



Community & Economic Development Department
3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371

Planning Division
RiversideCA.gov

**PLANNING COMMISSION HEARING DATE: SEPTEMBER 5, 2019
AGENDA ITEM NO.: 4**

PROPOSED PROJECT

<i>Case Numbers</i>	P19-0565 (Zoning Text Amendment)
<i>Request</i>	<p>To amend the text of Riverside Municipal Code Title 19 (Zoning) for technical and clarifying changes including but not limited to:</p> <ol style="list-style-type: none">1) Article II (Zoning Code Administration, Interpretation and Enforcement);2) Article V (Base Zones and Related Use and Development Provisions);3) Article VII (Specific Land Use Provisions);4) Article VIII (Site Planning and General Development Provisions)5) Article IX (Land Use Development Permit Requirements/Procedures); and6) Article X (Definitions). <p>The proposed text amendments include, but are not limited to, revisions to:</p> <ol style="list-style-type: none">1) The Development Review Committee and Community & Economic Development Director responsibilities;2) Accessory Buildings and Structures;3) Multiple-Family and Mixed-Use developments;4) Recycling Facilities;5) Parking and Loading;6) Permitted Uses and Incidental Uses Tables; and7) Temporary Uses. <p>Other minor changes and technical corrections may be considered as necessary for clarification or to remove redundancies.</p>
<i>Applicant</i>	City of Riverside Community & Economic Development Department 3900 Main Street, 3rd Floor Riverside, CA 92522 (951) 826-5371
<i>Project Location</i>	Citywide
<i>Ward</i>	All Wards
<i>Neighborhood</i>	All Neighborhoods
<i>Staff Planner</i>	Jack Cartledge, Planning Technician 951-826-5592 jcartledge@riversideca.gov

RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** that Planning Case P19-0565 (Zoning Text Amendment) is exempt from the California Environmental Quality Act subject to Section 15061(b)(3), as it can be seen with certainty that the amendment will not have the potential to cause a significant effect on the environment; and
2. **RECOMMEND that the City Council APPROVE** Planning Case P19-0565 (Zoning Text Amendment) based on the findings in the staff report on the proposed changes summarized in the attached Exhibits.

BACKGROUND

Planning Staff continuously tracks the applicability and accuracy of the Riverside Municipal Code Title 19 (Zoning) to ensure the requirements are not in conflict and provide clear direction to the public. Staff identifies inaccuracies, vagueness, or conflicts and tracks this information so that Zoning Text Amendments can be made. Since the last update of the Zoning, a number of items have been identified that require correction, clarification and changes.

The Zoning Text Amendment builds on the “Streamline Riverside” initiative that continually identifies and implements strategic changes to City processes. The changes will provide greater clarity and reduce ambiguity in the Zoning through minor updates, revisions, and technical corrections to several Chapters and Sections.

PROJECT ANALYSIS

The technical changes proposed are described in this staff report. The following summarizes the proposed Zoning Text Amendment:

1. **Chapters 19.050, 19.650, 19.720, 19.730, 19.760, 19.910 – Responsibilities and Authority of the Community & Economic Development Director (CEDD Director) and the Development Review Committee (DRC) - (Exhibit 1)**

An amendment to Chapter 19.050 – Approving and Appeal Authority is proposed to further explain the official duties and responsibilities of the Development Review Committee, and clarifies that each Department and Division that participates in the DRC shall retain and exercise its own approving authority for associated projects. An amendment to the definition of Development Review Committee (Chapter 19.910 – Definitions) is also proposed to clarify that any three of the Divisions and Departments listed can formally comprise the Committee, and that the Planning Division is the Committee chair.

An amendment to Table 19.650.020 would shift the Final Approving Authority for standalone Variance requests from the Development Review Committee to the Community & Economic Development Director. This change further streamlines the review and approval process for both the applicant and staff, particularly for cases that primarily concern only the Planning Division, such as setback and height variances. Chapter 19.720 - Variance is also to be amended to reflect this shift in Variance approval.

The City Council is expected to consider a number of revisions to the Riverside Municipal Code relating to entertainment uses as a separate item this fall. In anticipation of these changes, an amendment to Chapters 19.730 – Minor Conditional Use Permits and 19.760 - Conditional Use Permits are proposed to grant the CEDD Director the authority to void Entertainment related conditions only, for both Minor and Major Conditional Use Permits, if an Entertainment Permit is issued.

2. Chapter 19.100 – Residential Zones - (Exhibit 2)

Section 19.100.010.D is being amended to remove language that incorrectly states that agricultural uses are not allowed within the Residential Estate (RE) and R-1-1/2 Acre zones. This change cleans up a conflict with Table 19.150.020.A - Permitted Uses Table which allows for agriculture and the growing of farm/tree crops by right within all single-family residential zones.

Table 19.100.040.B - Residential Development Standards – Multiple-family Residential zones is being amended to remove the “Lot Area per Dwelling Unit - Minimum” development standard from the table. This standard is duplicative of the “Density – Maximum (Dwelling Units per Gross Acre)” standard in the table. “Density – Maximum (Dwelling Units per Gross Acre)” better regulates the density of projects. Additionally, the labelling of the “Adjoining Side” setback standard has been modified to “Street Adjoining Side” setback to better explain and reduce ambiguity in the Table.

3. Chapter 19.120 – Mixed-Use Zones - (Exhibit 3)

Table 19.120.050 - Mixed-Use Development Standards is being amended by clarifying the “Front Building Façade Length” with a note directing readers to Section 19.120.070.D related to building modulation and articulation.

Table 19.120.050 is further amended to link minimum open space requirements for each Mixed-Use zone to corresponding R-3 zones based on density. While the current table refers readers to the open space standards of the Multiple-Family Zones, it is unclear to what zone the R-3 zone corresponds. The proposed revision links clarifies the applicable standard.

4. Chapter 19.150 – Base Zones Permitted Land Uses - (Exhibit 4)

Currently, per the Permitted Uses Table, age-restricted Senior Housing requires a Conditional Use Permit in the R-1, R-3, R-4, MU-N, MU-V and MU-U zones. Multiple-family Dwellings are permitted by right in these zones. Because age-restricted Senior Housing is similar to Multiple-family Dwellings, in terms of potential impacts, an interpretation was recently made by the Planning Division that both should be regulated the same in the R-3, R-4, MU-V and MU-U zones. A Minor Conditional Use Permit would still be required in the R-1 and MU-N zones to ensure any potential impacts are addressed. To reflect this interpretation, an amendment to Table 19.150.020.A - Permitted Uses Table is proposed.

5. Chapter 19.385 – Recycling Facilities; Chapter 19.870 – Recycling Center Permit - (Exhibit 5)

Based on direction provided by the Public Safety Committee on June 19, 2019, Chapter 19.385.030 includes amendments to clarify that mobile recycling facilities shall be architecturally compatible with the primary buildings and include an increased setback between mobile recycling facilities and residentially zoned or occupied properties from 50 feet to 100 feet. These changes ensure compatibility with adjacent uses and reduce potential impacts commonly associated with mobile recycling units, including noise, smells, and lighting. Furthermore, Section 19.385.030.A.10 has been added to hold operators responsible for continuous upkeep and maintenance of mobile recycling units.

Along with revisions to operational and development standards, the permitting process for recycling centers is also being amended to require biennial (every two years) renewal of both new and existing Recycling Center Permits (RCPs). Currently, the City enforces standards on existing centers through Code Enforcement citations after violations have already occurred. Requiring biennial renewal of permits for all operators allows the City to take a proactive enforcement approach and ensure ongoing reviews of recycling centers to ensure a high standard of operations within City limits.

6. Chapter 19.440 – Accessory Buildings and Structures - (Exhibit 6)

An amendment is proposed to Section 19.440.030.E.1 to correct a provision that inadvertently allows accessory structures to be placed in front of a single family dwelling within R-1 zones. The proposed amendment would require accessory structures be placed no closer to the front property line than the front-most wall of the dwelling, or 50 feet, whichever is greater. This change will prevent and discourage accessory structures from being placed within the front yard of single-family lots, preserving the aesthetic character of these neighborhoods.

7. Chapter 19.580 – Parking and Loading - (Exhibit 7)

A number of clarifying changes and corrections have been made to Table 19.580.060 – Required Spaces to remove unnecessary parking requirements, revise and clarify use-related requirements, and reduce parking requirements for age-restricted senior housing from 1.1 spaces per unit to 1 space per unit. In addition, the parking requirement for vehicle wash facilities has been amended to clarify that vacuum stalls do not satisfy the required employee parking. For parking variances requests, if the Development Review Committee is the approval authority, this would be shifted to the Community & Economic Development Director.

8. Chapter 19.710 – Design Review - (Exhibit 8)

Chapter 19.710 – Design Review has been amended to exempt any structure or site subject to Title 20 (Cultural Resources) from the Design Review requirement. Any project subject to Title 20 must go through a similar design review process and obtain a Certificate of Appropriateness from the Cultural Heritage Board or Historic Preservation Officer.

Section 19.710.020.D is also proposed to be amended to clarify that age-restricted senior housing is subject to the requirements for Design Review as they would be permitted per the recommended changes in the Base Zones Permitted Land Uses.

9. Chapter 19.740 – Temporary Use Permit - (Exhibit 9)

Table 19.740.020 – Temporary Use Permit currently specifies whether each temporary use is a Major or Minor Temporary Use and subject to the corresponding fees (currently \$1,025 and \$200, respectively). The Table is being amended to redefine several temporary uses from Major TUPs to Minor TUPs to better align with the actual staff time used to review and process these applications. In practice, the listed uses of “Fair, Concert, Exhibit, or Similar Uses,” “Non-Commercial Tent Meetings,” and “Outdoor Preparation of Food (Temporary)” are being processed as Minor Temporary Use Permits due to their similarity with other “Minor” uses.

For non-profit 501(c)(3) applicants, a proposal to amend Section 19.740.020 specifically to exempt them from fees for Temporary Use Permits is proposed to reduce the cost and save staff time. “Vapor Recovery Operations” have also been added as a Major Temporary Use within Table 19.740.020, as it was erroneously deleted as part of a previous amendment.

Other minor reorganization and clarifying changes have been made to clean up the Chapter consistent with current permitting processes for Temporary Use Permits.

10. Chapter 19.770 – Site Plan Review Permit - (Exhibit 10)

Chapter 19.770 – Site Plan Review Permit has been amended to clarify that standalone multi-family and age-restricted senior housing developments within Mixed-Use zones are exempt from a site plan review permit, and are instead subject to Design Review. This will save time and costs for applicants for the projects that are allowed in the Mixed-Use zones.

11. Chapter 19.910 – Definitions - (Exhibit 11)

A new definition for Riding Stable and Academy has been added to Chapter 19.910 - Definitions. While listed as a permitted use in the RA-5 – Residential Agricultural zone, riding stables and academies are not defined within the Zoning Code.

FINDINGS SUMMARY

Pursuant to Chapter 19.810.040 of the Zoning Code, the following required findings can be made by staff:

1. The proposed Zoning Text Amendment is consistent with the goals, policies, and objectives of the General Plan.

The Zoning Text Amendment is consistent with this finding. The proposed Zoning Text Amendment will provide clarity and eliminate conflicts. Minor language additions, deletions and changes are proposed to eliminate ambiguity and further streamline the development process in the City. Substantive changes that would be inconsistent with the goals, policies and objectives of the General Plan (e.g. zoning district changes, changes to uses allowed in zone, etc.) are not proposed at this time.

2. The proposed Zoning Text Amendment will not adversely affect surrounding properties.

The Zoning Text Amendment is consistent with this finding. There are no changes proposed to the Zoning Map, zoning districts, allowed uses or other development standards that would adversely affect surrounding properties. The proposed Zoning Code changes are limited to minor language additions, deletions and text changes to eliminate ambiguity and further streamline the development process in the City.

3. The proposed Zoning Text Amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

The Zoning Text Amendment is consistent with this finding. The proposed Zoning Text Amendment will provide better clarity and streamlining to the development process. This will serve and promote the public health, safety and general welfare of residents.

ENVIRONMENTAL REVIEW

This proposed Zoning Text Amendment is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3), as it can be seen with certainty that the amendment does not have the potential to cause a significant effect on the environment.

PUBLIC NOTICE AND COMMENTS

Pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions) of the Zoning Code, and California Government Code Section 65090 and 65091, a one-eighth page public notice advertisement was placed in the local newspaper of general circulation within the City (The Press Enterprise) at least twelve (12) days prior to this hearing. As of the writing of this report, staff has received no responses regarding this proposal.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Amendments to Chapters 19.050, 19.650, 19.720, 19.730, 19.760, 19.910 – Responsibilities and Authority of the Community & Economic Development Director (CEDD Director) and the Development Review Committee (DRC)
2. Amendments to Chapter 19.100 – Residential Zones
3. Amendments to Chapter 19.120 – Mixed-Use Zones
4. Amendments to Chapter 19.150 – Base Zones Permitted Land Uses
5. Amendments to Chapter 19.385 – Recycling Facilities; Chapter 19.870 – Recycling Center Permit
6. Amendments to Chapter 19.440 – Accessory Buildings and Structures
7. Amendments to Chapter 19.580 – Parking and Loading
8. Amendments to Chapter 19.710 – Design Review
9. Amendments to Chapter 19.740 – Temporary Use Permit
10. Amendments to Chapter 19.770 – Site Plan Review Permit
11. Amendments to Chapter 19.910 – Definitions

Prepared by:	Jack Cartledge, Planning Technician
Reviewed by:	David Murray, Principal Planner
Approved by:	Mary Kopaskie-Brown, City Planner

19.050.040 - Responsibilities of the Community & Economic Development Director.

