

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING TITLES 1, 2, 3, 4, 5, 8, 9, 13, 14, 15, 16, 17 AND 18 OF
THE RIVERSIDE MUNICIPAL CODE.

WHEREAS, the Riverside Municipal Code, as compiled from the ordinances and prior code sections of the City, and edited and published by Book Publishing Company, was adopted as the Code of Riverside by Ordinance No. 3539 in 1968; and

WHEREAS, over the past 50 years, there have been hundreds of amendments to the Riverside Municipal Code and thousands of changes in state law; and

WHEREAS, ordinances adding new chapters or substantively amending existing chapters are brought forward to the City Council on an individualized basis; and

WHEREAS, over time, there are changes within the administrative organizational structure within the City and changes in statutory and decisional law rendering certain provisions of the code obsolete or unnecessarily duplicative of state law; and

WHEREAS, through the implementation of various sections, changes are necessary to clarify language, confirm existing procedures and policies and to correct errors in language; and

WHEREAS, these amendments will ensure that the Code is current and consistent with existing statutory and decisional law, and will clean up existing obsolete, inconsistent, and/or vague language.

THEREFORE, the City Council of the City of Riverside does ordain as follows:

Section 1: Section 1.17.090(C) of the Riverside Municipal Code is hereby amended as follows:

“C. The notice of lien shall be in this form:

NOTICE OF LIEN

Claim of the City of Riverside, California.

Pursuant to the authority vested by Section 1.17.090 of the Riverside Municipal Code, the amount of uncollected fines, penalties, and related costs may be recorded as a lien upon and against the real property where the violation of law occurred and which is the subject of the administrative enforcement action(s) resulting in the award, imposition, or assessment of a fine, penalty and all costs associated therewith.

On (date) an Administrative Hearing Officer conducted (as an evidentiary proceeding) an administrative hearing, pursuant to the applicable provisions of the Riverside Municipal

Code. Following the presentation of evidence and the issuance of a ruling in the matter, the Administrative Hearing Officer upheld a fine or awarded, imposed, or assessed a monetary penalty in the amount of _____ and assessed administrative costs in the amount of _____ as set forth in the _____ (type of administrative hearing order) issued on _____ (date) . Whereby the City of Riverside does hereby claim a lien for these sums as yet unpaid in the amount of _____, **[and hereby provides notice that the monetary penalty continues to accrue at a daily amount of _____]**, and this sum shall be a lien upon the parcel of real property identified herein until that principal sum, and the sum of any interest upon that principal as may be allowed by law and calculated at the then existing legal rate, has been paid in full and discharged of record.

The real property upon which this lien is claimed is that certain parcel of land, the structures thereon and any appurtenances connected thereto and located within the City of Riverside, County of Riverside, State of California, and particularly described as follows:

(Legal Description)
(Street address, if any)
(Assessor's Parcel Number)

Further, the City of Riverside gives NOTICE that this Notice of Lien shall not be deemed or construed to prohibit the City of Riverside from making additional claims and giving and recording one or more Notices of Lien thereon as may be required in those cases where the principal sum claimed, as a fine or penalty awarded, imposed, or assessed, is subject to a cumulative accrual at a fixed daily rate until the date the violations are corrected in full to the satisfaction of the City, or the legal maximum limit (cap) of that penalty has been reached, or the total amount of the lien has been paid in full.

DATED this _____ day of _____, (year) .

City Clerk of the City of Riverside, California.”

Section 2: Section 1.17.090(D) of the Riverside Municipal Code is hereby deleted in its entirety as follows:

~~D. Alternatively, pursuant to the grant of authority in the Riverside City Charter to make and enforce all laws and regulations in respect to municipal affairs, unpaid fines or penalties and their related costs, arising from administrative citations, administrative civil penalties actions or other administrative enforcement actions as provided by this Code, involving real property may also constitute assessment liens and be collected as special assessments by the Riverside County Treasurer Tax Collector as set forth in Chapter 6.15 of the Riverside Municipal Code. "Special assessment" means, for purposes of this chapter only, a levy on real property to collect a debt owing to the City for unpaid fines and penalties and their related costs, arising from administrative citations, administrative civil penalties actions or other administrative enforcement actions as provided by this Code for violations of law occurring upon the assessed real property.~~

Section 3: Section 2.32.060 of the Riverside Municipal Code is hereby amended in its entirety and replaced with following:

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“No employee shall receive less than the minimum nor more than the maximum rate of compensation established for the class to which such employee is assigned except that reclassified employees may retain their current compensation as a “Y” rate until the salary rate of the new class is the same as or exceeds the amount of the “Y” rate of the new class range.

Initial appointments shall be made up to the mid-point of the salary range, and the City Manager may approve a higher initial rate of compensation if the best interests of the City so require. An employee who is promoted from one class to another class with a salary range having a higher maximum rate of pay shall advance to that step in the new salary range that shall provide a minimum increase of 5% (one salary step), not to exceed the maximum of the new range. All salary advancements within each class shall not be automatic, but shall be based upon merit and fitness and upon the financial ability of the City to make such advancements.

Each full-time employee may be granted a one-step salary increase or 5% after completion of one year of continuous service after an appointment or promotion to any step of a classification and in accordance with established Collective Bargaining Agreements; part-time employees may be granted a one-step salary increase or 5% based on attaining the equivalent number of hours (unless otherwise specified). Employees may be granted a one-step salary increase at the completion of each additional year of continuous service thereafter until said employee reaches the top of the salary range for the current classification. Advancement within a salary range for an approved Apprentice Program shall be based on the program’s established criteria for such step increases.

If a position is reclassified to a classification in which the salary range is higher and it is administratively determined that the incumbent meets the minimum qualifications and selection requirements of the classification and is in fact performing the full range of duties and responsibilities of that position, the incumbent of the position shall be entitled to a salary increase which shall advance such employee to the closest step within the new range that would provide a minimum increase of 5% (one salary step), not to exceed the maximum of the new range.

Notwithstanding the foregoing, except for the direct reports of the City Attorney and the City Clerk, the City Manager may approve a special meritorious increase prior to the expiration of the required time. Except for the direct reports of the City Attorney and the City Clerk, all appointments, promotions, merit and salary increases shall be recommended by the Department Head and approved by the City Manager and Human Resources Director.

Further, notwithstanding the foregoing, the City Attorney and the City Clerk may approve a special meritorious increase prior to the expiration of the required time as well as all appointments, promotions, merit and salary. Further, should the City Attorney move a Deputy up a step, any increase does not require an automatic increase of 5%.”

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1 Section 4: Section 2.68.010 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “Pursuant to **section** 8630 of the Government Code of the State **of California, and Chapter**
4 **9.20 of this Code,** ~~the City Manager or in his absence the City Police Chief or Fire Chief, or~~
5 ~~their designated agent, or the~~ **Director of** Emergency Services ~~Director~~ or his/**her** successor,
6 are designated as the City officials who may proclaim a local emergency within the City and
7 to act pursuant to the provisions of the California Emergency Services Act.”

8 Section 5: Section 2.76.050(C) of the Riverside Municipal Code is hereby amended as
9 follows:

10 “C. To receive, and in its discretion, review and investigate, through the ~~Executive Director~~
11 **City Manager**, complaints filed within six months of the date of the alleged police employee
12 misconduct, in writing with the Commission or any other City office, which allege persons
13 employed by the Riverside Police Department in a sworn capacity with, but not limited to (a)
14 use of excessive force, (b) discrimination or sexual harassment in respect to members of the
15 public, (c) the improper discharge of firearms, (d) illegal search or seizure, (e) false arrest, (f)
16 false reporting, (g) criminal conduct, (h) misconduct. "Misconduct" is defined to mean and
17 include any alleged improper or illegal acts, omissions or decisions directly affecting the
18 person or property of a specific community member by reason of:

19 ...”

