



**PLANNING COMMISSION HEARING DATE: AUGUST 14, 2025
AGENDA ITEM NO.: 5**

SUMMARY

Case Number	PR-2025-001793 (Zoning Text Amendment)
Request	<p>Proposal by the City of Riverside to consider an omnibus zoning code amendment to Title 19 (Zoning) of the Riverside Municipal Code (RMC), including, but not limited to, Articles II (Zoning Code Administration, Interpretation, and Enforcement), V (Base Zones and Related Use and Development Provisions), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), and IX (Land Use Development Permit Requirements/Procedures). The proposed amendments are intended to:</p> <ol style="list-style-type: none">1. Align the RMC with recent changes to California law pertaining to permit streamlining for hydrogen fuel stations;2. Codify findings of public convenience or necessity (PCorN) for overconcentration of alcohol licenses pursuant to California law;3. Implement permitting requirements for junk dealers/scrap metal recyclers pursuant to City Council direction;4. Streamline permitting requirements for a variety of uses, including several in the Neighborhood Commercial Overlay (NC Overlay) Zone;5. Make minor adjustments, clarifications, and corrections pertaining to accessory dwelling units, accessory structures, density bonus, temporary use permits, and zoning administrator language; and6. Make other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies as necessary.
Applicant	City of Riverside, Community and Economic Development Department
Project Location	Citywide
Ward	Citywide
Staff Planner	Clarissa Manges, Assistant Planner 951-826-5264 cmanges@riversideca.gov

RECOMMENDATIONS

That the Planning Commission:

1. **Recommend** that the City Council determine that Planning Case PR-2025-001793 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; and
2. **Recommend Approval** of the Planning Case PR-2025-001793 (Zoning Text Amendment) as outlined in the staff report and summarized in the Findings section of this report.

BACKGROUND

Planning staff continuously track the applicability and accuracy of the Riverside Municipal Code (RMC) 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 1 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 – HYDROGEN FUEL STATIONS

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table, Incidental Uses Table)
- Chapter 19.410 – Vehicle Fuel Stations (Site Location, Operation, and Development Standards)

Existing Condition:

Currently, all vehicle fueling stations are subject to the same development standards under Chapter 19.410 – Vehicle Fuel Stations and to the same permit requirements under Chapter 19.150 – Base Zones Permitted Land Uses. The Zoning Code does not currently reflect Senate Bill (SB) 1418 (Archuleta, 2024), which amended the Government Code (Exhibit 2) to require local jurisdictions to streamline the permitting of commercial hydrogen fuel stations.

Proposed Changes:

Proposed changes would:

- Pursuant to SB 1418, specify that hydrogen fuel stations are permitted by-right on parcels in commercial and industrial zones that do not contain residential units, as well as on parcels previously developed with a vehicle fuel station. Hydrogen fuel stations that do not meet these criteria will be subject to the same permitting requirements as gasoline stations in the respective zone.

- Add development and operation standards (such as standards for storage tank screening) and other minor clarifications for hydrogen fuel stations to the Vehicle Fuel Station chapter based on current best practices (Exhibits 3 and 4)
- Add references to the Private Fuel Systems and Vehicle Fuel Station chapters in the Permitted and Incidental Uses Table

AMENDMENT 2 – FINDINGS OF PUBLIC CONVENIENCE OR NECESSITY (PCorN)

Chapter:

- Chapter 19.450 – Alcohol Sales (Other Applicable Regulations)
- Chapter 19.650 – Approving and Appeal Authority (Designated Approving Authority)

Existing Condition:

The California Business & Professions Code limits the number of alcohol sales licenses that the Department of Alcoholic Beverage Control (ABC) may issue in a given census tract based on the population of that census tract. When licenses exceeding the authorized number in a tract are sought, the law prohibits ABC from issuing a license unless the agency having local land use authority makes written findings that, despite the overconcentration of licenses in the tract, issuing the licenses would serve the public convenience or necessity.

The Zoning Code does not contain codified findings of public convenience or necessity (PCorN) for the overconcentration of alcohol sales licenses in a given tract. Section 19.450.040 states that findings must be made but does not specify what they are; current practice has been to justify the overconcentration based on the use's incidental nature and adequate parking, visibility, access, security, and on-site lighting. Additionally, the Zoning Code does not specify which decisionmakers make the findings; currently, findings are made by whichever body has approving authority for any associated entitlement, such as a conditional use permit. PCorN determinations with no associated entitlements have no specified approving authority.

