

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



1.1

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED, FOUND AND DETERMINED that the following ordinances were duly published:

<u>ORDINANCE</u>	<u>DATE</u>	<u>NEWSPAPER</u>
No. 348.4926	August 25, 2020	The Press-Enterprise

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None

I hereby certify that the foregoing is a full, true and correct copy of an order made and entered on November 10, 2020 of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors
Dated: November 10, 2020
Kecia R. Harper, Clerk of the Board of Supervisors, in and for
the County of Riverside, State of California.

(seal)

By: *Wendell Raso*, Deputy

AGENDA NO.

1.1

ATTACHMENTS FILED WITH
THE CLERK OF THE BOARD

THE PRESS-ENTERPRISE

Ad Copy:

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
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PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: NOH - Ordinance No. 348.4926 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

09/11/2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 11, 2020
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
PO BOX 1147
RIVERSIDE, CA 92502

Ad Number: 0011410199-01

P.O. Number:

*TLMA / Planning
Item 21.4 of
08/25/20*

**ORDINANCE NO. 348.4926
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348
RELATING TO ZONING**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Subsection A.1. of Section 18.12. of Ordinance No. 348 is amended to read as follows:

"A.1. APPROVAL OF OFF-STREET PARKING PLAN. A plot plan, pursuant to the provisions of Section 18.30 of this ordinance, shall be filed for approval of all off-street parking facilities, except for one and two-family residences and additional residential accommodations, unless the off-street parking facilities are approved as a part of a design review, plot plan, conditional use permit or public use permit approval."

Section 2. A new subsection F. is added to Section 18.12 of Ordinance No. 348 to read as follows:

"F. ADDITIONAL RESIDENTIAL ACCOMMODATIONS. Additional requirements for off-street parking associated with additional residential accommodations are provided in Article XIXi of this ordinance."

Section 3. The title of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"SECTION 18.18. DETACHED ACCESSORY BUILDINGS AND STRUCTURES."

Section 4. Subsection A. of Section 18.18 of Ordinance No. 348 is amended to read as follows:

"A. INTENT. The Board of Supervisors has adopted the following provisions to establish minimum development requirements for the erection of detached accessory buildings and structures in the unincorporated areas of Riverside County. These requirements are intended to provide for the appropriate construction of detached accessory buildings and structures, enhance the aesthetic appearance of the community, preserve property values and protect the public health, safety and welfare."

Section 5. Subsection D. of Section 18.18 of Ordinance No. 348 is deleted in its entirety.

Section 6. Existing subsection E. of Ordinance No. 348 is relettered subsection D.

Section 7. Subsection F. of Section 18.18 of Ordinance No. 348 is deleted in its entirety.

Section 8. Subsection D. of Section 18.29a. of Ordinance No. 348 is deleted in its entirety.

Section 9. Subsections E., F., and G of Section 18.29a. of Ordinance No. 348 are relettered D., E., and F. respectively.

Section 10. Subsection D. of Section 18.53 of Ordinance No. 348 is amended to read as follows:

"D. EXCEPTIONS. Cottage food operations shall not be permitted in any Second Unit, Guest Quarter, accessory building, ADU or Junior ADU."

Section 11. Subsection E. of Section 19.501 of Ordinance No. 348 is amended to read as follows:

"E. All Commercial Cannabis Activities within any dwelling unit, ADU, Junior ADU, Second Unit, Guest Quarter, MOG, Ranchet, or any other residential accessory structure permitted for residential occupancy is prohibited."

Section 12. Article XIXi of Ordinance No. 348 is deleted in its entirety and replaced with the following:

"ARTICLE XIXi

ADDITIONAL RESIDENTIAL ACCOMMODATIONS

SECTION 19.800. PURPOSE AND INTENT.

This article establishes requirements and development standards for additional residential accommodations created to augment one-family dwellings or multiple family dwellings. These requirements and development standards are intended to facilitate the proper development of additional residential accommodations to increase supply and diversity of housing types within the unincorporated areas of Riverside County.

SECTION 19.801. APPLICABILITY

This article shall not apply to accessory dwelling units or junior accessory dwelling units that meet the requirements set forth in Government Code section 65852.2(e)(1). Applications for accessory dwelling units or junior accessory dwelling units meeting the requirements of Government Code section 65852.2(e)(1) shall be approved ministerially, pursuant to the process and requirements set forth in that section. Accessory dwelling units or junior accessory dwelling units that do not meet the requirements set forth in Government Code section 65852.2(e)(1) shall comply with this Article.

