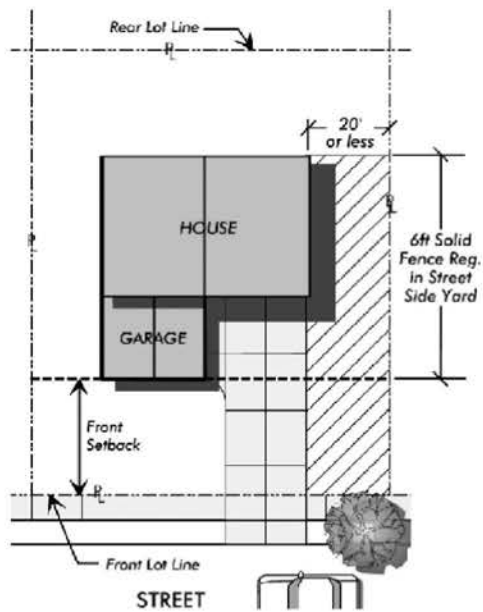
19.580.070 Off-street parking location and type requirements.

A. Single family dwellings.

1. *Required number and type of spaces.* See Table 19.580.060 (Required Spaces) Dwelling-Single Family.
2. *Parking location in the front and side yard areas.*
 - a. Parking and maneuvering in front yard areas of single-family residential zones for all vehicles, except recreational vehicles exceeding 10,000 pounds gross vehicular weight, shall be limited to the space within a carport or garage plus a paved driveway between such garage or carport and the street from which it is served, not exceeding the width of the garage.
 - b. In addition, front and side yard areas may also be paved for the parking and maneuvering of vehicles as set forth in Section 19.580.070.A.3 below.
3. *Permitted driveway locations.*
 - a. House with attached or detached garage: The space between the driveway serving the garage and the nearest side property line, with such paving permitted to extend as far as the rear of the residential structure, such space not to exceed 20 feet in width beyond the driveway serving the garage. (See Figure 19.580.070 A.3.a - House with Attached Garage)

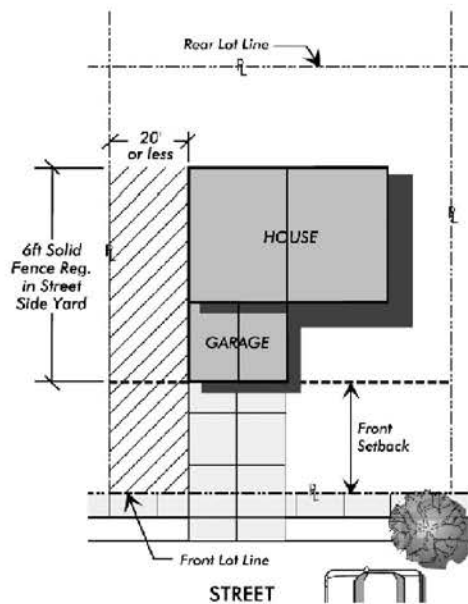
19.580.070 A.3.a.

House with Attached Garage



19.580.070 A.3.a.

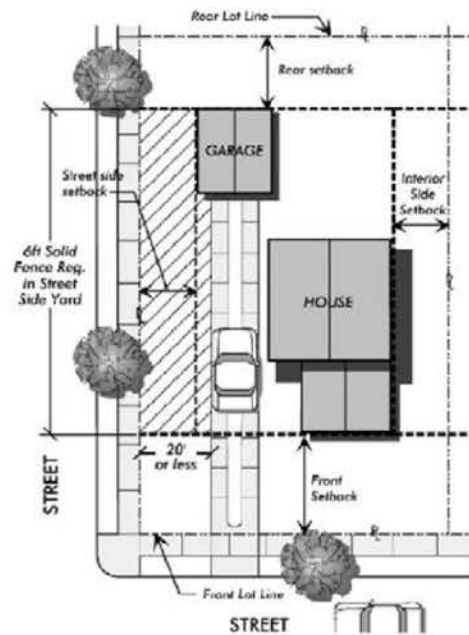
House with Attached Garage



- b. House with detached garage, served by adjacent street: The space between the driveway and the nearest side property line, extending as far as the rear of the garage, such space not to exceed 20 feet in width beyond the driveway serving the garage. (See Figure 19.580.070 A.3.b - House with Detached Garage)