Proposed Change:

Proposed changes would:

- Codify PCorN findings for the overconcentration of alcohol sales licenses in the Alcohol Sales Chapter, based on best practices observed from peer jurisdictions (Exhibit 5). These new findings are:
 - That the license applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer and will agree to all conditions placed on the application;
 - That the proposed use is compatible with surrounding uses and will enhance economic vitality and improve consumer choice in the surrounding area; and
 - That the proposed use will not increase the severity of existing law enforcement or public nuisance problems in the area
- Specify the authorities that make PCorN findings in the Alcohol Sales and Approving and Appeal Authority chapters

AMENDMENT 3 – JUNK DEALERS/SCRAP METAL RECYCLERS

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table)

Existing Condition:

On April 8, 2025, as a means to curb copper wire theft in the City, the City Council adopted Ordinance No. 7709 (Exhibit 6) which established regulations for junk dealer/scrap metal recycling businesses in a new chapter of the RMC (Chapter 5.85 – Junk Dealers and Scrap Metal Recyclers). Among these regulations is a requirement for such establishments to obtain a minor conditional use permit (MCUP). Currently, these establishments are prohibited as primary land use. Additionally, some recycling centers for consumer aluminum and plastics also accept scrap metals as an incidental use.

Proposed Changes:

Proposed changes would further clarify that this use is prohibited as a primary use and is permitted as an incidental use only with an MCUP in the General Industrial (I) Zone, subject to the requirements of Chapter 5.85.

AMENDMENT 4 – NEIGHBORHOOD COMMERCIAL OVERLAY (NC OVERLAY) STREAMLINING

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table)

Existing Condition:

The Neighborhood Commercial Overlay (NC Overlay) is a zoning overlay that modifies permitted commercial uses adjacent to residential areas to promote a walkable, interactive, “neighborhood center” environment. Currently, most parcels with the NC Overlay are located in the Arlington Village portion of the Magnolia Avenue Specific Plan. The recent Reinvestment, Resilience, and Revitalization strategy developed for the Magnolia Avenue corridor identified persistent vacancy and underutilization of commercial property within the Village as a major barrier to economic revitalization. As a key revitalization strategy to assist, community-serving uses in the Overlay were reviewed to determine which uses could be streamlined for entitlement process. This strategy was recommended for Arlington Village at the Economic Development Committee’s February 20, 2025 meeting (Exhibit 7).

Proposed Changes:

Proposed changes would amend the Permitted Uses Table of Chapter 19.150 to reduce the level of entitlements needed for several community-serving uses, including assemblies of people, select bars and breweries, commercial kitchens, health and fitness studios, and showrooms. Some uses requiring a Conditional Use Permit (CUP) would now require a Minor Conditional Use Permit (MCUP), and some uses requiring an MCUP would now be permitted by right. Some uses not previously permitted, such as commercial kitchens, would be allowed as shown below and in Exhibit 8.

NEIGHBORHOOD COMMERCIAL OVERLAY STREAMLINING		
Use	Current Permit Required	Proposed Permit Required
Assemblies of People-Entertainment	Prohibited	CUP
Assemblies of People-Non-Entertainment	Prohibited	CUP
Storefront Facilities	Prohibited	Permitted/ MCUP (modifications only)
Brewery, Microbrewery, and Winery with Off-Sale Retail and/or On-Site Tasting.	CUP	MCUP
Brew-On-Premises (with Tasting and/or Retail Sales of Prepared Beers)	CUP	MCUP
Commercial Kitchen	Prohibited	Permitted
Health and Fitness, Music, Dance or Martial Arts Studios:		
4000 sq ft or less	MCUP	Permitted
More than 4000 sq ft	CUP	MCUP
Showroom	Prohibited	Permitted

Prohibited: Use not allowed

CUP: Conditional Use Permit

MCUP: Minor Conditional Use Permit

Permitted: Use allowed by-right/no use permits required

AMENDMENT 5 – DAY CARE CENTERS

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table)

Existing Condition:

Currently, day care centers are permitted with a conditional use permit (CUP) in all commercial and mixed-use zones, as well as the Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multi-Family Residential (R-3), Business & Manufacturing Park (BMP), and Neighborhood Conservation Overlay (NC Overlay) zones. There is a local and regional need for daycares as they serve as a valuable community resource that would benefit from streamlined permitting requirements, as has been allowed in many surrounding jurisdictions (Exhibit 9).

