

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.

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

“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

1 new range. All salary advancements within each class shall not be automatic, but shall be
2 based upon merit and fitness and upon the financial ability of the City to make such
advancements.

3 Each full-time employee may be granted a one-step salary increase or 5% after completion
4 of one year of continuous service after an appointment or promotion to any step of a
5 classification and in accordance with established Collective Bargaining Agreements; part-
6 time employees may be granted a one-step salary increase or 5% based on attaining the
7 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.

8 If a position is reclassified to a classification in which the salary range is higher and it is
9 administratively determined that the incumbent meets the minimum qualifications and
10 selection requirements of the classification and is in fact performing the full range of duties
11 and responsibilities of that position, the incumbent of the position shall be entitled to a salary
12 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.

13 Notwithstanding the foregoing, except for the direct reports of the City Attorney and the City
14 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
15 Department Head and approved by the City Manager and Human Resources Director.

16 Further, notwithstanding the foregoing, the City Attorney and the City Clerk may approve a
17 special meritorious increase prior to the expiration of the required time as well as all
18 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%."

19 Section 4: Section 2.68.010 of the Riverside Municipal Code is hereby amended as
20 follows:

21 "Pursuant to section 8630 of the Government Code of the State of California, and Chapter 9.20
22 of this Code, the Director of Emergency Services or his/her successor, are designated as the
23 City officials who may proclaim a local emergency within the City and to act pursuant to the
provisions of the California Emergency Services Act."

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

26 "C. To receive, and in its discretion, review and investigate, through the City Manager,
27 complaints filed within six months of the date of the alleged police employee misconduct, in
writing with the Commission or any other City office, which allege persons employed by the
28 Riverside Police Department in a sworn capacity with, but not limited to (a) use of excessive
force, (b) discrimination or sexual harassment in respect to members of the public, (c) the

improper discharge of firearms, (d) illegal search or seizure, (e) false arrest, (f) false reporting, (g) criminal conduct, (h) misconduct. "Misconduct" is defined to mean and include any alleged improper or illegal acts, omissions or decisions directly affecting the person or property of a specific community member by reason of:

..."

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

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

...

Consumer Price Index means the Consumer Price Index for Urban Wage Earners and Clerical Workers for the Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area published by the Bureau of Labor Statistics of the United States Department of Labor."

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

"Scope of the risk management function.

The Finance Department shall have responsibility and authority over the areas of loss control, loss prevention and insurance services for all City departments, offices, and agencies."

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

"D. Monitor and report annually to the City Finance Committee and City Council the insurance administration, and the compliance of City departments, offices, and agencies with the internal controls; and

E. Other such related functions and duties as assigned by the Chief Financial Officer/Treasurer."

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

"(C) *Submittal of additional documents.* The Mayor, Council Members, City Manager, City Attorney, and/or City Clerk, may submit materials that are necessary to the deliberation of an agenda item that were not available prior to the publishing of the agenda material, to the City Clerk at any time prior to an agenda item being heard. 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

1 shall be made available to the public at the related meeting. Documents submitted by outside
2 parties at the meeting shall be made available to the public the following business day.

3 (D) *Excuse of Sunshine Notice Requirements.* If an item appears on an agenda but the local
4 body fails to meet any of the additional notice requirements under this section, the local body
5 may take action only if ~~:(1) The the~~ minimum notice requirements of the Riverside City
6 Charter and the Brown Act have been met; ~~and~~ one of the following applies:

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

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

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

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

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

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

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

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

26 (54) The item was continued by City Council at a regularly noticed City Council meeting to a
27 subsequent City Council meeting.

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

(F) *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.

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

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

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

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

11 “... ”

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

16 ...”

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

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

23 ...”

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

26 “C. Consumer price index or CPI means the consumer price index for all Wage Earners and
27 Clerical Workers in the Riverside-San Bernardino-Ontario area published by the Bureau of
28 Labor Statistics of the United States 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: ~~4~~ 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.

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

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

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

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

27 Section 17: Section 8.21.010(A)(2)(c) of the Riverside Municipal Code is hereby deleted in
28 its entirety and (d) is hereby amended to becomes (c) as follows:

 “c. Female dogs over the age of ten years and male dogs over the age of 12 years, however an
unaltered license is still required.”

