

**Chapter 9.03**

**RESIDENTIAL DISTRICTS**

**Sections:**

- 9.03.010 Purpose and Intent
- 9.03.020 Residential Development Districts
- 9.03.030 Use Regulations for Residential Districts
- 9.03.040 Residential Site Development Standards

**Section 9.03.010 Purpose and Intent**

The General Plan outlines goals, objectives, and policies regarding the character of residential uses and developments. It is the purpose of this Chapter to provide regulations that implement those goals, objectives and policies toward the provision of a wide range of residential opportunities and dwelling unit types that meet the needs of present and future Moreno Valley residents of all socio-economic groups. It is the further intent of this Chapter to: ensure adequate light, air, privacy, and open space for each dwelling; to minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive bulk or number in relation to the land area around them; to protect residential properties from objectionable noise, illumination, unsightliness, odors, smoke and other influences; and to facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities, and service requirements.

**Section 9.03.020 Residential Development Districts**

The following describes the general product type and density provisions for the specified residential development districts. The ultimate density allowed in any residential district shall be determined through the project review process and public hearings as described in Chapter 9.02 of this Title. The Planning Commission and City Council shall have the authority to reasonably condition any discretionary residential development to ensure proper transition and compatibility to adjacent developments, existing or proposed.

Further:

1. Threshold densities established for the Residential 5, Residential 10, Residential 15, and Residential 20 districts may be exceeded up to the maximum allowable density for each such district only if it is determined that:
  - a. Area infrastructure (utilities, schools and parks) can support increases in density;
  - b. The proposed density increase will be compatible with surrounding land uses; and
  - c. The project provides either:
    - (1) Housing affordable to low and very low income households;
    - (2) Housing meeting the requirements of special needs groups as identified in adopted housing policies; or
    - (3) Amenities not commonly found in projects of similar density.
2. Densities in excess of the maximum allowable density for projects within the Residential 10, 15, and 20 districts may be permitted for senior citizens apartment and congregate care projects, subject to all other applicable provisions of this Title.
3. Density bonuses may be granted subject to the provisions of California Government Code Section 65915(a) and 65918 if the following findings can be made:
  - a. The project will not have a specific, adverse impact upon the public health or safety; and
  - b. There are feasible methods to satisfactorily mitigate or avoid the adverse impacts identified.

**A. Rural Residential District (RR)**

In conformance with the purpose and intent of the Rural Residential land use designation established in the City's General Plan, it is the intent of the Rural Residential District to provide for and protect rural lifestyles involving large lots growing fruits and vegetables, and animal keeping. It is the further intent of this District to protect natural resources and hillsides in the rural portions of the City.

**B. Hillside Residential District (HR)**

The primary purpose of the Hillside Residential (HR) District is to balance the preservation of hillside areas with the development of view oriented residential uses. It is the further intent of this district to provide regulations for the limited development of those hillside areas in a manner that will maintain natural open

space areas, protect significant landforms and other natural resources, protect views from existing development, retain opportunities for views from development sites, preserve and enhance vistas from public places, minimize the extent and occurrence of erosion and other potential hazards of development in areas of steep topography, and generally protect the public health, safety and welfare. The keeping of animals is permitted, however, the keeping of large animals may be prohibited subject to compatibility with local urbanization and topographic constraints.

**C. Residential 1 District (R1)**

The primary purpose of the R1 district is to provide for and protect the rural and agricultural atmosphere, including the keeping of animals, that have historically characterized these areas. This district is intended as an area for development of low density, large lot, single family residential dwelling units at a maximum density of 1.0 dwelling unit (DU) per net acre.

**D. Residential 2 District (R2)**

The primary purpose of the R2 district is to provide for suburban life-styles on residential lots larger than are commonly available in suburban subdivisions, and to allow non-equestrian residential developments in a rural atmosphere. This district is intended as an area for development of large lot, single family residential development at a maximum allowable density of 2.0 DU's per net acre.

**E. Residential Agriculture 2 District (RA2)**

The primary purpose of the RA2 district is to provide for suburban life-styles on residential lots larger than are commonly available in suburban subdivisions and to provide for and protect the rural and agricultural atmosphere, including the keeping of animals, that have historically characterized these areas. This district is intended as an area for development of large lot, single family residential development at a maximum allowable density of 2.0 dwelling units (DU) per net acre.