- A. The Community & Economic Development Director or his/her designee shall have the responsibility and authority to administer and enforce the Zoning Code as follows:
1. Maintain the chapters of the Zoning Code, Zoning Map, and all records of zoning actions and interpretations.
 2. Advise the City Council, Planning Commission, Cultural Heritage Board and City Manager on planning matters.
 3. Provide administrative services and staff for meetings of the Planning Commission and Cultural Heritage Board.
 4. Conduct administrative functions authorized by the Zoning Code, including distribution and receipt of permit applications and corresponding fees; application review and public noticing; determination and issuance of administrative permits and approvals as per Table 19.650.020 (Approving and Appeal Authority); and preparation of staff reports with recommendations, proposed findings, and proposed conditions for discretionary and legislative actions by designated planning agencies.
 5. Provide information to the public, and facilitate public participation on planning matters, promote an understanding of the General Plan and the regulations relating to it.
 6. Exercise such other powers and duties as are prescribed by State law, local ordinance, or as directed by the City Council and/or City Manager.
 7. Promote the coordination of local plans and programs with the plans and programs of other public agencies.
 8. Conduct administrative functions authorized by Title 17 (Grading), Title 18 (Subdivision) and Title 20 (Cultural Resources).
 9. Report on the General Plan consistency of Public Works projects, acquisitions, dispositions, etc. pursuant to Government Code Sections 65401 and 65402.
 10. Report on the progress of the implementation of the General Plan on a regular basis.
- (Ord. 7331 §1, 2016; Ord. 7235 §4, 2013; Ord. 6966 §1, 2007)

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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 dDepartment and dDivision 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.~~

(Ord. 7331 §1, 2016)

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Chapter 19.650 - APPROVING AND APPEAL AUTHORITY

19.650.010 - Purpose.

This chapter identifies the designated Planning Agency, as identified in Chapter 19.050 (Administrative Responsibility), for the review of the land use development permits and actions required by the Zoning Code.

(Ord. 7331 §101, 2016; Ord. 6966 §1, 2007)

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Table 19.650.020

Approving and Appeal Authority

R = Recommending Authority; F = Final Approving Authority (unless appealable); A = Appeal Authority;
AR = Approving Authority as Community & Economic Development Director or Development Review Committee on Referral

Type of Permit or Action	Approving and Appeal Authority			
	Community & Economic Development Director	Development Review Process Committee (DRG)	City Planning Commission (912, 1114)	City Council (1, 1114)
Administrative				
Day Care Large Family Home - Permit	F (32)		AR	A/F
Design Review		F (34)	A/AR (34)	A (34)/F
Fair Housing and Reasonable Accommodation		F	AR	A (47)/F
Minor Conditional Use Permit		F	AR	A (47)/F
Nonconforming Determination	F		AR	A (47)/F
Recycling Center Permit	F			AR/A/F
Room Rental Permit	F		AR	A/F
Street, Alley, & Walkway Vacations (Summary)				F

EXHIBIT 1

Type of Permit or Action	Approving and Appeal Authority			
	Community & Economic Development Director	Development Review Process Committee (DRG)	City Planning Commission (912, 1114)	City Council (1, 1114)
Temporary Use Permit	F (58)			
Time Extensions	F		AR	A/F
Transportation Demand Management Regulations	F			A/F
Variance	E	F	AR	A (47)/F
Zoning Code Interpretation	F		A/AR	A/F
Public Hearing				
Accessibility Appeals (Building Official decisions relating to access)			F	A/F
Airport Land Use Commission Appeals				A (1043, 1216)/F
Annexation or Detachment			R (69)	A/F
Conditional Use Permit			F (69, 912)	A/F
Condominium Conversion Permit			R (96)	A/F
Development Agreement and Amendment (814)			R (96)	A/F
Design Review			F (34)	A/F (34)
Floodplain Approval; Floodplain Variance			F	A/F
General Plan Text/Map Amendment			R (96, 912)	A/F
Planned Residential Development Permit			F (96, 912, 1316)	A/F
Site Plan Review Permit			F (96)	A/F
Specific Plan and Amendments			R (96, 912)	A/F
Street, Alley, & Walkway Vacations			R (96)	A/F (710)
Street Name Change			R (96)	A/F

EXHIBIT 1

Type of Permit or Action	Approving and Appeal Authority			
	Community & Economic Development Director	Development Review Process Committee (DRG)	City Planning Commission (912, 1114)	City Council (1, 1114)
Traffic Pattern Modification Measures			R (96)	A/F (114)
Zoning Code Text/Map Amendment			R (69, 912)	A/F

Notes:

1. ~~hg~~: Decisions of the City Council are final and cannot be appealed.

~~23. hg~~: An applicant or affected person(s) may request a hearing before the Planning Commission.

~~34. hg~~: Planning Commission primary design review responsibility is limited to concurrent review with another case for which the Planning Commission has approval authority (Refer to Section 19.710.035 - Review Responsibilities of Planning Commission or Community & Economic Development Director). Appeal of Planning Commission action on design review is first to the City Council Land Use Committee with final action by the full City Council.

~~47. hg~~: See Section 19.650.020.C.2 - Designated Approving Authority.

~~58. hg~~: Appeal of an action on a Temporary Use Permit shall be to the City Manager. The City Manager's decision is final.

~~69. hg~~: If denied by the Planning Commission, the action is final unless appealed to the City Council (See Section 19.680.020.B - Appeal Authority).

~~740. Street vacations and traffic pattern modification measures require two actions at the City Council: adoption of a resolution of intent to hold a public hearing and a public hearing.~~

~~811. hg~~: See Government Code Section 65864 for more information on Development Agreements.

~~912. hg~~: All decisions by the Planning Commission to approve or deny a permit or action are by simple majority of the members present and voting, with the following exceptions:

a. ~~hg~~: ~~CC~~ Conditional Use Permits, including revocations, and Planned Residential Development Permits require approval by a 2/3 majority of the Planning Commissioners present and voting; and

b. ~~hg~~: Zoning Code Text/Map Amendments, General Plan Text/Map Amendments, and Specific Plan Amendments require a majority vote of not less than four Planning Commissioners present and voting.

~~10.13. hg~~: All decisions of the City Council to approve or deny a permit or action are by a majority vote of those present and voting except that a 2/3 vote of the total membership (five votes minimum) is required to approve an appeal of a decision of the Airport Land Use Commission (ALUC).

~~1114. hg~~: All tie votes of the Planning Commission mean that an application failed to be approved and will be treated as a denial. When a tie vote exists before the City Council, the Mayor shall have the voting right as any member of the City Council, and may cast a vote for or against an item to break a tie. In the Mayor's absence, in the event of a tie vote, the Mayor Pro Tempore shall not have the right to cast a tie-breaking vote; in this instance the City Council vote shall be treated as a denial (Riverside City Charter - Article IV, Section 405).

~~1215. hg~~: Refer to Section 19.680.030 (E) for details regarding the ALUC appeal process

~~1316. hg~~: The final decision making authority for PRD's in the RC Zone shall be the City Council.

(Ord. 7331 §101, 2016; Ord. 7222 §5, 2013; Ord. 7163 §2, 2012; Ord. 7091 §6, 2010; Ord. 6966 §1, 2007)

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19.670.020 - Notice requirements for administrative discretionary permits with no public hearing.

A. Minor Conditional Use Permit and Variance.

1. Public notice of the consideration of a proposed minor conditional use permit in all zones shall be provided by the Community & Economic Development Director or his/her designee by mailing such notice to the property owners within 300 feet of the exterior boundaries of the property under consideration;
2. Public notice of the consideration of a proposed variance in any zone shall be provided by the Community & Economic Development Director or his/her designee by mailing such notice to the property owners adjacent to the boundaries of the property under consideration. When the variance request is regarding a corner lot and will pertain to a rear or side yard setback, such notice shall be given to the owners of property directly across each street from the proposed side or rear yard encroachment as well as to the owners of abutting property.
3. For mailing purposes, the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor shall be used. Such notices shall identify the property under consideration and indicate the nature of the proposed permit.
4. The public notice shall:
 - a. Be sent no later than 14 days after acceptance of a complete and accurate application;
 - b. Invite interested persons to notify in writing the Planning Division of any concerns, comments or to make a request to be further notified of actions relating to the proposed variance or minor conditional use permit during a 15-day comment and review period commencing with the date of the notice;
 - c. 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; and
 - d. Specify that at the end of the 15 day comment and review period, the Community & Economic Development Director's final report and recommendations will be issued, initiating a ten-day appeal period during which time any interested person may request that the Community & Economic Development Director or Development Review Committee decision (as applicable) be reviewed by the City Council.
5. For variances in any zone where the applicant has obtained the written approval of the adjacent property owners, no public notices, comment period or appeal period is required. The Community & Economic Development Director's Development Review Committee decision is final, except that the applicant may appeal the Development Review Committee decision within ten days of the mailing of written notice of decision.
6. Noticing distance requirements for individual uses may vary. Refer to Article VII, Specific Land Use Provisions.

B. All other administrative, discretionary permits.

1. No notice is required for other administrative, discretionary actions without a public hearing, unless specified.

(Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

Chapter 19.720 - VARIANCE

19.720.010 - Purpose.

California Government Code Section 65906 establishes the authority of the City to grant variances to the development standards and provisions of the Zoning Code in cases where, because of special circumstances applicable to the property, the strict application of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zones.

(Ord. 7331 §108, 2016; Ord. 6966 §1, 2007)

19.720.020 - Applicability.

- A. A variance application shall be filed whenever any deviation from the development standard provisions of the Zoning Code is proposed, including, but not limited to, those standards related to height, lot area, yards, open spaces, setbacks, lot dimensions, signs and parking, unless otherwise specified.
- B. Variances may not be approved for uses or activities not otherwise expressly authorized by the Zoning Code. A variance is not a substitute for a zone change, zone text amendment, or conditional use permit.
- C. Financial hardship does not represent grounds on which to file a variance application.
- D. Variances to use provisions of the Zoning Code are prohibited.

(Ord. 7331 §108, 2016; Ord. 6966 §1, 2007)

19.720.030 - Procedures.

- A. General process. Variance applications shall be processed in accordance with the discretionary processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable Chapters of the Zoning Code.

(Ord. 7331 §108, 2016; Ord. 6966 §1, 2007)

19.720.040 - Required findings.

- A. The ~~Development Review Committee~~Director of Community & Economic Development Department, Planning Commission or the City Council may approve a variance if it makes all of the following findings that:
 - 1. The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code;
 - 2. There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification;
 - 3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located; and
 - 4. The granting of the variance will not be contrary to the objectives of any part of the General Plan.
- B. Failure to make all of the required findings shall require denial of the variance.

(Ord. 7331 §108, 2016; Ord. 6966 §1, 2007)

19.720.050 - Conditions of approval/guarantees.

- A. In granting a variance, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of the Zoning Code shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located.
- B. The conditions attached to variance may include such provisions concerning height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation characteristic, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction authorized, revocation dates, and other conditions the ~~Development 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.

(Ord. 7331 §108, 2016; Ord. 6966 §1, 2007)

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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:
 - 1. The construction or use authorized by such permit is not commenced within the time limit specified in such permit and such construction is not pursued diligently to completion; provided, however, that the Community & Economic Development Director may extend the time limit if a written application showing good cause for such time extension is submitted to the Planning Division prior to the expiration of the time limit.
 - 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.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

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19.760.090 - Voiding of conditional use permits.

- A. Any conditional use permit granted by the Planning Commission or by the City Council on appeal shall become null and void if:
 - 1. The construction or use authorized by such permit is not commenced within the time limit specified in such permit, and such construction is not pursued diligently to completion; provided, however, that the Planning Commission may extend the time limit if a written

application showing good cause for such time extension is submitted to the Planning Division prior to the expiration of the time limit; or

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 requestCommunity & 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.

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19.910.050 - "D" Definitions

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

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Development Review Committee ("DRC") means 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. the Development Review Committee (DRC) is comprised of representatives from various City Departments, having Approval Authority for certain development projects, pursuant to the Riverside Municipal Code. The DRC includes any 3 or more of the following Divisions and Departments: Planning, Building and Safety, Public Works, Public Utilities, Parks and Recreation, Police and Fire. includes the City Planner, Building Official, and City Engineer or designee(s), as well as representatives from Public Utilities, Parks and Recreation, Police and Fire Departments. The The DRC also serves as a recommending body to the Planning Commission on applications for discretionary land use entitlements. The DRC process shall be chaired by the City Planner or designeePlanning Division.

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(Ord. 7457 § 1(Exh. A), 2019; Ord. 7408 §1, 2018; Ord. 7331 §128, 2016; Ord. 7302 §5, 2015; Ord. 7185 §5, 2012; Ord. 7158 §18, 2012; Ord. 6966 §1, 2007)

Chapter 19.100 – Residential Zones (RA-5, RC, RR, RE, R-1-1/2 Acre, R-1-13000, R-1-10500, R-1-8500, R-1-7000, R-3-4000, R-3-3000, R-3-2500, R-3-2000, R-3-1500, R-4)

19.100.010 - Purpose.

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

- A. *Residential Agricultural Zone (RA-5)*. The Residential Agricultural Zone (RA-5) is established to provide areas where general agricultural uses can occur independently or in conjunction with a single-family residence, that preserves the agricultural character of the area.
- B. *Residential Conservation Zone (RC)*. The Residential Conservation Zone (RC) is established consistent with General Plan objectives and voter approved initiatives (Proposition R and Measure C) to protect prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic conditions that warrant sensitive development from adverse development practices, and specifically, to achieve the following objectives:
 - 1. To preserve and enhance the beauty of the City's landscape;
 - 2. To maximize the retention of the City's natural topographic features, including but not limited, to skyline profiles, ridgelines, ridge crests, hilltops, hillsides, slopes, arroyos, ravines, canyons, prominent trees and rock outcrops, view corridors, and scenic vistas through the careful selection and construction of building sites and building pads on said topographic features.
 - 3. To assure that residential use of said topographic features will relate to the surrounding topography and will not be conspicuous and obtrusive because of the design and location of said residential use;
 - 4. To reduce the scarring effects of excessive grading for building pads and cut and fill slopes;
 - 5. To prevent the construction of slopes inadequately protected from erosion, deterioration or slippage; and
 - 6. To conserve the City's natural topographic features.
- C. *Rural Residential Zone (RR)*. The Rural Residential Zone (RR) is established to provide areas for single-family residences on large lots where flexible provisions apply pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats, sheep, and swine under Future Farmers of America-supervised and 4-H-supervised projects. These zones are established in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RR Zone to provide opportunities for persons whose lifestyles include the keeping of such animals in areas where such animal-keeping activities minimize impact to other residential properties.
- D. *Residential Estate Zone (RE) and R-1-½ Acre Zone*. The Residential Estate Zone (RE) and R-1-½ Acre Zone are established to provide areas for large lot single-family residences where the keeping of livestock and other farm animals ~~and agricultural uses are~~ not permitted.