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

 “B. Should the owner or custodian of an unaltered dog or cat be found in violation of a State
or local law, as stated above, in subsection A, the owner or custodian shall be required to spay
or neuter the unaltered animal in accordance with this section.”

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

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

5 1. A pit bull that has been appropriately trained and is actually being used by a public law
6 enforcement agency for law enforcement purposes.

7 2. A pit bull which has been certified by a licensed veterinarian as having a health reason for
8 not being spayed/neutered.

9 3. A pit bull which is in training at a licensed kennel and is currently licensed by the owner in
10 another jurisdiction. The owner of the pit bull has the burden of showing that said pit bull is
11 licensed in another jurisdiction.

12 4. A dog that is pending a breed determination when the dog owner or custodian requests such
13 a determination in accordance with paragraph F below.

14 5. A female pit bull that is over the age of ten years or a male pit bull that is over the age of 12
15 years.”

16 Section 20: Section 9.20.030 of the Riverside Municipal Code is hereby amended as
17 follows:

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

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

24 (1) Assistant Director of Emergency Services.

25 (2) Assistant City Manager(s).

26 (3) Fire Chief.

27 (4) Police Chief.

28 (5) Public Utilities General Manager.

 (6) Public Works Director.

 (7) 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

1 curbs, gutters, culverts, drains, drainage systems, sanitary sewers, landscapes, irrigation, and
2 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.”

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

5 “No facilities, ~~or~~ structures, trees, landscaping or irrigation shall be constructed or placed upon
6 a street right-of-way or upon any City-owned easement except upon issuance of an
7 encroachment permit by the City, or except for facilities or structures installed or constructed
8 by public utilities in accordance with any franchise or right previously granted. All work shall
9 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.”

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

12 “It shall be the duty of the Public Works Director to inspect the work of grading and paving
13 streets, sidewalks and alleys, and of constructing curbs, gutters, culverts, drains, drainage
14 systems, sanitary sewers, utilities, trees, landscaping and irrigation, and appurtenant work,
15 which is being done under such permit, either by a contractor pursuant to contract with the
16 City, or any board or department thereof, or by any contractor pursuant to contract with any
17 person acting in a private capacity, or which is being done by any person acting in a private
18 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.”

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

21 “No person shall grade, prepare subgrade, pave, lay sewer or drain pipe, construct curbs,
22 gutters, driveways, sidewalks, manholes, catch basins or similar structures, or install any trees,
23 landscaping or irrigation in any street, alley, way or easement, which street, alley, way or
easement is dedicated or proposed to be dedicated for public use, within the City, without first
obtaining a written permit from the City so to do.”

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

26 “Any person obtaining a permit to erect, construct, place or replace or relocate a building,
27 structure or dwelling or, with the exception of single family dwellings, to enlarge or make
additions thereto in excess of 650 square feet shall, at his expense, provide for the plans and
28 construction of curbs, gutters, sidewalks, trails, street lights, street trees, landscapes, irrigation,
driveway approaches, base, paving, barricades, catch basins and drain pipe along all street and

1 alley frontages in accordance with the standard drawings and standard specifications of the
2 Public Works Department, and of the Public Utilities Department in the case of street lights.

3 ...”

4 Section 26: Section 13.25.010 of the Riverside Municipal Code is hereby amended as
5 follows:

6 “No trees or shrubs shall hereafter be planted along the public streets of the City except
7 pursuant to the policies established by the Park, Recreation and Community Services
8 Commission and approved by the City Council, or except at such place as shall be specifically
9 set apart and authorized for such purpose.”

10 Section 27: Section 13.25.020 of the Riverside Municipal Code is hereby amended as
11 follows:

12 “No trees or shrubs planted or growing along the public streets of the City shall be removed
13 except pursuant to the policy established by the Park, Recreation and Community Services
14 Commission and no trees along the streets shall be cut, pruned or trimmed except pursuant to
15 the policy established by the Commission and approved by the City Council; nor shall anyone
16 not authorized by said policy trench around or alongside of any tree, plant or shrub with a view
17 to cutting the roots of same.”

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

20 “Subject to approval by the City Council, the Park, Recreation and Community Services
21 Commission shall establish policies for the general care and supervision of all trees along the
22 streets of the City and shall select the varieties of trees to be planted.”

