

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION



June 13, 2024

Daniel Palafox, Associate Planner
City of Riverside, Planning Department
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RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR’S DETERMINATION

File No.: ZAP1083RG24
Related File No.: PR-2024-001678 (Zoning Code Update)
APN: Citywide

Dear Mr. Palafox,

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed City of Riverside Zoning Code Update (PR-2024-001678), a proposal amending Title 19 of the Riverside Municipal Code to implement a Residential Infill Development Ordinance and a Small Lot Subdivision Ordinance which intend to: streamline development standards for existing, undersized lots within the Single Family (R-1) Residential Zones and Multi-Family (R-3&R-4) Residential Zones; amend the existing Planned Residential Development (PRD) Permit process to implement three new PRD permits as part of a Residential Small Lot Subdivision Program; and minor changes to implement the Infill Development and Small Lot Subdivision Ordinance.

The proposed amendments do not involve changes in development standards or allowable land uses that would increase residential density or non-residential intensity. Therefore, these amendments have no possibility for having an impact on the safety of air navigation within airport influence areas located within the City of Riverside.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, 2005 Riverside Municipal Airport Land Use Compatibility Plan, and the 2004 Flabob Airport Land Use Compatibility Plan.

This determination of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed amendment.

If you have any questions, please contact me at (951) 955-6893.

Sincerely,
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Paul Rull, ALUC Director

cc: ALUC Case File

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ARTICLE V BASE ZONES AND RELATED USE AND DEVELOPMENT PROVISIONS

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, and single-family homes in a Small Lot Subdivision Planned Residential Development.
- 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.

(Ord. 7592 § 2(Exh. B), 2022; Ord. 7552 § 1, 2021; Ord. 7528 § 1(Exh. A), 2020; Ord. 7520 § 1(Exh. A), 2020; Ord. 7487 § 9, 11-5-2019; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

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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.

(Ord. 7552 §§ 2, 3, 2021; Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016; Ord. 7109 § 2, 2010; Ord. 7027 § 1, § 2, 2009; Ord. 6966 § 1, 2007)

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 ¹⁷	R-1-1300 ¹⁷	R-1-10500 ¹⁷	R-1-8500 ¹⁷	R-1-7000 ¹⁷
Density - Maximum (Dwelling)	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

Units per Gross Acre) ^{1,15, 16}									
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, 18}									
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 19.630.040 E (Permitted projections into required yards for RA-5, RE, RR, and R-1 Zones).
5. Side and rear setback exceptions: See Section 19.630.040 E (Permitted projections into required yards for RA-5, RE, RR, and R-1 Zones). 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.
17. [See Section 19.100.065 for regulations on undersized lots.](#)
18. [See Chapter 19.780 \(Planned Residential Development Permits\) for setbacks in Planned Residential Developments.](#)

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

Development Standards	Multiple-Family Residential Zones					
	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 ²	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, 6, 7} - 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, 6, 7} - Maximum	2 ²	2 ²	2 ²	2 ²	2 ²	4
Setbacks – Minimum ^{6, 7}						
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.

Notes:

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.
2. Up to 60% of units may be located in three-story buildings with a maximum height of 40 feet.

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- 3. Refer to Chapter 19.560 (Building Height Measurement) for height measurements and exceptions to height limits.
 - 4. See Section 18.210.080 (Lots) and Article X (Definitions) for exemptions for cul-de-sac lots and knuckle lots.
 - 5. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

6. [See Section 19.100.075 for regulations on undersized lots.](#)

7. [See Section 19.780.060.D \(Planned Residential Development Permits\) for Small Lot PRD regulations.](#)

(Ord. 7652 § 1(Exh. A), 2023; Ord. 7592 § 2(Exh. B), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7552 §§ 2(Exh. A) and 3(Exh. B), 2021; Ord. 7487 § 10(Exh. B), 11-5-2019; Ord. 7413 , § 1(Exh. A), 2-20-2018)

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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.

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- 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.
- C. *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:
1. For lots less than 8,500 square feet in area, the R-1-7000 standards apply.
 2. 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.
 3. 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.
 4. 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.
- D. See also Section 19.630.040 - Permitted projections into required yards for additional exceptions to the setback requirements.
- E. *Landscaping. Front and side yard setback areas adjacent to streets shall be suitably landscaped and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation). Such setbacks shall not be used for off-street parking, storage, or accessory buildings.*
- (Ord. 7652 § 2, 2023; Ord. 7592 § 2(Exh. B), 2022; Ord. 7552 § 4, 2021; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.065 - Regulations for infill development on undersized lots in the R-1 Zones

- A. *Setbacks for R-1-½ acre zoned properties less than 18,000 square feet in area.* For legally created parcels within the R-1-½ acre Zone which are less than 18,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:

1. For lots less than 5,500 square feet in area, see section 19.100.065.E.
 2. For lots equal to or greater than 5,500 square feet in area, but less than 8,500 square feet in area, the R-1-7000 standards apply.
 3. For lots equal to or greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-8500 standards apply.
 4. For lots equal to or greater than 10,500 square feet in area, but less than 13,000 square feet in area, the R-1-10500 standards apply.
 5. For lots equal to or greater than 13,000 square feet in area, but less than 18,000 square feet in area, the R-1-13000 standards apply.
- B.** Setbacks for R-1-13000 zoned properties less than 10,500 square feet in area. For legally created parcels within the R-1-13000 Zone which are less than 10,500 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:
1. For lots less than 5,500 square feet in area, see section 19.100.065.E.
 2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.
 3. For lots equal to or greater than 7,000 square feet in area, but less than 8,500 square feet in area, the R-1-8500 standards apply.
 4. For lots equal to or greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-10500 standards apply.
- C.** Setbacks for R-1-10500 zoned properties less than 8,500 square feet in area. For legally created parcels within the R-1-10500 Zone which are less than 8,500 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:
1. For lots less than 5,500 square feet in area, see section 19.100.065.E.
 2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.
 3. For lots equal to or greater than 7,000 square feet in area, but less than 8,500 square feet in area, the R-1-8500 standards apply.
- D.** Setbacks for R-1-8500 zoned properties less than 7,000 square feet in area. For legally created parcels within the R-1-8500 Zone which are less than 7,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:
1. For lots less than 5,500 square feet in area, see section 19.100.065.E.
 2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.
- E.** Development Standards for R-1 Zone lots less than 5,500 square feet in area. For legally created parcels within all R-1 Zones which are less than 5,500 square feet in area, the following development standards shall apply and supersede those listed in Table 19.100.040.A:

Table 19.100.065

Residential Development Standards: R-1 Zone Lots Less than 5,500 Square Feet

Development Standards	Lot Size (square feet)			
	1,500-2,499	2,500-3,499	3,500-4,499	4,500-5,499
Building Height - Maximum	<u>35 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>	<u>35 ft.</u>

<u>Number of Stories - Maximum</u>	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Lot Coverage - Maximum</u>	<u>55%</u>	<u>55%</u>	<u>50%</u>	<u>45%</u>
<u>Setbacks – Minimum¹</u>				
1. <u>Front²</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>
2. <u>Interior Side</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>
3. <u>Street Side</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
4. <u>Rear</u>	<u>10 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>20 ft.</u>

Notes:

1. See 19.630.040 (Permitted projections into required yards).
2. Garages and carports shall be set back 20 feet.

F. Privacy Considerations. Residential development on R-1 Zone lots less than 5,500 square feet in area that abut the RA-5, RC, RR, RE, or R-1 Zone shall adhere to the following:

1. Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
2. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 Zoned property shall be located a minimum of 15 feet from the interior lot lines.

