

## ARTICLE III – NONCONFORMING PROVISIONS

### Chapter 19.080 – NONCONFORMITIES

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#### DIVISION III – NONCONFORMING STRUCTURES AND USES

##### 19.080.070 – Modification or expansion of nonconforming structures.

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

- A. Expansion of a nonconforming structure with respect to development standards, including but not limited to, setbacks, height, distances between structures and parking facilities shall be subject to the granting of a variance. The granting of a variance for the expansion of the nonconforming structure shall not authorize any expansion of the use. A minor conditional use permit shall also be required for expansions to a nonconforming use according to the applicability of the provisions found in paragraphs B and C.
- B. Expansion of a nonconforming nonresidential use is permitted subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:
  - 1. The expansion of the use will protect a valuable property investment;
  - 2. The expansion of the use will not adversely affect or be materially detrimental to the surrounding neighborhood;
  - 3. There is a need for modernization in order to properly operate the use and protect valuable property rights;
  - 4. The expansion of the use which included expansion of a structure shall be architecturally compatible with the existing building;
  - 5. The expansion of the use shall be compatible with the character of the surrounding area;
  - 6. The expansion shall not displace on-site parking; and
  - 7. The use has not been discontinued for a period of one year or more, except as provided in Section 19.080.040.
- C. Expansion of a nonconforming residential use is subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:
  - 1. The expansion shall not increase the number of living units on the property, except as allowed by Chapter 19.442 (Accessory Dwelling Units and Junior Accessory Dwelling Units);
  - 2. The expansion of the use shall benefit the health, safety, and welfare of the occupants;
  - 3. The expansion of the use which includes expansion of a structure shall be architecturally compatible with the existing building;
  - 4. The expansion of the use shall be compatible with the character of the surrounding area; and
  - 5. The expansion shall not displace on-site parking.

(Ord. 7408 §1, 2018; Ord. 7331 §3, 2016; Ord. 6966 §1, 2007)

## 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:

- B. *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.
- C. *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.
- D. ~~Rural~~ *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.

- E. *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.
- F. *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.
- G. *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 ~~within a single structure~~, including such residential development types as apartments, town homes, ~~and~~ condominiums, ~~and tiny homes (foundation) in tiny home communities.~~
- H. *Multiple-Family Residential Zone (R-4).* The Very ~~High-Density~~ 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. 7331 §4, 2016; Ord. 6966 §1, 2007)

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### **19.100.030 - Permitted land uses.**

Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Use 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), uses requiring approval of a 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 the Tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar to 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 Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

- D. *RA-5 Zone Permitted Uses.* A summary of this section is contained in the Permitted Uses Table (Table 19.150.020-A), the Incidental Uses Table (Table 19.150.020-B), and the Temporary Uses Table (Table 19.150.020-C). If any conflict between this section and the Tables exists, the provisions of this section shall apply.
  - 1. A one-family dwelling or manufactured dwelling of a permanent character placed in a permanent location and of not less than 750 square feet ground floor area exclusive of open porches and garage;
  - 2. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the

general field of agriculture, aviaries, and raising of chinchillas, guinea pigs and parakeets;

3. Poultry, rabbits, crowing fowl and crowing roosters.
  - a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept,
  - b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry, and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot;
4. Pot-bellied pigs shall not be allowed in the RA-5 zone unless mandated by State law;
5. The grazing, raising or training of equine, riding stables or academies, sheep and cattle, provided that the lot has a minimum area of one acre and animals are not housed or pastured within 100 feet of a residence provided that the property is maintained in accordance with Section 6.16.010 (Fly-Producing Conditions) of the Municipal Code, and further that:
  - a. Not more than a total of two of any of the following or a total of two of any combination of horses, colts, mules, ponies, goats, sheep, cows, calves or animals of general like character shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises,
  - b. Dairies, feeding lots and similar uses may be permitted after public hearing under a conditional use permit,
  - c. Additional animals may be permitted subject to the granting of a conditional use permit in the RA-5 zone;
6. The keeping of bees, provided that all other conditions of this Zoning Code and other City ordinances are complied with;
7. Parks, playgrounds or community centers owned and operated by a governmental agency, subject to the granting of a conditional use permit;
8. Golf courses, including miniature courses and driving ranges, subject to the granting of a conditional use permit;
9. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;
10. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;
11. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises, and one stand for the sale of such products;
12. Nameplates and signs as provided in Chapter 19.620 (General Sign Provisions);
13. The growing and wholesale disposal of earthworms in worm farms, provided that the area devoted to the cultivation of worms does not exceed 64 square feet, and further provided

that:

- a. All worm farms shall be kept at least 50 feet away from all adjacent dwellings,
  - b. The maximum height of any worm bed shall be two feet and all other structures shall conform to the requirements for accessory structures,
  - c. Worm farms in excess of 64 square feet shall only be permitted subject to the granting of a conditional use permit;
14. Agricultural field office as defined in Section 19.910.020 ("A" Definitions) subject to the granting of a conditional use permit in the RA-5 zone subject to the following operation and development standards:
- a. The use shall be conducted on a property zoned RA-5 having five acres or more gross area which is zoned for agricultural uses and which is predominately occupied by a commercial agricultural business,
  - b. The use shall be in conjunction with any permitted agricultural use, provided that such office shall be occupied by an agricultural business, which business is either located on-site or off-site the property,
  - c. The use shall be established within a stickbuilt, mobile coach or prefabricated structure, attached to or detached from any other building on the property,
  - d. Adequate parking and vehicular access shall be available in accordance with Chapter 19.580 (Parking and Loading) of the Zoning Code,
  - e. The building shall comply with the setback standards established for accessory structures in Chapter 19.440 (Accessory Buildings and Structures) of the Zoning Code;
15. Agricultural caretaker living quarters as defined by Section 19.910.040 ("C" Definitions) of this title subject to the granting of a conditional use permit provided all of the following criteria apply:
- a. The use shall be conducted on a property having five acres or more gross area which is zoned residential agricultural and which is predominantly occupied by a bona fide agricultural business,
  - b. The use shall be established within a stickbuilt (completely assembled on site) or prefabricated structure, attached to or detached from the primary dwelling unit on the property or within a mobile home. The square footage of the agricultural caretaker living quarters shall not exceed 50 percent of the square footage of the primary dwelling unit,
  - c. Occupancy shall be limited to the agricultural caretaker and his or her family. The agricultural caretaker shall be a full-time employee of the on-site agricultural business,
  - d. The primary dwelling unit on the property shall be occupied by the legal owner of the property,
  - e. The agricultural caretaker living quarters shall be established in such a way as to minimize its view from adjacent streets and properties,
  - f. The use shall not be conducted longer than two years except that subsequent time extensions may be granted by the City Planning Commission. Each time extension shall not exceed two years. Written notice shall be given to adjacent property owners as prescribed by Section 19.670.020 (Notice Requirements for Administrative

Discretionary Permits with No Public Hearing) of this title for minor variances. The standard time extension application fee for conditional use permits shall be required,

- g. The property owners shall execute and record a covenant and agreement with the City to revert the property to single-family residential use, including the removal of the kitchen facilities of any permanent addition, and the removal of any mobile home which does not meet the requirements of the residential agricultural zone, after the expiration of the conditional use permit or the termination of the agricultural business;

16. Home occupations and telecommuting as defined by Sections 19.910.090 ("H" Definitions) and 19.910.210 ("T" Definitions) of this Code in accordance with the provisions contained in Chapter 19.485 (Home Occupations) of this title. Such uses shall not be allowed in the RA-5 zone unless mandated by State law.

