

# P17-0096, P17-0180, P17-0182, & P17-0521

## Exhibit 4 – Zoning Code Text Amendment Changes

The following identifies revisions to the proposed Zoning Code Text Amendment which are subsequent to the October 19, 2017 Planning Commission Report. The pages that follow only include those where text revisions occur (revisions are highlighted in yellow). Revisions to grammar and formatting are not shown.

### Chapter 19.080 - Nonconformities

#### **DIVISION IV: NONCONFORMING STRUCTURES AND USES IN THE RA-5 AND RC ZONES**

##### **19.080.110 Nonconforming Uses and Structures Generally.**

##### **19.080.120 Structural Alterations.**

##### **19.080.130 Building Permit Issuance.**

##### **19.080.110 Nonconforming Uses and Structures Generally.**

Except as specifically provided elsewhere in this chapter, any nonconforming use or structure may be continued indefinitely. If a nonconforming use is changed to any different use, such different use shall conform to the provisions of this chapter. Any discontinuance of a nonconforming for a continuous period of one year shall be deemed to constitute an abandonment of such nonconforming use and any future use shall conform to the provisions of this chapter. If any nonconforming building be destroyed by fire, explosion or other casualty, act of God or the public enemy, the owner may reconstruct a building of the same size or smaller to continue the previous use, provided a building permit is obtained and repairs are commenced within one year, then the right to continue the nonconforming use shall terminate and the use of the property must thereafter conform to the provisions of this chapter for the zone in which it is located.

##### **19.080.120 Structural Alterations.**

The nonconforming use of a nonconforming building may be expanded or extended throughout such building; provided that no structural alterations, except those required by law or ordinance, shall be made therein unless a conditional use permit is obtained. The nonconforming use of a conforming building may be expanded or extended into any other portion of such conforming building, subject to the granting of a conditional use permit.

##### **19.080.130 Building Permit Issuance.**

A building permit for ordinary and routine maintenance and repair work may be issued by the building official if such maintenance and repair work will not require a structural alteration, reconstruction or enlargement of a nonconforming building or improvement or increase the floor area or cubical content of a nonconforming building or improvement. The alteration and reconstruction of a nonconforming buildings or improvements requiring building permits may be permitted subject to the granting of a conditional use permit. Within the limitations hereinafter set forth a building permit for a new building, enlargement of an existing building,

or increase in floor area or cubical content may be permitted. Such building permit may be granted if all of the following conditions do exist:

A. Such expansion will protect a valuable property investment;

B. Such expansion and proposed use will not adversely affect or be materially detrimental to the adjoining properties;

C. That there is need for relief of overcrowded conditions or for modernization in order to properly operate the use and protect valuable property rights.

Chapter 19.150.020(A) – Permitted Uses Table

Use	Zones																					Location of Required Standards in the Municipal Code
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR	PF	RWY	NC Overlay	
Subdivision Sales Trailer and/or Office During Construction																						See Temporary Uses Table
<u>Supportive Housing</u>																						
<u>2 to 6 occupants</u>	P	P	P	P	P	P	P	MC	MC	MC	X	P	P	P	X	X	X	X	X	X	X	
<u>more than 6 occupants</u>	P	P	P	P	P	P	P	C	C	C	X	P	P	P	X	X	X	X	X	X	X	
Tattoo and Body Piercing Parlors	X	X	X	X	X	X	X	X	MC/C	MC/C	X	X	X	X	X	X	X	X	X	X	X	19.405 – Tattoo and Body Piercing Parlors For parking see Medical Services – 19.580
Taxi Company with Vehicle Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	
<u>Tiny Home Community</u>	X	X	PRD	PRD	PRD	C	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
<u>Transitional Housing</u>																						
<u>2 to 6 occupants</u>	P	P	P	P	P	P	P	MC	MC	MC	X	P	P	P	X	X	X	X	X	X	X	
<u>more than 6 occupants</u>	P	P	P	P	P	P	P	C	C	C	X	P	P	P	X	X	X	X	X	X	X	
Truck Terminal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	X	X	X	