SECTION 19.802. DEFINITIONS AND CONSTRUCTION.

A. Definitions. For purposes of this Article, the following are considered additional residential accommodations and defined as follows:

1. Accessory Dwelling Unit (ADU): A dwelling that includes exterior access and provides complete independent living facilities, including a kitchen and bathroom, which are allowed in addition to a primary dwelling on lots zoned for one family dwellings or multiple family dwellings. An ADU may be an efficiency unit, as defined in section 17958.1 of the Health and Safety Code.
2. Junior Accessory Dwelling Unit (Junior ADU): A dwelling within a one family dwelling that includes exterior access and, at a minimum, a cooking area with cooking appliances, food preparation counters, and storage cabinets, all proportional to the size of the dwelling unit. A Junior ADU shall either include a self-contained bathroom or share a bathroom with the primary one family dwelling.
3. Second Unit: A one family dwelling that includes a kitchen and bathroom that is allowed on lots zoned for one family dwellings and includes an existing primary one family dwelling. A Second Unit is not an ADU as defined in this Article.
4. Guest Quarter: A living area dependent on some or all of the primary one family dwelling's facilities. A Guest Quarter shall not have a kitchen, but may include a bathroom. A Guest Quarter is not allowed on lots zoned for multiple family dwellings.
5. Multiple Owner Group (MOG) Unit: Any type of state-licensed mobilehome or manufactured home installed on or before May 14, 2013 on lots located within the Eastern Coachella Valley, as further defined in this Article.
6. Ranchet Unit (Ranchet): Any type of state-licensed mobilehome or manufactured home complying with Health and Safety Code section 18214(c), as may be amended, installed on lots larger than or equal to 2 gross acres that includes at least one additional Ranchet, and is located within the Eastern Coachella Valley, as further defined in this Article.

B. Construction. The construction of additional residential accommodations shall comply with the following:

1. An attached additional residential accommodation involves the expansion of an existing structure for the purposes of creating new habitable floor area.
2. A detached additional residential accommodation shall be on the same lot as the primary dwelling but not attached to it or any other structure. Except for Guest Quarters, a detached additional residential accommodation may be a mobilehome or manufactured home.
3. An interior additional residential accommodation involves the conversion of or inclusion within the footprint and floor area of an existing or proposed one family dwelling or associated attached structure, such as a garage, storage area, or similar structure. Limited expansion of an established footprint or floor

area is only allowed to provide necessary access to the additional residential accommodation.

4. An ADU may be an attached, detached or interior additional residential accommodation.
5. A Junior ADU shall be an interior additional residential accommodation within a one family dwelling or associated attached structure, such as a garage, storage area, or similar structure, but is not allowed within multiple family dwellings.
6. A Second Unit, Guest Quarter, MOG Unit or Ranchet shall be a detached additional residential accommodation.

SECTION 19.803. LOCATION AND ALLOWANCES.

A. Location. Additional residential accommodations are permitted by-right on lots zoned for one family dwellings or multiple family dwellings with the following exceptions:

1. Additional residential accommodations shall not be permitted on lots with a dwelling(s) that does not have all required building permits.
2. Additional residential accommodations shall not be permitted on lots that are constrained by water availability, water quality or sewage disposal or other public health and safety concerns. Prohibited areas shall include those areas where a development moratorium is imposed because of a moratorium for water or sewer, whether imposed by the County or another public agency with the authority to impose such a development moratorium.
3. MOG Units and Ranchets are only permitted within the Eastern Coachella Valley, as further defined in this Article.
4. MOG Units may be permitted on lots zoned for nonresidential uses if the lot and MOG Units meet the definition of MOG Unit as provided in this Article.

B. Allowances. The number of attached, detached or interior additional residential accommodations allowed on lots where there is an existing or proposed one family dwelling or an existing multiple family dwelling shall be in accordance with one of the following, but not a combination thereof:

1. One Family Dwelling.
 - a. One attached or interior additional residential accommodation shall be permitted per lot.
 - b. One detached additional residential accommodation shall be permitted per lot.
2. Multiple Family Dwelling.
 - a. One interior ADU shall be permitted per lot or a quantity that is less than or equal to twenty-five percent (25%) of the existing units within the multiple family dwelling, whichever is greater.
 - b. Two detached ADU shall be permitted per lot.
3. Eastern Coachella Valley.
 - a. The first MOG Unit or Ranchet installed on a lot shall be designated as the primary dwelling for the purposes of this Article.
 - b. A maximum of twelve detached MOG Units shall be permitted per lot; or,
 - c. A maximum of four detached Ranchets shall be permitted per lot in accordance with this Article. The maximum number of four detached Ranchets per lot shall include any existing primary dwelling. In the event an existing primary dwelling is converted to a Ranchet, all additional residential accommodations on the lot shall be considered Ranchets and shall comply with this Article.