17. Parolee/probationer home, as defined by Section 19.910.170 ("P" Definitions), transitional shelter housing, as defined by Section 19.910.210 ("T" Definitions), permanent emergency shelter, as defined by Section 19.910.060 ("E" Definitions) and drop-in center, as defined by Section 19.910.050 ("D" Definitions) of this Code, are prohibited in the RA-5 Zone.

~~0. Small family day care homes as defined by Section 19.910.050 ("D" Definitions) of this Code;~~

~~0. Large family day care homes as defined by Section 19.910.050 ("D" Definitions) of this Code, subject to the granting of a Day Care Permit and meeting the criteria contained in Chapter 19.470 (Day Care Homes - Family).~~

G.E. RC Zone permitted uses. A summary of this section is contained in the Permitted Uses Table (Table 19.150.020-A), the Incidental Uses Table (Table 19.150.020-B), and the Temporary Uses Table (Table 19.150.020-C). If any conflict between this section and the Tables exists, the provisions of this section shall apply.

1. One-family dwellings of a permanent character placed in a permanent location and of not less than 750 square feet ground floor area, exclusive of open porches and garage;
2. Planned residential developments subject to the granting of a planned residential development permit as set forth in Chapter 19.780 (Planned Residential Development Permit);
3. Orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the general field of agriculture, aviaries and raising of chinchillas, guinea pigs and parakeets;
4. Poultry, rabbits, crowing fowl and crowing roosters.
  - a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept.
  - b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot.
5. The grazing, raising or training of horses; provided, that the lot has a minimum area of one

acre and animals are not housed or pastured within 100 feet of a residence; and further, that not more than a total of two horses, colts or ponies or a total of two of any combination of horses, colts or ponies shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises;

6. The keeping of bees; provided, that all other conditions of this Zoning Code or other City ordinances are complied with;
7. Parks and playgrounds of a noncommercial nature, subject to the granting of a conditional use permit;
8. Golf courses, subject to the granting of a conditional use permit;
9. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;
10. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;
11. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises;
12. Nameplates and signs as provided in Chapter 19.620 (General Sign Provisions);
13. Agricultural field office as defined in Section 19.910.020 ("A" Definitions) subject to the granting of a conditional use permit;
14. ~~Small family day care homes as defined by Section 19.910.050 ("D" Definitions) of this Code;~~
15. ~~Large family day care homes as defined by Section 19.910.050 ("D" Definitions) of this Code, subject to the granting of a Day Care Permit and meeting the criteria contained in Chapter 19.470 (Day Care Homes - Family).~~

(Ord. 7431 , § 1(Exh. A), 2-20-2018; Ord. 7331 §4, 2016; Ord. 7110 §1, 2011; Ord. 7064 §1, 2010; Ord. 6966 §1, 2007)

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

A. *Floor area per dwelling unit.* The minimum floor area per dwelling unit in the R-3 and R-4 zones ~~shall meet the minimum standards of the California Building Code, unless developed as part of a tiny home community as defined in Article X (Definitions), shall be as follows:~~

~~0. Four hundred square feet for each unit; and~~

~~2. An additional 100 square feet shall be required for each bedroom.~~

~~K.L.~~ Usable open space.

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

**Table 19.100.070**

### Usable Open Space Standards: Multi-Family Residential Zones

Usable Open Space Standards	Multi-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Common Usable Open Space - Minimum per Unit	500 sq. ft.	500 sq. ft.	400 sq. ft.	400 sq. ft.	300 sq. ft.	200 sq. ft.
Private Usable Open Space Ground Floor/Upper Story Unit	120 sq. ft./ 50 sq. ft.	120 sq. ft./ 50 sq. ft.	120 sq. ft./ 50 sq. ft.	100 sq. ft./ 50 sq. ft.	100 sq. ft./50 sq. ft.	50 sq. ft./ 50 sq. ft.

2. Development consisting of 20 units or fewer shall provide a large open area (one of the dimensions shall be a minimum of 50 feet).
3. Development consisting of 21 units to 75 units shall provide a large open lawn area (one of the dimensions shall be a minimum of 50 feet) and include but not be limited to two of the recreational amenities listed below, or equivalent:
  - a. Tot lot with multiple play equipment
  - b. Pool and spa
  - c. Barbeque facility equipped with grill, picnic benches, etc.
  - d. Court facilities (e.g. tennis, volleyball, basketball, etc.)
  - e. Exercise room
  - f. Clubhouse
4. Development consisting of 76 units or more shall provide a large open area (one of the dimensions shall be a minimum of 100 feet) and include but not be limited to four of the following recreational amenities, or equivalent:
  - a. 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 Community & Economic Development Director review and approval.
  - b. Pool and spa.
  - c. Multi-purpose room equipped with kitchen, defined areas for games, exercises, recreation, entertainment, 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 Community and Economic Director 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.
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. Related recreational activities may be grouped together and located at any one area of the common space.
7. Dispersal of recreational facilities throughout the site shall be required for development with multiple recreational facilities.
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, a maximum of 25 percent of the required common usable open space may be located on the roof of a garage or building, provided such common usable open space is provided with recreational amenities suitable for the residents of the development.

**L.J.** *Private usable open space.* Each dwelling unit shall be provided with at least one area of 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, a deck or balcony. In order to count toward the open space requirement, a yard area, or uncovered deck or patio shall have a minimum area of 120 square feet in R-3 zones and 50 square feet in the R-4 Zone. 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. *Above-ground level units:* Each dwelling unit having no ground-floor living area shall have a minimum above-ground level 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. Above-ground level 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 group usable open space provided in the project. In no case shall private usable open space constitute more than 40 percent of the total required group open space for the project.

**M.K.** *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 5 feet.

**N.L.** *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).

**O.M.** *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.

**P.N.** *Pedestrian accommodation.* All developments shall provide paved, lighted pedestrian paths connecting parking areas to the units served, and also connecting units to any common usable open space areas improved with recreational amenities.

Q.O. *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.

R.P. *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 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. Any such parking area and screen wall shall be subject to site plan review and design review as set forth in Section 19.100.080 (Site Plan Review and Design review required—R-3 and R-4 Zones).

S.Q. *Landscaping.* Landscaping shall be provided and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).

T.R. *Lighting.*

1. All outdoor lighting shall be designated with fixtures and poles that illuminate uses, while minimizing light trespass into neighboring areas.
2. The candlepower of outdoor lighting shall be the minimum required for safety purposes.
3. The provisions of Section 19.590.070 (Light and Glare) shall apply.
4. The provisions of Chapter 19.556 (Lighting) shall apply.

(Ord. 7408 §1, 2018; Ord. 7331 §4, 2016; Ord. 6966 §1, 2007)

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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. 7331 §12, 2016; Ord. 6966 §1, 2007)

19.150.020 - Permitted land uses.

