

Chapter 19.540 – Adaptive Reuse

Section 19.540.010 Purpose.

The purpose of this Adaptive Reuse Ordinance is to implement the housing goals and priorities of the General Plan by providing incentives and a clear regulatory pathway for eligible Adaptive Reuse Projects within the City.

Section 19.540.020 Incentive Eligibility.

Adaptive Reuse Projects that are eligible for the incentives provided in this chapter are as follows.

A. Uses Allowed.

Adaptive Reuse Projects shall be permitted by right within the Eligible Project Areas. Such projects must involve the conversion of an eligible building from a non-residential use to a residential use as defined by this Chapter.

B. Eligible Buildings.

Eligible buildings are defined as non-residential buildings or structures within the eligible project which were constructed, or received a certificate of occupancy, at least 15 years prior, on a rolling basis areas including:

1. Parking structures
2. Buildings which do not contain any portion of legally occupied residential dwelling units
3. Buildings which are designated as a Cultural Resources pursuant to Title 20 are not exempt from this chapter.

C. Eligible Project Areas.

Buildings on parcels within the following zones are eligible for adaptive reuse:

1. **Commercial and Office Zones:** Office (O), Commercial Retail (CR), Commercial General (CG), and Commercial Regional Center (CRC)
2. **Residential Zones:** Medium High-Density Residential (R-3-4000, R-3-3000), High-Density Residential (R-3-2500, R-3-2000, R-3-1500), and Very High-Density Residential (R-4)
3. **Mixed-Use Zones:** Mixed-Use – Neighborhood (MU-N), Mixed-Use –Village (MU-V), and Mixed-Use –Urban (MU-U)
4. **Industrial Zones:** Business and Manufacturing Park (BMP)
5. Commercial, Office, and Mixed-Use districts as denoted within any Specific Plan.

Section 19.540.030 Definitions.

Adaptive Reuse Project. The conversion of any legally permitted building, in whole or in part, from its existing use to a residential use as part of a housing development project.

Bonus Floor Area. Additional floor area that is provided within or as an extension of height of the existing building envelope as a part of an Adaptive Reuse Project.

Existing Building Envelope. The three-dimensional space defined by the outermost horizontal and vertical limits of a lawfully established building as it physically exists on the effective date of a project application. The existing building envelope shall be measured to the exterior surfaces of walls and rooflines.

Cultural Resource. See Title 20.

Housing Development Project. A project which includes developments consisting of residential units only, mixed-use projects where at least two-thirds of the square footage is designated to dwelling units, or transitional, supportive, emergency, or farmworker housing.

Live/Work Unit. See Chapter 19.335.

New Construction. Ground up construction on the project site separate from the existing building envelope as a part of an Adaptive Reuse Project.

Non-residential Use. Any use other than those defined as a Residential Use in this chapter.

Residential Use. Any use that provides housing accommodations intended as a primary residence, has an occupancy duration exceeding thirty days, includes the provision of residential Supportive Services, or constitutes a Home Occupation. Residential Use encompasses only Dwelling Units, Efficiency Dwelling Units, Supportive Housing, Dormitories, Guest Rooms, Live/Work Units, and Joint Living and Work Quarters.

Section 19.540.040 Relationship to the Riverside Municipal Code.

The provisions of this Chapter are subject to the general reconciling provisions of applicable adopted Specific Plans and Overlay Zones except projects limited to the conversion of a portion of, or the entirety of an existing building envelope shall be exempt from the requirements of any applicable Specific Plan or Overlay Zone.

Projects within Cultural Resources shall comply with Title 20 of the Riverside Municipal Code and shall be subject to review by the Cultural Heritage Board and/or Historic Preservation Staff, as applicable.

Section 19.540.050 Design Review.

New construction, or bonus floor area, that is a part of an Adaptive Reuse Project shall be subject to Design Review per Chapter 19.710 – Design Review.

Section 19.540.060 Development Standards.

The following development standards shall apply to the housing development project. In the event of a conflict between other provisions of this Title and this Section, then this section shall prevail.

