

ORDINANCE NO.

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

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

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

“Section 19.050.045 Responsibilities of the Development Review Committee.

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

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

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

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

A. Minor Conditional Use Permit and Variance

...

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 decision is final, except that the applicant may appeal the decision within ten days of the mailing of written notice of decision.

..."

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

"Section 19.720.040 Required Findings.

A. The 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:

..."

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

"Section 19.720.050 Conditions of approval/guarantees.

...

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 Director of Community & Economic Development Department or Planning Commission may deem appropriate and necessary to carry out the purposes of the Zoning Code and Chapter."

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

"Section 19.730.110 Voiding of minor conditional use permits.

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

...

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

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

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

7 **“Section 19.760.090 Voiding of conditional use permits.**

8 ...

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

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

16 Section 8: Section 19.910.050. of the Riverside Municipal Code is hereby amended as
17 follows:

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

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

22 ...

23 *Development Review Committee* (“DRC”) means the pre-designated group of City departments or
24 divisions involved in the process of reviewing projects involving new construction, re-construction
25 and/or other entitlement applications, each of which shall conduct administrative functions authorized
26 by the Zoning Code. The DRC includes any 3 or more of the following Divisions and Departments:
27 Planning, Building and Safety, Public Works, Public Utilities, Parks and Recreation, Police and Fire.
28 The DRC process shall be chaired by the Planning Division.

...

1 Section 9: Section 19.100.010 of the Riverside Municipal Code is hereby amended as
2 follows:

3 **“Section 19.100.010 Purpose.**

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

10 ...

11 D. *Residential Estate Zone (RE) and R-1-½ Acre Zone.* The Residential Estate Zone (RE) and R-
12 1-½ Acre Zone are established to provide areas for large lot single-family residences where the
13 keeping of livestock and other farm animals is not permitted.

14 ...”

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

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

20 **“Section 19.120.050 Use Regulations.**

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

25 ...”

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

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

4 Section 14: Section 19.440.030 of the Riverside Municipal Code is hereby amended as
5 follows:

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

7 ...

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

- 10 1. Accessory structures shall be no closer to the front lot line than the front-most wall of the
11 dwelling nearest the front lot line.

12 ...”

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

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

18 **“Section 19.580.080 Design standards.**

19 ...

20 F. *Paving.*

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

...

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

7 Section 17: Section 19.580.140 of the Riverside Municipal Code is hereby amended as
8 follows:

9 **“Section 19.580.140 Variances.**

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

16 Section 18: Section 19.710.020 of the Riverside Municipal Code is hereby amended as
17 follows:

18 **“Section 19.710.020 Applicability.**

19 ...

20 B. Any structure or site subject to Title 20 shall be exempt from a Design Review.

21 ...

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

27 Section 19: Section 19.110.020 of the Riverside Municipal Code is hereby amended as
28 follows:

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

2 A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and
3 Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses)
4 identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted
5 subject to the approval of a minor conditional use permit (Chapter 19.730—Minor Conditional Use
6 Permit) or conditional use permit (Chapter 19.760—Conditional Use Permit), or uses requiring some
7 other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not
8 listed in the tables are prohibited unless, the Community & Economic Development Director or his/her
9 designee, pursuant to Chapter 19.060 (Interpretation of Code), determines that the use is similar to and
10 no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state
11 and/or federal law is also strictly prohibited.

12 ...”

13 Section 20: Section 19.740.020 of the Riverside Municipal Code is hereby amended as
14 follows:

15 **“Section 19.740.020 Applicability.**

16 ...

17 E. A filing fee established by City Council Resolution shall be required prior to the issuance of a
18 Temporary Use Permit.

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

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

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

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

3 2. Events which utilize adjacent sidewalks, streets, or other public property shall be
4 subject to a Special Events Permit.

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

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

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

15 Section 22: Section 19.740.040 of the Riverside Municipal Code is hereby amended as
16 follows:

17 **“Section 19.740.040 Exemption.**

18 ...

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

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

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

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

27 B. All events must comply with Title 7 of the Riverside Municipal Code (Noise).
28

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

3 ...

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

5 ...

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

10 ...

11 6. Entertainment (trial basis).

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

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

17 ...

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

20 a. Site location criteria.

21 ...

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

25 ...”

26
27
28 Section 24: Section 19.740.080 of the Riverside Municipal Code is hereby amended as
follows:

1 **“Section 19.740.080 Application and permit issuance.**

2 ...

3 B. Minor temporary use permit.

4 1. Prior to the commencement of the event, a Minor temporary use permit shall be obtained from
5 the Planning Division.

6 ...

7 D. Copies of the Temporary Use Permit (Major and Minor) shall be made available to City Staff upon
8 request.”

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

11 **“Section 19.740.090 Revocation of temporary use permits.**

12 ...

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

18 Section 26: Section 19.770.030 of the Riverside Municipal Code is hereby amended as
19 follows:

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

21 ...

22 D. Exemption.

23 ...

24 4. Stand-alone multi-family or age-restricted senior residential uses in any Mixed-Use zone are
25 permitted by right subject to Chapter 19.710 – Design Review, and do not require a Site Plan Review.”

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

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

...

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

...

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.

..."

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

"Section 19.385.030 Site location, operation and development standards.

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

...

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 150 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.

...

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

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 the daily operating hours.

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

..."

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

"Section 19.870.020 Procedures.

1 A. *Application.* The owner of the property proposed to be occupied by a recycling center
2 or the owner's authorized representative, such as a property manager, leasing agent, or manager of the
3 sole business on the site shall file an application for a Recycling Center Permit (RCP) with the
4 Planning Division at least 30 working days prior to the proposed commencement of the use.
5 Applications shall be filed upon forms and accompanied by such data and information, including a
6 site plan, necessary to properly evaluate and process the application as may be required for that
7 purpose by the Planning Division. B. *Approval.* The Community and Economic Development
8 Director or their designee has final approval authority to approve, or deny a Recycling Center Permit
9 (see Table 19.650.020 - Approving and Appeal Authority).

10 C. *Renewal.*

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

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

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

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

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

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

2

3

Mayor of the City of Riverside

4

Attest:

5

6

City Clerk of the City of Riverside

7

8

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

9

10

Ayes:

11

12

Noes:

13

Absent:

14

Abstain:

15

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

16

17

18

City Clerk of the City of Riverside

19

20

21

22

23

24

25

19-1108 KJS 10/24/19

26

27

28