

Chapter 19.442 - ACCESSORY DWELLING UNITS (ADU)

19.442.010 - Purpose.

The State of California has ~~declared identified~~ accessory dwelling units (ADU) ~~to be as~~ a valuable form of housing in California. The City recognizes the importance of ~~providing livable~~ housing ~~and balancing that with~~ balanced with an attractive living environment for all residents. The availability of accessory dwelling units contributes to local housing, to the community's housing stock, and are ~~considered to be~~ a residential use consistent with the General Plan and Zoning Code. The purpose of this ~~chapter~~ Chapter is also to ensure ~~compatibility compliance~~ with California Government Code Section 65852.2 and to ensure ~~compatibility of such uses~~ ADU compatibility with, ~~and minimize impacts to~~ surrounding uses and properties ~~and to avoid any impacts associated with such uses.~~

19.442.020 - Applicability and permit requirements.

~~Accessory dwelling units~~ ADUs, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions ~~including the R-1 and RE zones~~, subject to the requirements contained in this ~~chapter~~ Chapter.

19.442.030 - Site location, operation and development standards.

An application for an ~~accessory dwelling unit~~ ADU shall demonstrate compliance with all the standards and limitations set forth in this ~~s~~ Section, to the satisfaction of the Community ~~and~~ & Economic Development Director or his/her designee.

- A. ~~Approval for Legal, Existing Structures. Lot size. The lot size shall be the minimum lot area required by the underlying zone.~~
 1. ~~Unless the ADU is within the existing space of a single-family residence or an existing legal accessory structure, ADU's are prohibited in the RR, RA-5 and RC zones.~~
 2. ~~Only a building permit shall be required for an ADU when all of the following applies:~~
 - a. ~~The property is located in a single-family residential zone;~~
 - b. ~~The ADU is contained within the existing space of a structure that has not been constructed or altered within the preceding 6 months;~~
 - c. ~~The ADU has independent exterior access separate from the existing residence; and~~
 - d. ~~The side and rear setbacks for the ADU are sufficient for fire safety.~~
 3. ~~An ADU in an existing structure that does not meet the criteria of Section 19.442.030.A.2 shall be subject to Section 19.442.030.B.~~

B. Specific ADU Requirements. ADUs that do not meet the criteria of Section 19.442.030.A shall comply with the following:~~Lot coverage. Maximum lot coverage shall be the same as the underlying zone.~~

1. Location.

- a. The ADU may be either attached or located within the living area of the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling.
- b. The ADU shall be located on the same lot as the proposed or existing primary dwelling.

2. The maximum lot coverage shall be the same as the underlying zone.

~~C.~~ 3. Setbacks.

~~1.a.~~ New accessory dwelling units ADUs that are contained within the existing space of, or attached to a single-family dwelling shall meet the minimum building setbacks requirements of the underlying zone for a primary dwelling.

~~2.b.~~ Detached ADUs shall meet the minimum front yard building setback requirement of the underlying zone, and have a minimum five-foot side and rear yard building setback. An accessory dwelling unit contained within an existing permitted structure shall not be subject to the underlying zone setback requirements, provided that the structure has independent access and side and rear yard setbacks sufficient for fire safety.

c. No additional setback is required for an existing garage that is converted, in whole or in part, to an ADU. ADUs constructed above an existing garage, are allowed with a minimum 5-foot side and rear yard setback.

4. All ADUs shall comply with the height restrictions of the underlying zone with the exception of stand-alone detached ADUs, which shall be limited to a single-story and no more than 20 feet in height.

C. Universal Requirements. All ADUs shall comply with the following requirements:

~~D. Number of dwellings.~~

- 1. The number of dwellings permitted on a single lot in any single-family residential zone shall be limited to two that may include, the primary dwelling and either an ~~accessory dwelling unit~~ADU, or an ~~a~~Accessory ~~Living q~~Quarter. ~~The accessory dwelling unit may be established within or~~

~~connected to the primary dwelling per Table 19.150.020.B (Incidental Use Table).~~

2. Parking shall be required as specified in Chapter 19.580 Parking and Loading, Table 19.580.060.
3. ADUs shall comply with local building code requirements.
4. ADUs are not required to provide fire sprinklers if fire sprinklers are not required for the primary residence.
5. ADUs served by a private sewage system shall comply County Health Department requirements, as applicable.
6. An ADU shall only be permitted on a lot conforming to the minimum lot size requirements for single-family dwellings of the underlying zone.

~~E. 7. Dwelling size. An accessory dwelling unit shall not exceed 1,200 square feet.~~

- a. The total floor space of an attached ADU shall not exceed 50 percent of the primary dwelling living area, or 1,200 square feet, whichever is less.
- b. The total floor space of a detached ADU shall not exceed 1,200 square feet.

~~F. Height limitation.~~

- ~~1. Detached accessory dwelling unit height shall be limited to a single-story, 20-foot-high building.~~
- ~~2. attached Accessory Dwelling Unit height shall comply with the underlying zone.~~

~~G. Parking. See Chapter 19.580 Parking and Loading, Table 19.580.060.~~

~~H. Design. No exterior stairways may be located on the side of the structure facing a public right-of-way, except alleys.~~

8. Utilities.

- a. ADUs shall not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service.

b. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU described in Section 19.442.030.A.

c. A new or separate utility connection, connection fee, or capacity charge may be required for an ADU not described in Section 19.442.030.A. The connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed ADU, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system. The fee shall not exceed the reasonable cost of providing this service.

~~7.~~ 9. Occupancy.

~~1.~~ a. One of the two dwellings, eEither the primary single-family dwelling or the accessory dwelling unit, is required to be occupied by the owner of the property.

b. The ADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence.

~~2.~~ ~~c.~~ If one of the dwellingsthe primary dwelling or ADU is not owner occupied for any period longer than 90 days, one of the two dwellings is required to be converted to an accessory living quarters or a guest house, and kitchen facilities shall be removed in accordance with this title.

~~J.~~ Covenant required.

10. A covenant shall be recorded against the property with the Riverside County Recorder's Office ~~on the property~~, subject to approval of the Planning Division and City Attorney's Office, to restrict the property with the requirements of this ~~s~~Section prior to issuance of a building permit for the ADU~~accessory dwelling unit~~. Theis use restriction covenant shall be binding upon any successor in ownership of the property.