23 Section 29: Section 14.08.005 of the Riverside Municipal Code is hereby amended as
24 follows:

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

27 A. Apartment or apartment house means any building or premises containing two or more
28 dwelling units with separate plumbing facilities, but shall not include any building commonly
known as a hotel, motel, or auto court.

B. Board house shall have the same meaning as set forth in Title 19 of this Code.

C. City sewerage system means those pipe lines, plant facilities and appurtenances
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
wastewater treatment plant for the treatment of the sewage.

D. Dwelling unit means a building of one or more rooms which is occupied by one person or more persons.

E. Nonresidential premises means any industrial, commercial, governmental, or institutional premises including apartments, condominiums, and boarding houses, which discharge or cause to be discharged sewage into the City sewerage system.

F. Nonresidential private sewer lateral line means the wastewater collection pipe extending from the premises, including the sewer lateral clean out, where the wastewater is generated to the point of connection to the City sewerage system.

G. Premises means a lot or parcel of land, a building or an establishment.

H. Private residential sewer lateral line means the wastewater collection pipe extending from the premises, including the sewer lateral clean out, where the wastewater is generated to the premises property line or City easement.

I. Residential premises means any dwelling unit that is primarily used as a person or persons living quarters, excluding apartments, and which discharges or causes to be discharged sewage in the City sewerage system.

J. Sewage means a combination of water or waste borne waste generated from a premises.”

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

“A. All residential and nonresidential customers shall maintain their private sewer lateral 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 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.

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

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

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

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

11 Section 32: Section 14.12.447 of the Riverside Municipal Code is hereby amended as
12 follows:

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

26 . . .

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

- 29 (i) Regulated process streams; and
- 30 (ii) Other streams as necessary to allow use of the combined wastestream
31 formula of 40 CFR 403.6(e).

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

34 5. *Measurement of pollutants.*

35 . . .

(iii) For sampling required in support of baseline monitoring and 90-day compliance reports required, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Director may authorize a lower minimum. For the reports required under (40 CFR 403.12(e) and 403.12(h)), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

...

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

(i) Where the industrial user's categorical pretreatment standard has been modified by a removal allowance, the combined wastestream formula, and/or a fundamentally different factors variance at the time the user submits the report required, the information required shall pertain to the modified limits.

(ii) If the categorical pretreatment standard is modified by a removal allowance the combined wastestream formula, and/or a fundamentally different factors variance after the user submits the report required, any necessary amendments to the information requested shall be submitted by the user to the Control Authority within 60 days after the modified limit is approved."

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

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

...

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

..."

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

"The fee established by this ordinance shall be revised annually by means of an automatic adjustment at the beginning of each fiscal year based on the average percentage change over

the previous calendar year set forth in the Consumer Price Index as published by the Bureau of Labor Statistics for the United States Department of Labor for the 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.”

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

“Average natural slope” is the slope determined pursuant to the City of Riverside's adopted Average Natural Slope Formula specified in Section 19.100.050 of this 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:

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

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

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

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

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

A. . . .

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 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 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 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 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 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 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).

...

14. Arroyo grading.

a. No development or grading of any kind shall be permitted within 50 feet of the limits of the Mockingbird Canyon, Woodcrest, Prenda, Alessandro, Tequesquite, or Springbrook Arroyos and associated tributaries as shown on Exhibits A-F. The Community & Economic Development Director shall have the authority to administratively allow grading within designated arroyo tributaries depending on the sensitivity of the area. Sensitivity shall be determined by such factors as the presence of riparian vegetation, habitat for rare or endangered

species, significant rock outcroppings or other unique topographic features on the property proposed to be graded or in nearby segments of the same tributary.

...”