19.580.070 A.3.b.

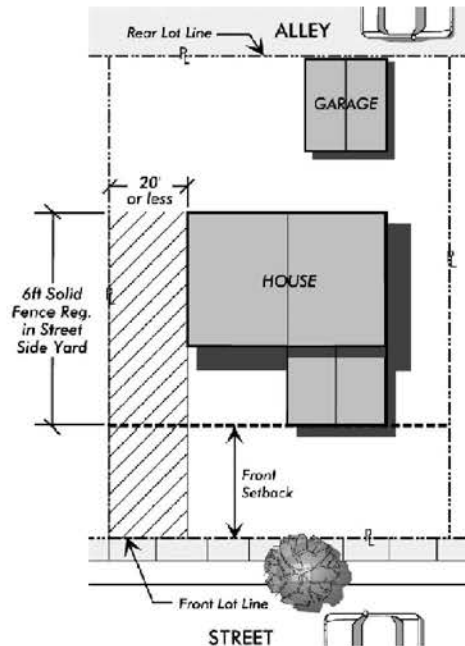
House with Detached Garage



- c. House with detached garage served from an alley: A space, not exceeding 20 feet in width, adjacent to a side property line. Such paved space may extend no further than the space between the street and the rear of the house. Installation of such a driveway is subject to approval of a driveway curb cut by the Public Works Department. (See Figure 19.580.070 A.3.c - House with Detached Garage Served by Alley)

19.580.070 A.3.c.

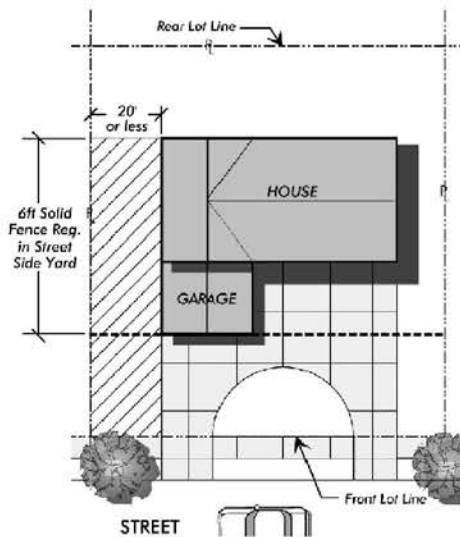
House with Detached Garage Served by Alley



- d. Circular drives: A house with one street frontage and at least 80 feet of width, or any house with two street frontages may be served by a circular drive. In addition, the space between the circular drive and the nearest interior side property line may be paved, provided this additional paving does not exceed 20 feet in width beyond the point from the nearest point of the circular driveway and the interior side property line, nor extend further than the distance between the street and the rear of the residence. No circular drive will be approved without the approval of the Public Works Director for two driveway openings. (See Figure 19.580.070 A.3.d - House with Circular Drive)

19.580.070 A.3.d.

House with Circular Drive



- e. Special requirements for driveway extensions in street side yard areas: Where the area proposed for driveway expansion is a street side yard, the portion of the driveway behind the front setback must be screened from the adjoining street by a six-foot-high solid fence or wall.
- f. Arterial streets: No residential drives shall be permitted on arterial streets as shown on the General Plan Circulation and Transportation Element except where no other access to the property exists.
- g. Second driveways:
 - (1) Are allowed in the RA-5 and RC Zones.
 - (2) In other Single-Family Residential Zones, a second driveway may be added if the property has 80 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning Division and Public Works Department.
 - (3) A circular driveway is not considered a second driveway.
- 4. *Recreational vehicle parking in residential zones.*
 - a. *Recreational vehicles 10,000 pounds gross vehicular weight or less.* Permitted parking and maneuvering areas shall be the same as those specified in 19.580.070.A.3.
 - b. *Recreational vehicles over 10,000 pounds gross vehicular weight.*
 - (1) The parking of recreational vehicles with a gross vehicle weight rating of 10,000 pounds or more shall only be allowed in the RR-Rural Residential, RE-Residential Estate, and RA-5 Residential Agricultural zones. Parking and maneuvering areas for such vehicles shall be limited to:
 - (a) A garage or carport.
 - (b) A paved surface in the rear yard, outside of required setbacks, or an interior side yard area adjacent to the property's existing garage or carport, provided that:
 - i. A side yard area adjacent to a street shall not be used for recreational vehicle parking.
 - ii. There shall be a minimum of 15 feet between the side property line and the nearest eave overhang.