SECTION 19.804. LAND USE PERMITS AND PROCESSING.

A. Land Use Permits. No discretionary land use permit such as, but not limited to, a plot plan or conditional use permit is required for an additional residential accommodation.

B. Site Design Plan. Applications for any additional residential accommodation shall include a site design plan demonstrating compliance with the development standards provided in this Article.

C. Processing. Applications for any additional residential accommodation shall be processed in accordance with this ordinance, Ordinance No. 671 and Ordinance No. 457, as applicable. Applications for an ADU or Junior ADU shall be acted upon within sixty (60) days of the application being submitted to the County. Acting on an application may include approving or denying an application, providing corrections resulting from plan check, or issuing, withdrawing, cancelling or abandoning an application; or any other similar action. The County may delay acting on an application for an ADU or Junior ADU until after acting on an application for a new primary dwelling on the same lot.

D. Residential Use. Additional residential accommodations shall be deemed an accessory residential use.

SECTION 19.805. APPROVAL REQUIREMENTS.

A. An application for an additional residential accommodation shall be accepted and approved if it complies with all of the following:

1. The requirements and development standards set forth in this Article.
2. All applicable laws and regulations related to health and safety including, but not limited to, Fire and Building Code regulations.
3. All required approvals are obtained prior to submittal from the Riverside County Department of Environmental Health, Fire Department, and the Riverside County Airport Land Use Commission.
4. Written confirmation has been provided from the Department of Environmental Health for the use of an existing or new septic system for any additional residential accommodation.
5. If applicable, a percolation test is completed and certified within the last five years or recertified within the last ten years, by the Riverside County Department of Environmental Health.
6. All required approvals are obtained from the applicable water and sewer purveyor(s).
7. If applicable because of geographic location and constraints, all required approvals from the Fire Department, Riverside County Flood Control and Water Conservation District, Coachella Valley Water District or the Environmental Programs Division of the Planning Department.

B. For the purposes of fire or life protection, a Junior ADU shall not be considered a separate or new dwelling unit.

C. No final inspections shall be performed or certificate of occupancy shall be issued, for an additional residential accommodation prior to the final inspection for the new one family dwelling located on the same lot.

D. Additional residential accommodations shall not be subject to Section 18.10 and Section 18.11 of this ordinance related to location and size of dwellings.

SECTION 19.806. FEES AND UTILITY CONNECTIONS.

A. Impact and connection fees shall be calculated in accordance with applicable State and local laws and regulations including, but not limited to, Government Code sections 65852.2 and 65852.22, and Riverside County Ordinance No 659.

B. An attached/interior ADU or Junior ADU shall not be required to install a new or separate utility connection directly between the unit and the utility, but may be required if the unit was created or constructed concurrently with a new one family dwelling, as determined through the permitting process. Guest Quarters shall not be permitted to install a new or separate utility connection directly between the