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

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

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

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

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

“In determining whether to grant or deny the application for exception to the requirements of this title, the Community & Economic Development Director or Planning Commission shall consider the property characteristics, comments received from 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 19.780.050.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

1 and private services, and that the site is well designed with desirable amenities in accordance
2 with adopted Citywide Design Guidelines and in accordance with City Codes (Note:
3 Compliance with City Codes allows for granting of variances in certain instances.) In order for
4 a project to qualify as a PRD it must meet these minimum benchmark density requirements. In
5 the case of PRD's in the RC Zone, the following additional criteria apply to qualifying for the
6 benchmark density:

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

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

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

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

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

26 Section 43: Section 18.060.020 of the Riverside Municipal Code is hereby amended as
27 follows:

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

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

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

1 Section 45: Section 18.060.040 of the Riverside Municipal Code is hereby amended as
2 follows:

3 “A. Once the Community & Economic Development Director has identified the ambiguity and
4 considered relevant information, an official interpretation of this title shall be established in
5 writing and shall cite the provisions being interpreted, together with an explanation of the
6 meaning or applicability of the provision(s) in the particular or general circumstances that
7 caused the need for interpretation.

8 B. Any provision determined by the Community & Economic Development Director to be
9 ambiguous pursuant to this chapter shall be clarified by amendment as soon as is practical.”

10 Section 46: Section 18.070.050 of the Riverside Municipal Code is hereby amended as
11 follows:

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

24 B. *Planning commission meeting; notice of violation.* If at the scheduled hearing, the owner of
25 the real property fails to object to recording the notice of violation, the Planning Commission
26 shall direct the recording of the notice of violation with the County Recorder. If, after the owner
27 has presented evidence, it is determined that there has been no violation, the Community &
28 Economic Development Director shall mail a clearance letter to the then current owner of
record. If, however, after the owner has presented evidence, the Planning Commission
determines that the property has in fact been illegally divided, the Planning Commission shall
direct the recording of the notice of violation with the Riverside County Recorder. The notice
of violation, when recorded, shall be deemed to be constructive notice of the violation to all
successors in interest in such property.”

29 Section 47: Section 18.080.95 of the Riverside Municipal Code is hereby amended as
30 follows:

31 “If a map is proposed to be constructed in phases, the proposed phasing schedule is subject to
32 approval by the Community & Economic Development Director. Upon approval, the phasing
33 map shall be distributed to the Public Works and Public Utilities departments.”

1 Section 48: Section 18130.020(B) of the Riverside Municipal Code is hereby amended as
2 follows:

3 “B. *Discretionary administrative maps, permits and actions not requiring a public hearing.*
4 The Zoning Administrator, acting as the advisory agency, has primary administrative
5 approving authority over maps, permits and actions which require the determination of
6 compliance with applicable subdivision provisions and the application of judgment to a given
7 set of facts. No public hearing is required for administrative maps, permits and actions unless
8 the decision is appealed in accordance with provisions of Chapter 18.170 Appeals. Table
9 18.140.040 Approving and Appeal Authority describes the various administrative permits
10 which can be approved by the Community & Economic Development Director.”

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

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

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

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

21 B. In the event an application is deemed incomplete and the applicant resubmits the
22 application, within 30 days of application resubmittal the Community & Economic
23 Development Director shall determine whether or not the resubmitted application is complete.
24 The applicant shall be notified in writing of the determination if specific information and or
25 materials are still necessary to complete the application.”

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

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

30 . . .

31 2. *Tentative vesting map.*

32 . . .

33 b. At the time a tentative vesting map is filed, a subdivider shall also supply the following
34 information unless an item(s) is determined by the Community & Economic Development
35 Director not to be necessary:

...

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

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

“A. *Waste discharge.* The Planning Commission or Community & Economic Development Director shall also determine whether the discharge of waste from the proposed subdivision or permit into the existing community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control 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.”

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

“18.150.100 - Community & Economic Development Director review.

A. *Tentative parcel map.*

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

...

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

1. ...

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

...

1 D. *Certificate of Compliance.*

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

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

20 “A. *Referrals to the Planning Commission from the Community & Economic Development*
21 *Director or City Surveyor.*

22 1. An application for a parcel map, lot line adjustment, lot consolidation, lot merger/unmerger,
23 parcel map waiver, certificate of compliance or time extension referred to the Planning
24 Commission by the Community & Economic Development Director or City Surveyor shall be
25 reviewed and acted upon by the Planning Commission acting in the capacity of Community &
26 Economic Development Director or City Surveyor within 60 days following the filing of the
27 completed application with the Planning Division or Public Works Department in accordance
28 with the following procedure:

...