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 ¹	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.

Notes:

1. See Table 19.100.075 B for requirements for infill development on undersized lots.

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.

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- 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 12 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.

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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.* ~~Front, side, and rear yard setback areas adjacent to streets shall be suitably landscaped~~ ~~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.
- (Ord. 7592 § 2(Exh. B), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7 528 § 1(Exh. A), 2020; Ord. 7520 § 1(Exh. A); Ord. 7505 § 1(Exh. A), 2020; Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.075 - Regulations for infill development on undersized lots in the R-3 and R-4 Zones

The following regulations shall apply to residential infill development projects in the R-3 and R-4 zones on lots less than 21,780 square feet in area:

A. *Development Standards.* For legally created parcels within all R-3 and R-4 Zones which are less than 21,780 square feet in area, the following development standards shall apply and supersede those listed in Table 19.100.040.B:

Table 19.100.075 A
Residential Development Standards: R-3 and R-4 Zone Lots Less than 21,780 Square Feet

<u>Development Standards</u>	<u>Lot Size (square feet)</u>				
	<u>< 5,000</u>	<u>5,001 - 10,000</u>	<u>10,001 - 15,000</u>	<u>15,001 - 20,000</u>	<u>20,001 - 21,780</u>
<u>Building Height - Maximum</u>	<u>40 ft.¹</u>	<u>40 ft.¹</u>	<u>40 ft.</u>	<u>40 ft.</u>	<u>40 ft.</u>
<u>Number of Stories - Maximum</u>	<u>3¹</u>	<u>3¹</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Setbacks - Minimum</u>					
<u> <u>A. Front</u></u>	<u>10 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>
<u> <u>B. Front (Arterial Streets over 110 feet)</u></u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>

<u>C. Interior Side²</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>7.5 ft.</u>
<u>D. Street Side²</u>	<u>7.5 ft.</u>	<u>7.5 ft.</u>	<u>7.5 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
<u>E. Rear²</u>	<u>7.5 ft.</u>	<u>7.5 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>10 ft.</u>
<u>Distance Between Buildings</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>5 ft.</u>	<u>15 ft.</u>	<u>15 ft.</u>

Notes:

- Height may be increased to 45 feet if building is designed with tuck under parking. Ground floor tuck under parking shall not be considered a story.
- Where a property abuts the RA-5, RC, RR, RE or R-1 Zone, buildings with habitable space above 20 feet in height shall increase the required side and rear yards by five feet.

B. Privacy Considerations. Where an R-3 or R-4 zoned property less than 21,780 square feet in area abuts the RA-5, RC, RR, RE, or R-1 Zone, the development shall adhere to the following:

- Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
- Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 zoned property shall be located a minimum of 15 feet from the interior lot lines.

C. Usable open space. The minimum usable open space, as defined in Article X (Definitions), required for each dwelling unit on undersized lots in the R-3 and R-4 Zones shall be as set forth in Table 19.100.075 B (Usable Open Space Standards: Undersized Lots in Multi-Family Residential Zones) and shall supersede Table 19.100.070:

Table 19.100.075 B

Usable Open Space Standards: Undersized Lots in Multi-Family Residential Zones

<u>Usable Open Space Standards¹</u>	<u>Lot Size (square feet)</u>				
	<u>< 5,000</u>	<u>5,001 - 10,000</u>	<u>10,001 - 15,000</u>	<u>15,001 - 20,000</u>	<u>20,001 - 21,780</u>
<u>Common Usable Open Space - Minimum per Unit</u>	<u>None</u>	<u>None</u>	<u>40 sq. ft. or 2% of lot area, whichever is greater</u>	<u>50 sq. ft.</u>	<u>75 sq. ft.</u>
<u>Common Usable Open Space Minimum Dimension in each direction</u>	<u>None</u>	<u>None</u>	<u>10 ft.</u>	<u>10 ft.</u>	<u>15 ft.</u>
<u>Private Usable Open Space^{2,3}</u>	<u>None</u>	<u>None</u>	<u>40 sq. ft.</u>	<u>40 sq. ft.</u>	<u>50 sq. ft.</u>

Notes:

- Usable open space is not required for developments with six or fewer units.
- Usable private open space shall have a minimum dimension of 5 feet in each direction, with a vertical clearance of at least 8 feet.
- Upper story private usable open space shall have at least one exterior side open above railing height.

19.100.080 Design review.

A. Infill developments in the single family residential zones. A cursory review of building elevations for infill developments will take place in the plan check stage of the building permit process to insure compatibility of the new development with the existing neighborhood.

B. *Multi-family residential.* In any R-3 or R-4 Zone, all new buildings, structures, or enlargements of an existing building or structure shall require design review approval pursuant to the provisions of Chapter 19.710 (Design Review).

(Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016)

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PART II - CODE OF ORDINANCES
Title 19 - ZONING
ARTICLE V - BASE ZONES AND RELATED USE AND DEVELOPMENT PROVISIONS
Chapter 19.150 BASE ZONES PERMITTED LAND USES

Chapter 19.150 BASE ZONES PERMITTED LAND USES

19.150.010 Purpose.

This section establishes land use regulations for all base zones listed in this article consistent with the stated intent and purpose of each zone.

(Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 §12, 2016; Ord. 6966 §1, 2007)

19.150.020 Permitted land uses.

Table 19.150.020 A. (Permitted Uses Table), Table 19.150.020 B. (Incidental Uses Table) and Table 19.150.020 C. (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), or conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020 A. also identifies those uses that are specifically prohibited. Uses not listed in tables are prohibited unless the Community & Economic Development Department Director, or his/her designee, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

Chapter 19.149 - Airport Land Use Compatibility includes additional Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone. When located within an Airport Land Use Compatibility Zone, greater land use, restrictions for airport compatibility may apply per the applicable Airport Land Use Compatibility Plan.

(Ord. 7630 § 3, 2023; Ord. 7573 § 1(Exh. A), 2021; Ord. 7552 §6, 2021; Ord. 7431 , § 1(Exh. A), 2-20-2018; Ord. 7331 §12, 2016; Ord. 7273 §1, 2015; Ord. 7222 § 3, 2013; Ord. 7110 §§2, 3, 4, 2011; Ord. 7109 §§4, 5, 2010; Ord. 7072 §1, 2010; Ord. 7064 §9, 2010; Ord. 6966 §1, 2007)

** = 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.

C = Subject to the granting of a conditional use permit (CUP), Chapter 19.760

PRD = Planned Residential Development Permit, Chapter 19.780

MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730

P = Permitted

sq. ft. = Square Feet

X = Prohibited

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 For Clean Energy Uses and associated Outdoor Storage (Chapter 19.510) and/or Indoor Vehicle Repair (Chapter 19.420), permitted with a Minor Conditional Use Permit.

⁷ Allowed for Two-Unit Developments pursuant to Chapter 19.443.