Proposed Change:

Proposed changes would reduce the level of entitlement needed for day care centers from a conditional use permit (CUP) to a minor conditional use permit (MCUP).

AMENDMENT 6 – TUTORING CENTERS

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table)

Existing Condition:

Currently, the Permitted Uses Table of the Permitted Land Uses Chapter prescribes different levels of entitlement for tutoring centers depending on the number of students served. Those with 20 students or fewer are generally permitted by right, those with 21-40 students are generally permitted with a minor conditional use permit (MCUP), and those with 40 or more students are generally permitted with a conditional use permit (CUP). These centers are permitted in retail, office, mixed-use, and business/manufacturing park zones. Review of past approvals has indicated that these centers tend to be small and low-impact, so entitlements and tiered permitting may not be necessary.

Proposed Change:

Proposed changes would remove tiered permitting of tutoring centers and allow them by right in the zones where they are currently permitted.

AMENDMENT 7 – ASTROLOGY AND FORTUNE-TELLING (OCCULTIST)

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Permitted Uses Table)

Existing Condition:

Currently, the Permitted Uses Table contains the use “Astrology and Fortune-Telling (Occultist)”, which is outdated as a standalone use and can be considered an office use instead.

Proposed Change:

Proposed changes would strike out the “Astrology and Fortune-Telling (Occultist)” row of the Permitted Uses Table. The reference in the row to R.M.C. Chapter 9.42 (Fortunetelling and Occult Arts), which contains licensing information about this use, would move to the “Office” row of the Permitted Uses Table.

AMENDMENT 8 – MINOR PARKING LOT SALES

Chapter:

- Chapter 19.150 – Base Zones Permitted Land Uses (Temporary Uses Table)
- Chapter 19.740 – Temporary Use Permit (Applicability)

Existing Condition:

The Temporary Use Permit Chapter requires all outdoor sales occurring on private property not associated with a permanent land use to obtain a major temporary use permit (TUP) and makes no exceptions for minor, often seasonal parking lot sales for items such as flowers or graduation gifts. Current practice in such instances has been to use discretion and charge the minor TUP fee instead. Given the low-impact nature of single-vendor holiday sales events and the relatively low administrative effort required to

process these simple TUPs, staff recommends amending the chapter to exempt them from the temporary use permit requirement altogether.

Proposed Changes:

Proposed changes would:

- Define *minor parking lot sales* as those that do not require parking or drive aisle circulation space; those that are limited to a single vendor; and those that involve the sale of floral, holiday, and graduation gifts only; and
- Clarify that these sales would be exempt from obtaining a temporary use permit provided that written permission from the property owner is obtained, and would, like other outdoor sales not in conjunction with a permanent land use, be allowed for up to 16 days per year (up to four times a year for up to four days at a time).

AMENDMENT 9 – ACCESSORY STRUCTURES

Chapter:

- Chapter 19.440 – Accessory Buildings and Structures (Site Location, Operation, and Development Standards)

Existing Condition:

Currently, non-metal accessory structures on oversized RR (Rural Residential), RE (Residential Estate), and R-1 (Single-Family Residential) zoned lots are exempt from the 750-square-foot size limitation if the lot is greater than one acre. A number of property owner requests have occurred over the years to construct larger accessory structures such as recreational vehicle garages and storage buildings. Several of the properties had large lots and ample room to accommodate these structures, but the code has prohibited them due to the maximum threshold size. To provide additional options for homeowners, consideration of lowering threshold size is proposed.

Proposed Change:

Proposed changes would reduce the threshold for the size limit exemption from lots greater than one acre to lots greater than one-half acre. All other development standards for accessory structures (i.e., setbacks, height, lot coverage) will continue to apply.

