

Zoning Code Clean Up

PR-2024-001746 (AMD) – Zoning Text Amendment
COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Commission
Agenda Item : 2
December 5, 2024

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PURPOSE



Align Zoning Code with California law



Refine and improve development processes



Clarify and correct Zoning Code language



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AMENDMENT 1: ACCESSORY DWELLING UNITS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.442 – Accessory Dwelling Units (ADU) Chapter 19.910 – Definitions
CURRENT	<ul style="list-style-type: none"> Single-family: 1 attached or detached ADU and 1 JADU Existing multi-family: Conversion of non-habitable space up to 25% of # of units & 2 detached ADUs
PROPOSED	<ul style="list-style-type: none"> Single-family: 1 attached, 1 detached, and 1 JADU (HCD Direction) Existing multi-family: Conversion of non-habitable space up to 25% & 8 detached ADUs (SB 1211) New multi-family: 2 new detached ADUs Make other minor clarifications & corrections

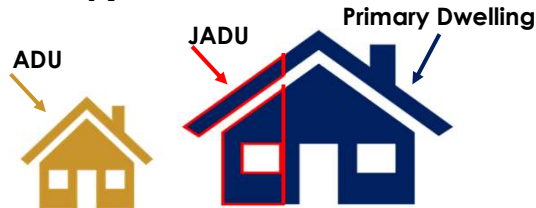


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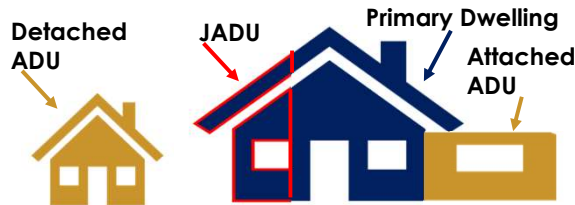
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ACCESSORY DWELLING UNITS

Current (Single Family): One ADU (attached or detached) & one JADU



Proposed (Single Family): One attached ADU, one detached ADU, & one JADU



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ACCESSORY DWELLING UNITS

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

GAVIN NEWSOM, Governor



October 3, 2023

The use of the term “any” followed by an enumeration of by right ADU types permitted indicate that any of these ADU types can be combined on a lot zoned for single-family dwellings.

This permits a homeowner, who meets specified requirements, to create one converted ADU; one detached, new construction ADU; and one JADU.



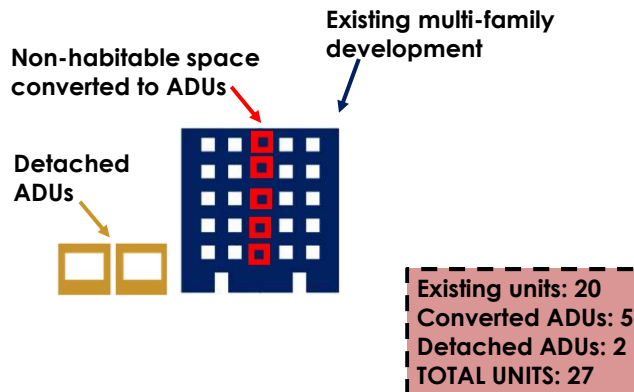
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ACCESSORY DWELLING UNITS

Current (Existing multi-family development only):

Can convert 25% of existing # of units and build 2 new detached units



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ACCESSORY DWELLING UNITS

Proposed (Existing multi-family development):
 Can convert 25% of existing # of units to ADUs and build 8 new detached ADUs

Existing multi-family development

Detached ADUs

Existing units: 20
 Converted ADUs: 5
 Detached ADUs: 8
TOTAL UNITS: 33

Proposed (New multi-family development):
 Can build 2 new detached ADUs

Existing multi-family development

Detached ADUs

Existing units: 20
 Converted ADUs: 0
 Detached ADUs: 2
TOTAL UNITS: 22

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AMENDMENT 2: DENSITY BONUS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.545 (Density Bonus)
CURRENT	<ul style="list-style-type: none"> Chapter 19.545 does not reflect new density bonus legislation for low-income student and senior housing (AB 3116 and AB 2694)
PROPOSED	<ul style="list-style-type: none"> Update permitted density bonus for low-income students including eligibility, number of concessions, parking Clarify eligible senior housing development projects

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AMENDMENT 3: ELECTRIFIED SECURITY FENCES

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.550 – Fences, Walls, and Landscape Materials Chapter 19.150 – Base Zones Permitted Land Uses
CURRENT	<ul style="list-style-type: none"> Electric fences require alarm user, building, and (in specific plan areas) conditional use permits Not compliant with AB 2371
PROPOSED	<ul style="list-style-type: none"> Update Fence Chapter & Incidental Use Table to require only an alarm user permit unless adjacent to specified uses where MCUP and building permit also required