(Ord. 7652 § 3(Exh. B), 2023; Ord. 7630 § 4(Exh. A), 2023; Ord. 7592 § 4(Exh. D), 2022; Ord. 7587, § 2(Exh. A), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7552 § 7(Exh. C), 2021; Ord. 7541, § 6(Exh. C), 2020; Ord. 7520 § 1(Exh. A); Ord. 7505 § 1(Exh. A), 2020; Ord. 7487 § 13(Exh. D), 11-5-2019; Ord. 7462, § 2(Exh. A), 2019; Ord. 7431 § 3(Exh. A), 2018)

19.580 Parking and Loading

Table 19.580.060 Required Spaces

Dwelling:	
a. Single-family dwelling	a. 2 spaces within a private garage/dwelling unit
b. <u>b. Single-family dwellings on lots between 3,500 square feet to 5,499 square feet in area</u>	<u>b. 2 covered spaces in a garage or carport.</u>
c. <u>c. Single-family dwellings on lots less than 3,500 square feet in area</u>	<u>c. 1 covered space and 1 uncovered space ⁽⁴⁾.</u>
b- d. Multiple-family dwelling	b- d. 1.5 spaces/dwelling unit with 1 bedroom plus 2 spaces/dwelling unit with 2 or more bedrooms ⁽¹⁾⁽⁴⁾
e. <u>e.</u> Live/Work, Studio Unit/Tiny Home (Foundation)	e. <u>e.</u> 1 space/dwelling unit
d. <u>f.</u> Accessory Dwelling Unit and Junior Accessory Dwelling Unit	d. <u>f.</u> No replacement parking is required when a garage, carport or covered parking is demolished. No parking is required for the ADU or JADU.

4. Required parking spaces may be in tandem. ~~, and the driveway may be used for the required drop-off and pick-up space.~~

A. Single family dwellings.

1. *Required number and type of spaces.* See Table 19.580.060 (Required Spaces) Dwelling-Single Family.
 - a. Tandem parking: May be provided to satisfy the minimum parking requirement on lots less than 3,499 square feet in area.
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 or carport: The space between the driveway serving the garage or carport 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 or carport. (See Figure 19.580.070 A.3.a - House with Attached Garage)
 - b. House with detached garage or carport, served by adjacent street: The space between the driveway and the nearest side property line, extending as far as the rear of the garage or carport, such space not to exceed 20 feet in width beyond

the driveway serving the garage or carport. (See Figure 19.580.070 A.3.b - House with Detached Garage)

- c. House with detached garage or carport 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)

19.580.080 - Design standards.

A. Parking space dimensions.

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. **Compact spaces.**
 - a. Up to 15 percent of the onsite parking spaces may have compact dimensions as set forth in Table 19.580.080 A.
 - b. Calculations that result in a fraction of a space shall be rounded to the nearest whole number.
 - c. Compact spaces shall not be permitted for single-family dwellings.
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.d e (Multiple Family Dwellings) and Section 19.580.070 A.1.a (Single 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.
8. One-car garages shall have a minimum interior dimension of 12 feet wide and 20 feet deep.
9. Two-car garages shall have a minimum interior dimension of 20 feet wide and 20 feet deep.

Chapter 19.640 GENERAL PERMIT PROVISIONS

19.640.010 Purpose.

This chapter establishes the overall structure for the application, review, and action on discretionary permits and legislative actions. Further, it identifies and describes the permits regulated by the Zoning Code. It also identifies those minor activities, uses and structures that are exempt from permit requirements. It further requires compliance with all applicable laws and regulations.

(Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

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19.640.040 Discretionary permits and actions.

- A. *Definition.* Discretionary permits or actions apply to projects that require the exercise of judgment or deliberation when the Approving or Appeal Authority decides to approve or disapprove a particular activity, as distinguished from situations where the City public official, Board, Commission or Council merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations.
- B. *Administrative discretionary permits and actions not requiring a public hearing.* The Community & Economic Development Director or the Development Review Committee have primary administrative authority over certain activities that require the determination of compliance with applicable zoning provisions and the application of judgment to a given set of facts. The following lists the various administrative permits and references Chapters of the Zoning Code for the respective actions:
 - 1. Community & Economic Development Director:
 - a. Interpretation of Code - Refer to Chapter 19.060.
 - b. Temporary Use Permit - Refer to Chapter 19.740.
 - c. Nonconforming Provisions - Refer to Chapter 19.080.
 - d. Effective Dates, Time Limits and Extensions - Refer to Chapter 19.690.
 - e. Recycling Center Permit - Refer to Chapter 19.870.
 - f. Determination of substantial conformance and modification of previously approved conditions with equivalent language.
 - [g. Administrative Planned Residential Development Permit – Refer to Chapter 19.780.](#)
 - 2. Development Review Committee:
 - a. Design Review - Refer to Chapter 19.710.
 - b. Minor Conditional Use Permit - Refer to Chapter 19.730.
 - c. Variance - Refer to Chapter 19.720.

d. Minor Planned Residential Development Permit - Refer to Chapter 19.780.

C. *Discretionary permits and actions requiring a public hearing.*

1. Except when combined with legislative actions, the City Planning Commission is the designated approving authority for discretionary permits and actions. A public hearing is required for the following discretionary permits:
 - a. Conditional Use Permit - Refer to Chapter 19.760.
 - b. Planned Residential Development Permit - Refer to Chapter 19.780.
 - c. Condominium Conversion Permits- Refer to Chapter 19.790.
 - d. Site Plan Review Permit - Refer to Chapter 19.770.
 - e. Modification and Revocation of Permits/Variances and Other Approvals - Refer to Chapter 19.700.
 - f. Street, Alley and Walkway Vacations - Refer to Chapter 19.890 and the City Administrative Manual.
 - g. Traffic Pattern Modification Measures - Refer to Chapter 19.785.
2. The City Council is the designated approving authority for the following actions subject to a public hearing:
 - a. Airport Land Use Commission Appeals (City Council only) - Refer to Sections 19.680 A and E (Filing an Appeal).

D. *Legislative actions—Public hearing required.* In general, legislative actions establish rules, policies or standards of general applicability. They involve the exercise of discretion and they are governed by considerations of the public welfare. The designated approving authority for all legislative actions by the City is the City Council. A public hearing is required for all following legislative actions:

1. General Plan Text/Map Amendment - Refer to Chapter 19.800.
2. Zoning Code Text/Map Amendment (Rezoning) - Refer to Chapter 19.810.
3. Specific Plan/Specific Plan Amendments - Refer to Chapter 19.820.
4. Development Agreement and Development Agreement Amendment - Refer to City Resolution No. 15475 or its successor.
5. Annexations and Detachments - Governed by State Law.

(Ord. 7528 §1(Exh. A), 2020; Ord. 7520 §1(Exh. A), 2020; Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

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Chapter 19.650 APPROVING AND APPEAL AUTHORITY

19.650.010 Purpose.

This chapter identifies the designated Planning Agency, as identified in Chapter 19.050 (Administrative Responsibility), for the review of the land use development permits and actions required by the Zoning Code. (Ord. 7331 §101, 2016; Ord. 6966 §1, 2007)

19.650.020 Designated approving authority.

A. *General provisions.*

1. The Approving and Appeal Authority, as designated in Table 19.650.020 (Approving and Appeal Authority), shall approve (in full or in part), conditionally approve (in full or in part), modify or deny (in full or in part) applications in accordance with the requirements of the Zoning Code.
2. Table 19.650.020 (Approving and Appeal Authority) identifies both recommending (R) and final (F) authorities for each application.
3. When a proposed project requires more than one permit, the permits shall be processed pursuant to Section 19.650.030 (Concurrent Processing of Land Use Development Permits).

B. *Appeals.* An action of the Approving or Appeal Authority may be appealed pursuant to procedures set forth in Chapter 19.680 (Appeals).

C. *Approval authority on referral.*

1. Referral by the Community & Economic Development Department Director, or his/her designee, or the Development Review Committee.
 - a. The Community & Economic Development Department Director, or his/her designee, or the Development Review Committee, instead of taking any action, may refer the matter to the Planning Commission.
 - b. The action of the Planning Commission, following referral, may be appealed to the City Council.
 - c. Action taken by the City Council is not subject to an appeal.
2. Community & Economic Development Department Director, or his/her designee, decisions.
 - a. All administrative and discretionary decisions of the Community & Economic Development Department Director, or his/her designee, shall be transmitted to the City Council.
 - b. The Mayor or any member of the City Council may refer the decision for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
 - c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of transmittal, the action of the Community & Economic Development Department Director, or his/her designee, is final.