19.150.020.A Permitted Uses Table																						
This table identifies permitted uses and uses requiring approval of other permits by zoning designation. In addition to these uses, other incidental and temporary uses may also be permitted as noted in the Incidental Uses Table and the Temporary Uses Table.																						
Use	Zones																					Location of Required Standards in the Municipal Code
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AI R	PF	RWY	NC Overlay	
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<del>Day Care Homes - Large Family</del>																						See Incidental Uses Table
<del>Day Care Homes - Small Family</del>																						See Incidental Uses Table
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Manufactured Dwellings:	P	P	P	P	P	<del>X</del> -P	<del>X</del> -P	X	X	X	X	P	X	X	X		X	X	X	X	X	19.850 - Fair Housing and Reasonable Accommodations 19.100 - Residential Zones 19.340 - Manufactured Dwellings See 19.149 - Airport Land Use Compatibility***
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Mobile Home <del>-</del> Park	X	X	With the MH Overlay Zone			X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	19.210 - Mobile Home Park Overlay Zone 5.75 - Mobile Home Parks Rent

19.150.020.A Permitted Uses Table  
This table identifies permitted uses and uses requiring approval of other permits by zoning designation. In addition to these uses, other incidental and temporary uses may also be permitted as noted in the Incidental Uses Table and the Temporary Uses Table.

Use	Zones																					Location of Required Standards in the Municipal Code
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AI R	PF	RWY	NC Overlay	
																						Stabilization Procedures
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<u>Tiny Home Community (Foundation)</u>	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	<u>19.100.070 - Additional regulations for the R-3 and R-4 Zones.</u>

\*=For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

\*\*=For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (RA-5 Zone Permitted Uses) and 19.100.030.B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.

\*\*\*=Refer to Chapter 19.149 - Airport Land Use Compatibility and applicable Airport Land Use Compatibility Plan for airport land use compatibility zones where use may be strictly prohibited.

C=Subject to the granting of a conditional use permit (CUP), Chapter 19.760	DCP=Day Care Permit—Large Family, Chapter 19.860	MC=Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730	P=Permitted
PRD=Planned Residential Development Permit, Chapter 19.780	RCP=Recycling Center Permit, Chapter 19.870	SP=Site Plan Review Permit, Chapter 19.770	sq. ft.= Square Feet
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.

(Ord. 7462 , § 2(Exh. A), 2019; Ord. 7431 § 3(Exh. A), 2018)

19.150.020.B Incidental Uses Table																						
This table identifies uses which are generally only permitted as an incidental use to some other permitted use on the property.																						
Use	Zones																					Location of Required Standards in the Municipal Code
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR	PF	RWY	NC Overlay	
. . . . .																						
Accessory Dwelling Unit <sup>1</sup> and <a href="#">Accessory Dwelling Unit, Junior</a>	P	P	P	P	P	P	P	X	X	X	X	P	P	P	X		X	X	X	X	X	X
. . . . .																						
<del>Day Care Homes—Large Family</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>DCP</del>	<del>DCP</del>	<del>DCP</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	
<del>Day Care Homes—Small Family</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	
. . . . .																						
<del>Tiny Home(e) Community—***</del>	X	X	C	C	C	C	X	C	C	C	C	C	C	C	X	X	X	X	X	X	X	
. . . . .																						

(Ord. [7457](#) § 1(Exh. A), 2019; Ord. [7431](#) § 3(Exh. A), 2018; Ord. 7408 §1, 2018; Ord. 7331 §11, 2016; Ord. 7316 §4, 2016; Ord. 7273 §1, 2015; Ord. 7222 §3, 2013, Ord. 7110 §§2, 3, 4, 2011; 7064 §9, 2010; Ord. 6966 §1, 2007)

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

<sup>2</sup> See exemptions noted in [19.450](#) - Alcohol Sales

<sup>3</sup> Outdoor Sales and Display - Incidental are permitted on an intermittent basis with a TUP. See [Section 19.740](#)

<sup>4</sup>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 <a href="#">19.770</a> ) 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 <a href="#">subject to the applicable standards identified in Chapter 19.255 shall meet all applicable standards identified in Chapter 19.255(Assemblies of People-Non-Entertainment)</a> .		
P=Permitted	C=Subject to the granting of a conditional use permit (CUP), <a href="#">Chapter 19.760</a>	MC=Subject to the granting of Minor Conditional Use Permit (MCUP), <a href="#">Chapter 19.730</a>
RCP=Recycling Center Permit, <a href="#">Chapter 19.870</a> .	TUP=Temporary Use Permit, <a href="#">Chapter 19.740</a>	X=Prohibited
<del>DCP=Day Care Permit – Large Family, Chapter 19.860</del>	sq. ft.=Square Feet	SP=Site Plan Review Permit, <a href="#">Chapter 19.770</a>
PRD=Planned Residential Development Permit, <a href="#">Chapter 19.780</a>	RRP=Room Rental Permit	

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19.150.020.C Temporary Uses Table This table identifies uses that are temporary in nature.																						
Use	Zones																				Location of Required Standards in the Municipal Code	
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR	PF	RWY		NC Overlay

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(Ord. 7408 §1, 2018; Ord. 7211 §2, 2013; Ord. 7110 §§2, 3, 4, 2011; Ord. 7064 §9, 2010; Ord. 6966 §1, 2007)

\*=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.

<sup>1</sup> All sites having active minor conditional use permits or conditional use permits, private schools, assemblies of people, etc.

<sup>2</sup> For Exceptions, see Chapters 19.100.030 (A) - RA-5 Permitted Uses and 19.150.020.B Incidental Uses Table

* = 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
<del>DCP = Day Care Permit – Large Family, Chapter 19.860</del>	sq. ft. = Square Feet	SP = Site Plan Review Permit, Chapter 19.770
PRD = Planned Residential Development Permit, Chapter 19.780		

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## ARTICLE VI - OVERLAY ZONES

### Chapter 19.210 - MOBILE HOME PARK OVERLAY ZONE (MH)

#### 19.210.010 - Purpose.

The Mobile Home Park (MH) Overlay Zone is established to set forth standards to be applied to the development of new mobile home parks. The standards herein are intended to ensure a suitable living environment for those persons residing within a mobile home park and to ensure compatibility of such park with the surrounding area.

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

#### 19.210.020 - Applicability.

- A. This Mobile Home Park Overlay Zone (MH) may only be applied in combination with a base zone ~~of R-1-7000~~ as set forth in Table 19.100.020 A.
- B. The MH Overlay Zone may also be applied in combination with other overlay zones.
- C. Unless otherwise specified, the provisions of California Code of Regulations Title 25, Division 1, Chapter 2, Mobile Home Parks Act, shall apply.

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

#### 19.210.030 - Permitted uses.

Mobile home parks may be established within a Mobile Home Park Overlay Zone subject to the granting of a conditional use permit processed pursuant to Chapter 19.760 (Conditional Use Permit) and to the provisions of this chapter (Refer to the provisions of California Code of Regulations Title 25, Division 1, Chapter 2, Mobile Home Parks Act).

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

#### 19.210.040 - Development standards.

Table 19.210.040 (MH Overlay Zone Development Standards) sets forth the minimum development standards required for all new mobile home parks. In the event of conflict between these standards and those required for the underlying base zone, the standards set forth in Table 19.210.040 (MH Overlay Zone Development Standards) shall prevail.

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

**Table 19.210.040**  
**MH Overlay Zone Development Standards**

Development Standard	MH
Density of a Mobile Home Park - Maximum	10 units/acre
<u>Density of a Tiny Home (chassis) Community - Maximum</u>	<u>20 units/acre<sup>1</sup></u>
<u>Unit Size of a Tiny Home (chassis) Community</u>	<u>Up to 400 square feet</u>
Site Area - Minimum a. Mobile Home Park (gross area) b. Individual Mobile Home Space <u>c. Tiny Home (cChassis) Community</u>	a. 10 acres b. Minimum space area shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations. <u>c. Per underlying Zone.</u>
Frontage on a public street for mobile home park site - Minimum	250 ft.