AMENDMENT 10 – ACCESSORY DWELLING UNITS

Chapter:

- Chapter 19.442 – Accessory Dwelling Units (ADU) (Requirements)

Existing Condition:

The Accessory Dwelling Unit chapter requires the following clarifications to align with State Law and corrections due to administrative error:

- Section 19.442.030(A)(10) states that for junior accessory dwelling units (JADUs), “a deed restriction shall be recorded, to run with the land, to prohibit the sale of the JADU separate from the sale of the primary dwelling and restrict its size as identified in 19.442.030(F).” The phrase “and restrict its size” is incorrect, as deed restrictions do not control unit size.

- Section 19.442.030(E)(1)(a) states that lots with existing or proposed single-family dwellings can have an attached ADU, detached ADU or moveable ADU (MADU), and a JADU. It does not reflect that one of the ADUs can be attached or converted and that the other ADU must be detached and new construction.

Proposed Changes:

Proposed changes would:

- Remove the phrase "and restrict its size" from the discussion of deed restrictions for JADUs; and
- Specify that lots with existing or proposed single-family dwellings can have one attached or converted ADU; one detached, new construction ADU or moveable ADU (MADU); and one JADU.

AMENDMENT 11 – DENSITY BONUS

Chapter:

- Chapter 19.545 – Density Bonus (Permitted Density Bonus)

Existing Condition:

The recent amendments to standards in the Density Bonus Chapter for low-income student housing projects, pursuant to AB 3116 (2024), incorporated a revision to the percentage of allowed bonus, which changed from a flat 35% to a variable amount based on the amount of low-income units in the development, up to 50%. This revision, however, did not include a reference to the table in the California Government Code that provides the increments at which the percentage of density bonus increases with percentage of low-income units.

Proposed Changes:

Proposed changes would add a reference to the table, which is found in Government Code Section 65915(f)(3)(C), to the Density Bonus Chapter.

AMENDMENT 12 – ZONING ADMINISTRATOR LANGUAGE

Chapter:

- Chapter 19.060 – Interpretation of Code (Rules and Interpretations)
- Chapter 19.450 – Alcohol Sales (Site Location, Operation, and Development Standards)
- Chapter 19.455 – Animal Keeping (Applicability and Permit Requirements)
- Chapter 19.465 – Caretaker Living Quarters (Site Location, Operation, and Development Standards)
- Chapter 19.850 – Fair Housing and Reasonable Accommodation (Approval/Referral)
- Chapter 19.895 – Room Rental Permit (Procedures)

Existing Condition:

Several chapters of Title 19 still reference the Zoning Administrator, a now-defunct role whose responsibilities, namely administrative determinations of Zoning Code compliance, have transferred to the Community & Economic Development Department (CEDD) Director or designee.

Proposed Changes:

Proposed changes would remove references to the Zoning Administrator and/or replace them with references to the Community & Economic Development Department (CEDD) Director or designee, consistent with Chapter 19.650 (Approving and Appeal Authority).

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 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 serve the goals and purposes of the Zoning Code.

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. Proposed Amendments
 - a. Chapter 19.060 – Interpretation of Code
 - b. Chapter 19.150 – Base Zones Permitted Land Uses
 - c. Chapter 19.410 – Vehicle Fuel Stations
 - d. Chapter 19.440 – Accessory Buildings and Structures
 - e. Chapter 19.442 – Accessory Dwelling Units
 - f. Chapter 19.450 – Alcohol Sales
 - g. Chapter 19.455 – Animal Keeping
 - h. Chapter 19.465 – Caretaker Living Quarters
 - i. Chapter 19.545 – Density Bonus
 - j. Chapter 19.650 – Approving and Appeal Authority
 - k. Chapter 19.740 – Temporary Use Permit
 - l. Chapter 19.850 – Fair Housing and Reasonable Accommodation
 - m. Chapter 19.895 – Room Rental Permit
2. SB 1418 Bill Text

3. Hydrogen Fuel Station Requirements Comparison Chart
 4. Analysis of Existing Hydrogen Fuel Stations Chart
 5. Findings of Public Convenience or Necessity Comparison Chart
 6. Ordinance 7709
 7. Economic Development Committee Meeting Staff Report 2-20-2025
 8. Neighborhood Commercial Overlay Streamlining Summary Table
 9. Daycare Permitting Comparison Chart
 10. Presentation
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Prepared by: Clarissa Manges, Assistant Planner

Reviewed by: Matthew Taylor, Principal Planner

Approved by: Maribeth Tinio, City Planner