3. Development Review Committee decisions.
 - a. All decisions of the Development Review Committee shall be transmitted to the City Council.
 - b. The Mayor or any member of the City Council may refer the matter for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
 - c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of transmittal, the action of the Development Review Committee is final.
4. Planning Commission Administrative and Discretionary Items.
 - a. All decisions of the Planning Commission on administrative and discretionary items shall be transmitted to the City Council the next business day following Planning Commission action.
 - b. The Mayor or any member of the City Council may refer the matter for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
 - c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of Planning Commission action, the action of the City Planning Commission is final. (See Section 19.690.020(A) - Effective Date of Permits and Actions).

(Ord. 7552 §23, 2021; Ord. 7520 §1(Exh. A), 2020; Ord. 7331 §101, 2016; Ord. 7091 §5, 2010; Ord. 6997 §7, 2008; Ord. 6966 §1, 2007)

**Table 19.650.020
Approving and Appeal Authority**

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

Type of Permit or Action	Approving and Appeal Authority			
	Community & Economic Development Department Director	Development Review Committee (DRC)	City Planning Commission ^(9,11)	City Council ^(1,11)
<i>Administrative</i>				
Design Review		F ⁽³⁾	A/AR ⁽³⁾	A ⁽³⁾ /F
Fair Housing and Reasonable Accommodation		F	AR	A ⁽⁴⁾ /F
Minor Conditional Use Permit		F	A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
<u>Administrative Planned Residential Development Permit</u>	<u>F</u>		<u>A⁽⁴⁾/AR</u>	<u>A⁽⁴⁾/F</u>

Nonconforming Determination	F		A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Recycling Center Permit	F			AR/A/F
Room Rental Permit	F		AR	A/F
Street, Alley, & Walkway Vacations (Summary)				F
Temporary Use Permit	F ⁽⁵⁾			
Time Extensions	F		A/AR	A/F
Transportation Demand Management Regulations	F			A/F
Variance	F		A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Zoning Code Interpretation	F		A/AR	A/F
<i>Public Hearing</i>				
Accessibility Appeals (Building Official decisions relating to access)			F	A/F
Airport Land Use Commission Appeals				A ^(10, 12) /F
Annexation or Detachment			R ⁽⁶⁾	A/F
Conditional Use Permit			F ^(6, 9)	A/F
Condominium Conversion Permit			R ⁽⁶⁾	A/F
Development Agreement and Amendment ⁽⁸⁾			R ⁽⁶⁾	A/F
Design Review			F ⁽³⁾	A/F ⁽³⁾
Floodplain Approval; Floodplain Variance			F	A/F

General Plan Text/Map Amendment			R ^(6,9)	A/F
Planned Residential Development Permit			F ^(6,9,13)	A/F
<u>Minor Planned Residential Development Permit</u>			F ^(6,9)	A/F
<u>Small Lot Planned Residential Development Permit</u>			F ^(6,9)	A/F
Site Plan Review Permit			F ⁽⁶⁾	A/F
Specific Plan and Amendments			R ^(6,9)	A/F
Street, Alley, & Walkway Vacations			R ⁽⁶⁾	A/F ⁽⁷⁾
Street Name Change			R ⁽⁶⁾	A/F
Traffic Pattern Modification Measures			R ⁽⁶⁾	A/F ⁽⁷⁾
Zoning Code Text/Map Amendment			R ^(6,9)	A/F

Notes:

1. Decisions of the City Council are final and cannot be appealed.
2. Reserved.
3. Planning Commission primary design review responsibility is limited to concurrent review with another case for which the Planning Commission has approval authority (Refer to Section 19.710.035 - Review Responsibilities of Planning Commission or Community & Economic Development Department Director). Appeal of Planning Commission action on design review is by the full City Council.
4. See Section 19.650.020 C - Designated Approving Authority.
5. Appeal of an action on a Temporary Use Permit shall be to the City Manager. The City Manager's decision is final.
6. If denied by the Planning Commission, the action is final unless appealed to the City Council (See Section 19.680.020 B - Appeal Authority) with the exception of City-initiated General Plan Text/Map Amendments, Zoning Code Text/Map Amendments and Specific Plan Amendments where the Planning Commission is a Recommending Authority only.

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7. Street vacations and traffic pattern modification measures require two actions at the City Council: adoption of a resolution of intent to hold a public hearing and a public hearing.
 8. See Government Code Section 65864 for more information on Development Agreements.
 9. All decisions by the Planning Commission to approve or deny a permit or action are by simple majority of the members present and voting, with the following exceptions:
 - a. Conditional Use Permits, including revocations, and Planned Residential Development Permits require approval by a 2/3 majority of the Planning Commissioners present and voting; and
 - b. Zoning Code Text/Map Amendments, General Plan Text/Map Amendments, and Specific Plan Amendments require a majority vote of not less than four Planning Commissioners present and voting.
 10. All decisions of the City Council to approve or deny a permit or action are by a majority vote of those present and voting except that a 2/3 vote of the total membership (five votes minimum) is required to approve an appeal of a decision of the Airport Land Use Commission (ALUC).
 11. All tied votes of the Planning Commission mean that an application failed to be approved and will be treated as a denial. When a tie vote exists before the City Council, the Mayor shall have the voting right as any member of the City Council and may cast a vote for or against an item to break a tie. In the Mayor's absence, in the event of a tie vote, the Mayor Pro Tempore shall not have the right to cast a tie-breaking vote; in this instance the City Council vote shall be treated as a denial (Riverside City Charter - Article IV, Section 405).
 12. Refer to Section 19.680.030 (E) for details regarding the ALUC appeal process
 13. The final decision-making authority for PRD's in the RC Zone shall be the City Council.

(Ord. 7552 §24(Exh. E), 2021; Ord. 7528 §1(Exh. A), 2020; Ord. 7520 §1(Exh. A), 2020; Ord. 7487 § 2(Exh. A), 11-5-2019; Ord. 7331 §101, 2016; Ord. 7222 §5, 2013; Ord. 7163 §2, 2012; Ord. 7091 §6, 2010; Ord. 6966 §1, 2007)

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Chapter 19.670 PUBLIC HEARINGS AND NOTICE REQUIREMENTS

19.670.020 Notice requirements for administrative discretionary permits with no public hearing.

- A. *Minor Conditional Use Permit, Minor Planned Residential Development Permit, Administrative Planned Residential Development Permit, and Variance.*
1. Public notice of the consideration of a proposed minor conditional use permit in all zones or a minor planned residential development permit in single-family residential zones shall be provided by the Community & Economic Development Department Director, or his/her designee, by mailing such notice to the property owners within 300 feet of the exterior boundaries of the property under consideration;
 2. Public notice of the consideration of a proposed variance in any zone or an administrative planned residential development permit in single-family residential zones shall be provided by the Community & Economic Development Department Director, or his/her designee, by mailing such notice to the property owners adjacent to the boundaries of the property under consideration. When the variance request is regarding a corner lot and will pertain to a rear or side yard setback, such notice shall be given to the owners of property directly across each street from the proposed side or rear yard encroachment as well as to the owners of abutting property.
 3. For mailing purposes, the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor shall be used. Such notices shall identify the property under consideration and indicate the nature of the proposed permit.
 4. The public notice shall:
 - a. Be sent no later than 14 days after acceptance of a complete and accurate application;
 - b. Invite interested persons to notify, in writing, the Planning Division of any concerns, comments or to make a request to be further notified of actions relating to the proposed variance or minor conditional use permit during a 15-day comment and review period commencing with the date of the notice;
 - c. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals or requests for City Council review; and
 - d. Specify that, at the end of the 15-day comment and review period, the Community & Economic Development Department Director's or Development Review Committee's final report and recommendations will be issued, initiating a ten-day appeal period during which time any interested person may appeal to the decision the appropriate Appeal Authority.