**F. Residential 3 District (R3)**

The primary purpose of the R3 district is to provide a transition between rural and urban density development areas, and to provide for a suburban life-style on residential lots larger than those commonly found in suburban subdivisions. This district is intended as an area for development of large lot, single family residences at a maximum allowable density of 3 DU's per net acre.

**G. Residential 5 District (R5)**

The primary purpose of the R5 district is to provide for residential development on common sized suburban lots. This district is intended as an area for development of single family residential and mobile home subdivisions at a threshold density of 4 DU's per net acre and a maximum allowable density of 5 DU's per net acre in accordance with the provisions outlined herein.

**H. Residential 10 District (R10)**

The primary purpose of the R10 district is to provide for a variety of residential products and to encourage innovation in housing types with enhanced amenities such as common open space and recreation areas. This district is intended as an area for development of attached residential dwelling units, as well as mobile home parks at a threshold density of 8 dwelling units per net acre with maximum allowable density of 10 dwelling units per net acre in accordance with the provisions outlined herein.

**I. Residential Single-Family 10 District (RS10)**

The primary purpose of the RS10 District is to provide for residential development on small single-family lots with amenities not generally found in suburban subdivisions. The district is intended for subdivisions at a threshold density of 8 dwelling units per net acre with a maximum allowable density of 10 dwelling units per net acre.

*[Added by Ordinance 468, effective 9/22/95]*

**J. Residential 15 District (R15)**

The primary purpose of the R15 district is to provide a broadened range of housing types for those not desiring detached dwellings on individual parcels, and with open space and recreational amenities not generally associated with typical suburban subdivisions. This district is intended as an area for development of attached residential dwelling units, as well as mobile home parks, at a threshold density of 12 DU's per net acre and with a maximum allowable density of 15 DU's per net acre in accordance with the provisions outlined herein.

**K. Residential 20 District (R20)**

The primary purpose of the R20 district is to provide a broadened range of housing types in a more urban setting than is typically found within other areas of the city, with particular emphasis on the needs of low and moderate income families. This district is intended as an area for development of multi-family residential dwelling units, as well as mobile home parks, at a threshold density of 16 DU's per net acre with a maximum allowable density of 20 DU's per net acre in accordance with the provisions outlined herein.

**Section 9.03.030 Use Regulations for Residential Districts**

For Residential Districts, unless otherwise expressly provided in this Title, permitted uses are limited to those described in the Permitted Uses Table, Section 9.02.020 of this Title.

**Section 9.03.040 Residential Site Development Standards**

The following standards shall apply to land and permitted or conditionally permitted buildings and structures located within the herein described residential districts. The standards stated herein are not intended to prevent more restrictive private site development standards contained in the covenants, conditions and restrictions or other private consensual restrictions imposed on any property or dwelling unit. However, in no case shall private deed or other property restrictions be applied or recognized so as to permit a lesser standard than the minimum standards established in this Title or to otherwise revise the standards established by this Title.

**A. Rural Residential Requirements**

1. Slope-Density-Natural Area Relationship

The maximum density (du/ac) and the minimum percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table as defined below.

a. Slope-Density-Natural Area Table 9.03.040-4

<u>Slope Class (DU/Acre)</u>	<u>Allowable Density</u>	<u>Amount of Open Space Required</u>
Greater than 25%	0.05 (1 du/20 ac)	60%
15.1% to 25%	0.10 (1 du/10 ac)	50%
10% to 15%	0.20 (1 du/ 5 ac)	35%
Less than 10%	0.40 (1 du/2.5 ac)	n/a

b. Slope analysis calculations and mapping shall be provided by the applicant as described under 9.03.040 C. The Community Development Director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.

c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if 10 acres of the project falls within the 10 to 15% slope class and 5 acres falls within the 15.1 to 25% slope class, then the total permitted yield shall be 2 dwelling units (10 ac x 0.10 du/ac plus 5 ac x 0.20 du/ac).

2. Minimum Lot Size

The minimum lot size within the Rural Residential District is one acre, except that lots as small as 20,000 square feet may be clustered on slopes of less than 10 percent if the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the City. The on-going maintenance of such open space areas shall be ensured through a mechanism approved by the City.

3. Subdivision Design and Future Land Divisions

Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within 300 feet of the project boundary. Parcels greater than 5 acres in area shall be excluded from the calculations when determining the average lot size within 300 feet of the project boundary.

Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the District. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by Development Agreement or other type of recorded deed restriction approved by the City.

4. Building Height

Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height provided that on slopes of less than 10%, the overall height shall not exceed 35 feet.