- E. *Additional Single-family Residential Zones (R-1-13000, R-1-10500, R-1-8500 and R-1-7000).* Additional Single-family Residential Zones (R-1-½ Acre, R-1-13000, R-1-10500, R-1-8500 and R-1-7000) are established to provide areas for single-family residences with a variety of lot sizes and housing choices.
- F. *Multiple-Family Residential Zones (R-3-4000, R-3-3000, R-3-2500, R-3-2000 and R-3-1500).* Medium High Density Residential Zones (R-3-4000 and R-3-3000) and High Density Residential Zones (R-3-2500, R-3-2000 and R-3-1500) are established to provide areas for multiple family residences within a single structure, including such residential development types as apartments, town homes and condominiums.
- G. *Multiple-Family Residential Zone (R-4).* The Very High Density Residential Zone (R-4) is established to provide areas for higher density multiple family residences in areas of the City readily served by public transit and near commercial zones and other nonresidential areas that meet the everyday shopping, educational, health service and similar needs of residents.
- (Ord. 7331 §4, 2016; Ord. 6966 §1, 2007)

19.100.040 - Residential development standards.

Tables 19.100.040.A (Residential Development Standards: Single-Family Residential Zones) and 19.100.040.B (Residential Development Standards: Multiple-Family Residential Zones) establish the development standards applicable to all development within the residential zones.

(Ord. 7408 §1, 2018; Ord. 7331 §4, 2016; Ord. 7109 §2, 2010; Ord. 7027 §1, §2, 2009; Ord. 6966 §1, 2007)

Table 19.100.040.B
Residential Development Standards: Multiple-family Residential Zones

Development Standards	Multiple-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Density - Maximum (Dwelling Units per Gross Acre) ⁶	10.9	14.5	17.4	21.8	29	40
Lot Area per Parent Parcel - Minimum (Net)	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.
Lot Area per Dwelling Unit - Minimum (Net)	4,000 sq. ft.	3,000 sq. ft.	2,500 sq. ft.	2,000 sq. ft.	1,500 sq. ft.	1,000 sq. ft.
Lot Width ⁵ - Minimum	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	100 ft.
Lot Depth ⁵ - Minimum	150 ft.	150 ft.	100 ft.	100 ft.	100 ft.	150 ft.

EXHIBIT 2

Development Standards	Multiple-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Building Height ^{4,6} - Maximum	30 ft. ²	30 ft. ²	30 ft. ²	30 ft. ²	30 ft. ²	50 ft.
Number of Stories ⁶ - Maximum	2 5	2 5	2 5	2 5	2 5	4
Setbacks - Minimum						
A. Front ^{1,3}	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	15 ft.
B. Interior Side ¹	10 ft.	10 ft.	10 ft.	7.5 ft.	7.5 ft.	7.5 ft.
C. <u>Street</u> Adjoining Side ¹	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
D. Rear ¹	20 ft.	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.

Notes:

1. Whenever a Height Overlay Zone (S) has been applied to allow a structure to exceed two stories in height, the front, side and rear yards shall be increased by two and one-half feet for each story in excess of two stories, except as otherwise stated in this footnote. No building or building portions of two stories or higher may be located within 35 feet of any side or rear property line that abuts property in the RA-5, RC, RR, RE or R-1 Zone, in such instance for each story in excess of two, the setback shall be increased by 15-feet.
2. For a development of three acres or greater, up to 60 percent of the units may be in buildings up to three stories, 40-feet maximum height subject to Community & Economic Development Director review and approval.
3. Twenty-five-foot fully landscaped front yards for R-3 Zones, and 15-foot fully landscaped front yards for the R-4 Zone are required along all arterial streets, 88-feet wide or greater as shown on the Circulation Map of the City's General Plan.
4. Refer to Chapter 19.560 (Building Height Measurement) for height measurements and exceptions to height limits.
5. See Section 18.210.080 (Lots) and Article X (Definitions) for exemptions for cul-de-sac lots and knuckle lots.
6. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

(Ord. 7413 , § 1(Exh. A), 2-20-2018)

19.120.050 - Use Regulations.

- A. Table 19.150.020 (Mixed-Use Zones Development Standards) identifies the permitted uses in the MU-N, MU-V and MU-U Zones as singular, stand-alone uses or combined uses in a mixed-use development zone, provided such uses are consistent with the objectives and policies of the General Plan and adhere to the definitions, development and design standards set forth herein.
- B. Certain uses may be subject to special conditions regarding the location, operation or design of the use. References to these provisions are made in Table 19.150.020 (Mixed-Use Zones Development Standards).
- C. When a use is not specifically listed in Table 19.150.020 (Mixed-Use Zones Development Standards), the Community & Economic Development Director or his/her designee, pursuant to the provisions in Chapter 19.060 (Interpretation of Code), shall have the authority to determine whether the proposed use is permitted based on the finding that the use is similar to and no more detrimental than those permitted in the zone. Uses not listed, or otherwise determined by the Community & Economic Development Director or his/her designee to be permitted, are prohibited.

Table 19.120.050
Mixed-Use Zones Development Standards

Zones				
Development Standards	MU-N	MU-V	MU-U	Notes, Exceptions & Special Provisions
Lot Area - Minimum	7,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	
Lot Width - Minimum	60 ft.	75 ft.	80 ft.	
Front Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	
Side Yard Setback - Minimum	0 ft.	0 ft.	0 ft.	See Note 1
Rear Yard Setback Minimum	15 ft.	15 ft.	15 ft.	See Note 2
Building Height - Maximum	35 ft.	45 ft.	60 ft.	See Note 6
Front Building Facade Length - Maximum	60 ft.	125 ft.	125 ft.	<u>See Section 19.120.070.D (Building modulation and articulation.)</u>

EXHIBIT 3

Zones				
Development Standards	MU-N	MU-V	MU-U	Notes, Exceptions & Special Provisions
FAR - Maximum	1.0	2.5	4.0	See Note 6
Residential Density - Maximum <u>(Gross)</u>	10 du/ac	30 du/ac	40 du/ac	See Notes 3 and 6
Open Space Requirements - Stand Alone	See Note R-3-4000 <u>Standards</u>	See Note R-3-1500 <u>Standards</u>	See Note R-4 <u>Standards</u>	See Table 19.100.07 60 (Additional <u>Requirements regulations</u> for the R-3 and R-4 Zones)
Open Space Requirements - Mixed Use Development				
A. Minimum Private Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du for at least 50% of the units	See Note 4
B. Minimum Common Open Space	50 sq. ft./du	50 sq. ft./du	>50 sq. ft./du	See Note 5

Notes, Exceptions and Special Provisions.

1. The minimum side yard setback in the MU-N Zone shall be 10 feet when adjacent to a residential zone. The minimum side yard setback in the MU-V and MU-U Zones shall be 15 feet when adjacent to a residential zone, or if the project contains a residential component.
2. The minimum rear yard setback for any mixed-use zone shall be 25 feet when adjacent to a residential zone or if the project contains a residential component. Where a development abuts an alley to the rear, the rear setback shall be measured from the centerline of the alley.
3. Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit station may have a residential density of up to 40 dwelling units per acre in the MU-V Zone with a maximum total permissible FAR of 2.5 and up to 60 dwelling units per acre in the MU-U Zone with a maximum total permissible FAR of 4.0. This provision is permissible, not mandatory, and subject to discretion as part of the Site Plan Review process.
4. Private useable open space shall have a minimum dimension on any side of five feet. Private useable open space can also be met through equivalent design features as approved by the Planning Commission.
5. Common useable open space may be divided into more than one area; however, each area shall be a minimum of 625 square feet, with no dimension on any side of less than 25 feet.
6. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

(Ord. 7413 , §1(Exh. A), 2-20-2018; Ord. 7331 §6, 2016; Ord. 6966 §1, 2007)

Chapter 19.150 - BASE ZONES PERMITTED LAND USES

19.150.010 - Purpose.

This section establishes land use regulations for all base zones listed in this article consistent with the stated intent and purpose of each zone.

(Ord. 7331 §12, 2016; Ord. 6966 §1, 2007)

19.150.020.A Permitted Uses Table																							
This table identifies permitted uses and uses requiring approval of other permits by zoning designation. In addition to these uses, other incidental and temporary uses may also be permitted as noted in the Incidental Uses Table and the Temporary Uses Table.																							
Use	Zones																			Location of Required Standards in the Municipal Code			
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))								Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)					Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)		
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR	PF		RWY	NC Overlay	
• • •																							
Multiple-family Dwelling	X	X	X	X	X ²	P	P	X	X	X	X	X	P	P	X	X	X	X	X	X	X		
• • •																							
																					19.850 - Fair Housing and Reasonable Accommodations See 19.149 - Airport Land Use Compatibility***		

19.150.020.A Permitted Uses Table

This table identifies permitted uses and uses requiring approval of other permits by zoning designation. In addition to these uses, other incidental and temporary uses may also be permitted as noted in the Incidental Uses Table and the Temporary Uses Table.

Use	Zones																		Location of Required Standards in the Municipal Code				
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))								Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)				Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)			
	RC**	RA-5**	RR	RE	R-1	R-3	R-4	O	CR	CG	CRC*	MU-N	MU-V*	MU-U*	BMP	I	AI	AIR		PF	RWY	NC Overlay	
Senior Housing	X	X	X	X	MC €	P €	P €	X	X	X	X	MC €	P €	P €	X	X	X	X	X	X	X	Age Restricted 55+	
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*=For CRC, MU-U and MU-V Zones a Site Plan Review Permit (Chapter 19.770) is required for any new or additions/changes to existing buildings or structures.

**=For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (RA-5 Zone Permitted Uses) and 19.100.030.B (RC Zone Permitted Uses). If any conflict between this Table and Sections 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.

***=Refer to Chapter 19.149 - Airport Land Use Compatibility and applicable Airport Land Use Compatibility Plan for airport land use compatibility zones where use may be strictly prohibited.

C=Subject to the granting of a conditional use permit (CUP), Chapter 19.760	DCP=Day Care Chapter 19.860	Permit—Large Family, Chapter 19.860	MC=Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730	P=Permitted
PRD=Planned Residential Chapter 19.780	Development Permit, Chapter 19.870	Center Permit, Chapter 19.870	SP=Site Plan Review Permit, Chapter 19.770	sq. ft.= Square Feet
X=Prohibited				

EXHIBIT 4

¹ Commercial Storage Facilities are permitted in all zones with the Commercial Storage Overlay Zone (Chapter 19.190).

² Legal, existing duplexes built prior to the adoption of this Zoning Code are permitted in the R-1-7000 Zone see 19.100.060 D.

³ Allowed with a Planned Residential Development (PRD) Permit, Chapter 19.780.

⁴ One single-family detached dwelling allowed on one legal lot 0.25 acres in size or less in existence prior to January 1, 2018 subject to the development standards of the R-1-7000 Zone.

⁵ Permitted or conditionally permitted on sites that do not include a residential use.

(Ord. 7462 , § 2(Exh. A), 2019; Ord. 7431 § 3(Exh. A), 2018)

Chapter 19.385 - RECYCLING FACILITIES

19.385.010 - Purpose.

The purpose of regulating recycling facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.020 - Applicability and permit requirements.

Beverage container recycling facilities, mobile recycling units, indoor collection centers, reverse vending machines, bulk reverse vending machines and donation collection bins, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this chapter.

(Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.030 - Site location, operation and development standards.

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

1. The unit shall be staffed at all times during operating hours.
2. The unit shall operate a minimum of 30 hours per week but shall be limited to the hours between 9:00 a.m. to 7:00 p.m.
3. The unit shall be located on a site occupied by commercial or industrial businesses.
4. All beverage containers shall be stored in opaque enclosures so as not to be readily visible. The unit shall be compatible with the building architecture of the site.
5. The unit shall be at least 100~~50~~ feet from any street or residentially zoned or occupied property. An additional setback may be required to mitigate exposure of the unit to the street or adjacent property.
6. The total area occupied by the unit shall not exceed 500 square feet.
7. Exterior signage shall be limited to one unlighted identification sign and one hours-of-operation sign, each not to exceed 16 square feet per mobile recycling unit.
8. The unit shall not interfere with pedestrian or vehicular circulation and shall not consume any required parking spaces.
9. The unit shall be screened from adjacent properties and streets by landscaping or other screening.
- 9-10. The unit and surrounding area shall be maintained in a clean, litter-free condition and shall be swept or pressure washed daily. Shopping carts and trash left within 100 feet of the recycling unit shall be removed at the end of daily operating hours.
- 10-11. No more than three colors shall be used on the unit(s).

B. *Reverse vending machines.* Reverse vending machines shall comply with the following regulations.

1. Signage shall be limited to the surface area of the machines.
2. The machines shall be located within 30 feet of a building entry and shall abut such building.

3. The machines shall be situated at least 100 feet from any residentially zoned or occupied property.
 4. The machines shall not interfere with pedestrian or vehicular circulation or parking.
 5. Only one machine or group of machines shall be allowed per commercial or industrial property.
 6. Such machine(s) shall not meet the definition of reverse vending machine-bulk type.
 7. No more than three colors shall be used on each machine or group of machines.
 8. The machines shall not exceed reasonable noise limits pursuant to Title 7.
- C. *Indoor collection centers.* Indoor collection centers shall comply with the following operational regulations.
1. Exterior signage shall be limited to one unlighted identification sign and one hours-of-operation sign, each not-to-exceed six square feet.
- D. *Bulk reverse vending machines.* Bulk reverse vending machines shall comply with the following standards.
1. No more than three colors shall be used on each machine or group of machines.
 2. The machines shall be situated at least 100 feet from any residentially zoned or occupied property.
 3. The machine(s) shall not interfere with pedestrian or vehicular circulation or parking.
 4. The machines shall not exceed reasonable noise limits pursuant to Title 7.
 5. Only one machine or group of machines shall be allowed per commercial or industrial complex.
- E. *Donation collection bins.* Donation collection bins shall comply with the following standards:
1. Only one unattended donation collection bin shall be allowed on each parcel or real property;
 2. Any unattended donation collection bin shall not be any closer than 2,000 feet from any other unattended donation collection bin, as measured from the subject unattended donation collection bin to the nearest property line containing another unattended donation collection bin;
 3. Any unattended donation collection bin shall be on a parcel of two and one-half acres in area or larger;
 4. No unattended donation collection bin shall be allowed in an area required for vehicle parking, circulation, pedestrian path of travel or landscaped area;
 5. The unattended donation collection bin shall be at least 50 feet from any street or residentially zoned or occupied property. An additional setback may be required to mitigate exposure of the unit to the street or adjacent property; and
 6. The unattended donation collection bin shall be no more than 84 inches high, 72 inches wide and 60 inches deep.

(Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.040 - Modifications.

No modifications to the above site location, operations and development standards are permitted.

(Ord. 7331 §56, 2016)

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Chapter 19.870 - RECYCLING CENTER PERMIT

19.870.010 - Purpose.

The purpose of this chapter is to provide a procedure to permit reverse bulk vending machines and mobile recycling units in a manner that encourages recycling activities that are compatible with surrounding uses.

(Ord. 7331 §123, 2016; Ord. 6966 §1, 2007)

19.870.020 - Procedures.

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

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

C. Renewal.

1. A Recycling Center Permit is effective for a period of two years from the date of issuance and is required to be renewed on a biennial basis (every two years) thereafter. The applicant for renewal shall demonstrate full compliance with the provisions of Chapter 19.385 (Recycling Facilities).

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

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

C.E. *Appeals.* Any decision of the Community and Economic Development Director or their designee may be appealed within ten days after written notice of the decision is given.

(Ord. 7331 §123, 2016; Ord. 6966 §1, 2007)

Chapter 19.440 - ACCESSORY BUILDINGS AND STRUCTURES

19.440.010 - Purpose.

The purpose of regulating accessory buildings and structures is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §68, 2016; Ord. 6966 §1, 2007)

19.440.020 - Applicability and permit requirements.

Accessory buildings and structures, as defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Uses and Development Provisions subject to the requirements contained in this chapter.

- A. Accessory structures shall be permitted in accordance with Article V Table 19.150.020.B (Incidental Uses Table). Single-story, detached, accessory buildings used as tool and storage sheds, playhouses, or similar use, may be exempt from building permits, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet and is specifically exempted by the California Building Code.

(Ord. 7331 §68, 2016; Ord. 6966 §1, 2007)

19.440.030 - Site location, operation and development standards.

These standards supplement the standards for the zone in which the accessory use is located. If an accessory structure is attached to the principal building, such structure shall comply with the development standards for the principal building.

- A. No accessory structure shall be permitted unless a principal building exists and is occupied by the use intended.
- B. Accessory structures shall not cover more than 35 percent of the required side or rear yard setback area.
- C. Accessory structures shall be located a minimum of five feet from the principal building or the distance required by the Building Code, whichever is greater. Eave line separation from the principal building shall conform to the provisions of the Building Code. Accessory structures located less than five feet from the primary building shall be considered "attached" and must meet the setbacks of the underlying zone.
- D. Garage and carport accessory structures with direct access from an alley shall be located a minimum of 25 feet from the opposite boundary line of the alley.
- E. Accessory structures within residential zones shall comply with the following additional regulations.
 - 1. Accessory structures shall be no closer to the front lot line than the front-most wall of the dwelling nearest the front lot line, or 50 feet, whichever distance is ~~less~~greater.
 - 2. The interior side and rear yard setback shall be five feet for a single-story accessory structure.
 - 3. The interior side and rear yard setback shall be the same as the respective underlying zone for two-story accessory structures or accessory structures exceeding 20 feet in height.
 - 4. The street side yard setback for an accessory structure shall be the same as the street side setback of the underlying zone.

5. In the RR, RE and R-1 Zones, all metal accessory structures shall be limited to a maximum total floor area of 120 square feet; all other accessory structures shall be limited to a maximum floor area of 750 square feet. There is no size limit for accessory structures in the RC, RA-5, R-3 or R-4 Zones or any Zone when built in conjunction with a Planned Residential Development (i.e. clubhouse) or Conditional Use Permit (i.e. assemblies of people - non entertainment or assisted living).
 6. Any accessory structure over five feet in height shall be set back at least five feet from side and rear property lines.
 7. Single-story accessory structures shall not exceed 20 feet in overall height and two-story accessory structures shall not exceed 30 feet in overall height.
- F. Accessory structures in nonresidential zones shall comply with the following additional regulations.
1. Accessory structures shall be no closer to the front lot line than the front-most wall of the building nearest the front lot line, or 50 feet, whichever distance is less, unless specifically noted by other provisions of this title (e.g. vehicle fuel station canopies, etc.).
 2. Side and rear setbacks shall be the same as the respective setbacks required by underlying zone.
- G. Cargo containers in all zones shall comply with the following regulations.
1. In the RA-5 and RR zones, a minimum site area of two acres shall be required to place a cargo container on a property. On such properties, no more than two cargo containers with a maximum combined floor area of 640 square feet shall be permitted.
 2. On public and private institutional properties such as schools, parks, recreational facilities and properties Zoned PF, a maximum of 1 cargo container per one acre shall be permitted, not-to-exceed a total of 2 cargo containers per property or use. More than two containers may be permitted with the issuance of a minor conditional use permit.
 3. In the CG, BMP, I, AI, AIR, and RWY Zones, a maximum of four cargo containers per property or use is permitted. More than four containers may be permitted with the issuance of a minor conditional use permit.
 4. Cargo containers shall not be modified by adding windows or electrical, plumbing or mechanical improvements, and shall be considered as non-habitable structures. The addition of roof-mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however, subject to the approval of the Building Official.
- H. Patio covers shall comply with the following regulations.
1. Such structures shall not exceed more than one story in height and shall be erected at least five feet away from any rear or interior side lot line.
 2. Such structures shall be unenclosed on at least three sides and shall be entirely open, except for necessary supporting columns. A roof connecting the primary building and the accessory building shall be unenclosed and open on only two sides.
- I. Swimming pools and spas shall comply with the following.
1. No swimming pool or spa shall be located in a required front yard setback area.
 2. Any swimming pool or spa shall be located at least three feet away from any property line
 3. All swimming pools and spas shall conform to all Building Code and Health and Safety Code requirements.

4. Equipment related to a swimming pool, such as a fountain, slide, diving board, etc., shall not exceed five feet in height when located within five feet of a property line.

(Ord. 7331 §68, 2016; Ord. 7235 §7, 2013; Ord. 7109 §6, 2010; Ord. 6966 §1, 2007)

EXHIBIT 7

Chapter 19.580 - PARKING AND LOADING**19.580.010 - Purpose.**

This chapter establishes regulations to:

- A. Regulate off-street parking and loading to minimize traffic congestion and hazards to motorists, bicyclists and pedestrians.
- B. Allow flexibility in addressing vehicle parking, loading and access issues.
- C. Provide for off-street parking in proportion to the needs generated by different land uses.
- D. Ensure access to projects by emergency response vehicles.
- E. Ensure that parking areas are designed and operate in a compatible manner with surrounding land uses.
- F. Ensure that off-street parking, loading, and access demands associated with new development will be met without adversely affecting other nearby land uses and surrounding neighborhoods.

(Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

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19.580.060 - Parking requirements.

- A. *Minimum parking requirements.* The number of off-street parking spaces required by Table 19.580.060 (Required Spaces) shall be considered the minimum necessary for each use, unless off-street parking reductions are permitted pursuant to provisions herein. In conjunction with a conditional use, site plan review or planned residential development permit, the designated Approving or Appeal Authority may increase these parking requirements if it is determined that they are inadequate for a specific project.
- B. *Uses not listed.* The number of parking spaces required for uses not specifically listed in Table 19.580.060 (Required Spaces) shall be determined by the Community & Economic Development Director or his/her designee based on common functional, product or compatibility characteristics and activities. Such determination is considered a formal interpretation of this title and shall be decided and recorded as such pursuant to Chapter 19.060 (Interpretation of Code).
- C. *Mixed use complexes and parking credits.* In the case of shared parking facilities within a complex, the development shall provide the sum of parking spaces required for each separate use. However, if there are multiple uses in a complex with different operating characteristics, such as daytime office and nighttime commercial entertainment oriented uses, the Community & Economic Development Director or his/her designee may grant a mixed use parking credit to reduce the total number of required spaces by up to a maximum of 15 percent of the total required spaces. Another factor in favor of granting a credit is proximity to a transit stop. The following requirements apply to granting of a mixed use parking credit:
 - 1. The applicant shall provide a parking analysis specifying the proposed mix of uses and the operating characteristics of each type use; including hours of operation and individual parking requirements. The analysis shall provide adequate justification for granting the credit.

2. A covenant shall be recorded on the property limiting the mix of uses to those identified in the original parking analysis, including a mix with similar operating characteristics.
- D. *Required spaces.* Table 19.580.060 (Required Spaces) below sets forth minimum off-street parking requirements for number of spaces. Except as otherwise specifically stated, the following rules apply to this table.
1. "Square feet" (sq. ft.) means "gross square feet" and refers to total building gross floor area unless otherwise specified, not including areas used for off-street parking or loading spaces.
 2. Where parking spaces are required based on a per-employee ratio, this shall mean the total number of employees on the largest working shift.
 3. Where the number of seats is listed to determine required parking, seats shall be construed to be fixed seats. Where fixed seats provided are either benches or bleachers, each 24 linear inches of the bench or bleacher shall be considered a seat.
 4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded up to the nearest whole number.
 5. In addition to the requirements in Table 19.580.060 (Required Spaces), spaces shall be provided for trucks and other vehicles used in the business, of a number and size adequate to accommodate the maximum number of types of trucks and/or vehicles to be parked on the site at any one time.
 6. Where maximum distance is specified from the lot, the distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building or area that such facility is required to serve.
 7. Unless otherwise stated, the required parking shall be located on the same lot or within the same complex as the use.

Table 19.580.060 Required Spaces

Use	Number of Spaces Required
A	
Ambulance Service	1 space/ambulance plus 1 space/250 square feet of office area
Animal Keeping: a. Kennel (Dogs and Cats) b. Horse Stable - Commercial	a. 1 space/250 square feet of floor area b. 1 space/employee plus 1 space/5 stalls
Appliance sales or repair (household)	1 space/500 square feet of floor area ⁽¹³⁾

EXHIBIT 7

Use	Number of Spaces Required
Assemblies of People - Entertainment and Non Entertainment ⁽¹⁵⁾ (Includes places of worship, fraternal service organizations, indoor theater, stadiums, auditoriums, auction houses, community centers, clubs or meeting halls)	1 space/4 fixed seats or 1 space/30 square feet of floor area in the main assembly area for non-fixed seats. ⁽¹³⁾ Additional requirements applicable to incidental Dwelling Unit(s) ⁽¹⁷⁾
Arcades and Internet Cyber Cafes	1 space/250 square feet of floor area ⁽¹³⁾
Assisted Living	0.5 spaces/bed
B	
Banks and Financial Service a. Automated teller situated as part of a bank or financial institution, located indoor or outdoor b. Automated teller separate from a bank or financial institution, located outdoor c. Drive through automated teller or indoor automated teller associated with a retail use.	1 space/180 square feet ⁽¹³⁾ a. No spaces required. b. 2 spaces for the first teller station and 1 space per each additional teller station, all located on the same lot or within 100 feet of the teller station. ⁽¹¹⁾ c. No spaces required.
Bars, Saloons, Cocktail, Lounges and Taverns	1 space/100 square feet of floor area ⁽¹²⁾
Bed and Breakfast Inn	1 space/guest room ⁽¹⁶⁾
Boardinghouse	1 space/guest room ⁽¹²⁾
Bus Terminal	⁽⁵⁾
Business Support Services (Including graphic reproduction, computer services, etc.)	1 space/250 square feet of floor area ⁽¹³⁾
Caretaker Living Quarters	1 space/dwelling unit
Catering Establishment	1 space/employee plus 1 space/500 square feet of floor area ⁽¹³⁾
Cemeteries, Mortuaries, Funeral Chapels and ancillary uses a. With indoor facilities b. Outdoor only	a. See "Assemblies of People" for parking requirements b. ⁽⁵⁾

EXHIBIT 7

Use	Number of Spaces Required
Commercial Storage (mini-warehouse, self-storage facilities)	1 space/250 square feet of office area plus 1 space for a resident manager or caretaker ⁽¹⁰⁾
Outdoor Storage Yard	The greater of: 1 space/4,000 square feet net lot area or 1 space/250 square feet of office space or 1 space/500 square feet of enclosed storage
D	
Day Care Facilities (more than six people): a. Children (day care centers, preschools, infant centers) b. Adult (not in a group home)	1 space/employee plus 1 space/facility vehicle plus 1 space/10 persons at facility capacity. ⁽¹⁰⁾
Drug Store/Pharmacy	1 space/250 square feet of floor area ⁽¹³⁾
Dwelling: a. Single-family dwelling b. Multiple-family dwelling c. Studio Unit d. Accessory Dwelling Unit	a. 2 spaces within a private garage/dwelling unit b. 1.5 spaces/dwelling unit with 1 bedroom plus 2 spaces/dwelling unit with 2 or more bedrooms ⁽¹⁾ c. 1 space/dwelling unit d. 1) When a garage, carport or covered parking is demolished or converted to an ADU, replacement parking for the primary dwelling shall be required. 2) No parking is required for the ADU.
E	
Equipment Sales/Construction: a. Small - Rental and Repair b. Large - Rental and Repair	a. 1 space/500 square feet of office or retail area b. 1 space/500 square feet of office area and 2 spaces/repair bay, in addition to the service bays
F	

