

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING VARIOUS SECTIONS IN TITLE 19 OF THE RIVERSIDE MUNICIPAL CODE.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 19.050.045 of the Riverside Municipal Code is hereby amended as follows:

“Section 19.050.045 Responsibilities of the Development Review Committee.

The Development Review Committee shall be the pre-designated group of City departments or divisions involved in the process of reviewing projects involving new construction, re-construction and/or other entitlement applications, each of which shall conduct administrative functions authorized by the Zoning Code, including application review and issuance of administrative permits and approvals as per Table 19.650.020 (Approving and Appeal Authority), including the preparation of staff reports and recommendations, with proposed findings and proposed conditions for certain discretionary actions. The Development Review Committee will not collectively vote, nor perform any collective function. Each Department and Division that is participating in Development Review Committee will retain and exercise its own approval authority in the Development Review Committee process. ~~The Development Review Committee shall be the pre-designated group of individuals, representing specific City departments/divisions involved in the process of reviewing projects involving new construction, re-construction and/or other entitlement applications and shall conduct administrative functions authorized by the Zoning Code, including application review and issuance of administrative permits and approvals as per Table 19.650.020 (Approving and Appeal Authority), including the preparation of staff reports and recommendations, with proposed findings and proposed conditions for certain discretionary actions.~~

Section 2: Table 19.650.020 of Title 19 of the Riverside Municipal Code entitled “Approving and Appeal Authority” is hereby amended as shown in Exhibit “A,” attached hereto and incorporated by reference.

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1 Section 3: Section 19.670.020 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 19.670.020 Notice requirements for administrative discretionary permits with no**
4 **public hearing.**

5 A. *Minor Conditional Use Permit and Variance*

6 ...

7 5. For variances in any zone where the applicant has obtained the written approval of the adjacent
8 property owners, no public notices, comment period or appeal period is required. The Community &
9 Economic Development Director’s Development Review Committee decision is final, except that the
10 applicant may appeal the Development Review Committee decision within ten days of the mailing of
11 written notice of decision.

12 ...”

13 Section 4: Section 19.720.040 of the Riverside Municipal Code is hereby amended as
14 follows:

15 **“Section 19.720.040 Required Findings.**

16 A. The Development Review Committee Director of Community & Economic Development
17 Department, Planning Commission or the City Council may approve a variance if it makes all of the
18 following findings that:

19 ...”

20 Section 5: Section 19.720.050 of the Riverside Municipal Code is hereby amended as
21 follows:

22 **“Section 19.720.050 Conditions of approval/guarantees.**

23 ...

24 B. The conditions attached to variance may include such provisions concerning height, area,
25 yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation
26 characteristic, land use compatibility, general character, appearance, environmental impact, time limits
27 for commencing the construction authorized, revocation dates, and other conditions the Development
28 Review Committee Director of Community & Economic Development Department or Planning

Commission may deem appropriate and necessary to carry out the purposes of the Zoning Code and Chapter.”

Section 6: Section 19.730.110 of the Riverside Municipal Code is hereby amended as follows:

“Section 19.730.110 Voiding of minor conditional use permits.

A. Any minor conditional use permit granted by the Development Review Committee or by the Planning Commission or City Council on appeal shall become null and void if:

...

2. The owner or owners authorized representative of the property for which the permit was granted requests in writing that the permit be partially or fully voided and the Community & Economic Development Director approves such request.

B. Conditions of a minor conditional use permit related to Assemblies of People – Entertainment and that is granted by the Development Review Committee, the Planning Commission, or City Council may be voided by the Director of Community & Economic Development Department, or his or her designee, if an Entertainment Permit, as defined in Title 5, is issued.

Section 7: Section 19.760.090 of the Riverside Municipal Code is hereby amended as follows:

“Section 19.760.090 Voiding of conditional use permits.

...

2. The owner or owners authorized representative of the property for which the permit was granted requests in writing that the permit be partially or fully voided and the ~~Planning Commission having jurisdiction approved such request~~ Community & Economic Development Director approves such request.

B. Conditions of a conditional use permit related to Assemblies of People – Entertainment that is granted by the Planning Commission or City Council may be voided by the Director of Community & Economic Development Department, or his or her designee, if an Entertainment Permit, as defined in Title 5, is issued.”

1 Section 8: Section 19.910.050. of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 19.910.050 “D” Definitions.**

4 *Day care center - child* means a child day care facility other than a family day care home, including
5 infant centers, extended day care facilities and school-age child care centers. (see California Health
6 and Safety Code Section 1596.76).