20 Section 6: Section 3.14.010 of the Riverside Municipal Code is hereby amended as
21 follows:

22 “Except where the context requires otherwise, the definitions given in this section govern the
23 construction of this chapter.

24 ...

25 *Consumer Price Index* means the Consumer Price Index for Urban Wage Earners and Clerical
26 Workers for the ~~Los Angeles Long Beach~~ **Riverside-San Bernardino-Ontario California**
27 Standard Metropolitan Statistical Area published by the Bureau of Labor Statistics of the
28 **United States** Department of Labor.”

1 Section 7: Section 3.18.020 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “Scope of the risk management function.

4 The Finance Department shall have responsibility and authority over the areas of loss control,
5 loss prevention, ~~claims processing,~~ and insurance services for all City departments, offices,
6 and agencies.”

1 Section 8: Section 3.18.030(D), (E), (F) and (G) of the Riverside Municipal Code is hereby
2 amended as follows:

3 ~~“D. Monitor and report annually to the City Finance Committee and City Council the status of~~
4 ~~liability claims, effectiveness of internal controls over claims and~~ insurance administration,
5 and the compliance of City departments, offices, and agencies with the internal controls; ~~and~~

6 ~~E. Administer the investigation and processing of claims against the City and, with the advice~~
7 ~~of the City Attorney, reject, allow, compromise, or settle claims in accordance with Chapter~~
8 ~~1.06;~~

9 ~~F. Oversee those persons or parties who may contract with the City to provide claims~~
10 ~~administration, investigation, and support services; and~~

11 ~~GE. Other such related functions and duties as assigned by the Chief Financial~~
12 ~~Officer/Treasurer.”~~

13 Section 9: Section 4.05.050(C), (D), (E), (F) and (G) of the Riverside Municipal Code is
14 hereby amended as follows:

15 **“(C) Submittal of additional documents. The Mayor, Council Members, City Manager,**
16 **City Attorney, and/or City Clerk, may submit materials that are necessary to the**
17 **deliberation of an agendized matter that were not available prior to the publishing of**
18 **the agenda material, to the City Clerk at any time prior to an agendized matter being**
19 **heard. Copies of such documents shall be made available to the public at the related**
20 **meeting. Documents submitted by outside parties may be distributed to and accepted**
21 **by the local body at any time prior to or during the related meeting. Documents**
22 **submitted by outside parties prior to the meeting shall be made available to the public**
23 **at the related meeting. Documents submitted by outside parties at the meeting shall be**
24 **made available to the public the following business day.**

25 **(D) Excuse of Sunshine Notice Requirements.** If an item appears on an agenda but the local
26 body fails to meet any of the additional notice requirements under this section, the local body
27 may take action only if:

28 (1) The minimum notice requirements of the Riverside City Charter and the Brown Act have
been met; and,

 (2) The local body, by a two-thirds vote of those members present, adopts a motion determining
that, upon consideration of the facts and circumstances, it was not reasonably possible to meet
the additional notice requirements under this section and any one of the following exists:

 (a) The need to take immediate action on the item is required to avoid a substantial impact
that would occur if the action were deferred to a subsequent special or regular meeting; or,

(b) There is a need to take immediate action which relates to federal, state, county or other governmental agency legislation or action or the local body's eligibility for any grant or gift; or,

(c) The item relates to a purely ceremonial or commendatory action.

(3) Notwithstanding the provisions of this subsection, if the Mayor or a Council Member, with the concurrence of another Council Member, believe an item is urgent, and the failure to meet any additional notice requirements was due to:

(a) The need to take immediate action, which came to the attention of the local body after the agenda was posted, or;

(b) A software or hardware impairment as defined by Section 4.05.010.H and such additional notice requirements are satisfied no later than 72 hours before the date of the meeting; or,

(4) The item is a closed session item relating to ongoing, proposed or threatened litigation.

~~(DE)~~ *Action on items not appearing on the agenda.* Notwithstanding subsection ~~CD~~ of this section, a local body may take action on items not appearing on a posted agenda only if: ~~(1)~~ **The matter is determined to be an emergency.** ~~Upon a determination~~ by a majority vote of the local body. **An emergency shall be defined as** that a work stoppage, crippling disaster or other activity exists which severely impairs public health, safety or both.

~~(EF)~~ *Future meeting.* Nothing in this section shall prohibit a local body from taking action to schedule items for a future meeting to which regular or special meeting notice requirements will apply, or to distribute agenda-related materials relating to items added pursuant to 4.05.050.D before or during a meeting.

~~(FG)~~ *Conforming a document.* Nothing in this section shall prohibit the Office of the City Attorney from conforming a document to comply with technical requirements as to form and legality.

~~(G)~~ *Submittal of additional documents.* ~~The City Manager, City Attorney, City Clerk and their designees, in their capacities with the City, must submit public agenda related materials to the City Clerk or other responsible department in sufficient time to meet the deadlines of this section and Section 4.05.060. However, the referenced officers may submit additional documents to the local body and the local body may accept the documents if the local body makes a finding by two-thirds vote of the members present that the additional information in the documents was not known to the officers or considered to be relevant by the officers at the time of the filing deadlines. Copies of such documents shall be made available to the public at the related meeting. Documents submitted by outside parties may be distributed to and accepted by the local body at any time prior to or during the related meeting. Documents submitted by outside parties prior to the meeting shall be made available to the public at the related meeting. Documents submitted by outside parties at the meeting shall be made available to the public the following business day. Nothing in this section or in any other provision of this ordinance shall be interpreted to require that the City Manager, City Attorney or City Clerk submit to the City Clerk any documents that are not public records."~~

1 Section 10: Section 4.05.060 of the Riverside Municipal Code is hereby amended by adding
2 Subsection (F) as follows:

3 **“(F) Notwithstanding the provisions of subsection (A) through (C) above, a Special**
4 **Meeting may occur on less than five (5) days’ notice if the Mayor or a Council Member,**
5 **with the concurrence of another Council Member, believe an item is urgent and there is**
6 **a need to take immediate action. Any such Special Meeting must comply with the Special**
7 **Meeting notice requirements of the Brown Act.”**

8 Section 11: Section 5.04.300 of the Riverside Municipal Code is hereby amended as
9 follows:

10 “...

11 The maximum annual tax payable for businesses taxed at the rates established in subdivisions
12 5.04.300 A.2 and 3 of this section shall be \$4,000.00 as of July 1, 1989, and shall be
13 automatically adjusted November 1st of each year thereafter, upward or downward, equivalent
14 to the most recent change in the annual average of the consumer price index as published by
15 the **Bureau of Labor Statistics of the** United States Department of Labor for the ~~Los Angeles-
Anaheim-Riverside~~ **Riverside-San Bernardino-Ontario** metropolitan area or five percent,
16 whichever is less.

17 ...”

18 Section 12: Section 5.04.330 of the Riverside Municipal Code is hereby amended as
19 follows:

20 “Each tax, including each of its components, together with any other charges which are
21 imposed pursuant to this chapter, shall be automatically adjusted on July 1, 1991, and on
22 November 1 of each year thereafter, upward or downward, equivalent to the most recent change
23 in the annual average of the consumer price index as published by the **Bureau of Labor**
24 **Statistics of the** United States Department of Labor for the ~~Los Angeles-Anaheim-Riverside~~
25 **Riverside-San Bernardino-Ontario** metropolitan area or five percent, whichever is less.

