

EXHIBIT 'A'

Chapter 19.442 - ACCESSORY DWELLING UNITS (ADU)

19.442.010 - Purpose.

The State of California has identified accessory dwelling units (ADU) as a valuable form of housing in California. The City recognizes the importance of providing housing and balancing that 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 a residential use consistent with the General Plan and Zoning Code. The purpose of this Chapter is ~~also to ensure compliance with California Government Code Section 65852.2 and to ensure ADU compatibility with,~~ and minimize impacts to surrounding uses and properties.

19.442.020 - Applicability and permit requirements.

ADUs, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions, subject to the requirements contained in this Chapter.

19.442.030 - Site location, operation and development standards.

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

A. Approval for Legal, Existing Structures.

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:

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.
3. Setbacks.
 - a. ADUs that are contained within the existing space of, or attached to a single-family dwelling shall meet the minimum building setbacks of the underlying zone for a primary dwelling.
 - 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.
 - 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:

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 ADU, or an Accessory Living Quarter.
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.
7. Dwelling size.
 - 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.
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.
9. Occupancy.
 - a. Either 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.
 - c. If the 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.

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

D. Owner Occupancy Exemption.

1. The single-family residence and ADU may be rented concurrently, without owner occupancy, provided:
 - a. The Housing Authority of the City of Riverside (Housing Authority), owns the property; or
 - b. An IRS recognized 501(c)(3) housing related nonprofit or a faith-based organization, working with the Housing Authority, owns the property or is under contract with the property owner to manage a unit or units.
2. The property must be located in the R-1, R-3, R-4 or MU zone.
3. The development standards of this Chapter shall apply.
4. The occupancy and property management agreement shall become null and void if the property is sold.

19.150.020 - Permitted land uses.

- A. 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 and Economic Development 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.
- B. 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.

[illegible]

[illegible]

Personal - Outdoor (Prohibited Use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Mining/Mineral Extraction	X	X	C	C	C	C	C	X	C	C	X	X	X	X	X	C	X	X	X	X	19.490 - Mining/Mineral Extraction
Outdoor Dining (Permanent)	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	X	X	P	X	X	19.495 - Outdoor Dining and Food Preparation (Permanent)
Outdoor Food Preparation (Permanent)	X	X	X	X	X	X	X	MC	MC	MC	MC	MC	MC	MC	MC	X	X	MC	X	X	19.495 - Outdoor Dining and Food Preparation (Permanent)
Outdoor Display of Incidental Plant Materials	X	X	X	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X	19.500 - Outdoor Display of Incidental Plant Materials
Outdoor Display and Sales - Incidental ³	X	X	X	X	X	X	X	X	X	TUP	X	X	X	X	X	X	X	X	X	X	19.505 - Outdoor Display and Sales
Outdoor Storage - Incidental	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	19. 510 - Outdoor Storage
Play Areas Incidental to Restaurants ⁴	X	X	X	X	X	X	X	X	MC	MC	MC	X	X	X	X	X	X	X	X	X	19.515 - Play Areas Incidental to Restaurants
Rental of Rooms																					19.100 -Residential Zones
2 or fewer	P	P	P	P	P	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	19.520 - Rental of Rooms
3 or 4	P	P	RRP	RRP	RRP	X	X	X	X	X	X	RRP	X	X	X	X	X	X	X	X	19.895 - Room Rental Permit
Tiny Home(s) Community***	X	X	C	C	C	C	X	C	C	C	C	C	C	C	X	X	X	X	X	X	19.255 - Assemblies of people—non-entertainment 19.910 - Definitions
Vehicle Repair - Personal	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.527 - Vehicle Repair - Personal

¹ Accessory Dwelling Units (ADU) are permitted when an existing or proposed primary single-family residential dwelling is located on the same property, pursuant to Chapter 19.422.

² See exemptions noted in 19.450 - Alcohol Sales

³ Outdoor Sales and Display - Incidental are permitted on an intermittent basis with a TUP. See Section 19.740

⁴ Where play areas are proposed in conjunction with a new drive-thru restaurant, the play area can only be considered under the same conditional use permit required for the drive-thru business.

* = For CRC, MU-U and MU-V Zones a Site Plan Review (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.		
** = For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (RA-5 Zone Permitted Uses) and 19.100.030.B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.		
*** = Accessory to an Assemblies of People — Non-Entertainment and shall meet all applicable standards identified in Chapter 19.255.		
P = Permitted	C = Subject to the granting of a conditional use permit (CUP), Chapter 19.760	MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730

RCP = Recycling Center Permit, Chapter 19.870.	TUP = Temporary Use Permit, Chapter 19.740	X = Prohibited
DCP = Day Care Permit - Large Family, Chapter 19.860	sq. ft. = Square Feet	SP = Site Plan Review Permit, Chapter 19.770
PRD = Planned Residential Development Permit, Chapter 19.780	RRP = Room Rental Permit	

19.580.060 - Parking requirements.

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Dwelling:	
a. Single-family dwelling	a. 2 spaces within a private garage/dwelling unit
b. Multiple-family dwelling	b. 1.5 spaces/dwelling unit with 1 bedroom plus 2 spaces/dwelling unit with 2 or more bedrooms ⁽¹⁾
c. Studio Unit	c. 1 space/dwelling unit
d. Accessory Dwelling Unit	d. 1) When a garage, carport or covered parking is demolished or converted to an ADU, replacement parking for the primary dwelling shall be required. 2) No parking is required for the ADU.

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

19.910.050 - "D" Definitions

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Dwelling Unit, Accessory means an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. An accessory dwelling unit may be located wholly within a primary single-family residential dwelling. An accessory dwelling unit shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel where a permitted primary single-family dwelling is situated. An accessory dwelling unit also includes the following:

- A. An efficiency unit as defined in Section 17958.1 of the Health and Safety Code.
- B. A manufactured home, as defined in Section 18007 of the Health and Safety Code.