- iii. The side yard area shall be accessible from the property's existing driveway. Only one driveway opening is permitted, except in the case of an existing circular driveway. However, a second driveway may be added if the property has 100 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning and Public Works Departments.
 - iv. A recreational vehicle parked in a side yard shall not extend forward of the front wall of the residence.
 - (c) A recreational vehicle may not have any utility hookups or be used as living quarters except as permitted by 19.465 (Caretaker Living Quarters - Temporary).
 - (d) The property may be fenced subject to current Zoning Code standards.
- c. *Registration and vehicle condition.* All recreational vehicles parked outside of a completely enclosed garage shall be currently and legally registered except as provided for by State law and shall be in an operable and movable condition within one hour. Motorized recreational vehicles, shall be movable under their own power. Boats and other nonmotorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.

5. *Nonconforming rights.* A non-paved driveway legally established prior to the adoption of this Code section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this Code section, is not subject to the paving requirements of this section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning and Building Departments.

B. *Multiple family dwellings.*

- 1. Required number and type of spaces.
 - a. Number of spaces: See Table 19.580.060 (Required Spaces) - Dwelling-Multiple Family.
 - b. Covered parking required: At least 75 percent of the total required spaces shall be in a carport or fully enclosed.
 - c. Distribution of covered parking: Garages and carports shall be distributed evenly throughout the project. Landscaped planters shall be required between garage structures as determined by the Development Review Committee. Required covered parking (garages and/or carports) shall not be used for household storage.
 - d. Tandem parking: May be provided to satisfy the minimum parking requirement, when assigned to residential dwelling units with two or more bedrooms.

C. *Nonresidential uses.*

- 1. Except as provided in this section, landscaped front and street side yard setbacks shall not be used for the off-street parking of vehicles or for off-street parking spaces, turning or maneuvering aisles. However, entrance and exit drives, as a means of ingress and egress to off-street parking spaces, shall be permitted to cross landscaped front and street side yard setbacks.

1. Table 19.580.080 A. (Off Street Vehicle Parking Space Dimensions) sets forth minimum size requirements for individual parking spaces. Design standards for handicapped parking stalls shall be provided in compliance with current requirements of the Uniform Building Code.
2. Up to 15 percent of the required onsite parking spaces may have compact dimensions as set forth in Table 19.580.080 A. Calculations that result in fraction of a space shall be rounded to the nearest whole number.
3. Parking spaces that are parallel and adjacent to a building, fence/wall, or other door swing or pedestrian access obstruction shall be nine and one-half feet wide.
4. All off-street parking spaces shall be indicated by white or yellow painted stripes not less than four inches wide or by other means acceptable to the Planning Division. Handicapped accessible spaces shall be indicated by blue painted stripes, signs and markings, in accordance with State of California requirements.
5. Except in the case of individual tree well planters, the minimum paved depth of a parking space shall not be reduced by an overhang into a planter.
6. Tandem parking shall not be permitted to satisfy the minimum parking requirement, except as provided in Section 19.580.070 B.1.e (Multiple Family Dwellings).
7. Angled Parking Spaces. Any parking layout incorporating angled parking spaces shall illustrate that minimum space dimensions are met by overlaying a rectangle (having the minimum required dimensions - Standard or Compact) onto each angled space so that no overhang occurs on the adjoining spaces, planters or drive aisles.

