



**PLANNING COMMISSION HEARING DATE: JANUARY 18, 2024
AGENDA ITEM NO.: 4**

SUMMARY

Case Number	PR-2023-001625 (Zoning Text Amendment)
Request	<p>Proposal by the City of Riverside to consider amendments to Title 19 (Zoning) of the Riverside Municipal Code (RMC), including but not limited to Articles V (Base Zones and Related Use and Development Provisions), VI (Overlay Zones), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), IX (Land Use Development and Permit Requirements/Procedures), and X (Definitions). The proposed amendments are intended to:</p> <ol style="list-style-type: none">1. Remove references to the Crime Free Multi Housing Program throughout Title 19 at the direction of the City Council2. Modify non-domestic animal keeping provisions within the Residential Estate (RE) and Single-Family Residential (R-1) Zones to permit the keeping of poultry at the direction of the Land Use, Sustainability and Resilience Committee;3. Align the RMC with recent changes to California Density Bonus Law;4. Amend permitted locations for accessory structures within various Single-Family Residential zones;5. Clarify ambiguous, conflicting, and/or outdated language in the RMC as it pertains to vehicle repair facilities, monitored electrified security fence systems, long-term stay hotels, and general sign provisions for vehicle fuel stations; and6. Other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies.
Applicant	City of Riverside, Community and Economic Development Department
Project Location	Citywide
Ward	Citywide
Staff Planner	Daniel Palafox, Associate Planner 951-826-5985 dpalafox@riversideca.gov

RECOMMENDATIONS

That the Planning Commission:

1. **Recommend** that the City Council determine that Planning Case PR-2023-001625 is exempt from further California Environmental Quality Act (CEQA) review

pursuant to Section 15061(b)(3) (General Rule), as it can be seen with certainty that approval of the project will not have an effect on the environment;

2. **Recommend Approval** of the Planning Case PR-2023-001625 (Zoning Text Amendment) as outlined in the staff report and summarized in the Findings section of this report.

BACKGROUND

Crime Free Multi-Housing Program – Amendment 1

The Crime Free Multi-Housing Program (Program) is a crime prevention program designed to reduce crime, drugs, and gangs on apartment properties first developed at the Mesa, Arizona Police Department in 1992. It is sponsored by the International Crime Free Association which sets the standards for program participation and provides training, certification, and other assistance to local agencies in its administration. Participation in the program was required for any multi-family housing development per Title 1 (General Provisions) and Title 19 (Zoning).

On September 5, 2023, the City Council voted to discontinue the program after feedback from community members and the Riverside Police Department due to potentially negative impacts on the re-entry into society of formerly incarcerated persons. The City Council subsequently directed staff to pursue the necessary amendments to remove references to the Crime Free Multi-Housing Program (Exhibit 1).

Non-domestic Animal Keeping – Backyard Chickens – Amendment 2

In recent years there has been a growing public interest in urban agriculture, specifically backyard chicken keeping as a means for egg production, natural pest control and reduction of household waste. Many jurisdictions within Southern California permit the non-commercial keeping of chickens (colloquially known as backyard chickens) within their Single-Family Residential Zones.

Prior to 2007, backyard chickens were permitted in Single Family Residential (R-1) Zones. The current prohibition of backyard chickens within the R-1 Zones was adopted with the new Zoning Code in 2007. Backyard chickens are currently limited to large-lot residential zones intended for agricultural uses such as the Rural Residential (RR), Residential Agricultural (RA-5), and Residential Conservation (RC) Zones.

On November 13, 2023, staff held a workshop with the City Council Land Use, Sustainability and Resilience Committee (Committee) to provide an update on current regulations for animal keeping and to obtain policy direction related to potential amendments to allow the keeping of chickens in R-1 zones. The Committee directed staff to pursue a Zoning Code Amendment to permit the keeping of backyard chickens in the R-1 Zones (Exhibit 2).