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5. For variances in any residential zone where the applicant has obtained the written approval of the adjacent property owners, no public notices, comment period or appeal period is required.
 6. The Community & Economic Development Department Director's decision is final, except that the applicant may appeal the decision within ten days of the mailing of written notice of decision.
 7. Noticing distance requirements for individual uses may vary. Refer to Article VII, Specific Land Use Provisions.

B. *All other administrative, discretionary permits.*

No notice is required for other administrative, discretionary actions without a public hearing, unless specified.

(Ord. 7552 §33, 2021; Ord. 7487 §3, 11-5-2019; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

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Chapter 19.690 EFFECTIVE DATES, TIME LIMITS, AND EXTENSIONS

19.690.010 Purpose.

This chapter identifies the effective date of permit and other approvals and provides requirements (including time limits) for implementation and extension of approval time limits. Unique processing procedures are listed in the individual permit chapters.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

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19.690.050 Time extension.

- A. The period within which the exercise of a discretionary permit or other approval must occur may be extended by the Community & Economic Development Department Director, or his/her designee, as described in B—K below. A Temporary Use Permit may not be extended. An application for extension shall be filed, along with appropriate fees and necessary submittal materials pursuant to Chapter 19.660 (General Application Processing Procedures).
- B. Variances, administrative design review actions and Minor Conditional Use Permits may receive a maximum of two, one-year time extensions.
- C. Conditional use permits and Site Plan Review permits, not related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- D. Planned residential development permits, minor planned residential development permits, or administrative planned residential development permits, related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued the planned residential development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- E. Zoning Text/Map, General Plan and Specific Plan amendments may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions), may grant one

final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.

- F. Any permit extension may be conditioned to comply with any development standards that may have been enacted since the permit was initially approved.
- G. The extension may be granted only when the Community & Economic Development Department Director or designated Approving or Appeal Authority finds that the original permit findings can be made and that there are no changed circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.
- H. Retroactive time extensions may be granted for a period not greater than specified in Sections 19.690.050 B, C, D and E F.
- I. A separate fee shall be required for each year of permit extension.
- J. Extensions related to the terms of nonconforming uses and structures are governed by Article III, Chapter 19.080 (Nonconformities).
- K. Time extensions for tentative maps are governed by Chapter 18.180 and State Law as it relates to automatic time extensions.
- L. The period of time specified in Chapter 19.690, including any extension granted by the Community & Economic Development Department Director, or his/her designee, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the entitlement(s) is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Community & Economic Development Department Director. After service of the initial petition or complaint in the lawsuit upon the Community & Economic Development Department Director, the applicant may apply for a stay following the same procedures in Chapter 19.690. Within 40 days after receiving the application, the Community & Economic Development Department Director shall either stay the time period for up to five years or deny the requested stay.

(Ord. 7552 §44, 2021; Ord. 7505 §2(Exh. B), 2020; Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

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*Chapter 19.780 PLANNED RESIDENTIAL DEVELOPMENT PERMIT*s

19.780.010 Purpose.

- A. These Planned Residential Development (PRD) regulations are established to allow for flexibility and creativity in design of single-family residential developments, and for the application of unique development standards that reflect special property conditions. Specifically, ~~the~~ Planned Residential Development Permits ~~are~~ is intended to achieve the following:
1. In all applicable zones:
 - a. Address the need to provide mechanisms to assist in producing a diversity of single-family residential housing and product types;
 - b. Provide an incentive for clustered property development of environmentally and topographically constrained land in order to minimize the impacts of development on more environmentally sensitive portions of that land, particularly in the RC Zone;
 - c. Allow the development of small-lot infill subdivisions in existing ~~single-family~~ neighborhoods, thereby allowing a more efficient and creative use of often difficult to develop properties when the proposed development is designed in a manner that is compatible with all existing development in the vicinity;
 - d. Encourage and allow more creative and imaginative project design by allowing increased development densities. In return, planned residential developments are required to incorporate open space, amenities for recreational and visual enjoyment and superior design features, which are encouraged, but not required of standard single-family residential developments;
 - e. To provide increased opportunities for home ownership consistent with the objectives of the City's General Plan; and
 - f. Assist in the preservation and enhancement of valuable natural areas, where appropriate and especially in the RC Zone.
 2. In the RC Zone: PRD's in the Residential Conservation Zone (RC) shall be 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:
 - a. To promote clustering of lots on less sensitive portions of the property to preserve valuable open space and wildlife habitat;
 - b. To provide each individual lot with its own private open space areas preserving natural open space areas and features in common open space areas pursuant to Proposition R and Measure C; and
 - c. To promote the preservation of viewscapes and low impact development.

(Ord. 7331 §113, 2016; Ord. 7027 §3, 2009; Ord. 6966 §1, 2007)

19.780.020 Applicability and permit requirements.

A Planned Residential Development is permitted ~~is permitted in any single family residential zone, except the RA-5 Zone, subject to granting of a Planned Residential Development Permit~~ according to the following permit types:

- 1) Planned Residential Development Permit.
 - a) Permitted in single-family residential zones except the RA-5 zone.
 - b) Consists of any number of dwelling units.
- 2) Minor Planned Residential Development Permit (Minor PRD).
 - a) Permitted in single-family residential zones except the RC and RA-5 zone.
 - b) Consists of five to 16 dwelling units.
- 3) Administrative Planned Residential Development Permit (Admin PRD).
 - a) Permitted in single-family residential zones except the RC and RA-5 zone.
 - b) Consists of four or fewer parcels.
- 4) Small Lot Subdivision Planned Residential Development Permit (Small Lot PRD).
 - a) Permitted in multi-family (R-3) residential zones except for R-4.
 - b) Consists of 16 or fewer dwelling units.

The Approving Authority shall review and evaluate a proposed project, including plot plans, architectural plans, grading plans, tract or parcel map, and proposed amenities, and shall approve, conditionally approve, or deny the proposed project, based on the findings and criteria indicated in Section 19.780.050.A for single-family residential zones or 19.780.055.B for R-3 zones.

(Ord. 7331 §113, 2016; Ord. 6966 §1, 2007)

19.780.030 Procedures.

- A. *General process.* All Planned Residential Development Permit (PRD) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.640 (General Permit Provisions), 19.650 (Approving and Appeal Authority), 19.660 (General Application Processing Procedures), 19.670 (Public Hearings and Notice Requirements Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates, Time Limits, and Extensions) and other applicable Chapters of the Zoning Code.
- B. *Map required.* The application shall be accompanied by a tentative map that shall be filed with the Planning Division in accordance with procedures set forth in Chapter 18.080 of Title 18 (Subdivision Code).
- C. *Phasing.* If a Planned Residential Development is proposed to be constructed in phases, the proposed phasing schedule is subject to approval by the Director of Community & Economic Development.
- D. *Planned Residential Development permit expiration.* Time limits and extensions shall be the same as for the related subdivision, consistent with the provisions of Title 18 (Subdivision Code) prior to issuance of the first building permit. After the first building permit has been pulled the Planned Residential Development Permit is vested.
- E. *Voting approval requirements.* The decision of Planning Commission to grant a Planned Residential Development Permit shall require an affirmative vote of 2/3 of the membership present and voting.

