



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: OCTOBER 21, 2025**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT      WARD: ALL**

**SUBJECT: PLANNING CASE PR-2025-001793: ZONING CODE TEXT AMENDMENTS 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 II (Zoning Code Administration, Interpretation, and Enforcement), V (Base Zones and Related Use and Development Provisions), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), and IX (Land Use Development Permit Requirements/Procedures); and other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancy.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine that Planning Case PR-2025-001793 (Zoning Text Amendment) 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-2025-001793 (Zoning Text Amendment) based on the findings summarized in the Planning Commission Staff Report; and
3. Introduce and subsequently adopt the attached Ordinance amending Title 19 (Zoning Code) of the Riverside Municipal Code.

## **BACKGROUND**

### **Zoning Code Clean Up**

Planning staff continuously track the applicability and accuracy of the Zoning Code to ensure the regulations are consistent with State Law, provide clear direction, and are not in conflict with other provisions. Staff identify inaccuracies, ambiguities, and/or conflicts and track this information so that periodic Zoning Text Amendments can be made. Staff have identified twelve provisions requiring updates to language which will be packaged together and adopted as part of an omnibus ordinance.

## **Legislative Updates and New State Guidance**

During the 2024 California legislative session, Governor Newsom signed numerous bills into law which require that the City update its Zoning Code for compliance. This Zoning Code update implements Senate Bill (SB) 1418, which requires the streamlining of hydrogen fuel stations on parcels that meet specified criteria. This bill became effective on January 1<sup>st</sup>, 2025 and has a compliance date of September 30, 2025. More detailed information is provided in the table below.

## **City Council/Economic Development Committee Direction**

In addition to new legislation, this Zoning Code update implements direction from the City Council and from the Economic Development Committee on junk dealers/scrap metal recyclers and streamlining uses in the Neighborhood Commercial Overlay (NC Overlay).

On April 8, 2025, as a means to curb copper wire theft in the City, the City Council adopted Ordinance No. 7709, which established regulations for junk dealer/scrap metal recycling businesses in a new chapter of the RMC (Chapter 5.85 – Junk Dealers and Scrap Metal Recyclers). Among these regulations is a requirement for such establishments to obtain a minor conditional use permit (MCUP); this update implements that requirement.

On February 20, 2025, the City Council Economic Development Committee discussed a menu of strategies to revitalize the Arlington Village area of the Magnolia Avenue corridor, one such being the streamlining of certain uses on parcels with the Neighborhood Commercial (NC) Overlay Zone, which is prevalent in Arlington Village. This update streamline approvals for some of the uses in the NC Overlay Zone.

## **Airport Land Use Commission Review**

Legislative actions including Zoning Changes and Text Amendments affecting areas within the jurisdiction of the Riverside County Airport Land Use Commission (ALUC) require ALUC review to determine consistency with the 2014 Riverside County Airport Land Use Compatibility Plan (LUCP). On August 4, 2025, ALUC found the proposed package of Zoning Code amendments consistent with the LUCP. The ALUC Director's Determination Letter is included as Attachment 1.

## **CITY PLANNING COMMISSION RECOMMENDATION:**

On August 14, 2025, staff presented the package of Zoning Code amendments to the Planning Commission where it was unanimously recommended for City Council approval.

## **DISCUSSION**

The proposed amendments would:

1. Align the RMC with recent changes to California law pertaining to permit streamlining for hydrogen fuel stations;
2. Codify findings of public convenience or necessity (PCorN) for overconcentration of alcohol licenses pursuant to California law;
3. Implement permitting requirements for junk dealers/scrap metal recyclers pursuant to City Council direction;
4. Streamline permitting requirements for a variety of uses, including several in the Neighborhood Commercial (NC) Overlay Zone;
5. Make minor adjustments, clarifications, and corrections pertaining to accessory dwelling units, accessory structures, density bonus, temporary use permits, and zoning administrator language; and

6. Make other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies as necessary.

The proposed amendments to the Zoning Code are included in the Draft Zoning Text Amendment Ordinance (Attachments 2 and 3). The following is a summary of each of the proposed changes, including the affected chapters. Further detail on each amendment can be found in the August 14th Planning Commission Staff Report (Attachment 4).

Amendment Topic	Zoning Code Chapter	Summary of Changes
<b>Hydrogen Fuel Stations</b>	Chapter 19.150 – Base Zones Permitted Land Uses Chapter 19.410 – Vehicle Fuel Stations	<p>Chapter 19.150 is amended to implement new permit streamlining for hydrogen fuel stations under SB 1418. Hydrogen fuel stations would be permitted by-right on parcels in commercial and industrial zones that do not contain residential units, as well as on parcels previously developed with a vehicle fuel station. Hydrogen fuel stations that do not meet these criteria will be subject to the same permitting requirements as gasoline stations in the respective zone.</p> <p>Chapter 19.150 is amended to add references to the Private Fuel Systems and Vehicle Fuel Station chapters.</p> <p>Chapter 19.410 is amended to add development and operational standards (i.e., storage tank screening) and other minor adjustments to accommodate streamlined permitting of hydrogen fuel stations.</p>
<b>Findings of Public Convenience or Necessity (PCorN)</b>	Chapter 19.450 – Alcohol Sales Chapter 19.650 – Approving and Appeal Authority	<p>Chapter 19.450 is amended to codify PCorN findings for the overconcentration of alcohol sales licenses, based on best practices from peer jurisdictions. These new findings are:</p> <ul style="list-style-type: none"> <li>• That the license applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer and will agree to all conditions placed on the application;</li> <li>• That the proposed use is compatible with surrounding uses and will enhance economic vitality and improve consumer choice in the surrounding area; and</li> <li>• That the proposed use will not increase the severity of existing law enforcement or public nuisance problems in the area</li> </ul> <p>Chapter 19.650 is amended to clarify that the Community &amp; Economic Development Director is the approving authority for PCorN</p>

