



Zoning Code Clean Up

PR-2025-001793 (AMD) – Zoning Text Amendment
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Commission
Agenda Item : 5
August 14, 2025

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PURPOSE



Align Zoning Code with California law



Implement City Council/Committee direction



Refine and improve permitting processes



Make minor adjustments, clarifications, & corrections



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AMENDMENT 1: HYDROGEN FUEL STATIONS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.150 – Base Zones Permitted Land Uses Chapter 19.410 – Vehicle Fuel Stations
CURRENT	<ul style="list-style-type: none"> All vehicle fueling stations are subject to the same development standards and permitting requirements The Zoning Code does not currently reflect SB 1418 (2024), which streamlines the permitting of hydrogen fuel stations
PROPOSED	<ul style="list-style-type: none"> Streamline permitting of certain hydrogen fuel stations per SB 1418 Add development and operation standards for hydrogen fuel stations Make other minor clarifications



Image Source: Fuel Cell & Hydrogen Energy Association

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AMENDMENT 2: FINDINGS OF PUBLIC CONVENIENCE OR NECESSITY (PCORN)

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.450 – Alcohol Sales Chapter 19.650 – Approving and Appeal Authority
CURRENT	<ul style="list-style-type: none"> There are no codified findings of Public Convenience or Necessity (PCorN) for overconcentration of alcohol licenses in the Zoning Code The Zoning Code does not specify which decisionmakers make PCorN findings
PROPOSED	<ul style="list-style-type: none"> Codify findings Specify which decisionmakers are authorized to make PCorN findings



Image Source: iStock

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AMENDMENT 3: JUNK DEALERS/SCRAP METAL RECYCLERS

CODE SECTION	Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	Ordinance No. 7709 created an MCUP requirement for junk dealers/scrap metal recyclers, which are currently prohibited as a primary use
PROPOSED	Keep use prohibited as a <u>primary</u> use in those zones but permit with an MCUP as an <u>incidental</u> use in the General Industrial (I) Zone



Image Source: Adobe Stock



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AMENDMENT 4: NEIGHBORHOOD COMMERCIAL OVERLAY (NC OVERLAY) STREAMLINING

CODE SECTION	Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	Certain uses under the Neighborhood Commercial (NC) Overlay may be too restricted; streamlining recommended
PROPOSED	Amend the Permitted Uses Table to reduce the level of entitlement needed for select uses under the NC Overlay.



Hatching indicates properties with NC Overlay



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AMENDMENT 5: DAY CARE CENTERS

CODE SECTION	Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	All day care centers require a CUP; desire to streamline as a valuable community resource
PROPOSED	Permit day care centers with an MCUP rather than a CUP



Image Source: Brightwheel



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AMENDMENT 6: TUTORING CENTERS

CODE SECTION	Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	<ul style="list-style-type: none"> Tutoring centers require different levels of entitlements based on number of students These centers are generally small and low-impact, so entitlements and tiered permitting may not be necessary
PROPOSED	Remove tiered permitting and permit all centers by right



Image Source: Shutterstock



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AMENDMENT 7: ASTROLOGY AND FORTUNE-TELLING (OCCULTIST)

CODE SECTION	Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	“Astrology and Fortune-Telling (Occultist)” is considered outdated as a standalone use; can be treated as an Office use instead
PROPOSED	<ul style="list-style-type: none"> Strike out “Astrology and Fortune-Telling (Occultist)” row in the Permitted Uses Table Move the reference to Chapter 9.42 (Fortunetelling and Occult Arts) to the Office row of the table



Image Source: Adobe Stock



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AMENDMENT 8: MINOR PARKING LOT SALES

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.150 – Base Zones Permitted Land Uses Chapter 19.740 – Temporary Use Permit
CURRENT	<ul style="list-style-type: none"> The Zoning Code requires all outdoor sales not in conjunction with a permanent land use to obtain a major temporary use permit (TUP). Major TUP fees and process are not appropriate for brief, single-vendor sales events associated with holidays.
PROPOSED	<p>Amend the Temporary Use Permit chapter to:</p> <ul style="list-style-type: none"> Define <u>minor parking lot sales</u> and clarify that they would be exempt from TUPs Codify requirements for minor parking lot sales (i.e., duration, requirement of written permission from property owner, types of items that can be sold)