(Ord. 7331 §113, 2016; Ord. 6966 §1, 2007)

19.780.040 Permitted uses.

- A. Single-family dwellings attached or detached.
- B. Tiny home (foundation) in a tiny home community, except in the RC Zone.
- C. Related recreation and community facilities for the use of residents of the development and their guests.
- D. Natural open spaces.
- E. Golf courses.
- F. Multipurpose trails.
- G. Other uses as may be permitted as part of the planned residential development.
- H. In the single-family residential base zones, uses required by State law to be permitted in conjunction with a single-family residential use.

(Ord. 7528 §1(Exh. A), 2020; Ord. 7520 §1(Exh. A), 2020; Ord. 7408 §1, 2018; Ord. 7331 §113, 2016; Ord. 7027 §4, 2009; Ord. 6966 §1, 2007)

19.780.050 Density and findings for single-family residential zones.

- A. *Benchmark density and findings for approval. In all single-family residential zones, D* densities up to the densities shown in Table 19.780.050 B (PRD Benchmark and Bonus Densities) for the underlying zone in which the project is located may be approved with the granting of a Planned Residential Development Permit, Minor Planned Residential Development Permit, or Administrative Planned Residential Development Permit, provided that the Approving Authority determines, based on demonstrated evidence, the project complies with the following criteria and findings, and the intent, standards, and requirements of this chapter. Additional density up to the limit of the bonus density shown in Table 19.780.050.B may be considered if the project meets all the requirements stated in Section 19.780.050.E - Density Bonus for Superior Design.

Compliance with the following criteria shall be demonstrated for a proposed project to be approved, and the benchmark density to be granted. Failure to substantially meet or exceed all these standards shall result in disapproval of the project, or a lower density than the benchmark density.

- 1. In all single-family residential zones, other than RA-5 and RC Zone:
 - a. The property is well served by public infrastructure;
 - b. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
 - c. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required; ~~to assess consistency with Policy CCM – 2.3 of the General Plan to maintain LOS "D" or better on arterial streets or greater, except where LOS "E" has been designated as an acceptable standard;~~
 - d. The project complies with the purpose and standards of this chapter, demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:

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- i. Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site;
 - ii. Relatively level land is set aside for active recreational pursuits;
 - iii. Open space is distributed on the site and accessible to all units
 - iv. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways;
 - v. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development; and
 - vi. Where front porches are consistent with the style of the development, a minimum of two-thirds (~~2/3~~) of the total units shall provide front porches. ~~and~~
- e. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity;
 - f. The project provides amenities in compliance with this chapter, and that the amenities are consistent with the size and scale of the project, the project density, and neighborhood characteristics.
2. In the RC Zone:
- a. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas consistent with the grading ordinance;
 - b. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in less sensitive and less steep locations in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes;
 - c. Provision of other amenities consistent with the RC Zone and as deemed appropriate for the project;
 - d. Provision that the development will not introduce non-native plants as defined by Table 6-2 of the Multiple Species Habitat Conservation Plan (MSHCP) into the landscape adjacent to the City's arroyos in perpetuity;
 - e. Maintenance and management of all open space easements by a single entity for the entire project with an appropriate natural open space management plan;
 - f. Superior design of individual dwelling site plans and building architecture, including such features as porches and garages set back from the street in comparison to the house, and detailed four sided, building treatments. Many of the desirable features are found in the adopted Citywide Design and Sign Guidelines. The design of custom homes will be reviewed as individual homes are submitted for design review approval prior to building permit issuance;
 - g. Sensitivity to impacts of the development on surrounding uses, including linkages to natural open space areas where appropriate; and
 - h. Streets serving the development shall be capable of accommodating the anticipated traffic.
- B. *Maximum density.* The maximum density of a PRD project shall be consistent with this chapter, the underlying General Plan land use designation(s), any applicable Specific Plan(s), as well as Table 19.780.050 B below.

Table 19.780.050.B
PRD Benchmark and Bonus Densities

Single Family Residential Zone	Benchmark Density - Dwellings per Gross Acre ⁽¹⁾	Maximum Bonus Percent % ⁽²⁾	Maximum Density with Bonus - Dwellings Per Gross Acre ⁽¹⁾⁽²⁾
RC	0.5 ⁽³⁾	25	0.63
RR	3.0	10	3.3
RE	3.0	10	3.3
R-1-7000	7.3	10	8.0
R-1-8500	6.3	10	6.9
R-1-10500	5.5	10	6.0
R-1-13000	4.8	10	5.3
R-1-1/2 acre	3.0	10	3.3

Notes:

- (1) Density per gross acre is calculated including new public and private streets.
- (2) This is the maximum density bonus and any bonus less than the maximum may be granted based on the degree to that the project meets the criteria specified in 19.780.050.A and B.
- (3) The actual benchmark density shall be determined by the preparation of a conventional subdivision map in conformance with the RC Zone standards to show the actual number of lots that could be achieved based on the average natural slope (ANS), as defined by 19.100.050.C.

- C. No PRD shall be granted approval if the project's base zone and General Plan land use designation are inconsistent, pursuant to General Plan Tables LU-5, LU-6 and LU-7.
- D. *Transfer of density.* When two or more General Plan land use designations or base zones exist within a planned residential development, the density may be transferred between designation and/or zones within the same development as necessary to provide for a superior development based upon good planning principles, and to promote the general welfare of the neighborhood and maximum benefit to the natural environment. In particular, such transfers are desirable where density is transferred from steep, hillside land to flatter, less visually sensitive properties where significantly less grading is required. In the case of such a density transfer, the overall maximum density shall not exceed that otherwise permitted by the General Plan designation(s) (See 19.780.050.B). The only exception is that density cannot be transferred from a non-RC zoned property to an RC zoned property. For purposes of this section, a project may consist of more than one underlying legal parent parcel; however, such parcels must be contiguous unless separated by an existing public or private street.
- E. *Density bonus for superior design.* A PRD project may qualify for a density bonus up to the maximum shown in Table 19.780.050.B, provided that it meets the standards of Section 19.780.050.A, and satisfies the following criteria beyond those in 19.780.050.AB.
 - 1. All single-family residential zones, other than RA-5 and RC:
 - a. Except for Administrative PRD and Minor PRD projects, Eevidence that the project can be certified in LEED, ~~California Green Builder~~ National Green Building Standard, or an equivalent standard; and
 - b. Evidence shall be provided to document that the project includes a minimum of three of the following for Administrative PRD, four of the following for Minor PRD, and five of the following for PRD:
 - (1) Designate all streets, sidewalks and trails that are built as part of the project or serving the project directly as available for general public use and not gated. Gated areas and enclaves are NOT considered available for public use.
 - (2) Design the building orientation for solar design, including the following provisions:

- a. The glazing area on the north- and south-facing walls of the building is at least 50 percent greater than the sum of the glazing area on the east- and west-facing walls.
 - b. The east-west axis of the building is within 15 degrees of due east-west.
 - c. The roof has a minimum of 450 square feet of south-facing area that is oriented appropriately for solar applications.
 - d. At least 90 percent of the glazing on the south-facing wall is completely shaded (using shading, overhangs, etc.) at noon on June 21 and unshaded at noon on December 21.
- (3) Locate the project within a one-quarter mile of 11 basic community resources (Table 19.780.050.A), within a one-half mile of 14 basic community resources (Table 19.780.050.A) and within a one-half mile of a major transit stop, as defined in California Public Resource Code Section 21064.3, transit services that offer 30 or more transit rides per weekday (combined, bus and rail).