EXHIBIT 7

Use	Number of Spaces Required
Family Day Care Homes: a. Small Family Day Care Home b. Large Family Day Care Home	a. No requirement beyond standard single-family use b. 1 space for the single-family dwelling plus 1 space/employee not residing in the home and a drop-off/pick-up space ⁽⁴⁾
Farmers Market - Certified	⁽⁵⁾
Food and Beverage Sales	See "Retail Sales" for parking requirements
Furniture Stores	1 space/500 square feet of floor area ⁽¹³⁾
G	
Group Housing: a. 6 or fewer residents b. more than 6 residents	a. 1 enclosed space/dwelling unit b. ⁽⁵⁾
H	
Heliport	10 spaces plus 1 space/2 seats on largest helicopter accommodated on the site (13)
Helistop	5 spaces (13)
Home Improvement Sales and Service a. With outdoor storage/display area	1 space/250 square feet a. 1 space/1000 square feet storage/outdoor display area
Home Improvement Boutique/Showroom and Related Installation Facilities	1 space/500 square feet of floor area
Hotel	1 space/guest room ⁽¹⁰⁾
L	
Laundry, Commercial	1 space/350 square feet of floor area
Lumber Yard and Building Materials - With or Without Outdoor Storage	1 space/350 square feet of office area plus 1 space/1000 square feet storage/outdoor display area
M	

EXHIBIT 7

Use	Number of Spaces Required
Manufacturing (industrial zones) ⁽³⁾	1 space/350 square feet of floor area ⁽¹³⁾
Medical Services: a. Hospital b. Medical/Dental Office c. Laboratory, Research/Development d. Emergency Medical Service - urgent care e. Optometrist office	a. 1 space/bed ⁽¹²⁾ b. 1 space/180 square feet of floor area ⁽¹³⁾ c. 1 space/250 square feet of floor area d. 1 space/180 square feet of floor area e. 1 space/250 sq. ft. of floor area (minimum of 5 spaces) ⁽¹³⁾
Mobile Home Park	1 space/mobile home site plus 1 off-street guest space/5 mobile home sites
Model Homes	2 spaces/model home
Motel	1 space/sleeping or living unit ⁽¹⁰⁾
O	
Offices - Business and Professional	1 space/250 square feet of <u>gross floor area</u> office area ⁽¹³⁾
Offices - Public or Private Utility Office with Payment Center	1 space/180 square feet of <u>gross floor area</u> office area ⁽¹³⁾
Outdoor sales, display or storage	5 spaces plus 1 space/250 square feet of office area
<u>Outdoor Storage Yard</u>	<u>The greater of:</u> <u>1 space/4,000 square feet net lot area or</u> <u>1 space/250 square feet of office space or</u> <u>1 space/500 square feet of enclosed storage</u>
P	
Plant Nursery ⁽⁶⁾	5 spaces plus 1 space/250 square feet of building area
Personal Service ⁽⁷⁾	1 space/250 square feet of floor area ⁽¹³⁾
Public Uses (Public utility and services facilities)	⁽⁵⁾
R	
Rail Transit Station	⁽⁵⁾

Use	Number of Spaces Required
Recreational Facilities - Commercial: a. Billiard Parlor and Pool Halls b. Bowling Alleys c. Skate Facility (indoor/outdoor) d. Amusement Parks e. Golf Courses and Driving Ranges f. Health/Fitness Club ⁽¹⁵⁾ g. Swimming Pool h. Specialty Non-Degree (Dance and Martial Arts) i. Other indoor and outdoor facilities	a. 1 space/250 square feet b. 5 spaces/bowling lane ⁽¹²⁾ c. 1 space/100 square feet of floor area d. ⁽⁵⁾ e. 5 spaces/hole, 1.5 spaces/tee on the driving range plus additional spaces required for ancillary uses per the provisions of the Zoning Code. f. 1 space/150 square feet of floor area g. ⁽⁵⁾ h. ⁽⁵⁾ i. ⁽⁵⁾
Recycling Centers: a. Paper, glass plastic, aluminum and nonferrous metals b. Solid Waste Transfer Stations and Material Recovery Facilities	a. 1 space/employee plus 1 space/1,000 square feet of floor area b. 1 space/employee
Recycling Facilities: a. Indoor Collection Center b. Reverse Vending Machine c. Reverse Vending Machine - Bulk Type d. Mobile Recycling Unit	a. ⁽⁵⁾ b. No additional parking is required c. ⁽⁵⁾ d. 1 space/attendant (if applicable)
Restaurant (sit-down, drive-through, fast food, take-out, café, cafeteria, excluding any outdoor dining area)	1 space/100 square feet of floor area ⁽¹²⁾
Retail Sales (uses not located in a regional shopping center - i.e., In the CRC Zone) ⁽⁸⁾	1 space/250 square feet of floor area ⁽¹³⁾
S	

EXHIBIT 7

Use	Number of Spaces Required
<p>Schools:</p> <p>a. College, Community College, University, and Professional</p> <p>b. Elementary or Secondary (Junior High)</p> <p>c. High School</p> <p>d. Vocational and Technical</p>	<p>a. ⁽⁵⁾</p> <p>b. 2 space/classroom plus 2 bus loading spaces</p> <p>c. 7 spaces/classroom plus 3 bus loading spaces</p> <p>d. 0.75 spaces/employee plus 0.75 spaces/student at maximum enrollment ⁽⁹⁾ ⁽¹³⁾</p>
Senior Housing	1.4 spaces/unit ⁽²⁾
Shelters, Emergency	Based upon demonstrated need, provided that the standards do not require more parking than that for other residential or commercial uses within same zone.
Shopping Center - Regional (i.e., in the CRC Zone)	1 space/200 square feet of gross leasable floor area
Single Room Occupancies	1 space/dwelling unit
Student Housing (including dormitories, fraternities, sororities, etc.)	1.1 spaces/bed ⁽¹⁰⁾
Supportive Housing	Based upon demonstrated need, provided that the standards do not require more parking than that for other residential uses within same zone.
T	
Taxi Company with Vehicle Storage	1 space/taxi plus 1 space/250 square feet of office area
Transitional Housing	Based upon demonstrated need, provided that the standards do not require more parking than that for other residential uses within same zone.
Tutoring Center	<p>1 space per each faculty/staff;</p> <p>1 space/2 students, for students 16 years old or older; and,</p> <p>1 space/10 students, for students under 16 years old</p>

Use	Number of Spaces Required
V	
Vehicle Fuel Station: a. With Accessory Retail/Convenience Market b. With Vehicle Maintenance/Repair c. With Indoor Storage Area d. With Restaurants (including all cooking, serving and seating areas) e. With Car Wash	a. 1 space/250 square feet of retail area including cooler areas ⁽¹⁴⁾ b. 2 spaces/service bay ⁽¹⁴⁾ c. 1 space/1,000 square feet of storage area ⁽¹⁴⁾ d. 1 space/100 square feet of floor area ⁽¹⁴⁾ e. 1 space/washing bay ⁽¹⁴⁾
Vehicle Parts and Accessories	See "Retail Sales" for parking requirements
Vehicle Repair - Major or Minor	6 spaces on same lot plus 2 additional spaces/service bay, in addition to the service bays ⁽¹¹⁾
Vehicle Sales, Rental, Leasing - New or Used a. Without Outdoor Display b. With Outdoor Display	a. See "Retail Sales" for parking requirements b. 5 spaces plus 1 space/250 square feet of office area
Vehicle Wash Facilities: a. Full Service and Express— Automated b. Self Service - (No separate office or retail use)	a. 1 space/2 employees of largest shift, <u>not including vacuum stalls</u> (Adequate stacking and drying areas as determined by Conditional Use Permit) b. 1 space/2 washing bays or stalls in addition to the bays, <u>not including vacuum stalls</u>
Veterinary Services (clinic and hospital, may include accessory grooming and boarding)	1 space/180 square feet of floor area
W	
Warehousing and Wholesale Distribution Centers	1 space/1,000 square feet of floor area plus 1 space/250 square feet of office area ⁽¹³⁾
Wireless Telecommunication Facilities	(5)
Table 19.580.060 Notes:	

Use	Number of Spaces Required
<p>1. See Section 19.580.070 B (Multiple Family Dwellings) for additional requirements. For the purpose of calculating parking requirements for multiple family dwellings, dens, studies, Studio Unit(s), or other similar rooms that may be used as bedrooms shall be considered bedrooms.</p> <p>2. For senior housing projects, 50 percent of the required spaces shall be covered either in a garage or carport.</p> <p>3. For the purposes of parking requirements, this category includes corporation yards, machine shops, tin shops, welding shops, manufacturing, processing, packaging, treatment, fabrication, woodworking shops, cabinet shops, and carpenter shops and uses with similar circulation and parking characteristics.</p> <p>4. Required parking spaces may be in tandem, and the driveway may be used for the required drop-off and pick-up space.</p> <p>5. Parking ratio to be determined by the designated Approving or Appeal Authority in conjunction with required land use or development permits, based on the impacts of the particular proposal and similar uses in this table.</p> <p>6. Excluding lath and green houses.</p> <p>7. Includes barber shops, beauty salons/spas, massage, tanning, tailors, dry cleaning, self-service laundry, travel agencies, electrolysis, acupuncture/acupressure, and tattoo parlors.</p> <p>8. For the purposes of parking requirements, this category includes antique shops, gun shops, pawn shops, pet stores, and second-hand stores.</p> <p>9. Additional parking for assembly rooms or stadiums is not required.</p> <p>10. Parking may be provided on the same or adjoining lot.</p> <p>11. Parking may be provided on the same lot or within 100 feet of the subject site.</p> <p>12. Parking may be provided on the same lot or within 150 feet of the subject site.</p> <p>13. Parking may be provided on the same lot or within 300 feet of the subject site.</p> <p>14. The pump islands are not counted as parking stalls.</p> <p>15. A reduction in the number of required parking spaces may be permitted subject to a parking study and a shared parking arrangement.</p> <p>16. Where strict adherence to any parking standards would significantly compromise the historic integrity of a property, the Development Review Committee <u>Community & Economic Development Director, or his/her designee</u>, may consider variances that would help mitigate such negative impacts, including consideration of tandem parking, allowances for on-street parking, alternatives to planter curbing, wheel stops, painted striping, and asphalt or concrete surfacing materials.</p> <p>17. Parking shall be provided in accordance with Chapter 19.545.060 (Parking Standards Incentive). A parking analysis may be provided to justify modifications from those standards. The parking analysis shall identify the parking needs to address the operating hours and characteristics of the operations to provide for adequate parking at all times.</p>	

(Ord. 7457 § 1(Exh. A), 2019; Ord. 7408 §1, 2018; Ord. 7331 §94, 2016; Ord. 7235 §11, 2013; Ord. 7109 §11, 2010; Ord. 6966 §1, 2007)

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19.580.080 - Design standards.

A. Parking space dimensions.

1. Table 19.580.080.A (Off Street Vehicle Parking Space Dimensions) sets forth minimum size requirements for individual parking spaces. Design standards for handicapped parking stalls shall be provided in compliance with current requirements of the Uniform Building Code.
2. Parking spaces that are parallel and adjacent to a building, fence/wall, property line or other door swing or pedestrian access obstruction, shall be nine and one-half feet wide.
3. All off-street parking spaces shall be indicated by white or yellow painted stripes not less than four inches wide or by other means acceptable to the Planning Division. Handicapped accessible spaces shall be indicated by blue painted stripes, signs and markings, in accordance with State of California requirements.

4. Except in the case of individual tree well planters, the minimum 18 feet paved depth of a parking space shall not be reduced by an overhang into a planter.
5. Tandem parking shall not be permitted to satisfy the minimum parking requirement. Except as provided in Section 19.580.070B.1.e - (Multiple Family Dwellings).

Table 19.580.080.A**Off-Street Vehicle Parking Space Dimensions**

Type of Parking Stall	Size of Parking Stall (minimum)	
	Width	Length
Standard	9 ft.	18 ft.

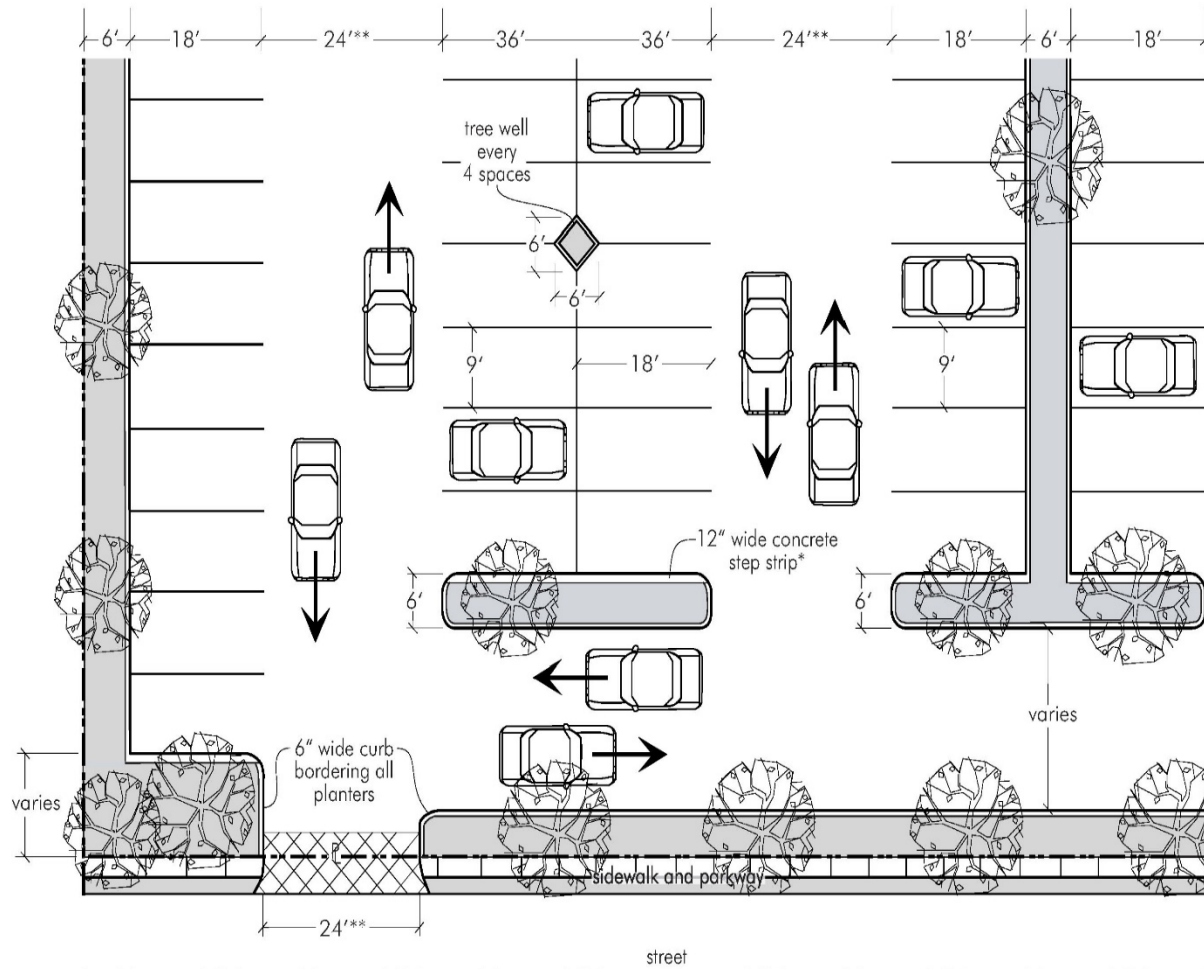
B. Drive aisle and driveway width dimensions.

