



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: OCTOBER 24, 2023

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARDS: ALL
DEPARTMENT

SUBJECT: PLANNING CASE PR-2023-001525: ZONING CODE TEXT AMENDMENTS AND
REZONE OF 0.24 ACRES OF CITY-OWNED PROPERTY AS PART OF A
ZONING CODE CLEAN-UP

ISSUE:

Consider amendments to Title 19 (Zoning) of the Riverside Municipal Code (RMC), including but not limited to Articles V (Base Zones and Related Use and Development Provisions), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), and X (Definitions) and; the rezone of 0.24 acres of City-owned property from R-1-7000 Single Family Residential to CR Commercial Retail.

RECOMMENDATIONS:

That the City Council:

1. Determine that Planning Case PR-2023-001525 is exempt from further California Environmental Quality Review pursuant to Section 15061(b)(3) (General Rule), as it can be seen with certainty that approval of the project will not have an effect on the environment;
2. Approve Planning Case PR-2023-001525 (Zoning Text Amendment and Zoning Map Amendment) based on the findings summarized in the Planning Commission Staff Report;
3. Introduce and subsequently adopt the attached Ordinance amending Title 19 (Zoning of the Riverside Municipal Code); and
4. Introduce and subsequently adopt the attached Ordinance rezoning Assessor's Parcel Number 229-082-013 from the R-1-7000 – Single-Family Residential Zone to the CR – Commercial Retail Zone.

BACKGROUND

Planning staff continuously track the applicability and accuracy of the Riverside Municipal Code (RMC) Title 19 (Zoning Code) to ensure the regulations are consistent with State Law, provide clear direction, and are not in conflict with other provisions. Staff has identified 13 provisions requiring minor changes or updates to language to be packaged together and adopted as part of an omnibus ordinance.

CITY PLANNING COMMISSION RECOMMENDATION:

On September 14, 2023, staff presented an omnibus package of code amendments to the Planning Commission where it was unanimously recommended for City Council approval. The proposed amendments to the Zoning Code are included in the Draft Zoning Text Amendment Ordinance (Attachment 1) and Draft Zoning Map Amendment Ordinance (Attachment 2). The following is a summary of each of the proposed changes, including the chapter or section, current language, and proposed amendment. Further detail for each amendment can be found in the September 14th City Planning Commission Staff Report (Attachment 3).

DISCUSSION

The purpose of the proposed amendments are to:

1. Align the Riverside Municipal Code (RMC) with California law, specifically Assembly Bills 2097 and 2244, and the California Employee Housing Act;
2. Clarify ambiguous, conflicting, and/or outdated language in the RMC as it pertains to Mixed-Use zones, tattoo parlors, truck terminals, private fueling stations, projections into required yards, recreational vehicle parking, accessory structures, wall heights, and wall materials;
3. Rezone 0.24 acres of City-owned property at the southwest corner of Arlington and Indiana Avenues from R-1-7000 – Single-Family Residential to CR – Commercial Retail to conform with the existing General Plan Land Use Designation of C – Commercial; and
4. Other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies.

The proposed amendments are detailed in Attachment 1 and are summarized below:

1. *Permitted Projections into Required Yards*
Chapter 19.100.060 is amended to remove all provisions pertaining to permitted projections into required yards and consolidate them under Section 19.630.040. Language is updated to clarify single-story porches may project into the required front yard up to 20% of the yard length or six feet, whichever is less.
2. *Mixed-Use Zones Permitted Uses Table.*
Table 19.150.020.A is amended to prohibit drive-thru restaurants in the Mixed-Use Village and Mixed-Use Urban Zones to be consistent with the stated intent and purposes of the Mixed-Use Zone found in Chapter 19.120. Drive-thru restaurants will remain conditionally permitted in the CR (Commercial Retail), CG (Commercial General), and CRC (Commercial Regional Center) Zones. Table 19.150.020.B is amended to remove redundancies regarding drive-thru businesses that are already addressed in the Permitted Uses Table.
3. *Tattoo and Body Piercing Parlors*
Table 19.150.020.A is amended for tattoo and body piercing parlors to be aligned with and permitted as other similar personal services such as beauty salons, nail salons, and barber shops to reflect current day operations.
4. *Truck and Trailer Storage*

Truck and Trailer Storage – Primary Use is prohibited as unlisted use. Table 19.150.020.A is amended to reflect the prohibited use and remove references to the undefined “Truck Terminal” use. Truck and trailer storage will continue to be permitted as an ancillary use to a primary permitted industrial use.