Dimensions for individual mobile home sites - Minimum a. Lot width b. Lot depth	Minimum lot width and depth shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.
Building Height - Maximum a. Mobile Home Units within a Park b. Mobile Home Park: - Permanent Structures	a. Building height shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations. b. 35 ft.
Lot Coverage: Individual Mobile Home Space - Maximum	Maximum lot coverage shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.
Setbacks for an Individual Mobile Home Space - Minimum	Front, sides and rear yard setbacks for each individual mobile home space shall be established and maintained in accordance with Title 25 (Housing and Community Development) of the California Code of Regulations.
Setbacks for Mobile Home Park: - Minimum (Applies to the perimeter setbacks of the park)  a. Front <del>42</del> , <del>23</del> b. Street side <del>42</del> , <del>23</del> , <del>34</del> c. Interior side <del>23</del> , <del>34</del> d. Rear <del>23</del> , <del>34</del>	  a. 20 ft. b. 20 ft. c. 10 ft. d. 10 ft.
Building Separation Between Mobile Home Units; and Between Mobile Home Units and Accessory Structures	Building separation shall conform with Title 25 (Housing and Community Development) of the California Code of Regulations.
Notes: <u>1. Subject to maximum land use intensity criteria pursuant to an applicable Airport Land Use Compatibility Plan.</u> <del>42</del> . Except where the average setback of existing dwellings on the same block exceeds the minimum required front and/or street side setback, the setback of the mobile home park shall conform to that average depth. <del>23</del> . All required setbacks shall be suitably landscaped and maintained pursuant to Chapter 19.570 (Water Efficient Landscaping and Irrigation) of the Zoning Code. <del>34</del> . The park side yard setback shall not be a substitute for the required mobile home space yards.	

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## 19.210.050 - Additional development standards.

The following additional standards shall apply to all new mobile home parks.

- A. *Management*. Every mobile home park community shall be properly managed to ensure maintenance of common facilities and to ensure individual home sites are developed and maintained in accordance with recorded rules and regulations for the park. A Management Plan shall be included in the conditional use permit application submittal. All mobile home park communities shall participate in the City's Crime Free Multi Housing Program, or its successor equivalent.
- D. *Site use and improvements*. Each mobile home shall be located on an approved mobile home site, and all mobile home sites shall be designed to accommodate independent mobile homes. No mobile home site shall be used as the location for more than one mobile home or trailer. Each mobile home shall be skirted with material compatible in color and material with the mobile home.
- E. *Roadways*. Access to the mobile home park shall be provided from a public roadway and shall include an internal circulation system that would allow access to each individual mobile home space in accordance with Title 25 (Housing and Community Development) of the California Code of Regulations.

- F. *Fences and walls (excluding Tiny Home (chassis) Communities)*. A minimum six-foot-high decorative solid masonry wall shall be constructed to enclose the park and serve as a visual screen and buffer between uses. The wall shall be located no closer than the front and street side setback along all streets and for the remainder perimeter of the park, it shall be located at the property line. All outdoor storage areas for the Park shall be enclosed by a minimum six-foot-high masonry wall. Fencing for each individual mobile home space shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.
- G. *Landscape buffer*. When a mobile home park shares a common boundary with a residential use, a ten-foot landscape setback shall be provided along the common property line.
- H. *Landscaping*. All required minimum setback areas around the perimeter of the park shall be permanently landscaped and maintained with ground cover, trees, and shrubs, pursuant to Chapter 19.570 (Water Efficient Landscaping and Irrigation).
- I. *Accessory structures (storage building, garage, carport, awning, cabana, greenhouse, etc.)*. Accessory structures shall be subject to the minimum requirements for setbacks, building separation and height, location, size, construction materials and lot coverage established for Mobile Home Accessory Buildings and Structures in Title 25 (Housing and Community Development) of the California Code of Regulations.
- J. *Common open space*. A recreation area, exclusive of any mobile home space, shall be provided and maintained on site at a rate of 275 square feet for each mobile home unit within the park. Recreation areas may include, but not be limited to, recreation rooms, community indoor and outdoor facilities, playgrounds, and other similar amenities.
- K. *Utilities*. Unless otherwise specifically authorized by the designated approving or appeal authority, all utilities providing service to the park shall be placed underground. Equipment appurtenant to the underground facilities (e.g., transformers, meter cabinets) may be placed above ground. All utilities shall be installed to the specifications of the Public Utilities and Fire Departments. Master metering shall be required, with sub-metering at the option of the park owner.
- L. *Parking*. Parking shall be provided and improved in accordance with Chapter 19.580 (Parking and Loading) of the Zoning Code. However, where two parking spaces are provided on a mobile home space, one may be located behind the other (in tandem) and need not have independent vehicular access.
- M. *Lighting*. Lighting for signs, structures, landscaping, parking areas, loading areas and the like, shall comply with the regulations set forth in Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Lighting).
- N. *Trash receptacles and enclosures*.
1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.
  2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.
- (Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

## ARTICLE VII. - SPECIFIC LAND USE PROVISIONS

## Chapter 19.240 - ADULT-ORIENTED BUSINESSES

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### 19.240.040 - Minimum proximity requirements.

- A. Adult-oriented businesses shall only be established, located, or operated in the I (Industrial) Zone and only when within the ascribed distances of the certain specified land uses or zones set forth here. These distances shall be measured from the closest point upon the outside walls of the building or building lease space containing the adult-oriented business to the nearest point upon the outside walls or property lines of the building or property of concern.
1. The business shall not be located within 600 feet of any other adult-oriented business.
  2. The business shall not be located within 1,000 feet of a historic district.
  3. The business shall not be located within 600 feet of any residential dwelling unit, residential zone or homeless shelter.
  4. The business shall not be located within 1,000 feet of any school, religious assembly, ~~or family~~ day care home or day care center.

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## Chapter 19.340 - MANUFACTURED DWELLINGS

### 19.340.010 - Purpose.

The purpose of regulating manufactured dwellings is to ensure compatibility of such dwellings with surrounding uses and properties and to avoid any impacts associated with such dwellings.

(Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

### 19.340.020 - Applicability and permit requirements.

Manufactured dwellings, as defined in Article X (Definitions), are permitted in any zone where a single-family residence is permitted pursuant to Government Code 65852.3 - Local Manufactured Homes Zoning and in any Multi-Family zone as part of a tiny home (foundation) Community. The manufactured dwelling must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et. seq.) and placed on a foundation system.

(Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

### 19.340.030 - Development standards.

In addition to the standards set forth in Article V, Base Zones and Related Use and Development Provisions that shall apply, ~~shall apply to manufactured dwellings in addition to the following.~~ A. b Building elevations shall be submitted for review and approval by the Development Review Committee ~~Community & Economic Development Director~~ depicting showing the roof overhang, roofing material and siding material.

(Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

#### **19.340.040 - Site, location, operation and development standards for the sales of manufactured dwellings.**

- A. The site shall be located on and have access to an arterial street as identified on the City's Master Plan of Roadways in the General Plan.
- B. All buildings shall be located at least 20 feet from any property line.
- C. A dedicated model home sales office shall be provided on the property.
- D. Parking for the office component shall be provided in accordance with Chapter 19.580 of the Zoning Code.
- E. Exterior lighting shall be provided in accordance with Chapter 19.556 of the Zoning Code.
- F. All provisions contained in Chapter 19.505 (Outdoor Display and Sales) shall apply to the sales of Manufactured Dwellings.
- G. No outdoor telephone bell or paging system shall be used.

