

MANUFACTURED HOUSING PROJECTS

SPECIAL BULLETIN 2008-09

September 19, 2008

TO: So. California Retailers and Developers

FROM: Billie Tribbett 

CC: Jess Maxcy

SUBJECT: NEW Riverside County Second Unit Ordinance

The Riverside County Board of Supervisors has approved and adopted a new Ordinance for second unit placements in the unincorporated areas of the county. There are several changes that should be noted in Section c. items 1 through 12 and Section d. items 1 through 5.

Note: Minimum lot size has increased to one acre. The maximum allowable living area of a second unit placed on a one acre, but less than 2 acre, parcel is 800 square feet. For parcels with two acres or more, the maximum allowable living area is 1200 square feet.

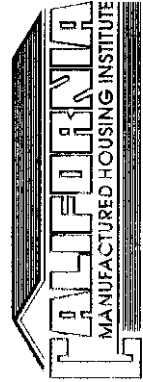
The Planning Director will now review these applications “ministerially without discretionary review or hearing.” Therefore, each item in this ordinance must be addressed at the time of application. Please review these new requirements thoroughly.

CMHI has reviewed this ordinance and attended meetings with County Counsel to ensure that requirements will not be discriminatory to manufactured housing. We reviewed the zoning amendments and there are no changes to current land use zoning.

These changes are effective October 1, 2008. Please review the attached ordinance.

If you have any questions, please contact the Riverside County Department of Building and Safety at (951) 955-2025.

* Attachments



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ORDINANCE NO. 348.4574

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. Section 18.28a. of Ordinance No. 348 is amended to read as follows:

“SECTION 18.28a. SECOND UNIT PERMITS.

a. **APPLICATION.** An application for a second unit permit shall be made in writing to the Planning Director on the forms provided by the Planning Department, shall be accompanied by the filing fee as set forth in County Ordinance No. 671 and shall include the following information:

- (1) Name and address of the applicant, and evidence that the applicant is the owner of the property.
- (2) Assessor's parcel number of the property.
- (3) A plot and development plan drawn in sufficient detail to clearly describe the following:
 - a) Physical dimensions of the property.
 - b) Location and dimensions of all existing and proposed structures, walls, fences and landscaping.
 - c) Location and dimensions of all existing and proposed easements, septic tanks, leach lines, seepage pits, drainage structures and utilities.
 - d) Location, dimensions, and names of all adjacent roads, whether public or private, showing the location of the street centerline and all existing improvements such as sidewalks, curbs, gutters and curb cuts.
 - e) Setbacks.

1 f) Existing and proposed methods of circulation, including
2 ingress and egress, driveways, parking areas and parking
3 structures.

4 g) Topography of the property, including the mapping of all
5 areas with a slope in excess of 25 percent.

6 (4) Panoramic color photographs showing the property from all sides
7 and showing adjacent properties.

8 (5) A description of walls, landscaping, and architectural treatments
9 proposed for the second unit.

10 (6) A clearance letter from the County Health Department with respect
11 to any proposed water or sanitary facilities.

12 (7) Written confirmation from any water district or sewer district
13 providing service of the availability of service.

14 (8) A statement calculating the "usable lot area" of the lot. For
15 purposes of this section, "usable lot area" shall mean the lot area
16 reduced by the area of any portion of the lot used solely for access to
17 the portion of the lot used as a building site and by the area of the lot
18 consisting of slopes in excess of 25 percent.

19 (9) Such additional information as shall be required by the Planning
20 Director.

21 b. REVIEW AND NOTICE OF DECISION. The Planning Director shall
22 consider the application ministerially without discretionary review or a
23 hearing. Notice of decision on the application shall be mailed to the
24 applicant. The decision of the Planning Director shall be final.

25 c. DEVELOPMENT STANDARDS. No second unit permit shall be
26 approved unless it complies with the following requirements:

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- 1 The lot is zoned for a one-family dwelling as a permitted use;
 2 provided, however, that the lot may not be part of a planned
 3 residential development or located in the R-6 Zone.
 4 No second unit shall be permitted on any lot with usable lot area less
 5 than one acre. Second units are permitted as follows:

USABLE LOT AREA	ALLOWABLE LIVING AREA*
1 acre but less than 2 acres	500 square feet minimum 800 square feet maximum
2 acres or larger	500 square feet minimum 1200 square feet maximum

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 10 *Living area includes the interior habitable area of a second unit including basements and attics
 11 but does not include a garage or any accessory structure. Second units shall not be subject to the
 12 provisions of Section 18.1.1 of this ordinance.