5. Setbacks and Other Site Development Criteria

Front, side and rear setbacks and other site development standards not specifically referenced in this Section shall be subject to the following standards:

<u>Lot Size</u>	<u>Standards</u>
Under 40,000 s.f.	R2 district standards
40,000 s.f. or greater	R1 district standards

- 6. Grading within the Rural Residential District shall be performed as described under the Hillside Residential Requirements, Section 9.03.040 (B) (6).

**B. Hillside Residential Requirements**

1. Slope-Density-Natural Area Relationship

The maximum density (du/ac) and the percent of a site to remain in a natural state shall be determined by a slope analysis applied to the Slope-Density-Natural Area Table as defined below.

- a. Slope-Density-Natural Area Table 9.03.040-5

<u>Slope Class (DU/Acre)</u>	<u>Allowable Density</u>	<u>Minimum Amount</u>
	<u>Open Space Required</u>	
Greater than 25%	0.10 (1 du/10 ac)	60%
15.1% to 25%	0.25 (1 du/4 ac)	50%
10% to 15% 0.50 (1 du/2 ac)	35%	
Less than 10%	1.00 (1 du/ ac)	n/a

- b. Slope analysis calculations and mapping shall be provided by the applicant as described under 9.03.040 C. The Community Development Director may require the slope analysis to be certified by a qualified civil engineer or licensed surveyor.
- c. The total number of dwelling units permitted within a project area shall be the sum of the allowable dwelling units within each slope class. For example, if 10 acres of the project falls within the 15.1 to 25% slope class and 5 acres falls within the greater than 25% slope class, then the total permitted yield shall be 3 dwelling units (10 ac x 0.25 du/ac plus 5 ac x 0.10 du/ac).

2. Minimum Lot Size

The minimum lot size within the Hillside Residential District is 20,000 square feet, except that lots as small as 10,000 square feet may be clustered on slopes of less than 10 percent if the lots are part of a project that preserves the steeper slope classes as natural open space by dedication to an appropriate governmental entity, open space easement, transfer of development rights or other means approved by the City. The on-going maintenance of such open space areas shall be ensured through a mechanism approved by the City.

3. Subdivision Design and Future Land Divisions

Subdivisions shall be compatible with the surrounding development pattern. A subdivision shall be considered compatible if the lots created along the outside boundary of the project are no smaller than the average lot size within 300 feet of the project boundary. Parcels greater than 5 acres in area shall be excluded from the calculations when determining the average lot size within 300 feet of the project boundary.

Subdivisions shall be designed in such a way as to transfer development density to the lower slope classes and preserve the steeper slopes for very low density and/or open space. Subdivisions created in this way are prohibited from further division so as not to circumvent the density transfer and the purpose of the District. This restriction shall be binding on the subdivider and subsequent land owners. Therefore, this restriction shall be secured by Development Agreement or other type of recorded deed restriction approved by the City.

4. Building Height

Dwellings and other accessory structures shall not exceed thirty (30) feet in overall height provided that on slopes of less than 10%, the overall height shall not exceed 35 feet.

5. Setbacks and Other Site Development Criteria

Front, side and rear setbacks and other site development standards not specifically referenced in this Section shall be subject to the following standards:

<u>Lot Size</u>	<u>Standards</u>
Less than 20,000 s.f.	R-3 district standards
20,000 s.f. to 40,000 s.f.	R-2 district standards
40,000 s.f. or greater	R-1 district standards

6. Grading of any site shall be minimized and shall conform to the provisions contained in the City of Moreno Valley Design Guidelines under "Applications for Hillside Development" and the following standards:

<u>Slope Class</u>	<u>Standards</u>
15.1 - 25%	Padded building sites may be allowed, but maximum use of custom foundations and split level designs shall be employed to reduce the need for large padded building areas.
Above 25%	Mass grading is not permitted. Special hillside architectural and design techniques are expected in order to conform to the natural landform. Homes constructed on lots within this terrain shall use

custom, multiple-level foundations.

For all areas:

All graded areas shall be protected from wind and water erosion through acceptable slope stabilization methods such as planting, walls, or jute netting.

### **C. Slope Calculations**

For the purposes of this Section, the following method will be used to determine slope.