(Ord. 7331 §46, 2016)

#### **19.340.050 - Modifications.**

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §46, 2016)

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### **Chapter 19.350 - PAROLEE/PROBATIONER HOME**

#### **19.350.040 - Site location, operation and development standards.**

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

##### **A. Site location standards.**

1. The use shall be compatible with neighboring uses.
2. Establishment of the facility shall not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result.
3. The facility shall be located along or near a major arterial with ready access to public transportation.
4. The facility shall be accessible to necessary support services.
5. To avoid over-concentration of parolee/probationer, there shall be a 5,000-foot separation requirement between parolee/probationer homes as measured from the nearest outside building walls between the subject use and the nearest property line of any other parolee/probationer housing site.
6. A parolee/probationer home shall not be located within 1,000 feet of any other group housing, assisted living facility, a public or private school (kindergarten through twelfth grade), university, college, student housing, senior housing, [family](#) day care home, [day care](#) center, public park, library, business licensed for on- or off-site sales of alcoholic

beverages, or emergency shelter as defined in Article X (Definitions) and as measured from any point on the outside walls of the parolee/probationer home to the nearest property line of the noted use.

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## **Chapter 19.405 - TATTOO AND BODY PIERCING PARLORS**

### **19.405.030 - Site location, operation and development standards.**

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to tattoo and body piercing parlors unless otherwise specified here.

- A. The business shall not be located within 1,000 feet of any other tattoo and/or body piercing parlor as measured from any point from the outer boundaries of the building lease space containing the business to the nearest property line of the site containing the existing tattoo and/or body piercing parlor.
- A. The business shall not be located within 500 feet of any adult-oriented business as measured from any point from the outer boundaries of the building lease space containing the business to the nearest property line of the site containing the existing adult-oriented business.
- B. The business shall not be located within 500 feet of any business selling alcoholic beverages, as measured from any point from the outer boundaries of the building lease space containing the business to the nearest property line of the site containing the existing business selling alcoholic beverages.
- C. The business shall not be located within 100 feet of any existing residential zone as measured from any point between the outer boundaries of the building lease space containing the business and the nearest property line of a residentially zoned property
- D. The business shall not be located within 600 feet of a school, park, ~~or~~ day care center or/family family day care home as measured from any point between the outer boundaries of the lease space containing the business to the nearest property line of the school, park, ~~or~~ day care center or/family day care home.

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## **Chapter 19.442 - ACCESSORY DWELLING UNITS (ADU) AND JUNIOR ACCESSORY DWELLING UNITS (JADU)**

### **19.442.010 - Purpose.**

The State of California has identified accessory dwelling units (ADU) and junior accessory dwelling units (JADU) as ~~a~~ valuable forms 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~~ ADUs and JADUs contributes to local housing and, to the community's housing stock, ~~and are a~~ while providing residential uses consistent with the General Plan and Zoning Code. The purpose of this Chapter is to ensure compliance with California Government Code Section 65852.2 and minimize impacts to surrounding uses and properties.

(Ord. 7457 § 1(Exh. A), 2019; Ord. 7408 §1, 2018)

### **19.442.020 - Applicability and permit requirements.**

ADUs and JADUs, as defined in Article X (Definitions), are permitted in all residential zones, including all multi-family and mixed-use zones that include an existing or proposed dwelling. as set forth in Article V, Base Zones and Related Use and Development Provisions, subject to the requirements contained in this chapter.

(Ord. 7457 § 1(Exh. A), 2019; Ord. 7408 §1, 2018)

### **19.442.030 - ~~Site location, operation and development standards~~Requirements.**

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

#### A. General.

~~For ADUs or JADUs, only a building permit shall be required when located on a lot with an existing primary dwelling.~~

1. ADUs and JADUs shall comply with ~~State and~~ local building code requirements for dwellings.

2. ADUs and JADUs in an historic district shall comply with California Government Code Section 65852.2 and Title 20 of the Riverside Municipal Code.

~~ADUs and JADUs are not required to provide fire sprinklers if fire sprinklers are not required for the primary residence.~~

3. ADUs and JADUs, when rented, must be used for rentals of terms longer than 30 days.

~~4. No actions to correct zoning nonconformities, related to physical improvements, are required for ADUs.~~

~~5. Lot Size—There shall be no minimum lot size requirement to establish an ADU or JADU.~~

~~6. Lot Coverage—The floor area of an ADU or JADU shall not be counted when calculating lot coverage.~~

7. ADUs may not be sold or otherwise conveyed separate from the primary residence with the exception ~~of a primary dwelling and the~~ ADU developed by an IRS recognized 501(c)(3) housing—related nonprofit or a faith-based organization, working with the Housing Authority, whose mission is to provide units to low-income households.

8. For JADUs, a deed restriction shall be recorded, to run with the land, to prohibit the sale of the JADU separate from the sale of the primary dwelling and restrict its size as identified in 19.442.030 (F).

9. ADUs and JADUs are exempt from all provisions of Chapter 19.219 – Residential Protection Overlay Zone including any application ~~to a primary dwelling, the dwelling area, number of bedrooms or other characteristics.~~

#### B. Location.

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

2. An ADU or JADU must have independent exterior access separate from the ~~proposed or existing~~ existing residenceprimary dwelling.

3. An ADU may be either attached, located within the living area of the proposed or existing

primary dwelling, or detached from the proposed or existing primary dwelling.

4. A JADU shall be constructed and located within the walls of the proposed or existing primary dwelling, not including the garage, and include:

2. Approval for legal, existing structures:

b.a. Unless the ADU is within the existing single-family residence or an existing legal accessory structure, ADU's are prohibited in the RR, RA-5 and RC zones. Only a building permit shall be required. Cooking facilities with appliances, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

b. Separate sanitation facilities or shared sanitation facilities with the existing structure.

0. for an ADU when all of the following applies:

0. The property is located in a single-family residential zone;

0. The ADU is contained within the existing space of a structure that has not been constructed or altered within the preceding six months;

0. 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.

F. Specific ADU requirements. ADUs that do not meet the criteria of Section 19.442.030.A shall comply with the following:

0. Location:

. 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.

. The ADU shall be located on the same lot as the proposed or existing primary dwelling.

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

C. Setbacks.

1. For ADU's, setbacks shall comply with California Government Code Section 65852.2 as amended from time to time.

2. For any existing structure, attached or detached, converted to an ADU, no setback requirements shall apply.

4.3. The side and rear setbacks for an ADU must be sufficient for fire and safety.

D. of Units Unit Size.

1. The existing primary dwelling may be expanded to accommodate for the JADU or ADU. If there is an existing primary dwelling on the lot, the total floor space of an attached ADU shall not exceed 50 percent of the existing primary dwelling living area or 1,200 square feet, whichever is less.

2. The total floor space of any detached ADU shall not exceed 1,200 square feet.

3. JADUs shall be no more than 500 square feet in size.

E. Number of Units.

1. Single-family. The number of dwellings permitted on a single lot in any single-family residential zone shall be limited to the primary dwelling, and one ADU and one JADU, neither of which is required to be owner-occupied.