Table 19.580.080 A. Off-Street Vehicle Parking Space Dimensions		
Type of Parking Space	Size of Parking Space (minimum)	
	Width	Length
Standard	9 ft.	18 ft.
Compact (where permitted)	8 ft.	16 ft.

B. Drive aisle and driveway width dimensions.

1. Each parking space shall have adequate drives, aisles and turning and maneuvering areas for access in accordance with Table 19.580.080 B. (Overall Parking Aisle Width).

Table 19.580.080 B. Overall Parking Aisle Width				
	Parking Angle in Degrees			
	45	60	75	90
Aisle Width				
a. One-Way Traffic	12 ft.	16 ft.	18 ft.	24 ft.
b. Two-Way Traffic				24 ft.

2. The minimum driveway widths for different use categories are established in Table 19.580.080 C (Minimum Driveway Widths). On-drive parking is prohibited at the minimum widths, except for single-family residential uses.

Table 19.580.080 C. Minimum Driveway Widths
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Use	Driveway minimum width	Notes, Exceptions and Special Provisions
Single-Family Residential	10 ft.	
Multi-Family Residential (one-way)	12 ft.	Driveways shall be 150 ft. or less in length with no on-drive parking and located adjacent to one- or two-story buildings
Multi-Family Residential (two-way)	20 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be a minimum of 24 ft.
Nonresidential (one-way)	12 ft.	A driveway providing access to ten or fewer parking spaces may be reduced to ten ft. The total length of the ten-foot-wide driveway shall not exceed 75 feet.
Nonresidential (two-way)	20 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be 24 ft.

C. *Vehicular access and circulation.*

1. Accessibility and usability: Driveways shall not be used for any purpose that would prevent vehicle access to parking spaces, or inhibit circulation or emergency service response.
2. Access to adjacent roadways: Parking spaces within a designated parking lot shall be designed to provide the minimum required turning and maneuvering areas, so vehicles can enter an abutting street in a forward direction (alleys may be used for maneuvering space).
3. Circulation: Within a parking lot, circulation shall be such that a vehicle entering the parking lot need not enter the street to reach another aisle and that a vehicle shall not enter a public street backwards. Internal circulation, including safe entrances and exits shall be provided meeting the established standards and specifications of the Planning Division and Public Works Department.
4. Visibility at driveways: Driveways shall be designed and located in such a manner so as to ensure proper visibility to on-street traffic. Driveway design shall take into consideration slopes, curvature, speed, and conflicting turning movements in the area. Clear visibility shall be maintained from the driveway by keeping the designated clear vision triangle free of obstacles such as signs, landscaping, and structures. See Article X (Definitions) for a description of the clear vision triangle.

D. *Parking structures.*

1. Parking spaces located within a parking structure shall be provided with safe entrances and exits, turning and maneuvering areas and driveways meeting the established standards and specifications of the Planning Division and Public Works Department.
2. Driveways and turning and maneuvering areas in parking structure shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the specifications of the Public Works Department and shall be maintained in good repair.
3. Parking structures shall have a minimum landscaped setback of 15 feet along all street frontages, except in the area bounded by First Street, Fourteenth Street, State Route 91, and Locust Street, where a ten-foot landscaped setback shall be provided along all street frontages. When a greater setback is required by the zone in which the parking structure is located, such greater setback shall prevail.
4. Parking structures shall have, along all street frontages, a three-foot high buffer to such parking structure consisting of a decorative masonry wall, solid hedge or landscaped mound or any combination thereof. Masonry walls and hedges shall be situated at the rear of the landscaped setback required by subsection 3 of this section.
5. Piers and pillars shall not encroach into parking stalls.