Table 19.780.050 A Basic Community Resources
Arts and entertainment center
Bank
Community or civic center
Convenience store
Daycare center
Fire station
Fitness center or gym
Laundry or dry cleaner
Library
Medical or dental office
Pharmacy
Police station
Post office
Place of worship
Restaurant
School
Supermarket
Other neighborhood-serving retail
Other office building or major employment center
Note: Up to two of each type of community resource may be counted. For example, two restaurants within one-quarter mile may be counted as two community resources; four restaurants also count as two.

- ~~a. Transit rides per weekday are calculated as follows:~~
 - ~~i. Within one-half mile radius, count all the transit stops;~~
 - ~~ii. Multiply each transit stop by the number of buses and/or trains that pass through that stop per day; then~~

~~iii. add the total number of rides available as each stop within one-half mile together.~~

~~Example: If there are four bus stops, and at each bus stop the service frequency is half-hourly (48 times per day), the total transit rides per day is 192.~~

- (4) Locate trees or other plantings to provide shading for at least 50 percent of sidewalks, patios and driveways. Shading should be calculated for noon on June 21, when the sun is directly overhead, based on five year's growth.
- (5) Install light-colored high-albedo materials or vegetation for at least 50 percent of sidewalks, patios and driveways.
 - a. Acceptable strategies include the following:
 - i. White concrete;
 - ii. Gray concrete;
 - iii. Open pavers (counting only the vegetation, not pavers); and
 - iv. Any material with a solar reflectance index (SRI) of a least 29.
- (6) Design the lot such that at least 70 percent of the built environment, not including area under roof, is permeable and designed to capture water runoff for infiltration on-site. Area that can be counted toward the minimum includes the following:
 - a. Vegetative landscape (e.g., grasses, trees, shrubs, etc.).
 - b. Permeable paving, installed by an experienced professional. Permeable paving must include porous above-ground materials (e.g., open pavers, engineered products) and a six-inch porous sub-base, and the base layer must be designed to ensure proper drainage away from the home.
 - c. Impermeable surfaces that are designed to direct all runoff toward an appropriate permanent infiltration feature (e.g., vegetated swale, on-site rain garden, or rainwater cistern).
- (7) Design and install one of the following permanent erosion control measures:
 - a. If portions of the lot are located on a steep slope, reduce long-term runoff effects through use of terracing and retaining walls.
 - b. For every 500 feet of disturbed lot area (including the area under the roof), one tree, four 5-gallon shrubs, or 50 square feet of native groundcover shall be planted.
- (8) Design and install one or more of the following runoff control measures:
 - a. Install permanent stormwater controls in the form of vegetated swales, on-site rain garden, dry well, or rain-water cistern, or equivalent designed to manage runoff from the homes.
 - b. Install a vegetated roof to cover 50 percent or more of the roof area.
 - c. Have the site designed by a licensed or certified landscape design or engineering professional such that it is demonstrated that all water runoff for the home is managed through an on-site design element.
- (9) Design and install a rainwater harvesting and storage system (including surface runoff and/or roof runoff) for landscape irrigation use. The storage system must be sized to hold

all the water from a one-inch rainfall event (equivalent to 0.62 gallons per square foot of roof area used for capture), taking into consideration the size of the harvest system (i.e., 50 percent of total roof area).

- (10) Design the plumbing with irrigation system water supplied with municipal recycled water.
- (11) Construct the project to exceed Title 24 requirements by 20 percent or more.

- 2. In the RC Zone: 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, thus furthering the intent of Proposition R and Measure C and promoting clustering, all of the following are required:
 - a. Require all designated open space areas to be managed and maintained under the stewardship of a recognized conservation group as approved by the Approving Authority, with an endowment to fund such stewardship entirely;
 - b. The project shall provide at least six of the items listed in 19.780.050.E.1.b~~D-1-b~~ above; and
 - c. The project shall provide evidence that unique natural features and steeper portions of the property are being preserved in open space, with lots clustered in the less steep portions of the site.

(Ord. 7481 § 2, 2019; Ord. 7331 §113, 2016; Ord. 7027 §5, 2009; Ord. 6966 §1, 2007)

19.780.055 Density and findings for Small Lot PRD.

- A. *Maximum density.* The maximum density of a Small Lot PRD project shall be consistent with the underlying General Plan land use designation and any applicable Specific Plan.
- B. *Minimum density.* Small Lot PRD projects shall provide a minimum of 50% of the density of the underlying General Plan land use designation.
- C. *Findings.* Compliance with the following criteria shall be demonstrated for a proposed project to be approved. Failure to substantially meet or exceed all these standards shall result in disapproval of the project.
 - 1. The property is well served by public infrastructure;
 - 2. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
 - 3. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required;
 - 4. The project complies with the purpose and standards of this chapter, demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
 - a. Open space is distributed on the site and accessible to all units;
 - b. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways; and
 - c. Sensitivity to surrounding community and attention to the edge conditions.

5. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity;

19.780.060 Development standards.

- A. *Relationship to base zone development standards.* The development standards set forth in this section, if in conflict with the development standards of the underlying base zone, shall supersede the development standards of the underlying base zone, except in the RC Zone the underlying development standards still apply. This section shall not supersede the development standards of any applicable overlay zone. In cases where a standard is not addressed in this chapter, the standard of the base zone or any applicable overlay zone shall apply. The standards set forth herein are the minimum required for a PRD to qualify for the benchmark density.
- B. *Standards for ~~smaller lot~~ all Planned Residential Developments - RR, RE, and all R-1 Zones.*
 - 1. *Lot size and coverage.* Minimum lot size and maximum lot coverage requirements to be determined by the Approving Authority Planning Commission on a case specific basis in part based on product type, characteristics of the property and surrounding uses.
 - 2. *Setbacks.*

	RE, RR & R-1-½ Ac.	R-1 Zones (except R-1-1/2)
Setbacks from Project Perimeters (<u>May be modified in conjunction with the PRD</u>):		
Adjacent to a Public Street – reverse <u>frontage lots</u>	Same as base zone. The setback shall be fully landscaped and no fences or walls shall be permitted to encroach into the setback may encroach up to 5 feet into the required setback area.	
Adjacent to a Public Street – street <u>frontage lots</u>	15 ft. Street-facing garages shall be setback a minimum of 20 feet from the front property line.	
Adjacent to Perimeter Property Lines ¹	25 <u>20</u> ft.	20 <u>15</u> ft.
Setbacks within Project Boundaries (<u>May be modified in conjunction with the PRD</u>):		
Front Yard Setback	15 ft.	10 ft.
Side Yard Setback	5 ft.	5 ft.
Rear Yard Setback	15 ft.	10 ft.

¹ Except for Administrative PRD and Minor PRD projects which shall provide perimeter property line setbacks applicable to primary dwellings consistent with the Zone.