1. Each parking space shall have adequate drives, aisles and turning and maneuvering areas for access in accordance with Table 19.580.080.B (Overall Parking Aisle Width).

Table 19.580.080.B**Overall Parking Aisle Width**

	Parking Angle in Degrees			
	45	60	75	90
Aisle Width				
a. One-Way Traffic	12 ft.	16 ft.	18 ft.	24 ft.
b. Two-Way Traffic				24 ft.

Typical 90 Degree Parking



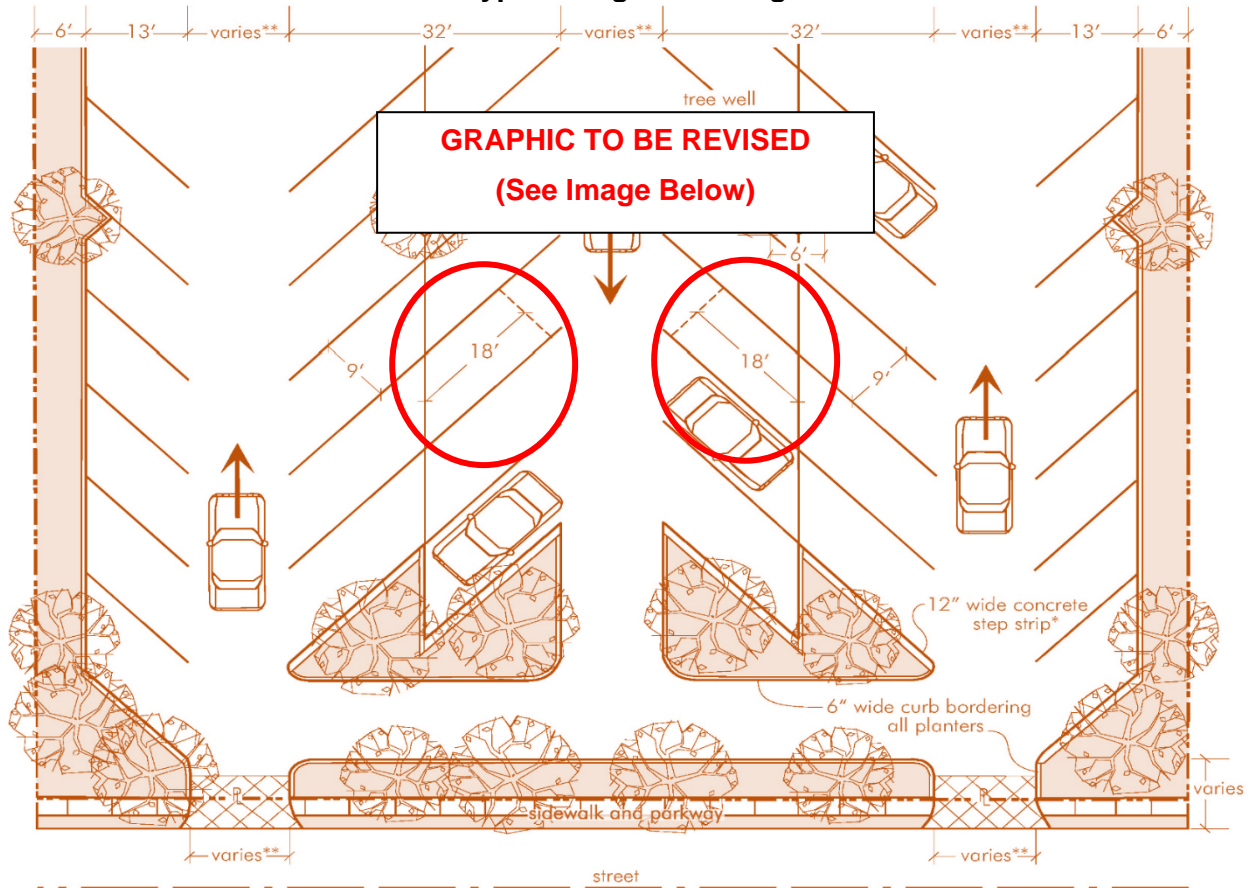
* 12" wide concrete step strip for all planters adjacent to parking stalls

** 28' required for multiple family residential

note: wheel stops to be added where required

landscaping, typical

Typical Angled Parking



* 12" wide concrete step strip for all planters adjacent to parking stalls

** see Table 19.580.080B

note: wheel stops to be added where required

 landscaping, typical

- Table 19.580.080.C**
Minimum Driveway Widths

Use	Driveway minimum width	Notes, Exceptions and Special Provisions
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Single-Family Residential	10 ft.	
Multi-Family Residential (one-way)	12 ft.	Driveways shall be 150 ft. or less in Length with no on-drive parking and located adjacent to one or two story buildings
Multi-Family Residential (one-way)	16 ft.	Applicable to driveways inconsistent with the special provision above.
Multi-Family Residential (two-way)	24 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be a minimum of 24 ft.
Nonresidential (one-way)	12 ft.	A driveway providing access to 10 or fewer parking spaces may be reduced to 10 ft. The total length of the ten-foot wide driveway shall not exceed 75 feet.
Nonresidential (two-way)	20 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be 24 ft.

C. Vehicular access/and circulation.

1. Accessibility and usability: Driveways shall not be used for any purpose that would prevent vehicle access to parking spaces, or inhibit circulation or emergency service response.
2. Access to adjacent roadways: Parking spaces within a designated parking lot shall be designed to provide the minimum required turning and maneuvering areas, so vehicles can enter an abutting street in a forward direction (alleys may be used for maneuvering space).
3. Circulation: Within a parking lot, circulation shall be such that a vehicle entering the parking lot need not enter the street to reach another aisle and that a vehicle shall not enter a public street backwards. Internal circulation, including safe entrances and exits shall be provided meeting the established standards and specifications of the Planning Division and Public Works Department.
4. Visibility at driveways: Driveways shall be designed and located in such a manner so as to ensure proper visibility to on-street traffic. Driveway design shall take into consideration slopes, curvature, speed, and conflicting turning movements in the area. Clear visibility shall be maintained from the driveway by keeping the designated clear vision triangle free of obstacles such as signs, landscaping, and structures. See Article X (Definitions) for a description of the clear vision triangle.

D. Parking structures.

1. Parking spaces located within a parking structure shall be provided with safe entrances and exits, turning and maneuvering areas and driveways meeting the established standards and specifications of the Planning Division and Public Works Department.
2. Driveways and turning and maneuvering areas in parking structure shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing

meeting the specifications of the Public Works Department and shall be maintained in good repair.

3. Parking structures shall have a minimum landscaped setback of 15 feet along all street frontages, except in the area bounded by First Street, Fourteenth Street, the Riverside Freeway, and Locust Street, where a ten-foot landscaped setback shall be provided along all street frontages. When a greater setback is required by the zone in which the parking structure is located, such greater setback shall prevail.
 4. Parking structures shall have, along all street frontages, a three-foot high buffer to such parking structure consisting of a decorative masonry wall, solid hedge or landscaped mound or any combination thereof. Masonry walls and hedges shall be situated at the rear of the landscaped setback required by subsection 3 of this section.
 5. Piers and pillars shall not encroach into parking stalls.
- E. *Garage/carport- architectural design.* Garages and carports required for residential development are to be designed to reflect the architecture of the dwelling units by using similar materials and roof pitches. Flat roofs will be discouraged.
- F. *Paving.*
1. Required parking, loading areas and circulation areas shall be paved with not less than ~~two and one-half~~three inches of asphalt concrete or an equivalent impervious surface meeting the established standards and specifications of the Public Works Department. They shall be graded and drained so as to dispose of all surface water, and shall be maintained in good repair; provided that those portions of single-family residential driveways extending beyond a point 100 feet back from the street property line in the RE, RA and R-1 Zones may be surfaced with an alternate material as determined by the Public Works Department; and further provided that in the RE Zone, the driveways within the bridle paths of equestrian trails shall not be paved.
 2. A non-paved driveway legally established prior to the adoption of this Code Section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this Code Section, is not subject to the paving requirements of this section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning Division.
 3. The Community & Economic Development Director or his/her designee shall have the authority to administratively grant exceptions to the paving material and location restrictions, consistent with the purposes of this section, where special circumstances relating to property context, configuration, terrain, landscaping or structure locations make adherence to the paving location restrictions of this section impractical. Any such decision by the Community & Economic Development Director or his/her designee may be appealed to the City Council.
- G. *Pedestrian access and circulation.* All multi-family and nonresidential developments shall be designed with a minimum of one designated pedestrian path from each abutting street to the primary entrance(s) to such use. Access shall be distinct from the vehicle access, visibly delineated, and designed to be safe and convenient. Specifically, internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, or scored/stamped concrete.

- H. *Drainage*. Drainage facilities shall be provided in all public parking areas capable of handling and maintaining the drainage requirements of the subject property and surrounding properties. Drainage facilities shall be designed to dispose of all surface water consistent with Regional Water Quality Control Board standards, and to alleviate the creation of flooding and drainage problems.
- I. *Curbing and bumper or wheel stops*. Bumper stops not less than two feet in height or wheel stops not less than six inches in height shall be erected adjacent to any building or structure, wall, fence, property line, or walkway to protect other property. Areas containing plant materials shall be bordered by a concrete curb at least six inches high and six inches wide. Alternative barrier design to protect landscaped areas from damage by vehicles may be approved by the Development Review Committee.
- J. *Lighting*. Parking areas shall have lighting capable of providing adequate illumination for security and safety. Also see Section 19.590.070 (Light and Glare) and Chapter 19.556 (Lighting).
- K. *Walls*. When adjoining or across an alley from any residentially zoned or residentially used lot, a masonry wall six feet in height shall be erected and maintained so as to physically separate the parking, loading or sales area from the residential property; provided that such wall shall be three feet high within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be three feet high within ten feet of the street line. Also, see Chapter 19.550 (Fences, Walls and Landscape Materials).

(Ord. 7331 §94, 2016; Ord. 7109 §§14, 15, 2010; Ord. 6966 §1, 2007)

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19.580.140 - Variances.

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

(Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

Chapter 19.710 - DESIGN REVIEW

19.710.010 - Purpose.

The City Council finds, determines and declares that the application of the design review procedures are necessary to preserve and promote the health, safety and general welfare of the community by achieving the following purposes:

- A. To protect and preserve the value of properties and to encourage high quality development thereof in areas where adverse effects will result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures, and from inadequate and poorly planned landscaping, and from failure to preserve where feasible natural landscape features, open spaces and the like, and will result in the impairment of the benefits of occupancy and use of existing properties in such areas;
- B. To recognize the interdependence of land values and aesthetics and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements, and to encourage excellence of development of property, compatible with the general plan for, and character of, the City, with due regard to the public and private interests involved;
- C. To ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities shall be protected by the exercise of reasonable controls over the character and design of private buildings, structures and open spaces;
- D. To ensure the maintenance of high design standards in the vicinity of public buildings and grounds for the preservation of the architecture and general appearance in the areas of the City containing the buildings and grounds and to preserve the property values in the areas;
- E. To promote the maintenance of high design standards adjoining thoroughfares of Citywide importance to ensure that the community benefits from the natural growth and vegetation as much as possible, and from the natural terrain, and to preserve and stabilize the architecture and general appearance of buildings and grounds adjoining the thoroughfares; and to preserve and protect the property values in the areas; and
- F. To ensure the design of landscaping and irrigation that shades paved areas, buffers or screens undesirable views, compliments building architecture and that implements the purposes of Chapter 19.570 (Water Efficient Landscaping and Irrigation).

(Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.020 - Applicability.

- A. The design review procedures set forth in this chapter shall apply to the following:
 - 1. All new buildings, structures and signs, and enlargements of existing buildings, structures and signs in the RC - Residential Conservation, Commercial and Office, Mixed-Use, Industrial and Downtown Specific Plan Zones, except as exempted in B and C below.
 - 2. Any project reviewed and approved via the conditional use, planned residential development permit or site plan review permit processes.
 - 3. Establishment of any manufactured dwelling on the lot. The Design Review process shall apply only to the approval of foundation, roof material, roof pitch, roof overhang, siding material and any structures attached to the dwelling.