- E. *Garage/carport-architectural design.* Garages and carports required for residential development shall be consistent with the architectural design of the primary buildings by using similar materials and roof pitches.
- F. *Paving.*
1. Required parking, loading areas and circulation areas shall be paved with not less than three inches of asphalt concrete or an equivalent impervious surface meeting the established standards and specifications of the Public Works Department. They shall be graded and drained so as to dispose of all surface water, and shall be maintained in good repair; provided that those portions of single-family residential driveways extending beyond a point 100 feet back from the street property line in the RE, RA and R-1 Zones may be surfaced with an alternate material as determined by the Public Works Department; and further provided that in the RE Zone, the driveways within the bridle paths of equestrian trails shall not be paved.
 2. A non-paved driveway legally established prior to the adoption of this Code Section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this Code Section, is not subject to the paving requirements of this section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning Division.
 3. The Community & Economic Development Director or his/her designee shall have the authority to administratively grant exceptions to the paving material and location restrictions, consistent with the purposes of this section, where special circumstances relating to property context, configuration, terrain, landscaping or structure locations make adherence to the paving location restrictions of this section impractical. Any such decision by the Community & Economic Development Director or his/her designee may be appealed to the City Council.
- G. *Pedestrian access and circulation.* All multi-family and nonresidential developments shall be designed with a minimum of one designated pedestrian path from each abutting street to the primary entrance(s) to such use. Access shall be distinct from the vehicle access, visibly delineated, and designed to be safe and convenient. Specifically, internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, or scored/stamped concrete.
- H. *Drainage.* Drainage facilities shall be provided in all public parking areas capable of handling and maintaining the drainage requirements of the subject property and surrounding properties. Drainage facilities shall be designed to dispose of all surface water consistent with Regional Water Quality Control Board standards, and to alleviate the creation of flooding and drainage problems.
- I. *Curbing and bumper or wheel stops.* Bumper stops not less than two feet in height or wheel stops not less than six inches in height shall be erected adjacent to any building or structure, wall, fence, property line, or walkway to protect other property. Areas containing plant materials shall be bordered by a concrete curb at least six inches high and six inches wide. Alternative barrier design to protect landscaped areas from damage by vehicles may be approved by the Development Review Committee.
- J. *Lighting.* Parking areas shall have lighting capable of providing adequate illumination for security and safety. Also see Section 19.590.070 (Light and Glare) and Chapter 19.556 (Outdoor Lighting).
- K. *Walls.* When adjoining or across an alley from any residentially zoned or residentially used lot, a masonry wall six feet in height shall be erected and maintained so as to physically separate the parking, loading or sales area from the residential property; provided that such wall shall be three feet high within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be three feet high within ten feet of the street line. Also, see Chapter 19.550 (Fences, Walls and Landscape Materials).

EXHIBIT "J"

Chapter 19.680 APPEALS

19.680.010 Purpose.

This chapter identifies the procedures for filing and processing an appeal of actions of Approving Authorities, consistent with California Government Code Section 65904. Where the appeal provisions of this section conflict with other provisions of the Riverside Municipal Code, the appeal provisions of this chapter shall apply with regard to planning and zoning matters.

19.680.020 Appeal authority.

- A. Any person dissatisfied with an interpretation or action an Approving Authority made pursuant to this article may appeal such action to the designated Appeal Authority and ultimately to the City Council. Appeals must be filed in accordance with the procedures in Section 19.680.030 (Filing an Appeal). Table 19.650.020 (Approving and Appeal Authority) identifies the Appeal Authority for each of the City's land use and development permits and actions. Actions by the City Council are not subject to appeal.
- B. Legislative matters require the Planning Commission to hold a noticed public hearing and make a recommendation on the matter to the City Council. Where the Planning Commission denies legislative cases initiated by an applicant, the action is final unless appealed to the City Council. For City-initiated legislative cases, the Planning Commission is a recommending body and the City Council's action is final. (See Table 19.650.020 - Approving and Appeal Authority).