Density Bonus – Additional Density Bonus – Amendment 3

On October 11, 2023, Governor Gavin Newsom signed over 56 housing-related bills intended to streamline and expedite housing production. Assembly Bill (AB) 1287 (Alvarez) went into effect on January 1, 2024 and provides an additional density bonus for projects that set aside additional affordable units (Exhibit 3).

Eligible projects must set aside the minimum proportion of affordable units to achieve the maximum density bonus of 50% as well as provide additional very low- or moderate-income affordable units.

Zoning Code Clean Up – Amendments 4-10

Planning staff continuously track the applicability and accuracy of the Zoning Code to ensure the regulations are consistent with State Law, provide clear direction, and are not in conflict with other provisions. Staff identifies inaccuracies, ambiguities, and/or conflicts and tracks this information so that periodic Zoning Text Amendments can be made. This builds on the “Streamline Riverside” initiative that continually identifies and implements strategic changes to City processes. The proposed changes will provide clarity and reduce ambiguity in the Zoning Code including minor updates, revisions, and technical corrections to several Chapters and Sections.

PROPOSAL

The proposed amendments to the Zoning Code are included as Exhibit 4 and are separated by Chapter. The following is a summary of each of the proposed changes including the chapter or section, existing condition, and proposed changes.

AMENDMENT 1 – CRIME FREE MULTI HOUSING PROGRAM

Chapters:

- Chapter 19.120 – Mixed Use Zones
- Chapter 19.210 – Mobile Home Parks
- Chapter 19.255 – Assemblies of People – Non-Entertainment
- Chapter 19.330 – Hotel/Motel Long-Term Stay
- Chapter 19.350 – Parolee/Probationer Home
- Chapter 19.400 – Shelters – Emergency
- Chapter 19.401 – Single Room Occupancies
- Chapter 19.740 – Temporary Use Permit
- Chapter 19.770 – Site Plan Review Permit
- Chapter 19.790 – Condominium Conversion Permits

Existing Condition:

Several provisions within Title 19 require that the management or owner of a multifamily development and other residential facility participate in the Program. Per City Council direction, the Program has been discontinued and Staff have been directed to prepare amendments to Title 19 to strike any reference to the Program.

Proposed Changes:

All provisions containing reference to the Program are struck to implement City Council direction. The Riverside Police Department will continue to support residents and operators of multi-housing units with resources currently provided through the Neighborhood Policing Centers model, Neighborhood Watch program, and general safety/education presentations upon request. This includes providing direct access to their designated Area Commander and assistance from the department's Community Service Officers to facilitate meetings and provide contact information for concerns requiring response from specialized Police Department units (POP officers, PSET, etc.).

AMENDMENT 2 – NON-DOMESTIC ANIMAL KEEPING AND BACKYARD CHICKENS

Chapters:

- Chapter 19.150 – Base Zones Permitted Land Uses
- Chapter 19.455 – Animal Keeping

Existing Condition:

The Zoning Code regulates domestic (i.e., dog, cats, rabbits) and non-domestic (i.e., horses, poultry, cows) animal keeping for both commercial and noncommercial purposes within residential and mixed-use zones.

The noncommercial (i.e., personal or domestic) keeping of poultry (chickens) is limited to the Rural Residential (RR), Residential Agricultural (RA-5), and Residential Conservation (RC) Zones as these zones have larger lots and are considered to be rural. Various site location standards apply including that the animals be housed in an enclosure compliant with Chapter 19.440 – Accessory Buildings and Structures as well as minimum distance provisions from neighboring residences.

Proposed Change:

Table 19.150.020.B and Section 19.455.030 are amended to permit the noncommercial keeping of no more than 5 chickens for any property within the Residential Estate (RE) and R-1 Residential Zones with requirements for proper enclosures and minimum distance from neighboring residences. The existing prohibition of crowing fowl (e.g., roosters) is maintained. Other provisions related to non-domestic animal keeping are reorganized and streamlined for clarity.

The chapter is also reorganized to provide clarity as it relates to various site location, operation and development standards.

AMENDMENT 3 – DENSITY BONUS

Chapter:

- Chapter 19.545 – Density Bonus

Existing Condition:

Chapter 19.545 was last updated in October 2022. The current language does not address recently passed State legislation.