Image Source: Orange County Register



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AMENDMENT 9: ACCESSORY STRUCTURES

CODE SECTION	Chapter 19.440 – Accessory Buildings and Structures
CURRENT	Non-metal accessory structures on certain single-family zoned lots are exempt from the 750 square foot size limit if the lots are >1 acre; community feedback has encouraged lowering the threshold
PROPOSED	Lower the threshold of size limit exemption from >1 acre to $\geq 1/2$ acre



Image Source: Freemages

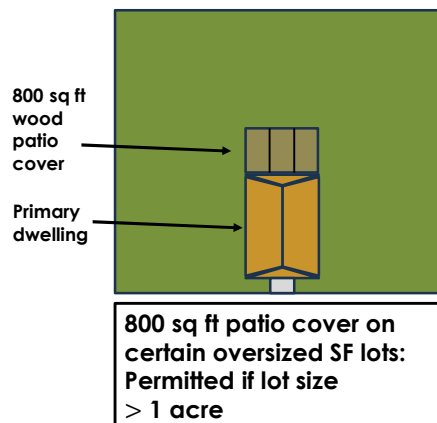


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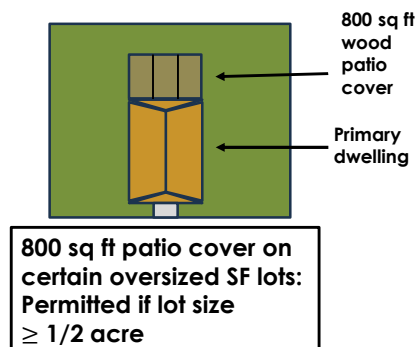
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AMENDMENT 9: ACCESSORY STRUCTURES

Current



Proposed



ALL OTHER DEVELOPMENT STANDARDS APPLY



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AMENDMENT 10: ACCESSORY DWELLING UNITS

CODE SECTION	Chapter 19.442 – Accessory Dwelling Units (ADU)
CURRENT	<p>Clarifications and corrections needed:</p> <ul style="list-style-type: none"> Language incorrectly suggests that deed restrictions limit the size of junior accessory dwelling units (JADUs) Language does not specify that single family lots can have one attached <u>or converted</u> ADU and one detached, <u>new construction</u> ADU, along with a JADU
PROPOSED	<ul style="list-style-type: none"> Remove incorrect language regarding deed restrictions Make specifications for ADUs permitted on single-family lots



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AMENDMENT 11: DENSITY BONUS

CODE SECTION	Chapter 19.545 (Density Bonus)
CURRENT	The Density Bonus chapter is missing a reference to a table from the California Government Code specifying the amount of density bonus permitted for low-income student housing projects
PROPOSED	Create a reference to the table in the chapter

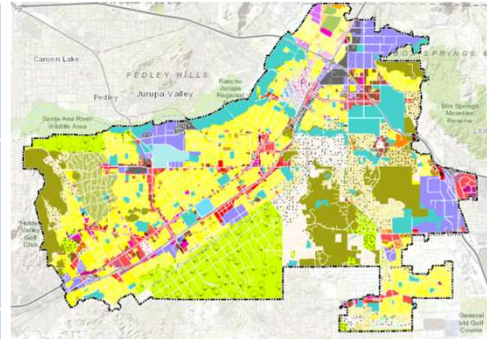


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AMENDMENT 12: ZONING ADMINISTRATOR LANGUAGE

CODE SECTION	Multiple chapters of Title 19
CURRENT	Title 19 still contains references to the defunct Zoning Administrator role; role has largely been replaced by Community & Economic Development Department Director or designee
PROPOSED	Remove references to the Zoning Administrator and/or replace with references to the Community & Economic Development Department Director or designee



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RECOMMENDATIONS

Staff recommends that the Planning Commission:

- 1. DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines and;
- 2. RECOMMEND** the City Council Approve Planning Case PR-2025-001793 (Zoning Code Text Amendment) based on the findings outlined in the staff report.



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