- B. ~~The Design Review procedures set forth in this chapter shall not apply to any restoration, rehabilitation, rehabilitation, alteration, development, construction, demolition, removal or appearance change of any landmark, landmark structure, landmark site or any structure or site within a preservation district. Said structures are subject to Title 20. Any structure or site subject to Title 20 shall be exempt from a Design Review.~~
- C. The following types of projects are exempt from design review, however, the Planning Division will review them for compliance with the Zoning Code and consistency with the Citywide Design Guidelines during the building permit plan check process:
1. Infill development consisting of a single-family residence or new residences and structures within an approved conventional residential subdivision (unless otherwise specified in the project specific conditions of approval).
 2. Minor exterior modifications or renovations that do not expand the size of the building.
 3. Accessory buildings and structures.
 4. Outdoor dining areas (not including outdoor food preparation).
 5. Minor site improvements or landscape modifications or renovations that are not subject to the Water Efficient Landscape Ordinance and/or do not require a Water Quality Management Plan (WQMP).
- D. To facilitate the development of stand-alone multi-family or age-restricted senior residential housing~~affordable housing~~ throughout the City, consistent with California Government Code Section 65580, an administrative design review application ~~for stand-alone multi-family residential building(s)~~ shall be reviewed by the Community & Economic Development Director or his/her designee when the proposed development complies with all of the following criteria:
1. Development standards and regulations of the Riverside Municipal Code, including but not limited to, Title 7 (Noise), 16 (Building and Construction), 17 (Grading), 18 (Subdivision), 19 (Zoning) and 20 (Cultural Resources);
 2. Water Quality Management Plan (WQMP) requirements;
 3. No other discretionary review is required to approve the development proposal, such as, but not limited to, a variance, rezoning, specific plan amendment or general plan amendment;
 4. County's Airport Land Use Compatibility Plan (ALUCP), when applicable;
 5. Mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5th Cycle Housing Element (SCH # 2017041039); and
 6. Requirements of a Traffic Operations Assessment (TOA) prepared for and reviewed by the City of Riverside Public Works Department. A TOA is required when a development results in any of the following:
 - a. Generates 100 or more new peak hour vehicle trips;
 - b. Does not conform with the City of Riverside's Access Management Guidelines;
 - c. The project site is located within 1,000 feet of a roadway or intersection where three or more reported vehicular accidents have occurred in a 12-month period, or five or more reported vehicular accidents in a 24-month period, and where the installation of traffic controls or improvements could reduce vehicular accidents; or
 - d. The closest intersection, if greater than 1,000 feet from the project site, or segment of roadway between the project and the closest intersection, have had three or more

reported vehicular accidents in a 12-month period, or five or more reported vehicular accidents in a 24-month period, and where the installation of traffic controls or improvements could reduce vehicular accidents. This administrative design review process ensures compliance with California Housing Element law. The multi-family housing permitted pursuant to RMC Article V - Permitted Use Table - 19.150.020(A) shall be a "permitted use by right", as defined by Government Code Section 65583.

(Ord. 7408 §1, 2018; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

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19.110.020 - Permitted land uses.

- A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730—Minor Conditional Use Permit) or conditional use permit (Chapter 19.760—Conditional Use Permit), or uses requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the tables are prohibited unless, the ~~Zoning Administrator~~ Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.
 - B. The provisions set forth in Chapter 19.215 (Neighborhood Commercial Overlay Zone—NC) may be applied to any commercial zone and may further limit the uses permitted.
 - C. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.
- (Ord. 7413, § 1(Exh. A), 2-20-2018; Ord. 7331 §5, 2016; Ord. 7064 §2, 2010; Ord. 6966 §1, 2007)

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Chapter 19.740 - TEMPORARY USE PERMIT**19.740.010 - Purpose.**

The purpose of a Temporary Use Permit (TUP) is to regulate those uses and activities of a temporary nature that may affect the public peace, health, safety, and general welfare.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.020 - Applicability.

- A. Temporary uses shall be permitted on private property with the issuance of a Temporary Use Permit (TUP) as specified in Tables 19.150.020.C (Temporary Use Table) and 19.740.020 (Temporary Uses) in zones where the temporary use is permitted.
- B. Temporary uses shall be limited to the maximum number of contiguous days each use is allowed per event, the maximum number of occurrences each use is allowed and the maximum number of days per calendar year on each property or commercial complex as listed below.
- C. Non-City Sponsored events or uses located within the Public Right-of-Way, Public Park or other City owned land shall be subject to Chapter 2.28 of the Riverside Municipal Code and the granting of a Special Events Permit issued by the Arts and Cultural Affairs Division of the City of Riverside. Events which occur on both Public and Private Property (i.e. a Marathon using a public street but starting or ending at a privately owned shopping center) would be governed by the Special Event Permit provisions of Chapter 2.28 of the Riverside Municipal Code and not subject to a Temporary Use Permit.
- D. Temporary uses listed in Table 19.740.020A below shall obtain a TUP for each event.
- E. A filing fee established by City Council Resolution shall be required prior to the issuance of a ~~Major~~ Temporary Use Permit.

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

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

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

1. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which may require additional permits.
2. Events which utilize adjacent sidewalks, streets, or other public property shall be subject to a Special Events Permit.

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

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

(Ord. 7408 §1, 2018; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

Table 19.740.020

Temporary Use Permit

Temporary Use	Maximum Number of Consecutive Days per Event ^{1a}	Maximum Number of Occurrences per Calendar Year ¹	Maximum Number of Days Per Calendar Year ¹	Type of Temporary Use Permit ^{2b}
Car Show	3	16	48	Minor
Caretaker Living Quarters - Temporary During Construction	Initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted.			Minor
Christmas Tree and Pumpkin Sales (Seasonal)	30	2	60	Minor Major
Circus or Carnival (With or without Tent)	7	1	7	Major

Temporary Use	Maximum Number of Consecutive Days per Event ^{1a}	Maximum Number of Occurrences per Calendar Year ¹	Maximum Number of Days Per Calendar Year ¹	Type of Temporary Use Permit ^{2b}
Dwelling Unit (Motor Home, RV, Camper, etc.)	30	4	60	Minor
Entertainment (Trial basis)	<p>A maximum of 20 entertainment days within a 60 day period is permitted. The maximum number of days per week shall be determined by the Planning Division in collaboration with the Riverside Police Department. Refer to Section 19.740.050.CE.6 for more information.</p> <p>An extension of up to 90 days may be permitted as noted under Section 19.740.050.CE.6.g during the processing of a Conditional <u>Use Permit</u>, or Minor Conditional Use Permit, <u>or Entertainment Permit</u> (depending on Zone) only if a MCUP, or CUP, <u>or Entertainment Permit</u> has already been filed with the Planning Division.</p>			Major
Fair, Concert, Exhibit or Similar Uses	7	2	14	Minor Major
Fruit Stands	4	8	32	Minor
Garage Sales	Garage Sales are Regulated by Chapter 5.49 of the Riverside Municipal Code			N/A
Mobile Medical Units for Humans	7	2	14	Minor
Non-Commercial Car Wash	Contact Public Works Department for requirements for temporary Car Washes			N/A
Non-Commercial Tent Meetings	10	1	10	Major Minor
Outdoor Preparation of Food (Temporary), <u>Food and Drink Festivals, or Similar Uses</u>	3	6	18	Major Minor
Outdoor Sales in Conjunction with a Permanent Land	5	8	40	Minor

EXHIBIT 9

Temporary Use	Maximum Number of Consecutive Days per Event ^{1a}	Maximum Number of Occurrences per Calendar Year ¹	Maximum Number of Days Per Calendar Year ¹	Type of Temporary Use Permit ^{2b}
Use (Parking Lot Sale)				
Outdoor Sales Event not in Conjunction with a Permanent Land Use (Swap Meet)	4	4	16	Major
Special Events (Events on Public Properties including streets, schools, or parks)	Special Events are administered by the Arts and Cultural Affairs Division pursuant to Chapter 2.28 of the Riverside Municipal Code			N/A
Subdivision Sales Trailer or Office During Construction	Initial period of no more than one year from the date of the initial siting may be granted.			Minor
Temporary Emergency Shelter	-	-	180	Major
Temporary Holiday Storage Containers	45	1	45	Minor
<u>Vapor Recovery Operations</u>	=	=	=	<u>Major</u>

^{1a} An applicant or property owner may request an increase in the maximum number of days per event, number of occurrences, or days per calendar year by requesting consideration of a Temporary Use Permit to the City Manager and paying all applicable filing fees.

^{2b} ~~Events in compliance with all applicable Development Standards Listed in Section 19.740.050.F shall be exempt from the Major TUP process and may file online; however, any event that does not comply with all applicable Development Standards may be considered under the TUP Major TUP process.~~

19.740.040 - Exemption.

- A. Any temporary uses allowed by this chapter proposed to be located within the boundaries of the Riverside Convention Center shall be exempt from the TUP process. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which may require additional permits. Events which utilize adjacent sidewalks or other public property shall be subject to the granting of a Special Events Permit.
- B. Activities clearly incidental to a Public K-12 School, College or University (UCR and RCC) regulated and funded by a public governmental agency, such as graduation and sporting

events, contained entirely on-site (including all parking) shall be exempt from the TUP process.

- C. Activities clearly incidental to a private K-12 school, college or university (CBU and LSU), such as graduation and sporting events, contained entirely on-site (including all parking) shall be exempt from the TUP process provided there is an active Conditional Use Permit (CUP) or Campus-Wide Specific Plan for the institution. Fairs, concerts, etc. which rely on on-street parking or path of travel shall not be included in this exception. Vocational and training schools are not included in this exemption.

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

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.050 - Development, operational and location standards.

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

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

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

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

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

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

1. Car show

- a. The parking of vehicles shall occur on improved surfaces only (i.e. asphalt or concrete).
- b. The event shall not occupy more than 30 percent of a required parking area and shall not substantially alter the existing circulation pattern of the site.
- c. The event shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- d. The event shall not block or modify any fire lane or fire hydrant.

- e. No stage shall be permitted.
 - f. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
2. Caretaker living quarters—Temporary during construction. For development standards for caretaker living quarters used during construction review Article XII Chapter 19.465.
 3. Christmas tree and pumpkin sales (seasonal). Christmas tree and pumpkin sales lots are subject to compliance with the following criteria as set forth below:
 - a. Christmas tree or pumpkin sales within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
 - b. Christmas tree and pumpkin sales lots located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
 - c. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
 - d. Incidental sales of Christmas tree lights, tree decorations and stands may be permitted in conjunction with a Christmas tree sales lot, but sales of gift items are excluded; and
 - e. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
 4. Circus or carnival (with or without tent).
 - a. A circus or carnival within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
 - b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
 - c. A circus or carnival located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
 - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the ~~Zoning Administrator~~Community & Economic

- Development Director or his/her designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- e. The circus or carnival shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
 - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
5. Dwelling Unit (Motor Home, RV, camper, etc.).
- a. A dwelling unit may only be permitted on a residentially used parcel.
 - b. The vehicle may not be parked within the public right-of-way, overhang into the public right-of-way, block any sidewalk or path of travel and may be no closer than five feet from any interior property line.
 - c. The vehicle must be parked on a concrete pad or driveway.
 - d. Generators may only be permitted between the hours of 7:00 a.m. and 10:00 p.m. as permitted by Title 7 of the Riverside Municipal Code.
6. Entertainment (trial basis).
- a. Prior to investing into a CUP, ~~or~~ Minor CUP, or Entertainment Permit, a business may apply for a TUP to determine if such a business endeavor is viable for said business. Entertainment (trial basis) is the temporary establishment of an entertainment operation on a trial basis.
 - b. These standards shall not apply to entertainment venues with a valid and active CUP, ~~or~~ Minor CUP, or Entertainment Permit.
 - c. Entertainment (trial basis) shall only be permitted in zones where "Assemblies of People - Entertainment" is Minor Conditionally or Conditionally Permitted by the Zoning Code or applicable Specific Plan.
 - d. Entertainment must be in conjunction with a full-service sit down restaurant.
 - e. Entertainment (trial basis) is permitted for a maximum of 20 events in a consecutive 60 day period. The entertainment days and number of entertainment days per week shall be at the discretion of the Planning Division in collaboration with the Police Department.
 - f. Only one application for entertainment (trial basis) shall be permitted for an operator of a business. A change in operators shall reset this time limit.
 - g. An additional extension period of up to 90 days, for up to 30 events may be granted subject to review and approval by the Planning Division and Police Department during the processing if a conditional use permit has been filed with the Planning Division for permanent entertainment. A complete application for the Conditional or Minor Conditional Use Permit, as applicable, must be submitted for review prior to the granting of the extension.
 - h. A written security plan shall be reviewed and approved by the Planning Division and Police Department and shall include, at a minimum, a dress code, type of entertainment, location of security, and methods of dealing with drunk or misbehaving customers.

- i. Written conditions of approval for all City Departments contained on the Temporary Use Permit application form shall apply to each event.
- j. The security manager shall work directly with the Riverside Police Department whenever bands or other performances are expected to draw large crowds.
- k. Entertainment shall be limited to interior areas only.
- l. Entertainment shall end by 1:30 a.m.
- m. A cover charge to enter the restaurant after 9:00 p.m. during evenings with live entertainment shall be required.
- n. A "late night" menu shall be available until within one-half hour of closing.
- o. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.04.020 of the Riverside Municipal Code.
- p. The applicant shall not share any profits, or pay any percentage or commission to a promoter or any other person, based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders, or the sale of drinks, or rent out or otherwise receive compensation for the use of the facilities, unless the applicant or its representative or agent is present during the entire duration of the event, is responsible for all activities on the premises, and is responsible for ensuring compliance with all conditions of approval.
- q. The maximum seating capacity or occupancy shall not exceed that which is established by the City Fire Marshall. More than one violation of this condition shall constitute a material violation of the permit. A security guard shall be stationed outside all entry and exit doors at all times of entertainment activities in the facility, including the exit doors to an outdoor patio (as applicable).
- r. The business shall be in compliance with Title 7 (Noise Control) of the Municipal Code.
- s. The posting of flyers and other propaganda within the outdoor areas of the project site and adjacent public and private property, including vehicles, shall be strictly prohibited.
- t. A copy of the Temporary Use Permit and the conditions of approval shall be available at the site and presented to City staff, including the Police Department and Code Enforcement upon request.
- u. Future entertainment requests may be denied should it be determined that the uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to public safety, property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- v. The applicant shall comply with all federal, state and local laws and shall cooperate with the Riverside Police Department (RPD) in the enforcement of all laws relating to this permit. The violation of any laws in connection with this use or failure to cooperate with RPD will be cause for revocation of this permit. Failure to abide by all conditions of this permit shall be cause for revocation.
- w. A permit issued shall be based upon the business operations plan and information submitted by the applicant, which has been used as the basis for evaluation of the proposed use and for the conditions of approval herein. Permittee shall notify the

Planning Division of any change in operations and such change may require a revision to the permit. Failure to notify the City of any change in operations is material grounds for revocation of the Temporary Use Permit.