26 ...”

27 Section 13: Section 5.75.020(C) of the Riverside Municipal Code is hereby amended as
28 follows:

29 “C. Consumer price index or CPI means the consumer price index for all ~~urban consumers~~
30 **Wage Earners and Clerical Workers** in the ~~Los Angeles-Anaheim-Riverside~~ **Riverside-San**
31 **Bernardino-Ontario** area published by the Bureau of Labor Statistics of the United States
32 Department of Labor.”

1 Section 14: Section 6.15.020(G) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “G. The storage or parking of certain vehicles as follows: ~~1. The storage or parking of trucks~~
4 ~~exceeding the manufacturer's gross vehicle weight rating of 10,000 pounds on all areas of all~~
5 ~~residential zones, and the storage or parking of other vehicles on the landscaped front and street~~
6 ~~side yard setback area of all residential zones, including but not limited to the front lawn areas,~~
7 ~~contrary to the provisions of Title 19 of the Riverside Municipal Code. 2. The storage or~~
8 ~~parking of vehicles on any unpaved parcel of property where such vehicle (a) is likely to disrupt~~
9 ~~traffic flow in the City; (b) stir up dust from driving on the unimproved surface; (c) negatively~~
10 ~~impact the aesthetics of the City; (d) allow oils and other unwanted substances to drip onto the~~
11 ~~untreated dirt surface; and/or (e) cause traffic obstructions by impeding the line of vision of~~
12 ~~drivers at intersections. Vehicles parked in conjunction with a temporary use as permitted~~
13 ~~under Riverside Municipal Code Title 19 are excepted.~~

14 Section 15: Section 6.26.055 of the Riverside Municipal Code is hereby amended as
15 follows:

16 “All contracting agencies of the City of Riverside, or any department thereof, acting for or on
17 behalf of the City, shall include in all contracts, franchises, leases, concessions or other
18 agreements involving real or personal property or services to be rendered, hereafter negotiated,
19 let, awarded, granted, renegotiated, extended or renewed, in any manner or as to any portion
20 thereof, a provision obligating the contractor, franchisee, lessee, concessionaire, or other party
21 of said agreement not to discriminate on the ground or because of race, color, **religious** creed,
22 national origin, ancestry, age, **physical disability, mental disability, disability including the**
23 **medical condition of Acquired Immune Deficiency Syndrome (AIDS) or any condition**
24 **related thereto, marital status, gender, gender identity, genetic information, gender**
25 **expression, sex, sexual orientation, or military or veterans status.”** ~~disability including the~~
26 ~~medical condition AIDS or any condition related thereto.~~

27 Section 16: Section 8.04.070(C) of the Riverside Municipal Code is hereby amended to add
28 a new subsection 3. as follows:

29 **“Within thirty (30) days of the determination that a dog is potentially dangerous or**
30 **vicious, the owner of the dog shall pay the license fee set by Council for potentially**
31 **dangerous or vicious dogs, as applicable, or if the owner has a current license, the owner**
32 **shall pay the difference between the license fee previously paid and the then current**
33 **license fee for potentially dangerous or vicious dogs.”**

34 Section 17: Section 8.21.010(A)(2)(c) and (d) of the Riverside Municipal Code is hereby
35 amended as follows:

36 ~~“c. Animals owned by recognized dog or cat breeders, as defined by Department policy.~~

37 **dc. Female dogs over the age of ten years and male dogs over the age of 12 years, however an**
38 **unaltered license is still required.”**

1 Section 18: Section 8.21.020(B) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “B. Should the owner or custodian of an unaltered dog or cat be found in violation of a State
4 or local law, as stated above, in subsection A, the owner or custodian shall be required to spay
5 or neuter the unaltered animal in accordance with this section ~~or may purchase an unaltered
license but shall also be required to pay the spay or neuter violation.~~”

6 Section 19: Section 8.21.040(D) of the Riverside Municipal Code is hereby amended as
7 follows:

8 “D. *Exemptions.* The following pit bulls are exempt from the regulations described in this
9 section:

10 ~~1. Currently licensed pit bulls whose owners are registered breeders with the Department.~~

11 21. A pit bull that has been appropriately trained and is actually being used by a public law
12 enforcement agency for law enforcement purposes.

13 32. A pit bull which has been certified by a licensed veterinarian as having a health reason for
14 not being spayed/neutered.

15 ~~4.~~ 3.A pit bull which is in training at a licensed kennel and is currently licensed by the owner
16 in another jurisdiction. The owner of the pit bull has the burden of showing that said pit bull is
17 licensed in another jurisdiction.

18 ~~54.~~ A dog that is pending a breed determination when the dog owner or custodian requests
19 such a determination in accordance with paragraph F below.

20 ~~65.~~ A female pit bull that is over the age of ten years or a male pit bull that is over the age of
21 12 years.”

22 Section 20: Section 9.20.030 of the Riverside Municipal Code is hereby amended as
23 follows:

24 “There is hereby created the position of Director of Emergency Services. The City Manager
25 shall be the Director of Emergency Services.

26 The City Manager shall act as the Director of Emergency Services and shall have full authority
27 over a declared emergency. In the absence, or in the inability to act, of the City Manager, he/she
28 shall automatically be succeeded as Director of Emergency Services by the following officials
in the order named:

(1) **Assistant Director of Emergency Services.**

(~~1~~2) Assistant City Manager(s).

(~~2~~3) Fire Chief.

(~~3~~4) Police Chief.

(45) Public Utilities General Manager.
(56) Public Works Director.
(67) Finance Director.

Section 21: Section 13.08.010 of the Riverside Municipal Code is hereby amended as follows:

“It is the duty of the Public Works Director to receive applications for permits, and to collect and account for the fees fixed by law for the issuance of permits, and to issue permits for the work of grading and paving streets, sidewalks and alleys, and of constructing and installing curbs, gutters, culverts, drains, drainage systems, sanitary sewers, **landscapes, irrigation,** and appurtenant work. Permits shall be issued to public agencies and public schools free of charge by the Director of Public Works upon receipt of a proper application.”

Section 22: Section 13.080.015 of the Riverside Municipal Code is hereby amended as follows:

“No facilities, ~~or~~ structures, **trees, landscaping or irrigation** shall be constructed or placed upon a street right-of-way or upon any City-owned easement except upon issuance of an encroachment permit by the City, or except for facilities or structures installed or constructed by public utilities in accordance with any franchise or right previously granted. All work shall comply with MS4 NPDES Requirements. A processing fee for any permit issued for encroachments into the street rights-of-way or upon City easements shall be paid to the Public Works Department at the time of application for such permit, which fee shall be in an amount as established by resolution of the City Council.”

Section 23: Section 13.08.020 of the Riverside Municipal Code is hereby amended as follows:

“It shall be the duty of the Public Works Director to inspect the work of grading and paving streets, sidewalks and alleys, and of constructing curbs, gutters, culverts, drains, drainage systems, sanitary sewers, utilities, **trees, landscaping and irrigation,** and appurtenant work, which is being done under such permit, either by a contractor pursuant to contract with the City, or any board or department thereof, or by any contractor pursuant to contract with any person acting in a private capacity, or which is being done by any person acting in a private capacity without contract. He/She shall make such inspections from time to time as he/she may consider necessary, and shall make and keep a record of the manner in which the work is being performed. The inspection of utility construction by the Public Works Director shall be limited to location, pavement removal and replacement, backfill and traffic safety. Inspection of the utility structure shall be the responsibility of the utility owner.”