1. Slope is herein defined as the relationship between the change in elevation (rise) of the land and the horizontal distance (run) over which that change in elevation occurs. The percent of any given slope is determined by dividing the rise by the run on the natural slope of land, multiplied by 100.
2. For the purpose of determining the amount and location of land falling into each slope category, the applicant shall submit to the Community Development Department, at the time of application, a base topographic map of the subject site prepared and signed by a registered civil engineer or licensed land surveyor. Such a map shall have a scale of not less than one (1) inch to two hundred (200) feet and a contour interval of not more than ten (10) feet.

This base topographic map shall include all adjoining properties within 300 feet of the site boundaries. Slope bands in the range of less than ten (10) percent, ten (10) to fifteen (15) percent, fifteen (15) to twenty-five (25) percent, and greater than twenty-five (25) percent shall be delineated on the topographic map. The map shall be accompanied by a tabulation of the land area in each slope category specified in acres. The exact method for computing the percent slope and area by percent slope category is to be sufficiently described and presented so that a review can readily be made.

*[Amended by Ordinance 386, effective 3/11/93]*

3. Slope Mapping Method
  - a. The percent slope of any particular piece of land shall be plotted on the map as described in Section 9.03.040C.2.
  - b. In preparing a slope map, those portions of ravines, ridges, and terraces of less than one hundred and fifty (150) feet in width at their widest measurement, which are in an area generally sloping at twenty-five (25) percent slope or greater, shall be regarded as part of the bordering twenty-five (25) percent slope or greater band.

### **D. General Residential Requirements**

The following table sets forth minimum site development standards for residential development projects in the specified residential districts. In addition, projects must comply with the special development standards enumerated in this Section, the performance standards included in Chapter 9.10 and any other applicable City ordinances, policies and standards.

**RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE 9.03.040-6**

<b>REQUIREMENT</b>	<b>R1</b>	<b>R2</b>	<b>RA2</b>	<b>R3</b>	<b>R5</b>
1. Threshold density (DU's* per net acre)					4
2. Maximum density (DU's per net acre)	1	2	2	3	5
3. Minimum lot size (sq ft net area)	40K**	20K	20K	10K	7,200
4. Minimum lot width, in feet Cul-de-sac/knuckle lot frontage	150 35	100 35	100 35	90 35	70 35
5. Minimum lot depth, in feet	170	120	120	100	100
6. Minimum front yard setback	25	25	25	25	20
7. Minimum side yard setback, in feet*** a. Interior side yard b. Street side yard	See Note 3 20	See Note 3 20	See Note 3 20	10 15	See Note 4 15
8. Minimum rear yard setback, in feet***	40	35	35	30	15
9. Maximum lot coverage	25%	30%	30%	35%	40%
10. Maximum building and structure height, in feet	Two stories not to exceed 35 feet.				
11. Minimum dwelling size (sq. ft.)	900	900	900	900	900
12. Minimum distance between buildings, in feet (including main DU's and accessory structures)	20	15	15	10	10

*[Amended by Ordinance 468, effective 9/22/95]*

\* The term "DU's" means dwelling units.

\*\* The term "K" means thousands.

\*\*\* See Section 9.08.030 regarding accessory structures and room additions

**RESIDENTIAL SITE DEVELOPMENT STANDARDS TABLE 9.03.040-6 (Con't)**

<b>REQUIREMENT</b>	<b>RS10</b>	<b>R10</b>	<b>R15</b>	<b>R20</b>
1. Threshold density (DU's* per net acre)	8	8	12	16
2. Maximum density (DU's per net acre)	10	10	15	20
3. Minimum lot size (sq ft net area)	4,500			
4. Minimum lot width, in feet	45	See E. 8.		
Cul-de-sac or knuckle lot frontage	35			
5. Minimum lot depth, in feet	85			
6. Minimum front yard setback in feet		20	25	30
Front-facing garages	20			
Buildings other than front-facing garages	10			
7. Minimum side yard setback, in feet	See Note 6			
a. Interior side yard**		10	10	10
b. Street side yard**		20	20	20
8. Minimum rear yard setback, in ft. **	15	15	20	25
9. Maximum lot coverage	40%	40%	45%	50%
10. Maximum building and structure height, in feet	35	50 feet		
11. Minimum dwelling size (square feet)	900	See Note 5.		
12. Minimum distance between buildings, in feet (including main DU's and accessory structures)	10	20	20	20

*[Amended by Ordinance 468, effective 9/22/95]*

- \* The term "DU's" means dwelling units.
- \*\* See Section 9.08.030 regarding accessory structures and room additions.

