



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: FEBRUARY 23, 2016

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARDS: ALL
DEPARTMENT

SUBJECT: PLANNING CASE P15-1045 – A PROPOSED ZONING CODE TEXT
AMENDMENT TO TITLE 19 OF THE MUNICIPAL CODE, CHAPTER 19.895 –
ROOM RENTAL PERMIT, TO ADD AN EXEMPTION FOR “SINGLE
HOUSEKEEPING UNITS”, AND OTHER MINOR CHANGES TO PROVIDE
CLARITY

ISSUE:

The issue for City Council consideration is an amendment to Chapter 19.895, Room Rental Permit, to add an exemption for single housekeeping units.

RECOMMENDATIONS:

That the City Council:

1. Determine that Planning Case P15-1045 (Zoning Code Text Amendment) is exempt from California Environmental Quality Act (CEQA) pursuant CEQA Guidelines Sec. 15061(b)(3), as the proposed changes to the City's room rental permit requirements do not affect physical development; therefore it can be seen with certainty that there is no possibility that the amendment would have the potential to significantly effect on the environment;
2. Approve Planning Case P15-1045, to amend Chapter 19.895 of the Zoning Code based on the findings stated herein and in the attached staff report; and
3. Introduce and subsequently adopt the attached Ordinance amending Chapter 19.895 of the Riverside Municipal Code.

STAFF/PLANNING COMMISSION RECOMMENDATIONS:

Staff recommended approval to the Planning Commission, subject to recommended conditions of approval. On December 17, 2015, the City Planning Commission recommended approval of Planning Case P15-1045 by a vote of 8 ayes, 0 noes and 0 abstentions.

FINDINGS:

The amendment to Chapter 19.895:

1. Is generally consistent with the goals, policies, and objectives of the General Plan;
2. Will not adversely affect surrounding properties; and
3. Promotes the public health, safety, and general welfare, and serves the goals and purposes of the Zoning Code.

BACKGROUND:

Chapter 19.520 of the Riverside Municipal Code (RMC) allows the rental of rooms in single-family residential dwellings, provided the number of individual renters per single-family residence is limited to a total of four (4). In response to problems that were occurring in neighborhoods near the University of California, Riverside, on August 13, 2013, the City Council adopted Ordinance No. 7222 establishing Chapter 19.895 – *Room Rental Permit*, of the Riverside Municipal Code. Chapter 19.895 requires the owners of a single-family residence/dwelling with three (3) or four (4) renters to obtain a room rental permit.

In July 2014, the Fair Housing Council of Riverside County, Inc. and several individuals (collectively Plaintiffs), filed a lawsuit against the City contending that, among other things, the City's adoption and enforcement of Ordinance No. 7222 has a discriminatory effect violation of federal and state fair housing laws.

In September 2015, the parties to the lawsuit attended a mediation in an effort to resolve the lawsuit. During mediation an amendment to Chapter 19.895 was suggested that would ensure a single housekeeping unit, as currently defined in Title 19 of the Riverside Municipal Code, was exempted from the Room Rental Permit requirement. The Ordinance with the proposed changes is Attachment 1. There are also additional changes that are grammatical in nature, and are intended to provide clarity regarding authority and process.

The City currently defines a single housekeeping unit as follows:

"Single housekeeping unit – One household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses, and maintenance of the premises are shared or carried out according to a household plan or other customary method. If all or part of the dwelling unit is rented, the lessees must jointly occupy the unit under a single rental agreement or lease, either written or oral, or implied with an owner; an owner's agent, representative or manager or family thereof is in residence."

Staff concurs with the proposed amendments.

FISCAL IMPACT:

There is no fiscal impact to the General Fund as a result of the proposed Zoning Code text amendment.

Prepared by:	Rafael Guzman, Community & Economic Development Director
Certified as to availability of funds:	Brent A. Mason, Finance Director/Treasurer
Approved by:	Al Zelinka, FAICP Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

Attachments:

1. Ordinance
2. Planning Commission Staff Report – December 17, 2015
3. Planning Commission Minutes
4. Presentation