- 3. ~~Common-usable~~ Usable open space and recreational facilities
 - a. Planned Residential Development Permit.
 - (1) A minimum of 500 square feet of usable common open space per dwelling unit is required. ~~Examples include, but are not limited to the following: swimming pool, spa, community recreation room, sports courts for tennis, basketball, racquetball, volleyball, barbeque areas, community gardens or grassy play areas with a slope of less than five percent.~~ The number and type of desirable amenities for a project will be determined on a case-by-case basis in proportion to the size and design of the project. Desirable common open space amenities include, but are not limited to, the following:

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- a. Multiple enclosed tot lots with multiple play equipment. The tot lots shall be conveniently located throughout the site. The number of tot lots and their location shall be subject to Planning Commission review and approval;
 - b. Pool and spa;
 - c. Multi-purpose room equipped with kitchen, defined areas for games, exercises, recreation, private gathering of residents, etc.;
 - d. Barbeque facilities equipped with multiple grills, picnic benches, etc. The barbecue facilities shall be conveniently located throughout the site. The number of barbeque facilities and their locations shall be subject to Planning Commission review and approval;
 - e. Court facilities (e.g. tennis, volleyball, basketball, etc.);
 - f. Jogging/walking trails with exercise stations;
 - g. Community garden;
 - h. Theater;
 - i. Computer room;
 - j. Exercise room;
 - k. Golf course, putting green, etc.;
 - l. Passive recreational facilities tied to existing topographical features, with gazebos, benches, etc.;
 - m. Art pieces; and
 - n. Water features.
- (2) *Private open space.*
- a. A minimum of 200 square feet per dwelling unit is required, with no dimension less than ten feet.
- b. *Minor Planned Residential Development Permit*
- (1) A minimum of 500 square feet of usable open space per dwelling unit is required. The usable open space may be provided in any combination of common open space and private open space.
- c. *Administrative Planned Residential Development Permit*
- (1) A minimum of 300 square feet of usable open space per dwelling unit is required. The usable open space may be provided in any combination of common open space and private open space.
5. *Parking. Parking shall be in accordance with Chapter 19.580 (Parking and Loading) with the following exceptions and additions:*
- a. ~~Planned Residential Development Permit projects. Parking shall be in accordance with Chapter 19.580 (Parking and Loading) with the following exceptions and additions:~~
 - (1) A minimum of two fully enclosed (garage) spaces are required per dwelling unit.
 - (2) A minimum of one guest space per three dwelling units is required. On-street parking may be credited toward this requirement. On-street parking is only allowed on a curb to curb

street width of 28 feet or greater. Driveway spaces above shall not be counted toward these required guest spaces.

- (3) *Recreational vehicle parking.* Recreational vehicle parking is prohibited on a residential lot. A separate recreational vehicle parking lot is permitted, subject to requirements for adequate screening, including a required eight-foot high block wall, and five-foot landscape planters on all sides.

b. Administrative PRD and Minor PRD projects.

(1) A minimum of one guest space per three dwelling units is required. Interior on-street parking may be credited toward this requirement. On-street parking is only allowed on a curb to curb street width of 28 feet or greater. Driveway spaces may be counted toward these required guest spaces for Administrative PRD projects.

(2) Recreational vehicle parking is prohibited.

6. Building height.

a. Per the underlying zone.

b. For Administrative PRD and Minor PRD, the number of stories may be increased to three (3).

C. Standards for RC Zone planned residential development.

- 1. *Lot size.* In order to promote clustering, lots shall be a minimum of one-half acre in size and clustered in the less steep portions of the site. Lot sizes not in compliance with the RC Zone standards will require a variance.
- 2. Lot coverage maximum lot coverage requirements to be determined by the Planning Commission on a case specific basis based, in part, on product type, characteristics of the property and surrounding uses.
- 3. *Height.* Same as RC Zone (See Section 19.100.040, Residential Development Standards).
- 4. *Setbacks.* Same as RC Zone (See Section 19.100.040, Residential Development Standards).
- 5. *Common natural open space and clustering.* Section 19.780.050 A (Benchmark Density) sets forth the criteria for a PRD to qualify for the benchmark density in the RC Zone, including provision of valuable natural open space and wildlife habitat and a site plan layout sensitive to the natural topography, both for wildlife habitat and resource conservation as well as visual aesthetic purposes. There is no minimum standard, although each development is encouraged to set aside a substantial portion of the site toward natural open space.
- 6. *Parking.* A minimum of two fully enclosed (garage) spaces are required per dwelling unit.

D. Standards for Small Lot Subdivision Planned Residential Developments - all R-3 Zones.

1. Lot size and coverage. Minimum lot size and maximum lot coverage requirements to be determined by the Planning Commission on a case specific basis in part based on product type, characteristics of the property and surrounding uses.

a. In no instance shall a lot resulting from a Small Lot PRD project be larger than 5,499 square feet.

2. Height and Stories. Small Lot PRD projects shall have a maximum height of 35 feet and three stories.

3. Setbacks. Setbacks shall be determined by lot size in accordance with the following but may be modified in conjunction with a PRD permit:

Minimum Setbacks	Lot Size (square feet)		
	1,500-2,999	3,000-4,499	4,500-5,499

Front	10 ft.	10 ft.	10 ft.
Interior Side	0/5 ft.	3/5 ft.	5 ft.
Street Side	10 ft.	10 ft.	10 ft.
Rear	10 ft.	10 ft.	15 ft.

3. Privacy Considerations. Small Lot PRD projects that abut the RA-5, RC, RR, RE, or R-1 Zone shall adhere to the following:
 - a. Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
 - b. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 Zoned property shall be located a minimum of 15 feet from the interior lot lines.
4. Usable open space and recreational facilities.
 - a. Usable open space shall be provided pursuant to Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones).
 - b. The usable open space may be provided in any combination of common open space and private open space.
5. Parking.
 - a. Parking shall be in accordance with Chapter 19.580 (Parking and Loading).
 - d. Recreational vehicle parking is prohibited.

E.D. *Private streets.* Refer to private street standards in Title 18.210.

(Ord. 7505 § 1(Exh. A), 2020; Ord. 7331 §113, 2016; Ord. 7027 §6, 2009; Ord. 6966 §1, 2007)

19.780.070 Common ownership—Land or improvements.

- A. Planned Residential Development projects
 1. Covenants, conditions and restrictions (CC&R's). Where a Planned Residential Development contains any land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&R's) with the final map establishing a Home Owner's Association subject to City's Planning Division and the City Attorney's Office approval. Such declaration shall set forth provisions for maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership. The CC&R's shall include provisions prohibiting the homeowners' association (HOA) from quitclaiming, selling or otherwise transferring the land held in common ownership to private property owners.
 2. Amendments to CC&R's. The provisions of approved CC&R's shall not be amended without the prior approval of the Community Development Director or his/her designee and City Attorney who at his or her discretion may refer the matter to the Planning Commission. Requests for amendments to existing CC&R's shall be submitted to the Planning Division.
 3. Maintenance. All private streets, walkways, parking areas, landscaped areas, storage areas, screening, sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions acceptable to the affected City Departments shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits.

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4. *Failure to maintain constitutes a public nuisance.* All commonly-owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain is unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

B. Administrative PRD, Minor PRD, and Small Lot PRD projects

1. Maintenance agreement required. An agreement for access and maintenance for all facilities used in common shall be submitted as part of the Subdivision Map. The agreement shall be approved by the City Attorney and recorded with the Riverside County Assessor-County Clerk-Recorder prior to the sale of any unit.
2. The maintenance agreement shall be composed of and executed by all property owners to maintain all private streets, walkways, parking areas, landscaped areas, storage areas, screening, sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use.
3. The maintenance agreement shall run with the land. Each owner and future property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance and related costs.
4. A final copy of the maintenance agreement, once recorded, shall be submitted to the Planning Division and Public Works Department for placement in the PRD and subdivision files.

(Ord. 7331 §113, 2016; Ord. 7235 §20, 2013; Ord. 6966 §1, 2007)