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AMENDMENT 4: ALCOHOL SALES LANGUAGE

CODE SECTION	<ul style="list-style-type: none"> Various chapters throughout the Riverside Municipal Code related to alcohol sales
CURRENT	<ul style="list-style-type: none"> “On-site” and “off-site” language in Zoning Code is inconsistent with California Government Code and Department of Alcoholic Beverage Control’s “on-sale” and “off-sale” regulatory terms
PROPOSED	<ul style="list-style-type: none"> Revise inconsistencies throughout the Zoning Code to align with state regulatory terms



Image Source: Visit Riverside

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AMENDMENT 5: OUTDOOR LIGHTING

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.556 – Outdoor Lighting
CURRENT	<ul style="list-style-type: none"> <i>Adjacent grade</i> is incorrectly used to describe the grade from which the maximum mounting height of luminaires should be measured
PROPOSED	<ul style="list-style-type: none"> Change <i>adjacent grade</i> to <i>finished grade</i> to align with industry terminology



Image Source: visualcomfort.com



AMENDMENT 6: ADMINISTRATIVE ADJUSTMENT

CODE SECTION	<ul style="list-style-type: none"> Various chapters throughout the Riverside Municipal Code related to the implementation of administrative adjustments
CURRENT	<ul style="list-style-type: none"> No administrative adjustment procedure exists to permit minor deviations from standards without a variance Redundant references to variances exist throughout Title 19
PROPOSED	<ul style="list-style-type: none"> Create administrative adjustment procedure and implement throughout Title 19 Clarify in the Variance Chapter that the adjustment procedure can be used for minor deviations Remove redundant variance language throughout Title 19



Image Source: Shutterstock.com



AMENDMENT 7: HOME OCCUPATIONS

CODE SECTIONS	<ul style="list-style-type: none"> • Chapter 19.150 – Base Zones Permitted Land Uses • Chapter 19.485 – Home Occupations • Chapter 19.910 – Definitions
CURRENT	<ul style="list-style-type: none"> • Pet grooming and similar uses are not included as personal services • Ambiguity in permitted uses for personal services as home occupations • Table 19.910.020.A (Permitted Uses Table) does not specify that personal services as home occupations are regulated separately
PROPOSED	<ul style="list-style-type: none"> • Amend the <i>personal service</i> definition to include pet grooming and similar uses • Clarify which personal services are permitted as home occupations • Specify in the Permitted Use Table that personal services that are home occupations are regulated separately

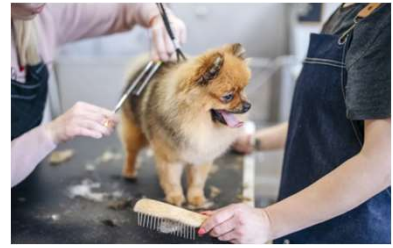


Image Source: DogTime.com

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AMENDMENT 8: GROUND-MOUNTED UTILITY EQUIPMENT

CODE SECTION	<ul style="list-style-type: none"> • Chapter 19.555 – Outdoor Equipment Screening
CURRENT	<ul style="list-style-type: none"> • Ground-mounted utility equipment must be screened with solid masonry walls or similar structures • Wood is a prohibited screening material
PROPOSED	<ul style="list-style-type: none"> • Tier screening options, w/equipment placement as preferred screening method • Expand screening options to include equipment placement, landscaping, color blending, and artwork along with solid walls • Permit wood as a screening material



Image Source: LawnLove.com

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AMENDMENT 9: FENCE AND WALL HEIGHTS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.550 – Fences, Walls, and Landscape Materials
CURRENT	<ul style="list-style-type: none"> Fences and walls in any side or rear yard may be up to six feet in height Community feedback for higher fences and walls for properties in SFR zones
PROPOSED	<ul style="list-style-type: none"> Raise maximum fence and wall heights in side and rear yards for properties in SFR zones 1-2 feet Retain six-foot height maximum in side and rear yards for properties in all other zones



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AMENDMENT 10: RETAINING WALL HEIGHTS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.550 – Fences, Walls, and Landscape Materials Chapter 17.28 – Minimum Grading Standards and General Requirements
CURRENT	<ul style="list-style-type: none"> Chapter 19.550 permits retaining walls at four feet Chapter 17.28 permits retaining walls at three feet (if in public view) and six feet (if not in public view)
PROPOSED	<ul style="list-style-type: none"> Align retaining wall heights in Chapter 19.550 with those in Chapter 17.28 Clarify maximum combined freestanding and retaining wall height of 10 feet