Section 24: Section 13.16.010 of the Riverside Municipal Code is hereby amended as follows:

“No person shall grade, prepare subgrade, pave, lay sewer or drain pipe, construct curbs, gutters, driveways, sidewalks, manholes, catch basins or similar structures, **or install any trees, landscaping or irrigation** in any street, alley, way or easement, which street, alley, way

1 or easement is dedicated or proposed to be dedicated for public use, within the City, without
2 first obtaining a written permit from the City so to do.”

3 Section 25: Section 13.16.060 of the Riverside Municipal Code is hereby amended as
4 follows:

5 “Any person obtaining a permit to erect, construct, place or replace or relocate a building,
6 structure or dwelling or, with the exception of single family dwellings, to enlarge or make
7 additions thereto in excess of 650 square feet shall, at his expense, provide for the plans and
8 construction of curbs, gutters, sidewalks, trails, street lights, street trees, **landscapes,**
9 **irrigation,** driveway approaches, base, paving, barricades, catch basins and drain pipe along
10 all street and alley frontages in accordance with the standard drawings and standard
11 specifications of the Public Works Department, and of the Public Utilities Department in the
12 case of street lights.

13 . . .”

14 Section 26: Section 13.25.010 of the Riverside Municipal Code is hereby amended as
15 follows:

16 “No trees or shrubs shall hereafter be planted ~~in~~ **along** the public streets of the City except
17 pursuant to the policies established by the Park, Recreation and Community Services
18 Commission and approved by the City Council, or except at such place as shall be specifically
19 set apart and authorized for such purpose.”

20 Section 27: Section 13.25.020 of the Riverside Municipal Code is hereby amended as
21 follows:

22 “No trees or shrubs planted or growing ~~in~~ **along** the public streets of the City shall be removed
23 except pursuant to the policy established by the Park, Recreation and Community Services
24 Commission and no trees ~~in~~ **along** the streets shall be cut, pruned or trimmed except pursuant
25 to the policy established by the Commission and approved by the City Council; nor shall
26 anyone not authorized by said policy trench around or alongside of any tree, plant or shrub
27 with a view to cutting the roots of same.”

28 Section 28: Section 13.25.030 of the Riverside Municipal Code is hereby amended as
29 follows:

30 “Subject to approval by the City Council, the Park, Recreation and Community Services
31 Commission shall establish policies for the general care and supervision of all trees ~~in~~ **along**
32 the streets of the City and shall select the varieties of trees to be planted.”

33 Section 29: Section 14.08.005 of the Riverside Municipal Code is hereby amended as
34 follows:

35 “For the purpose of this chapter the following words and phrases shall have the meaning
36 ascribed to them in this section.

- 1 A. Apartment or apartment house means any building **or premises** containing two or more
2 dwelling units with separate plumbing facilities, but shall not include any building commonly
3 known as a hotel, motel, or auto court.
- 4 B. Board house shall have the same meaning as set forth in Title 19 of this Code.
- 5 C. City sewerage system means those pipe lines, plant facilities and appurtenances
6 constructed, maintained and operated by the City, **typically within the public right of way or
City easement, used** primarily for the collection of sewage and the conveyance thereof to the
7 wastewater treatment plant for the treatment of the sewage.
- 8 D. Dwelling unit means a building of one or more rooms which is occupied by one person
9 or more persons.
- 10 E. Nonresidential **premises** means any industrial, commercial, governmental, or
11 institutional premises including apartments, condominiums, and boarding houses, which
12 discharge or cause to be discharged sewage into the City sewerage system.
- 13 F. Nonresidential private sewer lateral line means the wastewater collection pipe
14 extending from the premises, including the sewer lateral clean out, where the wastewater is
15 generated to the point of connection to the City sewerage system.
- 16 G. Premises means a lot or parcel of land, a building or an establishment.
- 17 H. Private residential sewer lateral line means the wastewater collection pipe extending
18 from the premises, including the sewer lateral clean out, where the wastewater is generated to
19 the premises property line **or City easement**.
- 20 I. Residential **premises** means any dwelling unit that is primarily used as a person or
21 persons living quarters, excluding apartments, and which discharges or causes to be discharged
22 sewage in the City sewerage system.
- 23 J. Sewage means a combination of water or waste borne waste generated from a
24 premises.”

25 Section 30: Section 14.08.020 of the Riverside Municipal Code is hereby amended as
26 follows:

27 “A. All residential and nonresidential customers shall maintain their private sewer lateral
28 line in good working order and free of defects (which includes the installation of a **two-way**
clean out **tee at the property line or City easement boundary of at least four (4) inches in**
diameter for maintenance ~~at the property line~~) at their own expense and shall be liable for
damages which may result from failure to do so. **Private sewer lateral lines are required to**
be free of defects and any infiltration of tree roots into a private sewer lateral are
presumed to be caused by improper installation and/or maintenance and shall be
repaired by the property owner at no cost to the City, unless determined otherwise by a
City inspector and/or City contractor.

1 B. The City shall maintain the sewer lateral of residential premises (excluding
2 nonresidential premises) beginning at the property line **or City easement boundary** to the
point of connection to the City sewerage system.

3 C. A City inspector and/or City contractor shall be admitted at all reasonable hours at all
4 parts of any premises connected with the sewerage system for the purpose of checking, **either**
5 **visually, by camera, or any other means**, any facilities mentioned in this Chapter and
establishing sewer service charges as provided in Chapter 14.04.”

6 Section 31: Section 14.08.030(A) of the Riverside Municipal Code is hereby amended as
7 follows:

8 “A. No one shall occupy a house or any other structure in the City or camp or live on any
9 premises within the City, unless such house or other structure or such premises be properly
10 connected to a public sewer whenever the property on which such house, other structure or
11 premises is situated abuts upon a public or private street or alley or other right-of-way **or City**
12 **easement** in which there exists a public sewer to which connection may be made; provided,
however, if a house or structure is served by a satisfactorily functioning septic system, such
connection to a public sewer system will not be required until the septic system for such house
or other structure fails.”

13 Section 32: Section 14.12.447 of the Riverside Municipal Code is hereby amended as
14 follows:

15 “Reporting requirements for industrial users upon effective date of categorical pretreatment
16 standard baseline report. Within 180 days after the effective date of a categorical Pretreatment
17 Standard, or 180 days after the final administrative decision made upon a category
18 determination submission under **Federal Code 40 CFR 403.6(a)(4)**, whichever is later,
19 existing Industrial Users subject to such categorical Pretreatment Standards and currently
20 discharging to or scheduled to discharge to a POTW shall be required to submit to the Control
21 Authority a report which contains the information ~~listed in paragraphs 1—7 of this section as~~
22 **described below**. At least 90 days prior to commencement of discharge, New Sources, and
23 sources that become Industrial Users subsequent to the promulgation of an applicable
24 categorical Standard, shall be required to submit to the City of Riverside a report which
25 contains the information ~~listed in paragraphs 4 and 5 of this section~~ **required**. New sources
26 shall also be required to include in this report information on the method of pretreatment the
27 source intends to use to meet applicable pretreatment standards. New Sources shall give
28 estimates of the information ~~in paragraphs [D and E] of this section as requested:~~

...

4. *Flow measurement.* The User shall submit information showing the measured average daily
and maximum daily flow, in gallons per day, to the POTW from each of the following:

- (i) Regulated process streams; and
- (ii) Other streams as necessary to allow use of the combined wastestream
formula of 40 CFR 403.6(e). ~~(See paragraph [E.4] of this section.)~~

1 The City of Riverside may allow for verifiable estimates of these flows where considerations
2 justified by cost or feasibility.