7 ...

8 *Development Review Committee (“DRC”)* means the pre-designated group of City departments or
9 divisions involved in the process of reviewing projects involving new construction, re-construction
10 and/or other entitlement applications, each of which shall conduct administrative functions authorized
11 by the Zoning Code. ~~the Development Review Committee (DRC) . is comprised of representatives~~
12 from various City Departments, having Approval Authority for certain development projects, pursuant
13 to the Riverside Municipal Code. The DRC includes any 3 or more of the following Divisions and
14 Departments: Planning, Building and Safety, Public Works, Public Utilities, Parks and Recreation,
15 Police and Fire. ~~includes the City Planner, Building Official, and City Engineer or designee(s), as~~
16 well as representatives from Public Utilities, Parks and Recreation, Police and Fire Departments. The
17 The DRC also serves as a recommending body to the Planning Commission on applications for
18 discretionary land use entitlements. The DRC process shall be chaired by the ~~City Planner or~~
19 designeePlanning Division.

20 ...”

21 Section 9: Section 19.100.010 of the Riverside Municipal Code is hereby amended as
22 follows:

23 **“Section 19.100.010 Purpose.**

24 The purpose of this chapter is to define allowable land uses and property development
25 standards, including density of development, for all residential ones in order to produce healthy, safe,
26 livable and attractive neighborhoods within the City of Riverside, consistent with the goals and
27 policies of the City’s General Plan. Fourteen residential zones are established to implement the
28 residential land use designations of the General Plan. The purpose of each of the residential zones is

1 as follows:

2 ...

3 D. *Residential Estate Zone (RE) and R-1-1/2 Acre Zone.* The Residential Estate Zone (RE) and R-
4 1-1/2 Acre Zone are established to provide areas for large lot single-family residences where the
5 keeping of livestock and other farm animals ~~and agricultural uses are~~is not permitted.

6 ...”

7 Section 10: Table 19.100.040.B of Title 19 of the Riverside Municipal Code entitled
8 “Residential Development Standards: Multiple-family Residential Zones” is hereby amended as
9 shown in Exhibit “B,” attached hereto and incorporated by reference.

10 Section 11: Section 19.120.050 of the Riverside Municipal Code is hereby amended as
11 follows:

12 **“Section 19.120.050 Use Regulations.**

13 A. Table 19.150.020 (Mixed-Use Zones Development Standards) identifies the permitted
14 uses in the MU-N, MU-V, and MU_U Zones as singular, stand-alone uses or combined uses in a
15 mixed-use ~~development zone~~, provided such uses are consistent with the objectives and policies of the
16 General Plan and adhere to the definitions, development and design standards set forth herein.

17 ...”

18 Section 12: Table 19.120.050 of Title 19 of the Riverside Municipal Code entitled “Mixed-
19 Use Zones Development Standards” is hereby amended as shown in Exhibit “C,” attached hereto and
20 incorporated by reference.

21 Section 13: Table 19.150.020.A of Title 19 of the Riverside Municipal Code entitled
22 “Permitted Uses Table” is hereby amended as shown in Exhibit “D,” attached hereto and incorporated
23 by reference.

24 Section 14: Section 19.440.030 of the Riverside Municipal Code is hereby amended as
25 follows:

26 **“Section 19.440.030 Site location, operation and development standards.**

27 ...

28 E. Accessory structures within residential zones shall comply with the following additional
regulations.

1 1. Accessory structures shall be no closer to the front lot line than the front-most wall of the
2 dwelling nearest the front lot line, or 50 feet, whichever distance is ~~greater~~less.

3 ...”

4 Section 15: Table 19.580.060 of Title 19 of the Riverside Municipal Code entitled
5 “Required Spaces” is hereby amended as shown in Exhibit “E,” attached hereto and incorporated by
6 reference.

7 Section 16: Section 19.580.080F of the Riverside Municipal Code is hereby amended as
8 follows:

9 “**Section 19.580.080 Design standards.**

10 ...

11 F. *Paving.*

12 1. Required parking, loading areas and circulation areas shall be paved with not less than ~~two and~~
13 ~~one half~~three inches of asphalt concrete or an equivalent impervious surface meeting the established
14 standards and specifications of the Public Works Department. They shall be graded and drained so as
15 to dispose of all surface water, and shall be maintained in good repair; provided that those portions of
16 single-family residential driveways extending beyond a point 100 feet back from the street property
17 line in the RE, RA and R-1 Zones may be surfaced with an alternate material as determined by the
18 Public Works Department; and further provided that in the RE Zone, the driveways within the bridle
19 paths of equestrian trails shall not be paved.