## 2. Multi-family

### a. Existing Structures

- i. At least one (1) ADU, but no more than 25% of the existing number of multi-family dwellings, shall be permitted within existing structures on lots with multi-family dwelling structures.
- ii. ADUs can include conversion of storage rooms, boiler rooms, passageways, attics, basements or garages provided the ADU complies with building standards for dwellings.

### b. New Structures. No more than two new detached (2) ADUs shall be permitted on a lot that has an existing multi-family dwelling.

- ~~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.~~
- ~~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.~~
- ~~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 five-foot side and rear yard setback.~~

## F. Owner Occupancy.

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

N.G. Height. ~~All ADUs shall comply with the height restrictions of the underlying zone. 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.~~

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~~P. JADUs shall be Universal requirements. All ADUs shall comply with the following requirements:~~

~~Q. 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.~~

## H. Parking.

1. No parking shall be required for an ADU or JADU.

1.2. No replacement parking shall be required for the primary dwelling if a garage, carport or covered parking is converted to an ADU, shall be required as specified in Chapter 19.580 Parking and Loading, Table 19.580.060.

~~0. ADUs shall comply with local building code requirements.~~

~~0. ADUs are not required to provide fire sprinklers if fire sprinklers are not required for the primary residence.~~

~~0. An ADU shall only be permitted on a lot conforming to the minimum lot size requirements~~

~~for single-family dwellings of the underlying zone.~~

~~U. Dwelling size.~~

- ~~0. 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.~~
- ~~0. The total floor space of a detached ADU shall not exceed 1,200 square feet.~~

~~X.I. Utilities.~~

- ~~1. ADUs shall not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service unless the ADU is constructed with a new single-family dwelling.~~
- ~~2. 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 located within the existing primary dwelling unit.~~
- ~~3. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU. A new or separate utility connection, connection fee, or capacity charge may be required for an ADU unless the ADU is constructed with a new single-family dwelling, not described in Section 19.442.030.A.~~
- ~~4. For new ADUs on a lot with an existing primary dwelling unit, The 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.~~
- ~~5. ADUs served by a private sewage system shall comply County Health Department requirements, as applicable.~~

~~J. Impact Fees~~

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

~~Y. Occupancy.~~

~~Either the primary single-family dwelling or the accessory dwelling unit, is required to be occupied by the owner of the property.~~

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

~~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.~~

~~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.~~

~~Y. Owner occupancy exemption.~~

~~The single-family residence and ADU may be rented concurrently, without owner occupancy, provided:~~

~~The Housing Authority of the City of Riverside (Housing Authority), owns the property; or  
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.~~

~~The property must be located in the R-1, R-3, R-4 or MU zone.~~

~~The development standards of this chapter shall apply.~~

~~The occupancy and property management agreement shall become null and void if the property is sold.~~

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## **Chapter 19.470 – DAY CARE HOMES—FAMILY**

### **19.470.010 – Purpose.**

~~The intent of this chapter is to implement the California Health and Safety Code provisions regarding day care homes, both large family and small family. The purposes of establishing day care home regulations are to:~~

~~Recognize that affordable, quality, licensed childcare is critical to both the well-being of children and parents as well as the economic vitality of the City;~~

~~Provide a comprehensive set of guidelines to ensure a safe child care environment and to maintain compatibility between childcare facilities and surrounding land uses;~~

~~Ensure that the needs of children for adequate care are balanced with the rights of property owners;~~

~~Facilitate the establishment of childcare facilities as a permitted use within certain zones;~~

~~Enhance provider awareness of City requirements; and~~

~~To ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.~~

~~(Ord. 7331 §73, 2016; Ord. 6966 §1, 2007)~~

### **19.470.020 – Applicability and permit requirements.**

~~Day care homes, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Uses and Development Provisions subject to the requirements contained in this chapter.~~

~~(Ord. 7331 §73, 2016; Ord. 6966 §1, 2007)~~

### **19.470.030 – Site location, operation and development standards.**

~~The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to day care homes—large family, unless otherwise specified here.~~

~~Site location standards.~~

~~Properties used for day care homes—large family shall not be located closer than 300 feet from any other day care home—large family as measured from any point upon the outside walls of the residence containing the business and the nearest property line of the residential property operating another day care home—large family.~~

~~Operation and development standards.~~

~~The day care home-large family must be the residence of the provider.~~

~~The day care home-large family use must be clearly incidental and secondary to the use of the property for residential purposes.~~

~~Hours of operation shall be less than 24 hours per day.~~

~~The day care home-large family shall comply with all Municipal and State laws and regulations regarding single family residences and day care homes – large family.~~

~~Noise will be maintained in compliance with Title 7 (Noise Control) of the Municipal Code.~~

~~The provider shall comply with all applicable regulations of the City's Fire Department regarding health and safety requirements as they relate to family day care homes and shall contain a fire extinguisher and smoke detector device that meet standards established by the State Fire Marshal (California Health and Safety Code Section 1597.45 d and Section 1597.46 d).~~

~~All State of California licensing standards shall be met. The provider shall keep all State licenses or permits valid and current.~~

~~The applicant for a day care home-large family permit shall provide evidence of payment of the City Business Tax.~~

~~The day care home-large family shall be maintained to retain the appearance of a home consistent with the general character of the neighborhood.~~

~~Residences fronting on, or taking access from, a four-lane street (as shown on the General Plan Figure CCM-4 – Master Plan of Roadways) shall provide at least one paved drop-off/pick-up area designed with on-site parking and maneuvering area to allow vehicles to drop-off/pick-up children and exit the site without backing out onto a four-lane street per Planning Division and Public Works Department approval.~~

~~For residences not fronting on, or taking access from a four-lane street, drop-off/pick-up of children from vehicles shall only be permitted on the driveway, approved parking area or directly in front of the residence. The drop-off/pick-up area shall be conveniently located in an area providing safe access to the home and not in conflict with adjoining residences.~~

~~The day care home – large family shall provide at least one off-street parking space per employee of driving age not living in the home. The residential driveway approach is acceptable for this parking requirement if the parking space will not conflict with any required child drop-off/pick-up area, and does not block the public sidewalk or right-of-way.~~

~~An outdoor play area that satisfies the requirements of the State Community Care Licensing Division shall be provided in compliance with the City's Zoning regulations.~~

~~(Ord. 7331 §73, 2016; Ord. 6966 §1, 2007)~~

#### **~~19.470.040 – Modifications.~~**

~~Modifications to site location standard A1 above may be considered in conjunction with the required day care permit-large family. No modifications to the operation and development standards above shall be allowed.~~

~~(Ord. 7331 §73, 2016; Ord. 6966 §1, 2007)~~

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## Chapter 19.440 - ACCESSORY BUILDINGS AND STRUCTURES

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### 19.440.030 - Site location, operation and development standards.

These standards supplement the standards for the zone in which the accessory use is located. If an accessory structure is attached to the principal building, such structure shall comply with the development standards for the principal building.