3 5. *Measurement of pollutants.*

4 ...

5 (iii) For sampling required in support of baseline monitoring and 90-day compliance
6 reports ~~in Section 6.1 and 6.3 [40 CFR 403.12(b) and (d)]~~ required, a minimum of four
7 **(4)** grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide
8 and volatile organic compounds for facilities for which historical sampling data do not
9 exist; for facilities for which historical sampling data are available, ~~the~~
10 ~~Superintendent]~~ **the Director** may authorize a lower minimum. For the reports required
11 ~~by paragraphs Section 6.4 under~~ (40 CFR 403.12(e) and 403.12(h)), the industrial user
12 is required to collect the number of grab samples necessary to assess and assure
13 compliance with applicable pretreatment standards and requirements.

14 ...

15 7. *Compliance schedule.* If additional pretreatment and/or O and M will be required to meet
16 the pretreatment standards; the shortest schedule by which the industrial user will provide such
17 additional pretreatment and/or O and M. The completion date in this schedule shall not be later
18 than the compliance date established for the applicable pretreatment standard.

19 (i) Where the industrial user's categorical pretreatment standard has been modified by
20 a removal allowance, the combined wastestream formula, and/or a fundamentally
21 different factors variance at the time the user submits the report required by paragraph
22 ~~(b) of this section~~, the information required by paragraphs ~~[F and G] of this section~~
23 shall pertain to the modified limits.

24 (ii) If the categorical pretreatment standard is modified by a removal allowance the
25 combined wastestream formula, and/or a fundamentally different factors variance after
26 the user submits the report required by paragraph ~~(b) of this section~~, any necessary
27 amendments to the information requested by paragraphs ~~[F and G] of this section~~ shall
28 be submitted by the user to the Control Authority within 60 days after the modified
limit is approved.”

29 Section 33: Section 14.12.535(B) and (D) of the Riverside Municipal Code is hereby
30 amended as follows:

31 “B. Technical Review Criteria (TRC) violations, defined here as those in which 33 percent
32 or more of all of the measurements for each pollutant parameter taken during a six-month
33 period equal or exceed the product of the daily maximum limit or the average limit multiplied
34 by the applicable TRC (TRC=1.4 for **COD**, BOD, TSS, fats, oil, and grease, and 1.2 for all
35 other pollutants except pH);

36 ...

1 D. Any discharge of a pollutant that has caused imminent endangerment to human health,
2 welfare or to the environment or has resulted in the POTW's exercise of its emergency authority
under paragraph 40 CFR 403.8(f)(1)(vi)(B) of this section to halt or prevent such a discharge;

3 . . .”

4 Section 34: Section 16.72.050 of the Riverside Municipal Code is hereby amended as
5 follows:

6 “The fee established by this ordinance shall be revised annually by means of an automatic
7 adjustment at the beginning of each fiscal year based on the average percentage change over
8 the previous calendar year set forth in the Consumer Price Index as published by the Bureau
9 of Labor Statistics for the United States Department of Labor for the Los Angeles-
10 Anaheim-Riverside-Riverside-San Bernardino-Ontario area, measured as of the month of
December in the calendar year which ends in the previous fiscal year. The first fee adjustment
shall not be made prior to a minimum of ten months subsequent to the effective date of the
ordinance codified in this ordinance.”

11 Section 35: Section 17.08.150 of the Riverside Municipal Code is hereby amended as
12 follows:

13 ““Average natural slope” is the slope determined pursuant to the City of Riverside's adopted
14 Average Natural Slope Formula specified in Title 19.04.038 Section 19.100.050 of the this
15 Municipal Code, as follows: 'Average Natural Slope' means the average natural inclination of
the ground surface of a lot or parcel expressed as a percent and as measured by the following
formula:

16
$$S = \frac{(0.002296 \times I \times L)}{A}$$

17 Where: S=average natural slope in percent
18 I=natural contour interval in feet
19 L=length of natural contours in feet
20 A=acres of property (parcel of record existing on November 13, 1979)
0.002296=constant which converts square feet into acres and expresses slope
21 in percent.

22 The average natural slope shall be computed from photogrammetric maps, grading permit
23 plans and other data or evidence approved by the Public Works Department.”

24 Section 36: Section 17.28.020(A)(6), (9), (10) and (14a.) of the Riverside Municipal Code
is hereby amended as follows:

25 “The following supplementary regulations shall apply to the grading of hillsides and arroyos.

26 A. . . .
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6. The area of a site proposed to be graded shall be that which fits into the natural terrain and which allows for a minimal amount of grading. The ungraded area must be left in its natural form for the remainder of the site. No native vegetation shall be removed and no non-native vegetation shall be introduced or allowed within hillside areas not included as part of the graded pad area. The ~~Zoning Administrator~~ **Community & Economic Development Director** shall be responsible to determine the precise boundaries of the non-graded area to be retained as natural open space and an open space easement shall be recorded over this area. Portions of the non-graded area may be excluded from the natural open space easement by the ~~Zoning Administrator~~ **Community & Economic Development Director** based on factors specific to each lot, including whether the area is isolated from a meaningful area of contiguous open space and the absence of unique topographical or geological features. The intent of this provision is to create significant areas of contiguous open space and not to create small, isolated areas of open space. No change to the boundaries of the area determined to be placed in natural open space by the ~~Zoning Administrator~~ **Community & Economic Development Director** shall be made unless the Planning Commission determines that exceptional or special circumstances addressed in Chapter 17.32 Conditional Exceptions apply.

...

9. Pad sizes for single family residential development shall be limited as follows:

- Under ten percent average natural slope within the area to be graded - No limit
- Ten percent to 15 percent average natural slope within the area to be graded - 27,000 square feet
- Fifteen percent to 30 percent average natural slope within the area to be graded - 21,000 square feet
- Thirty percent to 40 percent average natural slope within the area to be graded - 18,000 square feet
- Over 40 percent average natural slope - no grading per 17.28.020 A. 12.

The ~~Zoning Administrator~~ **Community & Economic Development Director** shall have the authority to increase or decrease the pad size category by up to 25 percent without a grading exception depending on the sensitivity of the site. Sensitivity shall be determined by such factors as the pad's visibility from the public right-of-way, its location on a ridgeline, the presence of habitat for sensitive species including rare, threatened, or endangered species, or the presence of unique topographic features such as knolls, valleys, rock outcroppings or other features or viewsapes. (Level padded area defined as area that is at a slope ratio of 5:1 or flatter).

10. Slopes having a ratio of 3.9:1 or steeper shall not exceed 20 feet in vertical height. Slopes having a 4:1 or flatter ratio may be up to 25 feet in vertical height. The ~~Zoning Administrator~~ **Community & Economic Development Director** shall have the authority to increase vertical slope height by up to 25 percent without a grading exception depending on the sensitivity of the site. Sensitivity shall be determined by such factors as the slope's visibility from the public right-of-way, its location on a ridge line, the presence of habitat for sensitive species including

1 rare, threatened, or endangered species, or the presence of unique topographic features such as
2 knolls, valleys, rock outcroppings or other features or views. (Level padded area defined
3 as area that is at a slope ratio of 5:1 or flatter).

4 ...

5 14. Arroyo grading.

6 a. No development or grading of any kind shall be permitted within 50 feet of the limits of the
7 Mockingbird Canyon, Woodcrest, Prenda, Alessandro, Tequesquite, or Springbrook Arroyos
8 and associated tributaries as shown on Exhibits A-F. The ~~Zoning Administrator~~ **Community & Economic Development Director** shall have the authority to administratively allow grading
9 within designated arroyo tributaries depending on the sensitivity of the area. Sensitivity shall
10 be determined by such factors as the presence of riparian vegetation, habitat for rare or
11 endangered species, significant rock outcroppings or other unique topographic features on the
12 property proposed to be graded or in nearby segments of the same tributary.