- d. No replacement parking spaces shall be required for conversion of any existing parking spaces, including garages, carports or marked spaces into an ADU.
- 3. Second Unit.
 - a. One (1) parking space per one-(1) bedroom unit shall be required; or,
 - b. Two (2) parking space for units with two (2) or more bedrooms shall be required.
 - c. Any conversion of existing parking space(s) into a Second Unit shall be replaced at a 1:1 ratio.
- 4. MOG Units. Parking spaces shall be provided pursuant to Section 18.12 of this ordinance, with the exception of the following criteria:
 - a. Parking spaces shall be located immediately adjacent to each MOG Unit; and,
 - b. Parking spaces shall be developed using impervious surfaces.
- 5. Ranchets. Parking spaces shall be provided pursuant to Section 18.12 of this ordinance.
- G. Design.
 - 1. Additional residential accommodations shall be compatible with the architecture of the primary one family dwelling or multiple family dwelling on the same lot and consistent with the surrounding neighborhood.
 - 2. Attached and Interior additional residential accommodations shall have exterior access to the unit.
 - 3. In accordance with Title 25 of the California Code of Regulations, as may be amended, MOG Units and Ranchets shall include any required opaque skirt entirely around the unit in order to screen the area between the ground level and the floor of the unit.
- H. Access.
 - 1. All weather access for emergency vehicles shall be provided for any additional residential accommodation that is located more than one-hundred and fifty feet (150 ft.) from a public right-of-way.
 - 2. All access roads for emergency vehicle or driveways that service an additional residential accommodation shall be at least twenty (20) feet in width and shall have a clear and unobstructed access to the public road.
 - 1. MOG Unit Specific Development Standards.
 - 1. MOG Units shall be located within individual and separate spaces, which may also include accessory structures or appurtenances attached thereto or used in conjunction therewith. Spaces shall only include one MOG Unit.
 - a. The minimum size of each space within the lot shall be 2,500 square feet.
 - b. The minimum dimension of the space shall be thirty (30) feet in width and eighty (80) feet in depth.
 - c. The minimum coverage of each space shall not exceed seventy-five percent (75%) of the space area with structures, including the manufactured home unit, any attached or detached accessory structures, such as awnings, stairways, and ramps.
 - 2. Separation of buildings or structures shall comply with Title 25 of the California Code of Regulations, as may be amended.
 - 3. Walls and Fences and Landscaping.
 - a. A chain link fence, or other similar material, shall be erected along the perimeter of the lot, except when prohibited in flood areas or similar situations.
 - i. The fence shall be at least six (6) feet in height.
 - ii. The fence shall be screen by landscaping or other material.
 - b. A chain link fence, or other similar fencing, at least three (3) feet in height shall be erected between spaces on the lot. Landscaping may be used in lieu of required fencing between spaces on the lot.
 - 4. Additional Access Requirements.
 - a. MOG Units shall be located no further than 450 feet from a public dedicated and maintained road.
 - b. MOG Units shall be served by an all-weather access road or driveway, such as a Class 2 base or a material capable of supporting emergency vehicles as approved by the Fire Department.
 - c. No additional curb cuts, rear access or any other types of access for the lot shall be allowed, except where authorized by the Riverside County Transportation Department through the issuance of an encroachment permit connecting with a public right-of-way.

SECTION 19.808. OCCUPANCY AND FIRE PROTECTION.

- A. Occupancy.
 - 1. Accessory Dwelling Unit. Property owners shall not be required to occupy, or live within, the primary dwelling or ADU located on the same lot, if the ADU is permitted between January 1, 2020 and June 1, 2025. If an ADU is permitted after June 1, 2025, property owners must occupy, or live within, the primary dwelling or ADU located on the same lot. Appropriate verification to show occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owners name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for the property owner.
 - 2. Second Unit or Guest Quarter. Property owners must occupy, or live within, the primary dwelling existing on the same lot as the Second Unit or Guest Quarter. Appropriate verification to show occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owner's name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for property owner.
 - 3. Junior Accessory Dwelling Unit. Property owners must occupy, or live within, either the primary dwelling or Junior ADU located on the same lot. Appropriate verification showing occupancy, as determined by the County, may include, but not limited to, utility bills or official mail with the property owner's name, government issued identification or license with primary address and property owner's name, or documents showing official registration primary address as residence for property owner.
 - 4. Owner-occupancy requirements shall not apply if the property owner is another governmental agency, land trust, housing organization or other similar agency or organization.
 - 5. Except for Guest Quarters and MOG Units, additional residential accommodations may be rented to and occupied by any person(s) in accordance with occupancy requirements provided in this Article. The renting of a Ranchet is for the mobilehome or manufactured home only and shall not create a real property interest in the lot the Ranchet is located on.
 - 6. Additional residential accommodations shall not be rented for a period less than or equal to 30 days.
 - 7. Guest Quarters shall be used exclusively by the occupants of the one family dwelling on the same lot or their non-paying guests.
 - 8. MOG Units shall be occupied by at least two (2) separate legal owners, verified with the latest deed, which shall live in separate MOG Units. MOG Units shall not be rented or leased, or held out for rent or lease.