- 13 (3) The lot contains one, and only one, existing primary detached one-
 14 family dwelling unit, and the existing primary dwelling unit will be
 15 the dwelling unit of an owner-occupant.
 16 (4) Off-street parking shall be required for the second unit in addition
 17 to any off-street parking requirements for the existing dwelling unit.
 18 A minimum of one parking space shall be provided for a second
 19 unit. If a second unit contains more than one bedroom, an additional
 20 parking space shall be provided for each additional bedroom. The
 21 required off-street parking for a second unit may be located in
 22 setback areas or through tandem parking.
 23 (5) The second unit shall be used as a dwelling unit only, and no
 24 businesses or home occupations of any kind may be conducted in
 25 the second unit.
 26 (6) Second units shall be located at the rear or in the side portions of
 27 the lot and shall not be located in front of the existing dwelling unit.

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- (7) The second unit shall comply with all development standards of the zone in which the lot is located, including but not limited to, height, setbacks, and lot coverage.
- (8) No second unit shall exceed the height of the existing primary dwelling unit.
- (9) Any second unit located more than 150 feet from a public right-of-way shall provide all-weather access for emergency vehicles.
- (10) Written confirmation from the sewer district having jurisdiction of the availability of sewer service for the second unit or written approval from the County Health Department for use on an existing or new septic system shall be required. Written confirmation from the water district having jurisdiction of the availability of water service for the second unit or written approval from the County Health Department for use of an existing or new well shall be required.
- (11) Second units shall not be permitted in those areas of the County which have significant problems with regard to water availability or quality, sewage disposal or other public health or safety concerns. Prohibited areas shall include, but not be limited to, those areas where a development moratorium has been imposed, including a moratorium for water or sewer, whether imposed by the County or another public agency with the authority to impose a development moratorium.
- (12) Second units permitted pursuant to this Section do not exceed the allowable density for the lot upon which the second unit is located and constitute a residential use that is consistent with the general plan and zoning designation for that lot.

1 d. CONDITIONS. A second unit permit shall be subject to such conditions as
2 are necessary to assure compliance with this ordinance and any other
3 provision of law, including without limitation, the following:

- 4 (1) The second unit may not be sold as a separate unit unless the lot is
5 subdivided pursuant to all applicable laws and local ordinances.
6 (2) A dwelling unit originally permitted as a second unit may not later
7 be considered a primary dwelling unit for any purpose.
8 (3) An owner of the lot shall occupy the primary dwelling unit. Written
9 certification of continued compliance with the occupancy restriction
10 of this subsection shall be provided to the Planning Director on or
11 before January 15 of each year.
12 (4) The second unit may be occupied by any person without rent. The
13 second unit may also be rented; provided, however, that rental
14 occupancy shall be limited to persons and families of low or
15 moderate income as defined in Section 50093 of the Health and
16 Safety Code. Certification of continued compliance with the
17 occupancy restrictions of this subsection shall be provided to the
18 Planning Director on or before January 15 of each year.
19 (5) No building permit for a second unit permit shall be issued until a
20 covenant with respect to the occupancy requirements of this
21 ordinance, in the form and content approved by County Counsel, is
22 recorded by the property owner.

23 e. USE OF PERMIT. The life of the permit shall be unlimited provided the
24 second unit is used in compliance with the provisions of this ordinance, all
25 conditions of approval imposed in connection with the permit, and all other
26 applicable provisions of law. Violation of the provisions of this ordinance
27 or the conditions of approval of the permit shall be grounds for revocation
28 of the permit.

1 f. REVOCATION OF PERMIT. A second unit permit may be revoked in
2 accordance with the findings and procedure contained in Section 18.31 of
3 this ordinance. The decision revoking a second unit permit may include,
4 without limitation, an order requiring demolition of the second unit.

5 g. EFFECT OF AMENDMENT. The amendments to this section adopted by
6 Ordinance No. 348.4574 (effective October 2, 2008) shall not apply to any
7 second unit permit in effect prior to that date. A second unit permit issued
8 prior to that date shall remain valid and a second unit constructed pursuant
9 to such permit shall be considered in compliance with all relevant laws,
10 ordinances, rules and regulations.

11 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

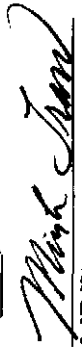
12 BOARD OF SUPERVISORS OF THE COUNTY
13 OF RIVERSIDE, STATE OF CALIFORNIA

14 By: _____
15 Chairman, Board of Supervisors

16 ATTEST:
17 CLERK OF THE BOARD

18 By: _____
19 Deputy
20 (SEAL)

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22 APPROVED AS TO FORM
23 August 26, 2008

24 By: 
25 MINH TRAN
26 Deputy County Counsel

27 MCT:mdk
07/17/08

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