20 ...

21 3. The Community & Economic Development Director or his/her designee shall have the
22 authority to administratively grant exceptions to the paving material and location restrictions,
23 consistent with the purposes of this section, where special circumstances relating to property context,
24 configuration, terrain, landscaping or structure locations make adherence to the paving location
25 restrictions of this section impractical. Any such decision by the Community & Economic
26 Development Director or his/her designee may be appealed to the City Council.”

27 Section 17: Section 19.580.140 of the Riverside Municipal Code is hereby amended as
28 follows:

1 **“Section 19.580.140 Variances.**

2 The ~~Development Review Committee~~ Community & Economic Development Director, or his/her
3 designee, shall have the authority to administratively grant variances to the parking standards per
4 Chapter 19.580 (Parking and Loading), consistent with the purpose of this chapter, where special
5 circumstances relating to property configuration, terrain, landscaping or structure locations make
6 adherence to the standards impractical. Any such decision by the ~~Development Review Committee~~
7 Community & Economic Development Director, or his/her designee, may be appealed to the Planning
8 Commission or City Council per Chapter 19.680 (Appeals).

9 Section 18: Section 19.710.020 of the Riverside Municipal Code is hereby amended as
10 follows:

11 **“Section 19.710.020 Applicability.**

12 ...

13 B. ~~The Design Review procedures set forth in this chapter shall not apply to any restoration,~~
14 ~~rehabilitation, rehabilitation, alteration, development, construction, demolition, removal or appearance~~
15 ~~change of any landmark, landmark structure, landmark site or any structure or site within a~~
16 ~~preservation district. Said structures are subject to Title 20. Any structure or site subject to Title 20~~
17 shall be exempt from a Design Review.

18 ...

19 D. To facilitate the development of stand-alone multi-family or age-restricted senior residential
20 housingaffordable housing throughout the City, consistent with California Government Code Section
21 65580, an administrative design review application ~~for standalone multi-family residential building(s)~~
22 shall be reviewed by the Community & Economic Development Director or his/her designee when the
23 proposed development complies with all of the following criteria:”

24 Section 19: Section 19.110.020 of the Riverside Municipal Code is hereby amended as
25 follows:

26 **“Section 19.110.020 Permitted land uses.**

27 A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and
28 Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses)

1 identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted
2 subject to the approval of a minor conditional use permit (Chapter 19.730—Minor Conditional Use
3 Permit) or conditional use permit (Chapter 19.760—Conditional Use Permit), or uses requiring some
4 other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not
5 listed in the tables are prohibited unless, the ~~Zoning Administrator~~ Community & Economic
6 Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation of Code),
7 determines that the use is similar to and no more detrimental than a listed permitted or conditional use.
8 Any use which is prohibited by state and/or federal law is also strictly prohibited.

9 ...”

10 Section 20: Section 19.740.020 of the Riverside Municipal Code is hereby amended as
11 shown in Exhibit “F,” attached hereto and incorporated by reference.

12 **“Section 19.740.020 Applicability.**

13 ...

14 E. A filing fee established by City Council Resolution shall be required prior to the issuance of a
15 ~~Major~~ Temporary Use Permit.

16 F. Temporary Uses shall comply with all applicable development, operational and location
17 standards listed in Chapter 19.740.050, obtain all applicable Department approvals, and the applicant
18 shall be responsible for payment of the associated filing fee.

19 G. Minor Temporary Uses, as identified in Table 19.740.020, that do not comply with all
20 applicable standards may be processed under the Major Temporary Use Permit process provided the
21 Community & Economic Development Director or his/her designee and all applicable Departments
22 approve the request; the applicant shall be responsible for payment of the associated Major Temporary
23 Use filing fee.

24 H. Events sponsored and sanctioned by an IRS recognized 501(c)(3) organization and contained
25 entirely on-site shall obtain, at no fee, a Temporary Use Permit provided:

26 1. Any proposed tents or structures shall be reviewed and approved by the Building and
27 Safety Division and/or Fire Department which may require additional permits.

28 4.2. Events which utilize adjacent sidewalks, streets, or other public property shall be
subject to a Special Events Permit.

1 F.I. Other uses not listed. The Community & Economic Development Director or their designee
2 may determine that a use is similar to, and no more detrimental than, a listed Temporary Use. The
3 maximum number of days and occurrences shall be at the discretion of the Community &
4 Economic Development Director or their designee.