- A. No accessory structure shall be permitted unless a principal building exists and is occupied by the use intended.
- B. Accessory structures shall not cover more than 35 percent of the required side or rear yard setback area.
- C. Accessory structures shall be located a minimum of five feet from the principal building or the distance required by the Building Code, whichever is greater. Eave line separation from the principal building shall conform to the provisions of the Building Code. Accessory structures located less than five feet from the primary building shall be considered "attached" and must meet the setbacks of the underlying zone.
- D. Garage and carport accessory structures with direct access from an alley shall be located a minimum of 25 feet from the opposite boundary line of the alley.
- E. Accessory structures within residential zones shall comply with the following additional regulations.
  - 1. Accessory structures shall be no closer to the front lot line than the front-most wall of the dwelling nearest the front lot line.
  - 2. The interior side and rear yard setback shall be five feet for a single-story accessory structure.
  - 3. The interior side and rear yard setback shall be the same as the respective underlying zone for two-story accessory structures or accessory structures exceeding 20 feet in height.
  - 4. The street side yard setback for an accessory structure shall be the same as the street side setback of the underlying zone.
  - 5. In the RR, RE and R-1 Zones, all metal accessory structures shall be limited to a maximum total floor area of 120 square feet; all other accessory structures shall be limited to a maximum floor area of 750 square feet. There is no size limit for accessory structures in the RC, RA-5, R-3 or R-4 Zones or any Zone when built in conjunction with a Planned Residential Development (i.e. clubhouse) or Conditional Use Permit (i.e. assemblies of people - non entertainment or assisted living).
  - 6. Any accessory structure over five feet in height, [excluding proposed accessory dwelling units which shall comply with requirements set forth in Chapter 19.440](#), shall be set back at least five feet from side and rear property lines.
  - 7. Single-story accessory structures shall not exceed 20 feet in overall height and two-story accessory structures shall not exceed 30 feet in overall height.

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## Chapter 19.580 - PARKING AND LOADING

**19.580.060 - Parking requirements.**

- A. *Minimum parking requirements.* The number of off-street parking spaces required by Table 19.580.060 (Required Spaces) shall be considered the minimum necessary for each use, unless off-street parking reductions are permitted pursuant to provisions herein. In conjunction with a conditional use, site plan review or planned residential development permit, the designated Approving or Appeal Authority may increase these parking requirements if it is determined that they are inadequate for a specific project.
- B. *Uses not listed.* The number of parking spaces required for uses not specifically listed in Table 19.580.060 (Required Spaces) shall be determined by the Community & Economic Development Director or his/her designee based on common functional, product or compatibility characteristics and activities. Such determination is considered a formal interpretation of this title and shall be decided and recorded as such pursuant to Chapter 19.060 (Interpretation of Code).
- C. *Mixed use complexes and parking credits.* In the case of shared parking facilities within a complex, the development shall provide the sum of parking spaces required for each separate use. However, if there are multiple uses in a complex with different operating characteristics, such as daytime office and nighttime commercial entertainment-oriented uses, the Community & Economic Development Director or his/her designee may grant a mixed use parking credit to reduce the total number of required spaces by up to a maximum of 15 percent of the total required spaces. Another factor in favor of granting a credit is proximity to a transit stop. The following requirements apply to granting of a mixed-use parking credit:
1. The applicant shall provide a parking analysis specifying the proposed mix of uses and the operating characteristics of each type use; including hours of operation and individual parking requirements. The analysis shall provide adequate justification for granting the credit.
  2. A covenant shall be recorded on the property limiting the mix of uses to those identified in the original parking analysis, including a mix with similar operating characteristics.
- D. *Required spaces.* Table 19.580.060 (Required Spaces) below sets forth minimum off-street parking requirements for number of spaces. Except as otherwise specifically stated, the following rules apply to this table.
1. "Square feet" (sq. ft.) means "gross square feet" and refers to total building gross floor area unless otherwise specified, not including areas used for off-street parking or loading spaces.
  2. Where parking spaces are required based on a per-employee ratio, this shall mean the total number of employees on the largest working shift.
  3. Where the number of seats is listed to determine required parking, seats shall be construed to be fixed seats. Where fixed seats provided are either benches or bleachers, each 24 linear inches of the bench or bleacher shall be considered a seat.

4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number.
5. In addition to the requirements in Table 19.580.060 (Required Spaces), spaces shall be provided for trucks and other vehicles used in the business, of a number and size adequate to accommodate the maximum number of types of trucks and/or vehicles to be parked on the site at any one time.
6. Where maximum distance is specified from the lot, the distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building or area that such facility is required to serve.
7. Unless otherwise stated, the required parking shall be located on the same lot or within the same complex as the use.

**Table 19.580.060**  
**Required Spaces**

Use	Number of Spaces Required
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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/ <a href="#">Tiny Home (Foundation)</a>	c.1 space/dwelling unit
d. Accessory Dwelling Unit <a href="#">and Junior Accessory Dwelling Unit</a>	<del>d. No replacement parking is required when a garage, carport or covered parking is demolished. No parking is required for the ADU or JADU.</del> <del>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.</del> <del>2) No parking is required for the ADU.</del>
Day Care Facilities (more than six people) <a href="#">not including family day care homes</a> :	
a. Children (day care centers, preschools, infant centers)	1 space/employee plus 1 space/facility vehicle plus 1 space/10 persons at facility capacity. (10)
b. Adult (not in a group home)	
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<b>F</b>	
<del>Family Day Care Homes:</del>	
<del>a. Small Family Day Care Home</del>	<del>a. No requirement beyond standard single family use</del>
<del>b. Large Family Day Care Home</del>	<del>b. 1 space for the single-family dwelling plus 1 space/employee not residing in the home and a drop-off/pick-up space(4)</del>
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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, studios, 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.

(Ord. 7487 § 15(Exh. E), 11-5-2019; Ord. 7457 § 1(Exh. A), 2019; Ord. 7408 §1, 2018; Ord. 7331 §94, 2016; Ord. 7235 §11, 2013; Ord. 7109 §11, 2010; Ord. 6966 §1, 2007)

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## **ARTICLE IX. - LAND USE DEVELOPMENT PERMIT EQUIREMENTS/PROCEDURES**

### **Chapter 19.640 - GENERAL PERMIT PROVISIONS**

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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. Day Care Permit - Large Family - Refer to Chapter 19.860.~~

~~f.e.~~ Recycling Center Permit - Refer to Chapter 19.870.

~~g.f.~~ Determination of substantial conformance and modification of previously approved conditions with equivalent language.

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## Chapter 19.650 - APPROVING AND APPEAL AUTHORITY

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**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 Director	Development Review Committee (DRC)	City Planning Commission (12,14)	City Council (1,14)
Administrative				
<del>Day Care Large Family Home Permit</del>	<del>F<sup>(2)</sup></del>		<del>AR</del>	<del>A/F</del>

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## ~~Chapter 19.860 - DAY CARE PERMIT - LARGE FAMILY~~

### ~~19.860.010 - Purpose.~~

~~The purpose of this chapter is to provide a procedure to permit large family day care permits.~~

~~(Ord. 7331 §122, 2016; Ord. 6966 §1, 2007)~~

### ~~19.860.020 - Procedures.~~

~~The following procedures apply to applications for a large family Day Care Permit:~~

~~Application. Large family day care home providers shall make written applications to the Community & Economic Development Director or their designee, including all material deemed necessary to demonstrate compliance with the provisions for these uses in Chapter 19.470 (Day Care Homes - Family).~~

~~Public notice. The City shall provide written notice to property owners and within 100 feet as measured between property lines of the request for a permit no less than ten days prior to issuance of a permit.~~

~~Approval. Within 15 working days of the receipt of a complete application, the Community & Economic Development Director or their designee shall grant the permit if all requirements of Chapter 19.470 (Day Care Homes – Family) are met. A large family day care permit may not be administratively denied by the Zoning Administrator if all standards are met. If all standards are not met the Community & Economic Development Director or their designee may approve (in full or in part), conditionally approve (in full or in part), modify or deny (in full or in part) the application.~~