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AMENDMENT 11: PROHIBITED FENCE MATERIALS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.550 – Fences, Walls, and Landscape Materials
CURRENT	<ul style="list-style-type: none"> Title of Section 19.550.020 is incorrectly named “Modifications” when it should be “Prohibited Materials”
PROPOSED	<ul style="list-style-type: none"> Change title of Section 19.550.020 from “Modifications” to “Prohibited Materials”



Image Source: Razorfencing.com

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AMENDMENT 12: ANIMAL KEEPING AND AGRICULTURAL FIELD OFFICES

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.445 – Agricultural Field Office Chapter 19.455 – Animal Keeping
CURRENT	<ul style="list-style-type: none"> Clerical errors: Old and new versions of Animal Keeping standards exist simultaneously in the Code The Agricultural Field Office standards have been deleted
PROPOSED	<ul style="list-style-type: none"> Remove the old Animal Keeping standards, retain the new standards Place Agricultural Field Office standards back in the Code



Image Source: KofaStudy.com

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AMENDMENT 13: PLANNED RESIDENTIAL DEVELOPMENT PERMITS

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.670 – Public Hearings and Notice Requirements Chapter 19.690 – Effective Dates, Time Limits, and Extensions Chapter 19.780 – Planned Residential Development Permits
CURRENT	<ul style="list-style-type: none"> Minor corrections needed to clarify noticing, time extension, & superior design standard provisions of PRDs
PROPOSED	<ul style="list-style-type: none"> Make needed corrections where applicable



AMENDMENT 14: SITE PLAN REVIEW

CODE SECTIONS	<ul style="list-style-type: none"> Chapter 19.120 – Mixed-Use Zones (MU-N, MU-V, MU-U) Chapter 19.770 – Site Plan Review Permit
CURRENT	<ul style="list-style-type: none"> Site plan review findings only exist in the Mixed-Use Zones Chapter
PROPOSED	<ul style="list-style-type: none"> Move site plan review findings from the Mixed-Use Zones Chapter to the Site Plan Review Permit Chapter and broaden their applicability



AMENDMENT 15: GROUP HOUSING

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.315 – Group Housing - Six or More Occupants
CURRENT	<ul style="list-style-type: none"> Chapter title is incorrect; it should be “Group Housing - Seven or More Occupants”
PROPOSED	<ul style="list-style-type: none"> Change chapter title to “Group Housing - Seven or More Occupants”



Image Source: Shutterstock



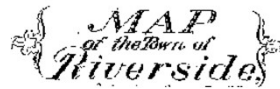
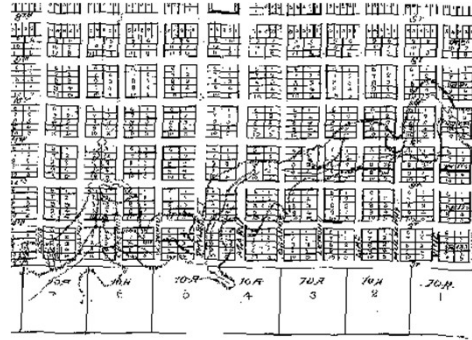
AMENDMENT 16: HOTEL/MOTEL LONG-TERM STAY

CODE SECTION	<ul style="list-style-type: none"> Chapter 19.330 – Hotel/Motel, Long-Term Stay
CURRENT	<ul style="list-style-type: none"> Section 19.330.040 is misnumbered as Section 19.330.030
PROPOSED	<ul style="list-style-type: none"> Correct numbering



AMENDMENT 17: TRACT MAP PREPARATION

CODE SECTION	<ul style="list-style-type: none"> Chapter 18.150 – General Application Processing Procedures
CURRENT	<ul style="list-style-type: none"> Engineers that prepare <i>tentative</i> tract maps must be authorized to practice land surveying (this is only required for <i>final</i> tract maps)
PROPOSED	<ul style="list-style-type: none"> Remove “authorized to practice land surveying” provision for engineers preparing tentative tract maps



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STRATEGIC PLAN ALIGNMENT



Strategic Priority 5 – High Performing Government

Goal 5.3 – Demonstrates adaptivity as an organization and enhances communication and collaboration with community members to improve transparency, building public trust, and encourage shared decision making.

Cross Cutting Threads

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RECOMMENDATIONS

Staff recommends that the Planning Commission:

1. **DETERMINE** that the project is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines and;
2. **RECOMMEND** the City Council Approve Planning Case PR-2024-001746 (Zoning Code Text Amendment) based on the findings outlined in the staff report.