19.680.030 Filing an appeal.

- A. Any person aggrieved or affected by a decision of an Approving Authority may appeal that decision to the designated Appeal Authority. All appeals shall be submitted in writing to the Planning Division, in duplicate, identifying the action being appealed and specifically stating the basis or grounds of the appeal. For appeals of the decision of the Airport Land Use Commission (ALUC) see E below.
- B. Appeals shall be filed within ten calendar days following the date the Approving Authority announces its determination on the matter for which an appeal is made and shall be accompanied by a filing fee as established by City Council resolution. If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day (Note: one exception to the ten-day appeal period is for temporary use permits where the appeal period is two business days).
- C. The filing of an appeal shall stay the action being appealed and the issuance of subsequent permit(s), such as grading or building permits.
- D. An appeal must be filed to exhaust all available administrative remedies.
- E. When filing an appeal of the decision of the Airport Land Use Commission (ALUC) the applicant shall provide the City with a copy of the ALUC staff report, notice of action and findings to support the override for the ALUC determination. In order to overrule the ALUC finding of inconsistency, the City Council must make specific findings that the proposal is consistent with the purposes of ALUC law "to protect public health, safety and welfare by ensuring (1) the orderly expansion of airports and (2) the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

19.680.040 Notice and schedule of appeal hearings.

An appeal hearing shall be conducted at a public meeting on a date mutually agreed upon by the person filing the appeal, the applicant and the City. . Notice of hearing for the appeal shall be provided pursuant to noticing requirements of Chapter 19.670 (Public Hearings and Notice Requirements).

19.680.050 Appeal hearing and action.

Each appeal shall be considered de novo (new), even if the appeal is withdrawn, and the Appeal Authority may reverse, modify or affirm the decision in regard to the entire project in whole or in part. In taking its action on an appeal, the Appeal Authority shall state the basis for its action. The Appeal Authority may approve (in full or in part), conditionally approve (in full or in part), modify or deny (in full or in part) and may modify, delete or add such conditions as it deems necessary. The Appeal Authority may also refer the matter back to the original Approving Authority for further action.

EXHIBIT "K"

Chapter 19.720 VARIANCE

19.720.010 - Purpose.

California Government Code Section 65906 establishes the authority of the City to grant variances to the development standards and provisions of the Zoning Code in cases where, because of special circumstances applicable to the property, the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zones.

19.720.020 - Applicability.

- A. A variance application shall be filed whenever any deviation from the development standard provisions of the Zoning Code is proposed, including, but not limited to, those standards related to height, lot area, yards, open spaces, setbacks, lot dimensions, signs and parking, unless otherwise specified.
- B. Variances may not be approved for uses or activities not otherwise expressly authorized by the Zoning Code. A variance is not a substitute for a zone change, zone text amendment, or conditional use permit.
- C. Financial hardship does not represent grounds on which to file a variance application.
- D. Variances to use provisions of the Zoning Code are prohibited.

19.720.030 - Procedures.

- A. *General process.* Variance applications shall be processed in accordance with the discretionary processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable Chapters of the Zoning Code.

19.720.40 - Required findings.

- A. The Director of Community & Economic Development Department, Planning Commission or the City Council may approve a variance when special circumstances applicable to the property, including size, shape, topography, location or surroundings, deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- B. The following findings are required:
 - 1. The variance does not grant or authorize a use or activity that is not otherwise allowed in the zone.
 - 2. There are practical difficulties or unnecessary hardships created with the strict application of the code because of the physical circumstances and characteristics of the property that are not shared by other properties in the zone.

3. The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located adjacent to the subject property and in the vicinity.
- C. Failure to make all of the required findings shall require **denial of the variance**.

19.720.050 - Conditions of approval/guarantees.

- A. In granting a variance, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of the Zoning Code shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located.
- B. The conditions attached to variance may include such provisions concerning height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation characteristic, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction authorized, revocation dates, and other conditions the Director of Community & Economic Development Department or Planning Commission may deem appropriate and necessary to carry out the purposes of the Zoning Code and Chapter.

EXHIBIT “L”

Chapter 19.895 ROOM RENTAL PERMIT

19.895.010 Purpose.

The purpose of this chapter is to provide a procedure to permit owners of single-family residential properties to rent a room or rooms in the primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit, to more than two but not to exceed four individuals through a room rental permit process. The Room Rental Permit is only applicable to the RR, RE and R1 Zones.