- x. The granting of this request shall in no way exclude or excuse compliance with all other applicable rules and regulations in effect at the time this permit is exercised.
- y. A licensed and bonded security guard shall be required at an appropriate ratio, as determined by the Police Department and Planning Division during evenings of entertainment. Additionally, there shall be a doorman checking personal identification during the entire event. The firm or personnel providing security for the facility shall be subject to review and approval of the Police Department.
- z. Music shall be played indoors only and shall not be projected onto the outdoor area, including the patio areas or surrounding public spaces. All doors shall remain closed while entertainment activities are occurring to minimize noise impacts.
- aa. No loitering shall be permitted on any property adjacent to the licensee's premises and under control of the applicant.
- bb. No alcoholic beverages shall be permitted on the property adjacent to the licensed premises under the control of the licensee.
- cc. The licensee shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control.
- dd. A security camera surveillance system shall be provided for constant recording subject to the approval of the Police Department.
- ee. Security personnel shall mechanically keep an accurate count of people in the restaurant and make the count available to public safety personnel upon request.
- ff. For informational purposes, failure to prevent extraordinary police services to your business in violation of Riverside Municipal Code Chapter 9.60 shall result in the owner being liable for the cost of extraordinary police service and will be cause for revocation of this permit.
- gg. Additional requirements for entertainment in conjunction with alcohol sales:
 - i. No alcohol sales shall be permitted after 1:30 a.m.
 - ii. No alcoholic beverages are to be sold or dispensed for consumption beyond the premises.
 - iii. The sale of alcohol shall not constitute more than 50 percent of the total revenues generated by the establishment.
 - iv. The minimum age for admittance shall be 21 years of age.
- 7. Fair, concert, exhibit or similar uses.
 - a. A fair, concert, exhibit or similar use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
 - b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;

- c. A fair, concert, exhibit or similar use located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
 - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
 - e. The fair, concert, exhibit or similar use shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
 - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
8. Mobile medical units for humans.
- a. Mobile medical units shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit.
 - b. Mobile medical units shall not be placed within, disrupt or displace any required accessible path of travel or fire lane.
9. Non-commercial tent meeting.
- a. A non-commercial tent meeting within an existing retail or industrial center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
 - b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
 - c. A non-commercial tent meeting located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
 - d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
 - e. The non-commercial tent meeting shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
 - f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

10. Outdoor preparation of food (temporary).

- a. The requirements for the outdoor preparation of food apply only when in conjunction with a permanent indoor restaurant and does not pertain to the outdoor preparation of food in association with legally established school or assemblies of people—non-entertainment, street fairs, carnivals or push carts that are regulated separately.
- b. For development standards for the temporary outdoor preparation of food the standards for outdoor dining and food preparation (permanent) shall apply, Chapter 19.495.
- c. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
- d. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

11. Outdoor sales event in conjunction with a permanent land use.

- a. An outdoor sales event in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event must be in conjunction with, and clearly incidental to, an existing permanent use on site. Outdoor sales on vacant lots is not permitted (see outdoor sales event not in conjunction with a permanent land use below).
- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- e. The event shall not block or modify any fire lane or fire hydrant.
- f. No stage shall be permitted.

12. Outdoor sales event not in conjunction with a permanent land use.

- a. An outdoor sales event not in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event not in conjunction with a permanent land use located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;

- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
 - e. The event shall not block or modify any fire lane or fire hydrant.
 - f. No stage shall be permitted.
 - g. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
 - h. the Outdoor sales area and Parking Lot shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
 - i. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.
13. Subdivision sales trailer or office during construction.
- a. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Community & Economic Development Director or their designee. In no instance shall the temporary unit be located within public right-of-way.
 - b. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.
 - c. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.
 - d. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Community & Economic Development Director or their designee. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Community & Economic Development Director or their designee may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.
 - e. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.
 - f. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.
14. Temporary emergency shelter with assemblies of people-non-entertainment.
- a. A temporary emergency shelter may be permitted in conjunction with an assemblies of people-non-entertainment use.
 - b. A written management and security plan shall be provided for review and approval by the Community & Economic Development Director or their designee.

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

15. Temporary holiday storage containers.

- a. A maximum of four temporary holiday storage containers may be permitted for retail outlets with 15,000 square feet or more of gross floor area for overstock of products and goods.
- b. A maximum of two temporary holiday storage containers may be permitted for retail outlets with 10,000 to 15,000 square feet of gross floor area for overstock of products and goods.
- c. A maximum of one temporary holiday storage containers may be permitted for retail outlets with 5,000 to 10,000 square feet or more of gross floor area for overstock of products and goods.
- d. The containers shall be located behind the building to minimize the visual impact from public view.
- e. The containers shall not be located within any building setback area.
- f. The containers shall maintain the minimum building setback from all property lines as determined by the California Building Code or 10 feet whichever is greater.
- g. The containers shall not be located within a fire lane nor block any fire hydrant.

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

- a. Site location criteria.
 - i. All equipment shall be located as far as possible, but not closer than ten feet, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
 - ii. The location on the site shall not disrupt the flow of traffic onto and off of the site.
 - 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.
- b. Operation and development standards.
 - i. All equipment shall be screened with landscaping, block walls or opaque fencing consistent with landscaping and/or physical improvements in the area.
 - ii. Sound emanating from machinery shall be muffled so as not to exceed 60 dBA at the nearest property line of any nonresidential use and 45 dBA at the nearest

property line of a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.

- iii. The Community & Economic Development Director or their designee may limit the hours of operation to between 9:00 a.m. and 10:00 p.m. where vapor recovery operations are located near residential uses or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
- iv. Approval from all applicable governmental agencies shall be obtained.
- v. At the conclusion of the vapor recovery operation, all machinery and improvements shall be completely removed from the site and the previously existing improvements shall be replaced in accordance with all local standards. The Community & Economic Development Director or their designee may require suitable documentation guaranteeing such removal and repairs.

(Ord. 7408 §1, 2018; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.060 - Limitations of approval.

Each permitted temporary use shall be limited to the maximum number of days and the maximum number of occurrences allowed per calendar year by Table 19.740.020 (Temporary Uses) of this chapter unless extended by the Community & Economic Development Director or their designee. When either the maximum number of days or the maximum number of occurrences has been reached the temporary use shall not be permitted on the property for the duration of the calendar year. A commercial complex shall be considered as one property for purposes of determining the maximum number of occurrences allowed. A commercial complex is defined as a group of two or more commercial uses on a single parcel or contiguous parcels that utilize common off-street parking and access.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.070 - Temporary outdoor storage and loading.

In all zones for those businesses or other authorized uses that ordinarily receive and/or send out merchandise, products and the like, articles to be loaded or unloaded may be temporarily stored outside for a period not to exceed two hours within specifically designated loading areas. No articles so stored shall be advertised or marked for sale at or from the loading area nor shall the loading area be used for merchandise display.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.080 - Application and permit issuance.

A. Major temporary use permit.

1. A least five working days prior to commencement of the event, the owner of the property proposed to be occupied by a temporary use or the owner's authorized representative:
 - a. Verify and obtain approval from any required Department necessary for the specific event.
 - b. File the application for a temporary use permit with the Planning Division.
2. The Community & Economic Development Director or their designee shall review the temporary use permit application for compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) of this chapter and shall approve or deny the application within five working days of receipt of a complete application. The applicant, having obtained all of the required City department and agency

signatures, must obtain any additional required permits before operation of the temporary use. Approval of a temporary use permit does not constitute approval of any other required permits.

3. If in the judgment of the Community & Economic Development Director or their designee, a proposed temporary use, even if in compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) of this chapter may have a substantial adverse impact on public health, safety or welfare, the Community & Economic Development Director or their designee may elect not to approve a temporary use permit and may refer the application for disposition by the City Council at its next regularly scheduled meeting.
4. Failure to comply with the limitations contained in Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) shall be grounds for denial and/or revocation of a temporary use permit.

B. Minor temporary use permit.

1. Prior to the commencement of the event, a Mminor temporary use permit shall be obtained from the Planning Division ~~by way of the TUP submittal website.~~
2. The applicant shall:
 - a. Obtain written authorization from the property owner or authorized representative.
 - b. Verify that the TUP event complies with all applicable development standards established in 19.740.050.
 - c. Submit for a Minor TUP at least five working days prior to the commencement of the event.
 - d. If an event does not comply with the prescribed site location and operation criteria specified in Section 19.740.050 for those uses eligible for a Minor TUP (See Table 19.740.020) then the applicant shall apply for a Major TUP as listed in Section 19.740.080.A above.
 - e. In the event a Minor TUP is reviewed by staff and determined to not be in compliance with all applicable development standards, staff will inform the applicant that a Major TUP is required.

C. Failure to comply with any of the provisions of this section shall authorize the Community & Economic Development Director or authorized designee to issue a stop work order and upon issuance of the stop work order, the temporary use shall cease until continuation is authorized by the Community & Economic Development Director or authorized designee.

D. Copies of the Temporary Use Permit (Mmajor and ~~m~~Mminor) shall be made available to City Staff upon request.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.090 - Revocation of temporary use permits.

- A. If the Community & Economic Development Director or their designee determines that a temporary use is being operated contrary to the terms and conditions of a temporary use permit, or if circumstances under which the temporary use permit was issued have changed, such in the opinion of the Community & Economic Development Director or their designee, operation of the temporary use poses a negative impact on the public health, safety or general welfare, the Community & Economic Development Director or their designee shall issue an

order to immediately cease and desist such operation. Upon receipt of the order, such operation of a temporary use shall immediately cease and desist.

- 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 Community & Economic Development Director or his/her designee ~~City 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.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.100 - Appeal.

Appeals of the Community Development Director's Decision may be filed pursuant to Sections 19.680.030.B (Filing an Appeal) and 19.690.020.D (Effective Date of Permits and Actions) for action by the City Manager.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

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19.910.210 - "T" Definitions.

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Temporary use means a land use of short duration, either indoor or outdoor, for commercial or noncommercial purposes, that is not specifically permitted in the zoning district in which the property is located, but which by general community consensus is an acceptable activity due to its close relationship to a permitted use, its positive effect on public health, safety or welfare and/or its close relationship with the social or cultural fabric of the City and may be permitted with a temporary use permit.

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Chapter 19.770 - SITE PLAN REVIEW PERMIT

19.770.010 - Purpose.

The site plan review permit process is established to meet certain community goals that include the following:

- A. To ensure that the highest quality of land planning is incorporated into development projects;
- B. To ensure that new projects are compatible with existing neighborhoods in terms mass, scale and functionality;
- C. To ensure that development occurs with due regard to environmental factors;
- D. To provide for public improvements necessitated by the development; and
- E. To promote orderly, attractive and harmonious development, and promote the general welfare by preventing the establishment of uses or erection of structures that are not properly related to or that would adversely impact their sites, surroundings, traffic circulation or environmental setting.

(Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

19.770.020 - Procedures.

- A. General process. Site plan review permit (SPR) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable Chapters of the Zoning Code.

(Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

19.770.030 - Applicability and permit requirements.

The following commercial or mixed use projects require a site plan review permit:

- A. Commercial. In addition to any other permits required by the Zoning Code, no new building, structure, exterior alteration or enlargement of an existing building or structure exceeding 10,000 square feet shall be commenced in the Commercial Regional Center Zone (CRC) (Chapter 19.110) until a Site Plan Review Permit has been granted pursuant to this chapter.
- B. Mixed-Use. In addition to any other permits required by the Zoning Code, no new building, structure or exterior alteration or enlargement of an existing building or structure exceeding 10,000 square feet shall be commenced in any Mixed-Use Village or Urban Zones (Chapter 19.120) until a site plan review permit has been granted pursuant to this chapter.
- C. Planning Commission requirement. The Planning Commission, at its discretion, may require a site plan review permit as a condition for any project.
- D. Exemption.
 - 1. Any site plan review included as part of the review for conditional use permits, minor conditional use permits and planned residential development permits and design review is subject to the requirements of Chapters 19.730 (Minor Conditional Use Permit), 19.760 (Conditional Use Permits) and 19.780 (Planned Residential Development Permit) and is therefore exempt from the requirement of a separate site plan review permit unless such site plan review is deferred at the time of approval of such permits.

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

(Ord. 7408 §1, 2018; Ord. 7331 §112, 2016; Ord. 7235 §19, 2013; Ord. 7091 §13, 2010; Ord. 6966 §1, 2007)

19.770.040 - Conditions of approval.

In order to achieve the purposes of this chapter, the Approving or Appeal Authority may require reasonable conditions of approval on a site plan review permit including, but not limited to the following.

- A. Special conditions or requirements to revise the site plan, that are more restrictive than the development standards in the underlying base zone or including, but not limited to, the following:
 1. Building height, bulk or mass;
 2. Setbacks;
 3. Lot coverage;
 4. Lighting;
 5. Private and common open space and/or recreational amenities;
 6. Screening, including garages, trash receptacles, or mechanical equipment;
 7. Landscaping;
 8. Fencing plans;
 9. Parking, access and on-site circulation;
 10. Pedestrian circulation;
 11. Grading;
 12. Street dedication and improvements;
 13. Public improvements either on or off the subject site that are needed to service the proposed development;
 14. Project phasing;
 15. Participation and completion by the project's ownership and/or management staff in the Crime Free Multi-Family Housing Program, or its successor equivalent;
 16. Any other revisions to the site plan or operational conditions deemed necessary to further the purposes of this title.
- B. Reduced development standards for affordable housing projects in accordance with the provisions of Chapter 19.545 (Density Bonus).

(Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

19.910.190 - "R" Definitions.

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Reversed corner lot. See "lot, reversed corner."

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

Right-of-way, public means any place that is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter. Crossing, intersection, parkway, median, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park square and other similar public way. See definitions in Title 18 and the General Plan.

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(Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)