Proposed Change:

A new subsection implements AB 1287 and outlines the eligibility criteria and additional density bonus percentage awarded based on income category.

AMENDMENT 4 – LONG-TERM STAY HOTEL

Chapter:

- Chapter 19.330 – Hotel/Motel, Long-Term Stay
- Chapter 19.910 – Definitions

Existing Condition:

The definition for “Hotel/motel, long term stay” is ambiguous as the occupancy duration requirements are stated twice. Similarly, the maximum period of occupancy requirement

within Chapter 19.330 does not provide a maximum limit on guests stays and is inconsistent with the definition.

Proposed Change:

Amend the definition to clarify the occupancy duration requirements and revise the maximum period of occupancy to no more than 180 consecutive calendar days per year.

AMENDMENT 5 – MONITORED ELECTRIFIED SECURITY FENCE SYSTEMS

Chapter:

- Chapter 19.550 – Fences, Walls, and Landscape Materials

Existing Condition:

Title 19 requires that monitored electrified security fence systems (electric fences) have a maximum height of 10 feet or 2 feet higher than the existing perimeter fence, whichever is lower. The intent of this language when drafted was to limit the electric fence height to 10 feet, even in situations where the existing perimeter fence might be a lower height. Staff review of electric fence submittal has implemented the 10-foot maximum height provision.

Proposed Change:

The maximum height for electric fences is clarified to be 10 feet as was originally intended. Minor non-substantive changes throughout the section intended to clarify permitted location requirements are also proposed.

AMENDMENT 6 – ACCESSORY BUILDINGS AND STRUCTURES

Chapter:

- Chapter 19.440 – Accessory Buildings and Structures

Existing Condition:

Accessory structures within residential zones are limited to the side and rear yard areas with setbacks corresponding to the height of the structure. Accessory structures may not be in front of the primary dwelling and may not be located closer to the front lot line than the front-most wall of the primary dwelling.

Proposed Change:

For properties in Single Family Residential Zones whose minimum lot size is one-half acre or larger, excluding the Residential Conservation (RC) and Residential Agricultural (RA-5) Zones, open-sided accessory structures would be permitted in front of the primary dwelling outside of the front yard setback. All of the existing setback and maximum size requirements apply.

The chapter is also reorganized to provide clarity as it relates to various site location, operation and development standards.

AMENDMENT 7 – ACCESSORY DWELLING UNITS

Chapter:

- Chapter 19.442 – Accessory Dwelling Units

Existing Condition:

The chapter provides an incorrect citation for the California Building Code regarding the minimum unit size of an ADU, JADU and MADU.

Proposed Change:

The California Building Code section citation is corrected.

AMENDMENT 8 – GENERAL SIGN PROVISIONS – VEHICLE FUEL STATIONS

Chapter:

- Chapter 19.620 – General Sign Provisions

Existing Condition:

Vehicle fuel stations require permits for wall signs, price/monument signs, gas canopy signs, freeway-oriented pylon signs, and pump island signs. Each sign type must abide by maximum area, height, and number of signs. Signage requirements for vehicle fuel stations within Table 19.620.080.C are ambiguous as it relates to calculating the maximum area and number of signs for various sign types and are poorly organized.

Proposed Change:

Clarify the signage requirements for vehicle fuel stations by separating the sign types into their own section within Table 19.620.080.C and separate each sign type so that requirements are streamlined. Additionally, the calculation of the maximum area for primary use building wall signs is revised to be consistent with sign calculation provisions within Chapter 19.620 for commercial uses.

AMENDMENT 9 – VEHICLE REPAIR FACILITIES

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses

Existing Condition:

The RMC distinguishes between major and minor vehicle repair facilities. Major vehicle repair facilities generally include higher noise- and odor-producing work such as transmission overhauls, paint and body work, and vehicle upholstery. Minor vehicle repair facilities include non-structural repairs such as vehicle detailing, window tinting, battery service and wheel installation.

There is a redundancy within Table 19.150.020.A which lists the same permit requirements for both major and minor outdoor vehicle repair facilities but separates them into different rows.