**Notes to Residential Site Development Standards Table:**

1. Width measurements for cul-de-sac or other odd (non-rectangular) shaped lots shall be determined on the basis of the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.
2. The minimum front yard setback from private streets within the R1, R2 and R3 Districts shall be 55 feet measured from the center line of said street. The minimum front yard setback from private streets within the R5 District shall be 50 feet measured from the center line of said street.
3. Combined interior side yard setbacks of 20 feet shall be provided with a minimum of 5 feet on one side.
4. Combined interior side yard setbacks of 15 feet shall be provided, with a minimum of 5 feet on one side.
5. Minimum dwelling sizes in multiple family projects shall be as follows:

One bedroom	450 square feet
Two bedroom	800 square feet
Three bedroom	1000 square feet
6. In the RS10 District the minimum street side setback shall be 10 feet. The interior side setback shall be 5 feet, except in the case of zero lot line developments with houses placed on an interior side lot line. When a house is placed on an interior side lot line, the other minimum side yard setback shall be 10 feet. Where applicable, an easement at least 5 feet in width shall be provided along the common lot line. Said easement shall guarantee the right to use and occupy the easement for a roof overhang(s), storm water drainage and for building maintenance and repair.

*[Amended by Ordinance 468, effective 9/22/95]*

**Figure 9.03.040-1**

**Residential Lot Information**

**Figure 9.03.040-2**

**Residential Yard Descriptions**

**E. Special Residential Development Standards**

*[Amended by Ordinance 468, effective 9/22/95]*

1. In the R10, R15, and R20 Districts, buildings exceeding one story in height shall maintain a minimum setback of 50 feet from any single family use or district. Any single story building within the R10-R15 or R20 District, shall maintain a minimum setback of 20 feet from any single family district.
2. In any residential district, front yard setbacks in subdivision developments may be reduced by 20% provided the mean of all such setbacks in the development is not less than the minimum required for the district.
3. In all residential districts, air conditioners, heating, cooling and ventilating equipment and all other mechanical, lighting or electrical devices shall be operated so that noise levels do not exceed 60 dBA (Ldn) at the property line. Additionally, such equipment, including roof-mounted installation shall be screened from surrounding properties and streets and shall not be located in the required front yard, or street side yard. All equipment shall be installed and operated in accordance with all other applicable City ordinances.
4. In the R5, RS10, R10, R15 and R20 Districts, developments of five (5) or more dwelling units shall include front and street side yard landscaping and shall consist predominantly of plan materials except for necessary walks, drives and fences.
5. In the R10, R15 and R20 Districts, a minimum of thirty-five percent (35%) of the site area, exclusive of private patio and yard areas, shall be landscaped and provided with an adequate underground irrigation system. Required setback areas and outdoor recreation areas may be counted toward this minimum. Landscaping shall consist predominantly of plant materials except for necessary walks, drives and fences.
6. Where a multiple family project abuts property in a single-family district, a decorative masonry wall at least six feet in height and screening landscaping at least five feet in depth shall be erected and

maintained between such uses and the single-family district. Decorative walls composed of block, brick, stone, stucco-treated masonry or concrete panels are acceptable. Alternative materials may be approved by the Community and Economic Development Director provided that the materials are decorative and comparable to masonry walls or concrete panels in durability and ability to attenuate light and sound.

7. Parking for each use shall comply with the requirements of Chapter 9.11.
8. Single-family developments within the R10, R15 and R20 Districts and within the R5 District of the Village at Sunnynmead (VS) Overlay District shall be subject to the lot size, lot width, lot depth and other applicable site development standards defined for the R5 District.
9. In the RS10 District, driveways and fire hydrants shall be designed and located to maximize on-street parking opportunities in front of each residence.
10. Within the RS10 District, small lot single family subdivisions on less than 15 gross acres shall provide landscaping and decorative walls along the street side of corner lots and at least two (2) of the following amenities throughout the project:
  - a. Front porches
  - b. Automatic garage door openers
  - c. Electronic security systems
  - d. Fire sprinklers
11. Within the RS10 District, small lot single family subdivisions on 15 gross acres or more shall include usable common open space encompassing a minimum of 10 percent of each development. Usable common open space does not include individually-owned lots, parking areas, nor vehicular rights-of-way. Usable common open space is open space and/or recreational amenities under joint (common) ownership, including, but not necessarily limited to, landscaped areas, trails, playgrounds, tennis courts, swimming pools and recreational buildings. A homeowners association shall be established to provide continual maintenance of the commonly-owned facilities.