5. *Assembly Bill 2244*

Chapter 19.255 (Assemblies of People – Non-Entertainment) is amended to include a reference to Government Code Section 65913.6 to ensure consistency with State Law related to shared parking for places of worship with onsite housing.

6. *Above Ground Private Fueling Stations*

Chapter 19.480 (Fueling Systems – Private) is amended to clarify the requirement of a Minor Conditional Use Permit to modify the specific land use standards.

7. *Accessory Structures in Residential Zones*

Chapter 19.440.030 is amended to remove size limits for accessory structures on lots greater than 1 acre in the RE (Residential Estate), RR (Rural Residential), and R-1 (Single Family Residential) Zones.

8. *Assembly Bill 2097*

Chapter 19.580 is amended to include a reference to Government Code Section 65863.2 to allow development projects on eligible properties a parking reduction in compliance with state law.

9. *Recreational Vehicle Parking*

Chapter 19.580 is amended to allow RVs greater than 10,000 pounds GVWR to park in all single-family residential zones, provided that the vehicle does not encroach onto the public right of way and does not block the visibility of on-coming vehicular or pedestrian traffic.

10. *Permitted Wall Materials*

Chapter 19.550 is amended to eliminate outdated language prohibiting electrified wire fences, consistent with City Council Ordinance 7617.

11. *Maximum Wall Heights*

Chapter 19.550 is amended to clarify a maximum height of 6 feet for walls outside of the required setbacks; a maximum height of 8 feet for walls adjacent to railroads, freeways, and flood control channels; and sound walls at a height identified in an acoustical analysis prepared by a qualified acoustical engineer.

12. *Employee and Farmworker Housing*

Chapter 19.910 (Definitions) is amended to add farmworker housing as defined by state law to the definition of “Agricultural Use” pursuant to the California Employee Housing Act and Program HE-5-5 of the City of Riverside’s 6th Cycle Housing Element.

13. *Zoning Map Amendment for Parcel 229-082-013*

The Zoning Map is amended to change the zone of Parcel 229-082-013 from R-1-7000 (Single Family Residential) to CR (Commercial Retail) to be consistent with the General Plan Land Use Designation and the established land use pattern of the surrounding properties (Attachment 2).

STRATEGIC PLAN ALIGNMENT:

The actions undertaken for Planning Case PR-2023-001525 contributes to the following Strategic Priority and Goal from the Envision Riverside 2025 Strategic Plan:

Priority 5. High Performing Government – Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision making.

The actions undertaken for the proposed project aligns with the following Cross-Cutting Threads:

1. **Community Trust** – The Zoning Code Amendments are a proactive measure to respond to the changing needs of the community through a transparent public process.
2. **Equity** – The proposed amendments promote reasonable and equitable regulation of land use throughout the City.
3. **Innovation** – The proposed amendments incorporate latest best practices for streamlining and promoting equitable development communities.
4. **Fiscal Responsibility** – The proposed amendments do not incur cost to the City.
5. **Sustainability & Resiliency** – The proposed amendments promote pedestrian and transit-oriented development that will help reduce greenhouse gas emissions by reducing vehicle miles traveled, as well as providing an alternative to greenfield sprawl development.

FISCAL IMPACT:

There are no anticipated fiscal impacts with the proposed project.

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Certified as to availability of funds: Kristie Thomas, Finance Director/Assistant City Chief Financial Officer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Zoning Text Amendment Draft Ordinance
2. Zoning Code Map Amendment Draft Ordinance
3. September 14, 2023 – City Planning Commission Staff Report
4. September 14, 2023 – City Planning Commission Draft Minutes
5. Presentation