Proposed Change:

There are no changes to the permit requirements for any vehicle repair facility. The permit requirements for outdoor major and minor vehicle repair facilities is consolidated into one row to improve clarity.

AMENDMENT 10 - APPROVING AND APPEAL AUTHORITY**Chapter:**

- Chapter 19.650 – Approving and Appeal Authority

Existing Condition:

Section 19.650.020 describes the approving and appeal authority for various entitlement and administrative actions. Section 19.650.030 provides provisions for concurrent processing of entitlement applications for development projects. A previous amendment inadvertently repeated the titles of Sections 19.650.020 and .030.

Proposed Change:

The section title for 19.650.030 is corrected to revert to the previous title to reflect its contents.

PUBLIC OUTREACH AND COMMENT

Notice was published in the Press Enterprise on December 28th. At the time of writing this report, Staff has not received public comments regarding the Zoning Text Amendments.

ENVIRONMENTAL REVIEW

The proposed amendments are exempt from additional California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) of the CEQA guidelines, as it can be seen with certainty that the proposed text and map amendments will not have an effect on the environment.

FINDINGS

Zoning Code Amendment Findings pursuant to Chapter 19.810.040:

- 1) The proposed Zoning Code Text Amendments are generally consistent with the goals, policies, and objectives of the General Plan;
- 2) The proposed Zoning Code Text Amendments will not adversely affect surrounding properties; and
- 3) The proposed Zoning Code Text Amendments will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

ENVISION RIVERSIDE 2025 STRATEGIC PLAN ALIGNMENT

The proposed amendments align with Strategic Priority No. 5 – High Performing Government by demonstrating adaptivity as an organization, and more specifically with Goal 5.3 – Enhance communication and collaboration with community members to

improve transparency, building public trust, and encourage shared decision making. In addition, the project aligns with the five Cross-Cutting Threads as follows:

1. **Community Trust** – The Zoning Code Amendments are a proactive measure to respond to the changing needs of the community through a transparent public process.
2. **Equity** – The proposed amendments promote reasonable and equitable regulation of land use throughout the City.
3. **Fiscal Responsibility** – The proposed amendments do not incur costs to the City.
4. **Innovation** – The proposed amendments incorporate latest best practices for streamlining and promoting equitable development communities.
5. **Sustainability & Resiliency** – The proposed amendments promote pedestrian and transit-oriented development that will help reduce greenhouse gas emissions by reducing vehicle miles traveled, as well as providing an alternative to greenfield sprawl development.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. September 5, 2023 – City Council Meeting Minutes & Staff Report
2. November 13, 2023 – Land Use, Sustainability and Resilience Committee Meeting Minutes & Staff Report
3. [Assembly Bill 1287 Text](#)
4. Proposed Amendments
 - a. Chapter 19.150 – Base Zones Permitted Land Uses
 - b. Chapter 19.120 – Mixed Use Zones
 - c. Chapter 19.210 – Mobile Home Parks
 - d. Chapter 19.255 – Assemblies of People – Non-Entertainment
 - e. Chapter 19.330 – Hotel/Motel Long-Term Stay
 - f. Chapter 19.350 – Parolee/Probationer Home
 - g. Chapter 19.400 – Shelters – Emergency
 - h. Chapter 19.401 – Single Room Occupancies
 - i. Chapter 19.440 – Accessory Buildings and Structures
 - j. Chapter 19.442 – Accessory Dwelling Units
 - k. Chapter 19.455 – Animal Keeping
 - l. Chapter 19.545 – Density Bonus
 - m. Chapter 19.550 – Fences, Walls, and Landscape Materials
 - n. Chapter 19.620 – General Sign Provisions
 - o. Chapter 19.650 – Approving and Appeal Authority
 - p. Chapter 19.740 – Temporary Use Permit
 - q. Chapter 19.770 – Site Plan Review Permit

- r. Chapter 19.790 – Condominium Conversion Permits
 - s. Chapter 19.910 – Definitions
5. Presentation

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