A. Parking

- 1) The existing number of on-site parking spaces shall be maintained, except as follows:
 - a. Where the number of parking spaces exceeds a ratio of one and one quarter (1.25) spaces per dwelling unit; or
 - b. Where the number of parking spaces exceeds a ratio of one (1) space per 5,000 square feet of commercial floor area
- 2) In such cases, excess spaces may be converted to other uses, including, but not limited to, additional dwelling units and open space.

B. Open space

- 1) Private and common usable open space shall be provided at a ratio of one hundred (100) square feet per dwelling unit or that of the underlying zone whichever is less, except where the existing building envelope is built to the lot line on all sides, which case the minimum ratio is fifty (50) square feet per dwelling unit.
- 2) Usable open space may be provided indoors, as a recreation/community room, or as programmed outdoor amenities.
- 3) At least twenty-five (25) percent of the usable open space shall be provided in the form of common or shared space.

C. New Construction.

- 1) Adaptive Reuse Projects may include new construction, as defined in this chapter, provided it complies with the following:
 - a. The new construction is on the same project site as the existing building envelope.
 - b. The new construction shall not exceed one (1) additional story above the highest occupiable floor of the existing building envelope, unless the base zone permits a greater height, in which the base zone shall apply.

- 2) **Residential Zones or Mixed-Use Zones.** For projects in Mixed-use and Residential zones, new construction shall be subject to the applicable provisions of the underlying zone and any applicable Specific Plan or Overlay Zone.
- 3) **Non-Residential Zones.** For projects in Non-Residential zones, new construction shall adhere to the development standards of the multi-family or mixed-use zone that most closely matches in number to the proposed density provided of the Adaptive Reuse Project.

Section 19.540.070 Existing Building Envelope Project Incentives.

A. Floor Area and Bonus Floor Area

- 1) Existing floor area that exceeds the floor area by the underlying zoning, specific plan, or general plan designation shall be permitted to remain.
- 2) Any new floor area created within or on top of the existing building envelope, including mezzanines or additional stories constructed entirely within that envelope, shall not be counted toward the maximum allowable floor area or height for the lot by the underlying zoning, specific plan, or general plan designation.

B. Floor Area Reallocation

If an Adaptive Reuse Project removes existing floor area to create interior light wells, courtyards, recessed balconies, or similar features that enhance natural light, ventilation, and habitability, then that removed floor area may be reallocated to building additions that extend the building envelope and increase gross floor area, provided they do not conflict with the height requirements outlined in this chapter.

C. Height

- 1) Existing building envelopes which exceed the maximum height of the underlying zoning, specific plan, or general plan designation may remain and shall be considered legal nonconforming.
- 2) Bonus floor area adding to the height of the existing building envelope may exceed the maximum height of the underlying zoning, specific plan, or general plan designation, as follows:
 - a. For existing buildings which are forty-nine (49) feet in height or less, up to an additional fifteen (15) feet is permitted.
 - b. For existing buildings which are fifty (50) feet in height or greater, up to an additional thirty (30) feet is permitted.

D. Density

Adaptive Reuse Projects may exceed the maximum residential density permitted by the underlying zoning, specific plan, or general plan designation, provided that the project complies with the height limitations set forth in this Section.

E. Minimum Unit Size

There is no minimum unit size.

F. Setbacks

- 1) Existing building setbacks may remain and shall be considered legal nonconforming.
- 2) Additions to the existing building envelope to accommodate bonus floor area or reallocated floor area may continue nonconforming setbacks, provided the addition does not increase the degree of nonconformity.

G. Stepbacks

Stepback requirements shall not apply to projects that have not been designated as a Cultural Resource per Title 20.

H. Parking

- 1) New parking spaces shall not be required for any converted use within the building or for bonus floor area constructed on top of the existing building envelope.
- 2) Up to five percent of any required additional vehicle parking spaces may be satisfied by providing an equal number of bicycle parking spaces.

I. Open space

- 1) Adaptive Reuse Projects which yield five (5) units or less are exempt from the open space requirements.
- 2) Adaptive Reuse Projects, which are within one half mile of a publicly accessible park, may reduce the total required open space by a maximum of twenty-five (25) percent.

J. Landscaping

- 1) Landscaping shall not be required for adaptive reuse of existing building envelopes and bonus floor area.

K. Loading

- 1) New loading zone(s) shall not be required if the existing building envelope does not have an existing loading zone.