13 ...”

14 Section 37: Section 17.32.010 of the Riverside Municipal Code is hereby amended as
15 follows:

16 “*Generally.* Conditional exceptions to the regulations contained in this chapter shall be
17 permitted upon a finding by the ~~Zoning Administrator~~ **Community & Economic Development Director** that exceptional or special circumstances apply to the property. Such
18 exceptional or special circumstances shall include such characteristics as unusual lot size,
19 shape, or topography, drainage problems, or the impracticability of employing a conforming
20 grading plan, by reason of prior existing recorded subdivisions or other characteristics of
21 contiguous properties.”

22 Section 38: Section 17.32.030 of the Riverside Municipal Code is hereby amended as
23 follows:

24 “If at any time the ~~Zoning Administrator~~ **Community & Economic Development Director**
25 believes that sufficient controversy or public interest may exist regarding a waiver application
26 the waiver may be referred to Planning Commission for disposition. The Planning Commission
27 may set the action for review at a public hearing if they so determine that it would be
28 appropriate.”

29 Section 39: Section 17.32.050 of the Riverside Municipal Code is hereby amended as
30 follows:

31 “In determining whether to grant or deny the application for exception to the requirements of
32 this title, the ~~Zoning Administrator~~ **Community & Economic Development Director** or
33 Planning Commission shall consider the property characteristics, comments received from
34 surrounding property owners, the community, or other persons, hardships on the applicant, and

any other adverse impacts imposed by the regulations contained in this title in its determination of findings of fact to support its decision concerning the request for exception.”

Section 40: Section 18.030.020 of the Riverside Municipal Code is hereby amended as follows:

“All maps approved pursuant to the provisions of this title shall conform with the City’s Zoning Code (Title 19 of this Code) with respect to the uses of land, lot sizes and dimensions, and other applicable regulations.

Pursuant to the Land Use Element of the General Plan and Title 19 (19.780.050) the Planning Commission shall determine the base number of dwelling units allowable in a Planned Residential Development (PRD) based on benchmark densities for the underlying zone in which the project is located. Benchmark densities for a PRD by zone are shown in Table ~~19.780.040~~ **19.780.050.B**. The minimum standards for a project to qualify for a PRD with the benchmark density are that it be adequately served by public infrastructure, including good access to public and private services, and that the site is well designed with desirable amenities in accordance with adopted Citywide Design Guidelines and in accordance with City Codes (Note: Compliance with City Codes allows for granting of variances in certain instances.) In order for a project to qualify as a PRD it must meet these minimum benchmark density requirements. In the case of PRD’s in the RC Zone, the following additional criteria apply to qualifying for the benchmark density:

A. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas or otherwise as part of the project. B. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes.”

Section 41: Section 18.050.010(B) of the Riverside Municipal Code is hereby amended as follows:

“B. The ~~Zoning Administrator~~ **Community & Economic Development Director** is hereby designated as the advisory and/or approving agency for those proceedings authorized pursuant to Chapters 18.080.040 Tentative Parcel Maps, of this title.”

Section 42: Section 18.060.060 of the Riverside Municipal Code is hereby amended as follows:

“The City Council of Riverside, hereinafter referred to as the City Council, is designated the appeal board charged with the duty of hearing and making determinations upon appeals with respect to divisions of real property, the imposition of requirements or conditions thereon, or the kinds, nature and extent of the design or improvements, or both, recommended or decided by the Planning Commission to be required. The Planning Commission shall serve as the appeal board for decisions of the ~~Zoning Administrator~~ **Community & Economic Development Director** relative to this title.”

1 Section 43: Section 18.060.020 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “If ambiguity arises concerning the meaning or applicability of any provision of this
4 Subdivision Code, the ~~Zoning Administrator~~ **Community & Economic Development**
5 **Director** shall have the responsibility to review pertinent facts, determine the intent of the
6 provision and to issue an administrative interpretation.”

7 Section 44: Section 18.060.030(D) of the Riverside Municipal Code is hereby amended as
8 follows:

9 “D. *Intent.* Whenever there is any question regarding the interpretation of the provisions of
10 this title or their application to any specific case or situation, the ~~Zoning Administrator~~
11 **Community & Economic Development Director** shall interpret the intent of this title. The
12 ~~Zoning Administrator~~ **Community & Economic Development Director** shall have the
13 authority to forward to the Planning Commission any question regarding interpretation.”

14 Section 45: Section 18.060.040 of the Riverside Municipal Code is hereby amended as
15 follows:

16 “A. Once the ~~Zoning Administrator~~ **Community & Economic Development Director** has
17 identified the ambiguity and considered relevant information, an official interpretation of this
18 title shall be established in writing and shall cite the provisions being interpreted, together with
19 an explanation of the meaning or applicability of the provision(s) in the particular or general
20 circumstances that caused the need for interpretation.

21 B. Any provision determined by the ~~Zoning Administrator~~ **Community & Economic**
22 **Development Director** to be ambiguous pursuant to this chapter shall be clarified by
23 amendment as soon as is practical.”

24 Section 46: Section 18.070.050 of the Riverside Municipal Code is hereby amended as
25 follows:

26 “ A. *Notice of intention.* Upon determination that real property has been divided in violation
27 of the provisions of the Subdivision Map Act or this title and an application is not pending for
28 a Certificate of Compliance pursuant to Chapter 18.120 Certificates of Compliance, the ~~Zoning~~
~~Administrator~~ **Community & Economic Development Director** shall cause to be mailed by
certified mail to the then current owner of record of the property a notice of intention to record
a notice of violation, describing the real property in detail, naming the owners, and stating that
an opportunity will be given to the owner to present evidence. The notice shall specify a time,
date and place for a meeting of the Planning Commission at which the owner may present
evidence to the Planning Commission why the notice should not be recorded. The notice shall
also contain a description of the violations and the explanation as to why the subject parcel is
not lawful. The date set for the meeting before the Planning Commission shall be no sooner
than 30 days and no later than 60 days from the date of mailing of the notice of intention.

1 B. *Planning commission meeting; notice of violation.* If at the scheduled hearing, the owner of
2 the real property fails to object to recording the notice of violation, the Planning Commission
3 shall direct the recording of the notice of violation with the County Recorder. If, after the owner
4 has presented evidence, it is determined that there has been no violation, the ~~Zoning~~
5 ~~Administrator~~ **Community & Economic Development Director** shall mail a clearance letter
6 to the then current owner of record. If, however, after the owner has presented evidence, the
7 Planning Commission determines that the property has in fact been illegally divided, the
8 Planning Commission shall direct the recording of the notice of violation with the Riverside
9 County Recorder. The notice of violation, when recorded, shall be deemed to be constructive
10 notice of the violation to all successors in interest in such property.”

11 Section 47: Section 18.080.95 of the Riverside Municipal Code is hereby amended as
12 follows:

13 “If a map is proposed to be constructed in phases, the proposed phasing schedule is subject to
14 approval by the ~~Zoning Administrator~~ **Community & Economic Development Director**.
15 Upon approval, the phasing map shall be distributed to the Public Works and Public Utilities
16 departments.”