Amendment Topic	Zoning Code Chapter	Summary of Changes
		findings (unless referred to Planning Commission or appealed to City Council).
<b>Junk Dealers/Scrap Metal Recyclers</b>	Chapter 19.150 – Base Zones Permitted Land Uses	Chapter 19.150 is amended to affirm that junk dealer/scrap metal recycler establishments are prohibited as a primary use and provide they are only permitted as an incidental use with a Minor Conditional Use Permit (MCUP) in the General Industrial (I) Zone, subject to the requirements of Chapter 5.85.
<b>Neighborhood Commercial Overlay (NC Overlay) Streamlining</b>	Chapter 19.150 – Base Zones Permitted Land Uses	Chapter 19.150 is amended to reduce the level of entitlements needed for several community-serving uses in the NC Overlay, including assemblies of people, select bars and breweries, commercial kitchens, health and fitness studios, and showrooms.
<b>Day Care Centers</b>	Chapter 19.150 – Base Zones Permitted Land Uses	Chapter 19.150 is amended to reduce the level of entitlement for day care centers from a Conditional Use Permit (CUP) to a Minor Conditional Use Permit (MCUP).
<b>Tutoring Centers</b>	Chapter 19.150 – Base Zones Permitted Land Uses	Chapter 19.150 is amended to allow tutoring centers by right and eliminate tiered permit requirements based on number of students.
<b>Astrology and Fortune-Telling (Occultist)</b>	Chapter 19.150 – Base Zones Permitted Land Uses	Chapter 19.150 is amended to remove Astrology and Fortune-Telling (Occultist) as a standalone use in the Permitted Uses Table. The reference to the RMC's Fortunetelling and Occult Arts chapter would be moved to the Office row of the Permitted Uses Table.
<b>Minor Parking Lot Sales</b>	Chapter 19.150 – Base Zones Permitted Land Uses (Temporary Uses Table) Chapter 19.740 – Temporary Use Permit (Applicability)	Chapter 19.150 and Chapter 19.740 are amended to define <u>minor parking lot sales</u> , specify that they are exempt from the Temporary Use Permit (TUP) process with written property owner permission, and codify sales requirements.  <u>Minor parking lot sales</u> are defined as those that do not require parking or drive aisle circulation space; those that are limited to a single vendor; and those that involve the sale of floral, holiday, and graduation gifts only.
<b>Accessory Structures</b>	Chapter 19.440 – Accessory Buildings and Structures	Chapter 19.440 is amended to lower the size threshold for certain residentially zoned lots to be exempt from size limits for non-metal accessory structures from those greater than one acre to those greater than one half-acre or more.

<b>Amendment Topic</b>	<b>Zoning Code Chapter</b>	<b>Summary of Changes</b>
<b>Accessory Dwelling Units</b>	Chapter 19.442 – Accessory Dwelling Units	Chapter 19.442 is amended to remove language incorrectly suggesting that a deed restriction is needed limit the size of junior accessory dwelling units (JADUs) and to clarify that single family lots can have one attached or converted ADU and one detached, new construction ADU, along with a JADU.
<b>Density Bonus</b>	Chapter 19.545 (Density Bonus)	Chapter 19.545 is amended to add a reference to a table in the California Government Code specifying the amount of density bonus permitted for low-income student housing projects.
<b>Zoning Administrator Language</b>	Chapter 19.060 – Interpretation of Code Chapter 19.450 – Alcohol Sales Chapter 19.455 – Animal Keeping Chapter 19.465 – Caretaker Living Quarters Chapter 19.850 – Fair Housing and Reasonable Accommodation Chapter 19.895 – Room Rental Permit	Multiple chapters of Title 19 are amended to remove references to the Zoning Administrator and/or replace with references to the Community & Economic Development Department Director or designee.

**FISCAL IMPACT:**

There are no anticipated fiscal impacts with the proposed project.

Prepared by: Clarissa Manges, Assistant Planner  
Reviewed by: Jennifer Lilley, Community & Economic Development Director  
Certified as to availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer  
Approved by: Mike Futrell, City Manager  
Approved as to form: Rebecca McKee-Reimbold, Interim City Attorney

**Attachments:**

1. ALUC Director's Determination of Consistency
2. Zoning Text Amendment Draft Ordinance (Redline)
3. Zoning Text Amendment Draft Ordinance (Clean)
4. August 14, 2025 City Planning Commission Staff Report
5. August 14, 2025 City Planning Commission Draft Minutes
6. Presentation