## Chapter 19.710 – Design Review

To facilitate the development of affordable housing throughout the City, consistent with California Government Code Section 65580, an administrative Design Review application for standalone multi-family residential building(s) shall be reviewed by the Community and Economic Development Director or his/her designee when the proposed development complies with all of the following criteria:

1. Development standards and regulations of the Riverside Municipal Code, including but not limited to, Title 7 (Noise), 16 (Building & Construction), 17 (Grading), 18 (Subdivision), 19 (Zoning) and 20 (Cultural Resources);
2. Water Quality Management Plan (WQMP) requirements;
3. No other discretionary review is required to approve the development proposal, such as, but not limited to, a variance, rezoning, specific plan amendment or general plan amendment;
4. County's Airport Land Use Compatibility Plan (ALUCP), when applicable;
5. Mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5<sup>th</sup> Cycle Housing Element (SCH # 2017041039); and
6. Requirements of a Traffic Operations Assessment (TOA) prepared for and reviewed by the City of Riverside Public Works Department. A TOA is required when a development results in any of the following:
  - a. Generates 100 or more new peak hour vehicle trips;
  - b. Does not conform with the City of Riverside's Access Management Guidelines;
  - c. The project site is located within 1,000 feet of a roadway or intersection where three or more reported vehicular accidents have occurred in a 12-month period, or five or more reported vehicular accidents in a 24-month period, and where the installation of traffic controls or improvements could reduce vehicular accidents; or
  - d. The closest intersection, if greater than 1,000 feet from the project site, or segment of roadway between the project and the closest intersection, have had three or more reported vehicular accidents in a 12-month period, or five or more reported vehicular accidents in a 24-month period, and where the installation of traffic controls or improvements could reduce vehicular accidents.

This administrative Design Review process ensures compliance with California Housing Element law. The multi-family housing permitted pursuant to RMC Article V – Permitted Use Table - 19.150.020(A) shall be a “permitted use by right”, as defined by Government Code Section 65583.

## Chapter 19.740 – Temporary Use Permit

- a) No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.
- b) An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

### 14. Temporary Emergency Shelter with Assemblies of People-Non-Entertainment

- a) A Temporary Emergency Shelter may be permitted in conjunction with an Assemblies of People-Non-Entertainment use.
- b) A written management and security plan shall be provided for review and approval by the Community & Economic Development Director or their designee.
- c) The owner and/or management shall become an active member of the Riverside Police Department's Crime Free Multi-Housing Program or equivalent program.
- d) A site maintenance and operations plan for ongoing property cleaning, noise control, and odor, dust, and litter control shall be submitted for review and approval of the Community & Economic Development Director or their designee prior to commencement of operations.
- e) The placement of beds are temporary and limited to the maximum number of days identified in Table 19.740.020.
- f) Temporary Emergency Shelters shall be consistent with applicable airport land use compatibility plans. See Chapter 19.149 – Airport Land Use Compatibility.

### 14:15. Temporary Holiday Storage Containers

- a) A maximum of four (4) temporary holiday storage containers may be permitted for retail outlets with 15,000 square feet or more of gross floor area for overstock of products and goods.
- b) A maximum of two (2) temporary holiday storage containers may be permitted for retail outlets with 10,000 to 15,000 square feet of gross floor area for overstock of products and goods.
- c) A maximum of one (1) temporary holiday storage containers may be permitted for retail outlets with 5,000 to 10,000 square feet or more of gross floor area for overstock of products and goods.
- d) The containers shall be located behind the building to minimize the visual impact from public view.
- e) The containers shall not be located within any building setback area.

## Chapter 19.910 – Definitions

### Tiny home

A Dwelling Unit constructed on a chassis that meets the following:

1. The unit cannot (and is designed not to) move under its own power. When sited on a parcel the wheels and undercarriage shall be skirted;
2. No larger than allowed by California State Law for movement on public highways;
3. Has at least 100 square feet of first floor interior living space;
4. Is a self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry;
5. Is designed and built to look like a conventional building structure;
6. Licensed and registered with the California Department of Motor Vehicles and meets the American National Standards Institute 119.2 or 119.5 requirements;
7. Connected to permanent utilities; and
8. A Tiny Home is not a recreational vehicle as defined in the Zoning Code.