5 G.J. Determination of City departments and other agencies whose approval is required prior to each
6 occurrence will be determined by the Planning Division as part of the TUP review process with
7 respect to each proposed temporary use.”

8 Section 21: Section 19.740.020 “Applicability” and Table 19.740.020 of Title 19 of the
9 Riverside Municipal Code entitled “Temporary Use Permit” are hereby amended as shown in Exhibit
10 “F,” attached hereto and incorporated by reference.

11 Section 22: Section 19.740.040 of the Riverside Municipal Code is hereby amended as
12 follows:

13 **“Section 19.740.040 Exemption.**

14 . . .

15 D. Events sponsored and sanctioned by the Master Property Association or Property Manager for
16 Regional Shopping Centers which are 20 acres or larger located within the CR - Commercial Retail,
17 CG - Commercial General or CRC - Commercial Retail Center Zone shall be exempt from the TUP
18 process provided the entire event occurs on managed or owned properties.”

19 Section 23: Section 19.740.050 of the Riverside Municipal Code is hereby amended as
20 follows:

21 **“Section 19.740.050 Development, operational and location standards.**

22 ~~A. Minor temporary uses. Temporary Uses that comply with all applicable development, operational~~
23 ~~and location standards listed in Chapter 19.740.050 may request a minor TUP by using the online~~
24 ~~TUP system and are exempt from payment of the TUP filing fee. However, Temporary Uses that~~
25 ~~do not comply with all applicable standards may still be processed under the major Temporary Use~~
26 ~~Permit process provided the Zoning Administrator and all applicable Departments approve the~~
27 ~~request; the applicant shall be responsible for payment of the associated filing fee.~~

1 ~~B. Major temporary uses. Major temporary uses shall comply with all applicable development,~~
2 ~~operational and location standards listed in Chapter 19.740.050 provided that the Zoning~~
3 ~~Administrator and all applicable Departments approve the request; the applicant shall be~~
4 ~~responsible for payment of the associated filing fee.~~

5 ~~C.A.~~ Any use which is prohibited by state or federal law is also strictly prohibited.

6 ~~D. The Community & Economic Development Director or their designee may authorize minor~~
7 ~~deviations from the development, operational and location Standards through the Major TUP~~
8 ~~review process (i.e. construction of a temporary stage); however, these deviations shall be~~
9 ~~discretionary and may be denied.~~

10 ~~E.B.~~ All events must comply with Title 7 of the Riverside Municipal Code (Noise).

11 ~~E.C.~~ Temporary uses listed in Table 19.740.020 above shall comply with the following development
12 standards:

13 ...

14 4. Circus or carnival (with or without tent).

15 ...

16 d. Hours of operation, including the use of generators and lot lighting, excluding security
17 lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written
18 approval issued by the ~~Zoning Administrator~~ Community & Economic Development Director or
19 his/her designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;

20 ...

21 6. Entertainment (trial basis).

22 a. Prior to investing into a CUP, ~~or~~ Minor CUP, or Entertainment Permit a business may
23 apply for a TUP to determine if such a business endeavor is viable for said business. Entertainment
24
25 (trial basis) is the temporary establishment of an entertainment operation on a trial basis.

26 b. These standards shall not apply to entertainment venues with a valid and active CUP,
27 Minor CUP, or Entertainment Permit.

28 ...

16. Vapor recovery operation. Vapor recovery operations for fuel-contaminated soil are subject to the site location criteria, operation and development standards below:

a. Site location criteria.

...

iii. Whenever possible, the facility shall not displace required parking. If this is not possible, the ~~Zoning Administrator~~ Community & Economic Development Director or his/her designee may grant a temporary displacement of required parking for the time the vapor recovery operation is in operation.

..."

Section 24: Section 19.740.080 of the Riverside Municipal Code is hereby amended as follows:

"Section 19.740.080 Application and permit issuance.

...

B. Minor temporary use permit.

1. Prior to the commencement of the event, a ~~M~~minor temporary use permit shall be obtained from the Planning Division ~~by way of the TUP submittal website.~~

...

D. Copies of the Temporary Use Permit (~~M~~major and ~~M~~minor) shall be made available to City Staff upon request."

Section 25: Section 19.740.090 of the Riverside Municipal Code is hereby amended as follows:

"Section 19.740.090 Revocation of temporary use permits.

...

B. The Community & Economic Development Director or their designee's order to revoke a temporary use permit may be appealed in writing within two working days of its receipt. The City ~~Community & Economic Development Director or his/her designee~~ Manager or authorized designee shall act on the appeal within five working days of the receipt of a property filed appeal. In any case, the temporary use must immediately cease and desist pending consideration of the appeal."