19.895.020 Procedures.

The following procedures apply to applications for a Room Rental Permit:

- A. *Application.* Owners of a single-family residential property that includes a primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit wishing to rent a room or rooms to more than two, but not more than four individuals shall make written application to the Zoning Administrator, including all the material deemed necessary to demonstrate compliance with the provisions for this use in Chapter 19.520 (Rental of Rooms), including, a signed copy of the Room Rental Permit Agreement to meet the requirements for additional rentals.
- B. *Approval.* Upon receipt of a complete application, the Community & Economic Development Director or their designee shall grant the permit if all requirements of Chapter 19.520 (Rental of Rooms) are met. The Community & Economic Development Director or their designee shall approve the application unless findings are made that the approval would otherwise adversely affect the residential character of the neighborhood.
- C. *Renewal.* A Room Rental Permit Agreement is effective for a period of one year from the date of issuance and is required to be renewed on an annual basis thereafter. Renewal of a Room Rental Permit Agreement is subject to the Room Rental Permit Requirements of this chapter.
- D. *Appeal.* Any person may appeal the decision of the Community & Economic Development Director to the Planning Commission. A notice of public hearing for the appeal shall be provided pursuant to Section 19.670.030.

The decision of the Planning Commission may be appealed to the City Council. In the event of an appeal to the Planning Commission or City Council notice shall be given in the same manner as the Planning Commission appeal. The decision of the City Council shall be final.

- E. *Revocation.* Three or more violations of any of the operational requirements of Section 19.520.030.B (Operation and Development Standards) including extraordinary police service or response complaints as defined by Chapter 9.60 of the Riverside Municipal Code or citations for violations related to noise or property use or maintenance within any running 12-month period, shall be grounds for revocation of the Room Rental Permit Agreement. Refer to Section 19.700.020 for revocation procedures.

A revoked Room Rental Permit *Agreement* may not be reissued for a minimum of one year from the revocation date. If a Room Rental Permit Agreement issued to the same owner for the same property is revoked a second time a Room Rental Permit Agreement may not be reissued for the subject property as long as it belongs to the same owner.

EXHIBIT “M”

Chapter 19.910 DEFINITIONS

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19.910.050 "D" Definitions

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Dwelling unit, accessory (ADU) means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence that shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

- A. An efficiency dwelling unit, as defined in Section 1207.4 of the California Building Code; or
- B. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

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Dwelling unit, junior accessory (JADU) means a unit contained entirely within an existing a single-family structure that may include separate or shared sanitation facilities.

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Dwelling unit, movable accessory (MADU) means a complete independent living facility that provides for one or more persons and is located on a lot with a proposed or existing primary residence that shall include provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated and meets the following requirements:

- A. Meets the American National Standards Institute (ANSI) 119.5 requirements or the National Fire Protection Association (NFPA) 1192 standards, is certified for ANSI or NFPA compliance; and is certified by a 3rd party inspection agency (Design Approval Agency/Quality Assurance Agency) that the MADU meets this requirement;
- B. Is licensed and registered with the California Department of Motor Vehicles;
- C. Cannot move under its own power;
- D. Is no larger than allowed by California State Law for movement on public highways; and
- E. Is no smaller than 150 and no larger than 430 square feet as measured within the exterior faces of the exterior walls.

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19.910.060 "E" Definitions.

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Efficiency dwelling unit. See "dwelling unit, accessory."

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19.910.080 "G" Definitions.

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19.910.210 "T" Definitions.

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Tiny home (chassis). See *mobile home*.

Tiny home community means a group of tiny homes, constructed either on a chassis or on a foundation, that are arranged in common relationship to one another, usually surrounding a shared common open space area.

Tiny home (foundation) means a dwelling unit that is factory or site-built on a permanent foundation in accordance with applicable building codes, laws and standards.

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19.910.220 "U" Definitions.

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Urban lot split means a subdivision as defined by Chapter 18.260 (Definitions) of the Subdivision Code, pursuant to Section 66411.7 of the California Government Code.

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