17 Section 48: Section 18.130.020(B) of the Riverside Municipal Code is hereby amended as
18 follows:

19 “B. *Discretionary administrative maps, permits and actions not requiring a public hearing.*
20 The Zoning Administrator, acting as the advisory agency, has primary administrative
21 approving authority over maps, permits and actions which require the determination of
22 compliance with applicable subdivision provisions and the application of judgment to a given
23 set of facts. No public hearing is required for administrative maps, permits and actions unless
24 the decision is appealed in accordance with provisions of Chapter 18.170 Appeals. Table
25 18.140.040 Approving and Appeal Authority describes the various administrative permits
26 which can be approved by the ~~Zoning Administrator~~ **Community & Economic Development**
27 **Director.**”

28 Section 49: Section 18.140.040 of the Riverside Municipal Code is hereby amended as set
forth in Exhibit “A” attached hereto and incorporated herein by reference.

Section 50: Section 18.15.040(A) and (B) of the Riverside Municipal Code is hereby
amended as follows:

“A. Within 30 days of application submittal, the ~~Zoning Administrator~~ **Community &**
Economic Development Director or the designee shall determine whether or not the
application is complete. The applicant shall be notified in writing if specific information and/or
materials are still necessary to complete the application.

The applicant may appeal the determination in accordance with Chapter 18.170 Appeals and
the Permit Streamlining Act (California Government Code Section 65943).

B. In the event an application is deemed incomplete and the applicant resubmits the
application, within 30 days of application resubmittal the ~~Zoning Administrator~~ **Community**

1 **& Economic Development Director** shall determine whether or not the resubmitted
2 application is complete. The applicant shall be notified in writing of the determination if
3 specific information and or materials are still necessary to complete the application.”

4 Section 51: Section 18.150.050(B)(2)(b) and (B)(3) of the Riverside Municipal Code is
5 hereby amended as follows:

6 “B. *Additional requirements for tentative tract, parcel, vesting, reversion to acreage,*
7 *condominium and environmental subdivision maps.*

8 ...

9 2. *Tentative vesting map.*

10 ...

11 b. At the time a tentative vesting map is filed, a subdivider shall also supply the following
12 information unless an item(s) is determined by the ~~Zoning Administrator~~ **Community &**
13 **Economic Development Director** not to be necessary:

14 ...

15 3. *Lot line adjustments, lot consolidation and lot merger/unmergers.* The application shall be
16 accompanied by a site plan indicating the current ownership, property lines, existing structures,
17 any encumbrances and such other data and information as may be prescribed by the Planning
18 Division. Any application for property in the Residential Conservation (RC) Zone shall be
19 accompanied by a topographical map, a proposed grading plan and a proposed development
20 plan unless waived by the ~~Zoning Administrator~~ **Community & Economic Development**
21 **Director.**”

22 Section 52: Section 18.150.060(A) of the Riverside Municipal Code is hereby amended as
23 follows:

24 “A. *Waste discharge.* The Planning Commission or ~~Zoning Administrator~~ **Community &**
25 **Economic Development Director** shall also determine whether the discharge of waste from
26 the proposed subdivision or permit into the existing community sewer system would result in
27 violation of existing requirements prescribed by the California Regional Water Quality Control
28 Board Santa Ana Region pursuant to Division 7 (commencing with Section 13000) of the
Water Code. In the event the Planning Commission finds that the proposed waste discharge
would result in or add to violation of requirements of such board, it may disapprove the
tentative maps of the subdivision.”

29 Section 53: Section 18.150.100 – Heading, (A)(1), (B)(1)(c), and (D)(1) of the Riverside
30 Municipal Code is hereby amended as follows:

31 “18.150.100 - ~~Zoning Administrator~~ **Community & Economic Development Director**
32 review.”

1 A. *Tentative parcel map.*

2 1. Tentative parcel maps that meet all of the criteria listed below can be approved by ~~the Zoning~~
3 ~~Administrator~~ **Community & Economic Development Director** in accordance with the
4 Subdivision Map Act. The City Manager shall have the authority to enter into all agreements
5 related to the approval of the parcel map.

6 ...

7 B. *Lot line adjustments, lot consolidations and lot merger/unmergers.*

8 1. ...

9 c. The resulting parcels comply with all applicable requirements of Title 19 of this Code, unless
10 in conjunction therewith a variance is granted by the Zoning Administrator pursuant to the
11 provisions of Title 19.720 of this Code.

12 ...

13 D. *Certificate of Compliance.*

14 1. ~~Review by planning commission~~ **Planning Commission**. If the matter of the issuance of a
15 Conditional Certificate of Compliance is referred to the Planning Commission, the ~~Zoning~~
16 ~~Administrator~~ **Community & Economic Development Director** shall cause the matter to be
17 placed on the next available agenda of said Commission. At the time set for discussion, the
18 Planning Commission shall receive a written report from the City Surveyor setting forth the
19 actions taken on the matter and the facts and circumstances relied upon in arriving at such
20 decision together with any recommended conditions. The applicant or other interested party
21 shall have an opportunity to present testimony orally and/or in writing. The Planning
22 Commission, acting in the capacity of the City Surveyor, may direct the issuance of a
23 Conditional Certificate of Compliance, or a Certificate of Compliance if no conditions are
24 imposed, in accordance with the provisions of this chapter, if it finds that the property was
25 divided in violation of the Subdivision Map Act or this title and that the proposed real property
26 may be approved as not being contrary to the public health or the public safety. The Planning
27 Commission may impose such conditions as may be authorized in accordance with subsection
28 C above. The Planning Commission shall have the right to continue the matter from time to
29 time as is reasonable in order to obtain additional information as said Commission determines
30 necessary.”

31 Section 54: Section 18.150.110(A) of the Riverside Municipal Code is hereby amended as
32 follows:

33 “A. *Referrals to the Planning Commission from the* ~~Zoning Administrator~~ **Community &**
34 **Economic Development Director** *or City Surveyor.*

35 1. An application for a parcel map, lot line adjustment, lot consolidation, lot merger/unmerger,
36 parcel map waiver, certificate of compliance or time extension referred to the Planning
37 Commission by the ~~Zoning Administrator~~ **Community & Economic Development Director**

1 or City Surveyor shall be reviewed and acted upon by the Planning Commission acting in the
2 capacity of ~~Zoning Administrator~~ **Community & Economic Development Director** or City
3 Surveyor within 60 days following the filing of the completed application with the Planning
4 Division or Public Works Department in accordance with the following procedure:

5 ...

6 b. Review. At the time set for hearing, the Planning Commission shall receive a written report
7 from the ~~Zoning Administrator~~ **Community & Economic Development Director** and/or City
8 Surveyor setting forth the facts and circumstances of the case. The applicant and any other
9 interested party shall have an opportunity to present testimony orally and/or in writing. The
10 Planning Commission may conditionally approve or deny the application. For lot line
11 adjustments or lot consolidations the Planning Commission may conditionally approve the
12 application provided it finds that the parcels are contiguous, no additional parcels will be
13 created, the resulting parcels comply with all applicable requirements of Title 19 of this Code
14 unless in conjunction therewith modifications are approved pursuant to Chapter 18.230
15 Modifications, and the proposed adjustment or consolidation and the resulting parcels comply
16 with applicable requirements as to area, improvement and design, floodwater drainage control,
17 appropriate improved public roads, sanitary disposal facilities, water supply availability,
18 environmental protection, and other requirements of this title unless in conjunction therewith
19 modifications are approved pursuant to Chapter 18.230 Modifications.

20 ...”

21 Section 55: Section 18.150.130(B) and (C) of the Riverside Municipal Code is hereby
22 amended as follows:

23 “B. Within ten days from the final action on an application, the ~~Zoning Administrator~~
24 **Community & Economic Development Director** or City Surveyor as appropriate shall send
25 written notice of decision to the project applicant, other affected parties, and anyone who has
26 requested to be notified. The notice of decision shall identify the specific action of the
27 approving and appeal authority, including the date of action, applicable conditions, basis for
28 determination, and appeal period.