~~Public hearing. Prior to permit issuance an applicant or the affected person (s) may request a hearing before the Planning Commission. Only the applicant and those persons previously so requesting, will be notified of the public hearing. At least ten days in advance, notice of the hearing shall be given. Based on the evidence and testimony at the hearing, the Planning Commission may approve, conditionally approve or deny the permit.~~

~~E. Appeal of Planning Commission decision. Any person may appeal the decision of the Zoning Administrator or Planning Commission to the City Council. The appeal shall be noticed in the same manner as the Planning Commission hearing.~~

~~(Ord. 7331 §122, 2016; Ord. 6966 §1, 2007)~~

## **Chapter 19.710 - DESIGN REVIEW**

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### **19.710.020 - Applicability.**

A. The design review procedures set forth in this chapter shall apply to the following:

1. All new buildings, structures and signs, and enlargements of existing buildings, structures and signs in the RC - Residential Conservation, Commercial and Office, Mixed-Use, Industrial and Downtown Specific Plan Zones, except as exempted in B and C below.
2. Any project reviewed and approved via the conditional use, planned residential development permit or site plan review permit processes.
- ~~2. Establishment of any manufactured dwelling on the lot. The Design Review process shall apply only to the approval of foundation, roof material, roof pitch, roof overhang, siding material and any structures attached to the dwelling.~~

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## **Chapter 19.780 - PLANNED RESIDENTIAL DEVELOPMENT PERMIT**

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### **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. 7408 §1, 2018; Ord. 7331 §113, 2016; Ord. 7027 §4, 2009; Ord. 6966 §1, 2007)

## ARTICLE X: - DEFINITIONS

### Chapter 19.910 – DEFINITIONS

#### 19.910.050 - "D" Definitions.

~~Day care home, family means a home that regularly provides care, protection and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while parents or guardians are away, and is either a large family day care home or a small family day care home (see California Health and Safety Code Section 1596.78 a).~~

~~Day care home, large family means a home that provides family day care for seven to 12 children, inclusive, including children under the age of ten years who reside at the home and can go up to 14 children if all of the following conditions are met:~~

~~(1) — At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.~~

~~(2) — No more than three infants are cared for during any time when more than 12 children are being cared for.~~

~~(3) — The licensee notifies a parent that the facility is caring for two additional school-age children and that there may be up to 13 or 14 children in the home at one time.~~

~~(4) — The licensee obtains the written consent of the property owner when the family day care home is operated on property that is leased or rented (see California Health and Safety Code Section 1596.78 b and Section 1597.465).~~

~~Day care home, small family means a home that provides family day care for up to six children, including children under the age of ten years who reside at the home and can go up to eight children in all of the following conditions are met:~~

~~(1) — At least one child is enrolled in and attending kindergarten or elementary school and a second child is at least six years of age.~~

~~(2) — No more than two infants are cared for during any time when more than six children are cared for.~~

~~(3) — The licensee notifies each parent that the facility is caring for two additional school-age children and that there may be up to seven or eight children in the home at one time.~~

~~(4) The licensees obtain the written consent of the property owner when the family day care home is operated on property that is leased or rented (see California Health and Safety Code Section 1596.78 c and Section 1597.44).~~

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Dwelling unit means two or more rooms in a dwelling designed for or occupied by one family for living or sleeping purposes and having only one kitchen. See definition in the General Plan.

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

(A) An efficiency unit, as defined in Section 17958.1 of the Health and Safety Code; or

(B) A manufactured home, as defined in Section 18007 of the Health and Safety Code.

~~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:~~

~~An efficiency unit as defined in Section 17958.1 of the Health and Safety Code.~~

~~A manufactured home, as defined in Section 18007 of the Health and Safety Code.~~

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Dwelling ~~U~~unit, ~~J~~junior ~~A~~accessory means a unit contained entirely within an existing a single-family structure.

Dwelling unit, manufactured means a ~~mobile home or~~ manufactured house ~~constructed in full compliance with the National Mobile Home construction and Safety Standards Act~~ intended for occupancy by a single family installed on a permanent foundation in conformance with applicable Zoning regulations.

~~Dwelling unit, mobile. See Mobile Home.~~

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## 19.910.070 - "F" Definitions

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Family ~~Day~~ ~~C~~are home means a facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family daycare home or a small family daycare home as defined in Section 1596.78 of the Health and Safety Code as may be amended from time to time.

(1) "Large family daycare home" means a facility that provides care, protection, and supervision for 7 to 14 children, inclusive, including children under 10 years of age who reside at the home.

(2) "Small family daycare home" means a facility that provides care, protection, and supervision for eight or fewer children, including children under 10 years of age who reside at the home.

(3) Family day care homes include detached single-family dwellings, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses where the daycare provider resides and includes a dwelling or a dwelling unit that is rented, leased, or owned.

#### **19.910.140 - "M" Definitions.**

Mobile home means a State licensed or registered moveable or transportable vehicle, other than a motor vehicle, designed as a permanent structure ~~of not less than 250 square feet in area~~ intended for occupancy by one family, and having no foundation other than jacks, piers, wheels or skirtings in accordance with applicable standards and meeting the requirements of the California Department of Housing and Community Development. See definition in the General Plan.

Mobile home, building line means a line parallel with the front mobile home space line or access drive and distance therefrom the depth of the required front yard.

Mobile home~~r~~, park means a lot or contiguous group of lots intended for residential use where residence is in mobile homes exclusively or where ownership is by condominium association, in lieu of mobile homes, said development is occupied exclusively by factory-built dwellings approved by the State of California and established on permanent foundations.

Mobile home, space means a plot of ground within a mobile home park abutting one or more access drives, designed for the accommodation of one mobile home.

#### **19.910.200 - "S" Definitions.**

School means any institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a kindergarten, elementary school, middle or junior high school, senior high school, or any special

institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, or university. This definition does not include any day care center or family day care home, regardless of size (see separate definitions for all day care facilities).

#### 19.910.210 - "T" Definitions.

Tiny home community means a group of tiny homes, constructed either on a chassis or on a foundation typically smaller than 1,200 square feet per unit, that are arranged in common relationship to one another, usually surrounding a shared landscaped common open space area. Also known as a "pocket neighborhood."

~~Tiny home (Chassis). See mobile home. means a structure constructed on a chassis, intended for separate, independent living quarters that meets all of the following conditions:~~

~~The unit cannot (and is designed not to) move under its own power. When sited on a parcel the wheels and undercarriage shall be skirted;~~

~~No larger than allowed by California State Law for movement on public highways;~~

~~Has at least 100 square feet of first floor interior living space;~~

~~4. — Is a self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry;~~

~~5. — Is designed and built to look like a conventional building structure;~~

~~6. — Shall be licensed and registered with the California Department of Motor Vehicles and meet the American National Standards Institute 119.5 or National Fire Protection Association 1192 requirements;~~

~~7. — Served by underground utilities; and~~

~~8. — A tiny home is not a recreational vehicle as defined in the Zoning Code.~~

Tiny Hhome (Ffoundation) means a homedwelling unit that is either manufacturedfactory or site-built construction on a permanent foundation in accordance with applicable codes, laws and standards.

Townhouse means a dwelling unit occupying its own lot, but which is physically attached to at least one other dwelling unit. See definition in the General Plan.