9. Additional residential accommodations shall be used for residential purposes and may include home businesses or occupations as allowed by local or state laws.
 10. Additional residential accommodations shall not be sold as a separate unit, except as provided by local or state law and, if required, the lot is subdivided pursuant to local and state subdivision laws.
 11. For lots with a proposed Junior ADU, a deed restriction in accordance with Government Code section 65852.22(a)(3), as may be amended, shall be recorded on the property and included in the application for the Junior ADU.
- B. Fire Protection.
1. Water supply to the lot shall be capable of providing the required fire flow for fire protection, pursuant to the California Fire Code.
 2. ADUs or Junior ADUs shall provide fire sprinklers only if the primary dwelling is required to provide fire sprinklers.
- SECTION 19.809. ADDITIONAL MOG UNIT REQUIREMENTS.
- A. Ownership.
1. Lots with MOG Units must be jointly owned by multiple owners, and all owners must be listed on the deed.
 2. Property owners shall notify the Planning Director, or designee, of any change in ownership within thirty (30) days of the change. Ownership and occupancy shall meet the requirements of this article for the life of the MOG Unit.
- B. Subdivision and Installation.
1. The allowance of multiple MOG Units on one lot does not constitute a subdivision of that lot under the Subdivision Map Act or Riverside County Ordinance No. 460.
 2. MOG Units shall not be sold separately, unless the underlying lot is subdivided pursuant to all applicable local and state subdivision and land use laws.
 3. MOG Units shall be pre-existing and installed prior to May 14, 2013.
 4. MOG Units shall be located on a lot with at least one other MOG Unit.
 5. MOG Units shall be part of an existing grouping of manufactured homes on one (1) lot, referred to as an existing "MOG manufactured home park." No expansion of the existing MOG manufactured home park shall be permitted.
 6. MOG Units shall be installed per manufacturer's specifications on approved piers. No permanent foundation shall be allowed for a MOG Unit, except where required by the applicable flood control district.
 7. MOG Units on approved piers shall be screened by an opaque skirt to completely cover the area between the floor and the ground and completely cover the approved piers.
 8. No outside storage shall be allowed on lots with MOG Units.
- C. Utilities.
1. MOG Units shall have separate utility services and connections, except for MOG Units connected to sub-surface sewage disposal systems.
 2. Propane tanks shall include appropriate setbacks, pursuant to the California Fire Code.
 3. The maximum size of a propane tank shall be 250 gallons.
 4. Electrical meter banks may be permitted, subject to written approval by the local electric provider.
 5. MOG Units shall have running water.
 6. MOG Units served by a water well shall meet minimum production requirements set forth in Riverside County Ordinance No. 682.
 7. MOG Units connected to a septic system or well shall obtain all necessary approvals from the appropriate departments.
 8. MOG Units utilizing any proposed State Small Water System shall obtain approval from the Riverside County Department of Environmental Health.

SECTION 19.810. EASTERN COACHELLA VALLEY BOUNDARY.
For the purposes of this article, the Eastern Coachella Valley boundary shall include all that area identified as the "Area Plan Boundary" in Figure 3, or the Land Use Plan, of the Eastern Coachella Valley Area Plan, which is part of the Riverside County General Plan, as amended.

SECTION 19.811. DENSITY.

- A. An additional residential accommodation that conforms to this Article shall not be considered to exceed the allowable density established by the General Plan for the lot upon which the additional residential accommodation is located.
- B. An additional residential accommodation that conforms to this Article shall be considered consistent with the Riverside County General Plan, including the Land Use Element, and the residential uses of the applicable zoning classification for the lot upon which the additional residential accommodation is located.

SECTION 19.812. CONFLICTING STANDARDS AND REQUIREMENTS.

- A. In the event there is a conflict between the requirements and development standards set forth in this Article and a lot's applicable zoning classification or other provision in this ordinance, the provisions of this Article shall prevail.
- B. If any provision of this Article conflicts with California Government Code Section 65852.2 or 65852.22, the provisions of the Government Code sections shall prevail."

Section 13. Section 21.35a. of Ordinance No. 348 is amended to read as follows:

"SECTION 21.35a. GUEST QUARTER.

Guest quarter is defined in Article XIXj of this ordinance."

Section 14. Section 21.51a. of Ordinance No. 348 is amended to read as follows:

"SECTION 21.51a. MOBILEHOME PARK.

Mobilehome park is any area of tract of land where one or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehome used for human habitation. The rental paid for any such mobilehome shall be deemed to include rental for the lot it occupies. Mobilehome park does not include lots containing Ranchets pursuant to Article XIXj of this ordinance.

Notwithstanding the foregoing definition, any person, not including a mobilehome park operator, who owns a mobilehome and owns, rents or leases the land upon which the mobilehome is located, is permitted to rent, lease, sublease, let out, or hire out for occupancy the mobilehome and the land upon which the mobilehome is located, without obtaining a permit to construct or operate a mobilehome park."

Section 15. This ordinance shall take effect thirty (30) days after its adoption.

V. Manuel Perez, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **August 25, 2020**, the foregoing Ordinance consisting of fifteen (15) sections was adopted by said Board by the following vote:

AYES: Jeffries, Spiegel, Washington, Perez and Hewitt
NAYS: None
RECUSE: None

Kecia R. Harper, Clerk of the Board
By: Hannah Lumanauw, Board Assistant