29 C. The written decision of the City Surveyor to conditionally approve or deny the lot line
30 adjustment, lot consolidation or lot merger/unmerger or to refer the application to the Planning
31 Commission shall be issued within 30 days after the filing of a complete application with the
32 Planning Division. If the lot line adjustment, lot consolidation or lot merger/unmerger is to be
33 referred to the Planning Commission, the ~~Zoning Administrator~~ **Community & Economic**
34 **Development Director** shall cause the application to be placed on the next available agenda
35 of said Commission and notice of the hearing before the Planning Commission to be given.
36 The Planning Commission shall act in the capacity of the City Surveyor if the matter is referred
37 to it by the City Surveyor.”

38 ///

///

1 Section 56: Section 18.150.140 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “Whenever an application or portion of an application has been denied or revoked and the
4 denial or revocation becomes final, no new application for the same or similar request may be
5 accepted within one year of the date of the action to deny or revoke, unless the ~~Zoning~~
6 ~~Administrator~~ **Community & Economic Development Director** determines that a new
7 application is warranted due to a substantial change in land use on properties in the vicinity,
8 improved infrastructure in the vicinity, altered traffic patterns, or any such similar change
9 resulting in a changed physical environment.”

10 Section 57: Section 18.160.040 of the Riverside Municipal Code is hereby amended as
11 follows:

12 “A. Public notice of the consideration of a proposed lot line adjustment, lot consolidation, lot
13 merger/unmerger, parcel map waiver, and certificate of compliance is not required, except
14 when the property under consideration is in the RC Zone, or has an Average Natural Slope of
15 20 percent or greater, or a modification, as described in Chapter 18.230, is requested. When
16 required, public notice shall be provided by the ~~Zoning Administrator~~ **Community &**
17 **Economic Development Director** by mailing such notice to the owners of property adjacent
18 to the boundaries of the property under consideration, using for this purpose the last known
19 name and address of such owners as are shown on the latest available equalized assessment
20 roll of the County Assessor. Such notices shall identify the property under consideration and
21 indicate the nature of the proposed application.”

22 B. Public notice of the consideration of a proposed tentative parcel map shall be provided by
23 the ~~Zoning Administrator~~ **Community & Economic Development Director** by mailing such
24 notice to the owners of property within 300 feet of the boundaries of the property under
25 consideration, using for this purpose the last known name and address of such owners as are
26 shown on the latest available equalized assessment roll of the County Assessor. Such notices
27 shall identify the property under consideration and indicate the nature of the proposed
28 application.

 C. The public notice shall:

1. Be sent no later than 14 days after City acceptance of a complete and accurate application.
2. Invite interested persons to notify the Planning Division in writing of any concerns or comments and/or to request further notification of actions relating to the proposed application during a 15 day comment and review period commencing with the date of the notice.
3. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals, or requests for City Council review.
4. Specify that at the end of a 15 day comment and review period, the ~~Zoning Administrator's~~ **Community & Economic Development Director's** final report and recommendations will be issued, initiating a ten day appeal period.”

1 Section 58: Section 18.170.020(B) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “ B. The approving authority, instead of taking any action, may refer the matter to the appeal
4 authority. For example, the ~~Zoning Administrator~~ **Community & Economic Development**
5 **Director** may refer action on a tentative parcel map to the Planning Commission for action.”

6 Section 59: Section 18.180.020(B) and (C) of the Riverside Municipal Code is hereby
7 amended as follows:

8 “B. *Tentative parcel map.* All decisions of the ~~Zoning Administrator~~ **Community &**
9 **Economic Development Director** or the Planning Commission acting as the ~~Zoning~~
10 ~~Administrator~~ **Community & Economic Development Director** shall be transmitted by
11 written notice of decision to the City Clerk for transmittal to the City Council. All decisions of
12 the ~~Zoning Administrator~~ **Community & Economic Development Director** shall be final and
13 effective ten days following transmittal of the written notice of decision to the City Clerk,
14 unless a member of the City Council has requested the item be reviewed or a written appeal
15 has been filed by the applicant or an interested person within this time. An appeal or request
16 for review of a ~~Zoning Administrator~~ **Community & Economic Development Director**
17 decision shall stay the effective date of permit or approval until final action by the City Council.

18 No building permit or authority to proceed shall be granted until the decision is final and all
19 appeal periods have expired.

20 C. *Lot line adjustments, lot consolidations, lot merger/unmergers, parcel map waivers and*
21 *Certificates of Compliance.* All decisions of the ~~Zoning Administrator~~ **Community &**
22 **Economic Development Director** shall be final and effective ten days following the notice of
23 decision unless the applicant or any other interested person files a notice of appeal to the City
24 Council within this time. An appeal shall stay the decision of the Zoning Administrator until
25 final action by the City Council. Notwithstanding anything to the contrary herein, there shall
26 be no right to appeal the decision of the ~~Zoning Administrator~~ **Community & Economic**
27 **Development Director** to refer the matter to the Planning Commission.”

28 Section 60: Section 18.180.050(A), (B)(1) and (C) of the Riverside Municipal Code is
hereby amended as follows:

 “A. The period within which the exercise of a map or permit must occur may be extended by
the ~~Zoning Administrator~~ **Community & Economic Development Director**. An application
for extension shall be filed prior to expiration of the permit along with appropriate fees and
necessary submittal materials pursuant to Chapter 18.150 General Application Processing
Procedures.

 B. *Tentative maps.*

1. Tentative tract, parcel, vesting, and reversion acreage, condominium, and environmental
subdivision maps. The ~~Zoning Administrator~~ **Community & Economic Development**
Director may extend the life of a tentative map beyond the initial 36 month approval by up to

1 six additional years, or as may be further specified in Section 66452.6 (e) of the Government
2 Code of the State of California.

3 ...

4 C. *Granting of stay.* The period of time specified in subdivision B, including any extension
5 granted by the ~~Zoning Administrator~~ **Community & Economic Development Director**, shall
6 not include the period of time during which a lawsuit involving the approval or conditional
7 approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay
8 of the time period is approved by the ~~Zoning Administrator~~ **Community & Economic
9 Development Director**. After service of the initial petition or complaint in the lawsuit upon
10 the ~~Zoning Administrator~~ **Community & Economic Development Director**, the subdivider
11 may apply for a stay following the same procedures in subdivision A. Within 40 days after
12 receiving the application, the ~~Zoning Administrator~~ **Community & Economic Development
13 Director** shall either stay the time period for up to five years or deny the requested stay.

14 ...”

15 Section 61: The City Council has reviewed the matter and, based upon the facts and
16 information contained in the staff reports, administrative record, and written and oral testimony,
17 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3)
18 and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter
19 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the
20 environment nor have a significant impact on the environment.

21 Section 62: The City Clerk shall certify to the adoption of this ordinance and cause publication
22 once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City
23 of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

24 ADOPTED by the City Council this _____ day of _____, 2019.

25 _____
26 William R. Bailey, III
27 Mayor of the City of Riverside

28 Attest:

Colleen J. Nicol
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 _____ day of _____, 2019, and that thereafter the said ordinance was duly and regularly
4 adopted at a meeting of the City Council on the _____ day of _____, 2019, by the following
5 vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10
11 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
12 City of Riverside, California, this _____ day of _____, 2019.

13 _____
14 City Clerk of the City of Riverside
15

16 CA 18-0825
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