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

1 other requirements of this title unless in conjunction therewith modifications are approved
2 pursuant to Chapter 18.230 Modifications.

3 ...”

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

6 “B. Within ten days from the final action on an application, the Community & Economic
7 Development Director or City Surveyor as appropriate shall send written notice of decision to
8 the project applicant, other affected parties, and anyone who has requested to be notified. The
9 notice of decision shall identify the specific action of the approving and appeal authority,
10 including the date of action, applicable conditions, basis for determination, and appeal period.

11 C. The written decision of the City Surveyor to conditionally approve or deny the lot line
12 adjustment, lot consolidation or lot merger/unmerger or to refer the application to the Planning
13 Commission shall be issued within 30 days after the filing of a complete application with the
14 Planning Division. If the lot line adjustment, lot consolidation or lot merger/unmerger is to be
15 referred to the Planning Commission, the Community & Economic Development Director
16 shall cause the application to be placed on the next available agenda of said Commission and
17 notice of the hearing before the Planning Commission to be given. The Planning Commission
18 shall act in the capacity of the City Surveyor if the matter is referred to it by the City Surveyor.”

19 Section 56: Section 18.150.140 of the Riverside Municipal Code is hereby amended as
20 follows:

21 “Whenever an application or portion of an application has been denied or revoked and the
22 denial or revocation becomes final, no new application for the same or similar request may be
23 accepted within one year of the date of the action to deny or revoke, unless the Community &
24 Economic Development Director determines that a new application is warranted due to a
25 substantial change in land use on properties in the vicinity, improved infrastructure in the
26 vicinity, altered traffic patterns, or any such similar change resulting in a changed physical
27 environment.”

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

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

1 B. Public notice of the consideration of a proposed tentative parcel map shall be provided by
2 the Community & Economic Development Director by mailing such notice to the owners of
3 property within 300 feet of the boundaries of the property under consideration, using for this
4 purpose the last known name and address of such owners as are shown on the latest available
equalized assessment roll of the County Assessor. Such notices shall identify the property
under consideration and indicate the nature of the proposed application.

5 C. The public notice shall:

- 6 1. Be sent no later than 14 days after City acceptance of a complete and accurate application.
- 7
- 8 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
9 during a 15 day comment and review period commencing with the date of the notice.
- 10 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.
- 11
- 12 4. Specify that at the end of a 15 day comment and review period, the Community & Economic
Development Director's final report and recommendations will be issued, initiating a ten day
13 appeal period."

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

16 " B. The approving authority, instead of taking any action, may refer the matter to the appeal
17 authority. For example, the Community & Economic Development Director may refer action
on a tentative parcel map to the Planning Commission for action."

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

20 "B. *Tentative parcel map.* All decisions of the Community & Economic Development Director
21 or the Planning Commission acting as the Community & Economic Development Director
22 shall be transmitted by written notice of decision to the City Clerk for transmittal to the City
Council. All decisions of the Community & Economic Development Director shall be final
23 and effective ten days following transmittal of the written notice of decision to the City Clerk,
unless a member of the City Council has requested the item be reviewed or a written appeal
24 has been filed by the applicant or an interested person within this time. An appeal or request
for review of a Community & Economic Development Director decision shall stay the effective
25 date of permit or approval until final action by the City Council.

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

28 C. *Lot line adjustments, lot consolidations, lot merger/unmergers, parcel map waivers and
Certificates of Compliance.* All decisions of the Community & Economic Development

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Director shall be final and effective ten days following the notice of decision unless the applicant or any other interested person files a notice of appeal to the City Council within this time. An appeal shall stay the decision of the Zoning Administrator until final action by the City Council. Notwithstanding anything to the contrary herein, there shall be no right to appeal the decision of the Community & Economic Development Director to refer the matter to the Planning Commission.”

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 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 Community & Economic Development Director may extend the life of a tentative map beyond the initial 36 month approval by up to six additional years, or as may be further specified in Section 66452.6 (e) of the Government Code of the State of California.

...

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

...”

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

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

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

William R. Bailey, III
Mayor of the City of Riverside

Attest:

Colleen J. Nicol
City Clerk of the City of Riverside

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

Ayes:

Noes:

Absent:

Abstain:

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

City Clerk of the City of Riverside

CA 18-0825