1 Section 26: Section 19.770.030 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 19.770.030 Applicability and permit requirements.**

4 ...

5 D. Exemption.

6 ...

7 4. Stand-alone multi-family or age-restricted senior residential uses in any Mixed-Use zone are
8 permitted by right; ~~pursuant to Government Code Section 65583.2 subject to Chapter 19.710 – Design~~
9 ~~Review, and Stand-alone multi-family residential buildings~~ do not require a Site Plan Review, ~~but are~~
10 ~~subject to Chapter 19.710 – Design Review.”~~

11 Section 27: Section 19.910.190 of the Riverside Municipal Code is hereby amended as
12 follows:

13 **“Section 19.910.190 “R” Definitions.**

14 ...

15 Reversed corner lot. See “lot, reversed corner.”

16 ...

17 Riding Stable and Academy means any place where horses and ponies, not to exceed the number
18 allowed in the base zone, are boarded, cared for, or hired for riding or instruction.

19 ...”

20 Section 28: Section 19.385.030 of the Riverside Municipal Code is hereby amended as
21 follows:

22 **“Section 19.385.030 Site location, operation and development standards.**

23 A. *Mobile recycling units.* Mobile recycling units shall comply with the following regulations.

24 ...

25 4. All beverage containers shall be stored in opaque enclosures so as not to be readily visible.

26 The unit shall be compatible with the building architecture of the site.
27
28

1 5. The unit shall be at least ~~100~~50 feet from any street or residentially zoned or occupied property.
2 An additional setback may be required to mitigate exposure of the unit to the street or adjacent
3 property.

4 ...

5 9. The unit shall be screened from adjacent properties and streets by landscaping or other
6 screening.

7 10. The unit and surrounding area shall be maintained in a clean, litter-free condition and shall be
8 swept or pressure washed daily. Shopping carts and trash left within 100 feet of the recycling unit
9 shall be removed at the end of the daily operating hours.

10 11. No more than three colors shall be used on the unit(s).

11 ..."

12 Section 29: Section 19.870.020 of the Riverside Municipal Code is hereby amended as
13 follows:

14 **“Section 19.870.020 Procedures.**

15 A. *Application.* The owner of the property proposed to be occupied by a recycling center
16 or the owner's authorized representative, such as a property manager, leasing agent, or manager of the
17 sole business on the site shall file an application for a Recycling Center Permit (RCP) with the
18 Planning Division at least 30 working days prior to the proposed commencement of the use.
19 Applications shall be filed upon forms and accompanied by such data and information, including a
20 site plan, necessary to properly evaluate and process the application as may be required for that
21 purpose by the Planning Division.

22 B. *Approval.* The Community and Economic Development Director or their designee has
23 final approval authority to approve, or deny a Recycling Center Permit (see Table 19.650.020 -
24 Approving and Appeal Authority).

25 C. *Renewal.*

26 1. A Recycling Center Permit is effective for a period of one year from the date of issuance
27 and is required to be renewed on an annual basis thereafter. The applicant for renewal shall
28 demonstrate full compliance with the provisions of Chapter 19.385 (Recycling Facilities).

1 2. Any existing Recycling Center approved with either a previous Recycling Center
2 Permit or other process prior to the effective date of this Ordinance shall be deemed approved as of
3 the effective date of this Ordinance and subject to standards in Chapter 19.385 and Renewal
4 requirements per this Chapter. Such renewals shall be required every year thereafter.

5 ~~BD~~. *Referral.* The Community and Economic Development Director or their designee may
6 refer action on a Recycling Center Permit to the City Council.

7 ~~CE~~. *Appeals.* Any decision of the Community and Economic Development Director or their
8 designee may be appealed within ten days after written notice of the decision is given.”

9 Section 30: The City hereby finds that this ordinance is not subject to review under the
10 California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060,
11 subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical
12 change in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in
13 question may have a significant effect on the environment). In addition to the foregoing general
14 exemptions, the City Council further finds that this ordinance is categorically exempt from review
15 under CEQA under the Class 8 Categorical Exemption (regulatory activity to assure the protection of
16 the environment), CEQA Guidelines section 15308.

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

18
19 _____
Mayor of the City of Riverside

20 Attest:

21
22 _____
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 and adopted at a meeting of the City Council
3 on the _____ day of _____, 2019, by the following vote, to wit:

4 Ayes:

5 Noes:

6 Absent:

7 Abstain:

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

10
11
12 _____
13 City Clerk of the City of Riverside
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19-1108 KJS 09/20/19