



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: NOVEMBER 4, 2025**

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

SUBJECT: ADOPT ORDINANCE - PLANNING CASE PR-2025-001800: ZONING CODE TEXT AMENDMENTS AS PART OF AN SB 9/SB 450 ZONING CODE CLEAN UP

ISSUE:

Adopt Ordinance to amend Chapter 18.085, Chapter 19.443, and Chapter 20.05.

RECOMMENDATION:

That the City Council adopt an Ordinance amending Title 18 (Subdivision Code), Title 19 (Zoning Code), and Title 20 (Cultural Resources Code) of the Riverside Municipal Code.

INTRODUCTION OF ORDINANCE

On October 21, 2025, the City Council introduced an ordinance to amend Chapter 18.085, Chapter 19.443, and Chapter 20.05 of the Riverside Municipal Code regarding Zoning. The City Council voted unanimously to approve the ordinance. Planning Case PR-2024-001800 (Zoning Text Amendment) is exempt from further California Environmental Quality Review pursuant to Sections 15308 (Actions to Protect Environment), 15060(c)(2) (No Physical Change), 15060(c)(3) (Not A Project), and 15061(b)(3) (General Rule), as the proposed amendment will cause no direct or indirect change to the environment and does not meet the definition of a Project under CEQA, is pursuant to Sections 65852.21(k) and 66411.7(n), and is in accordance with findings summarized in the Planning Commission staff report.

BACKGROUND

Legislative History

Senate Bill (SB) 9 (Atkins) took effect January 1, 2022, which requires all California cities to allow the construction of up to two primary dwelling units and/or subdivision of one lot into two (urban lot split) on most single-family zoned lots, provided they meet the criteria established in California Government Code Sections 65852.21 (which regulates two-unit developments) and 66411.7 (which regulates urban lot splits). SB 9 requires cities to approve eligible projects ministerially, meaning subject only to objective standards and without design or other discretionary review. On July 5, 2022, the City Council adopted ordinances implementing SB 9 in the Riverside Municipal Code (RMC) through the creation of a new chapter in Title 18 - Subdivision (Chapter 18.085 - Urban Lot Splits) and Title 19 - Zoning (Chapter 19.443 - Two Unit Developments). Statutory enforcement authority over SB 9 was granted to the California Department of Housing and Community Development (HCD) in 2024 with the enactment of Assembly Bill (AB) 434 (Grayson). On January 1, 2025, SB 450 (Atkins) took effect, revising standards that can be imposed under

SB 9. On March 21, 2025, HCD presented the City with a letter outlining changes needed to bring the RMC into compliance with SB 9 and SB 450 (Attachment 2).

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 1, 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.

CULTURAL HERITAGE BOARD RECOMMENDATION:

On September 17, 2025, staff presented the amendment to Chapter 20.50, to clarify that all cultural resources (including structures of merit and neighborhood conservation areas [NCAs]) are historic resources and therefore exempt from SB 9, to the Cultural Heritage Board (Attachment 3), where it was recommended 4-1 for City Council approval.

DISCUSSION

The proposed amendments generally fall into two categories. The first category includes changes to align inconsistent standards of the RMC with those in the Government Code to ensure that all legally eligible parcels can be developed with an SB 9 two-unit and/or urban lot split.

The second category includes additional changes to modify or remove differential and subjective standards that are no longer enforceable with the passage of SB 450. The original text of SB 9 was ambiguous as to whether local jurisdictions could impose special requirements on two-unit developments and urban lot splits; however, SB 450 amended Government Code Section 65852.21 (b)(3) to indicate that "a local agency shall not impose ... standards that do not apply uniformly to development within the underlying zone." SB 450 also amended Government Code Section 66411.7(c)(1) to clarify that any standards imposed on an urban lot split project be related to the design or improvements of the parcel and upheld existing Government Code requirements that urban lot splits be subject only to objective development standards.

The proposed amendments to the Zoning Code are included in the Draft Zoning Text Amendment Ordinance (Attachment 4 and 5). The following is a summary of each of the proposed changes, including the Zoning Code chapter and proposed amendment. Further detail for each amendment can be found in the August 14th, 2025 Planning Commission Staff Report (Attachment 6).

Amendment Topic	Zoning Code Chapter	Summary of Changes
CATEGORY 1: Alignment with the Government Code		

Amendment Topic	Zoning Code Chapter	Summary of Changes
Eligibility Requirements	Chapter 18.085 – Urban Lot Splits Chapter 19.443 – Two-Unit Developments Chapter 20.50 – Definitions	Chapter 18.085 and Chapter 19.443 are amended to clarify that high fire-risk areas can be eligible for urban lot split and two-unit developments with adopted fire mitigation measures. Chapter 20.50 is amended to clarify that all cultural resources, including <u>neighborhood conservation areas</u> and <u>structures of merit</u> , are historic resources, affirming that they are ineligible for SB 9 urban lot splits and two-unit developments.
Number of Units	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to clarify that a two-unit project on an unsplit single-family lot can have up to four units rather than three, inclusive of up to two primary units and up to two accessory dwelling units (ADUs).
Waivers	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to clarify that any development standard that precludes <u>up to</u> two primary units (rather than <u>at least two</u> primary units) shall be waived.
Side Yard Setbacks	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to clarify that for two-unit developments, setbacks for all side yards, both street side and interior side, are four feet.
Height-Based Setbacks	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to clarify that for two-unit developments, setbacks for all side and rear yards are four feet regardless of height or number of stories.
CATEGORY 2: Removal of Differential and Subjective Standards		
Noticing Requirements	Chapter 18.085 – Urban Lot Splits Chapter 19.443 – Two-Unit Developments	Chapter 18.085 and Chapter 19.443 are amended to remove noticing requirements for urban lot splits and two-unit developments. For urban lot splits, noticing requirements fall outside the objective parcel design and improvement standards permitted by the Government Code. For two-unit developments, noticing requirements are not imposed on other types of single-family development.

Amendment Topic	Zoning Code Chapter	Summary of Changes
Additional Fire Access	Chapter 18.085 – Urban Lot Splits	Chapter 18.085 is amended to clarify that additional fire access standards for urban lot split projects, beyond the required fire access easement, are prescribed in Chapter 16.32 (Fire Prevention), rather than at the Fire Marshal’s discretion. Per HCD, leaving fire access requirements to the discretion of the Fire Marshal constitutes a subjective standard.
Privacy Design Standards	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to remove privacy design standards for two-unit developments, which are not imposed on other types of single-family development.
Landscape Design Standards	Chapter 19.443 – Two-Unit Developments	Chapter 19.443 is amended to remove a landscape design standard to plant one broadleaf or evergreen tree per primary unit, which is not imposed on other types of single-family development.

FISCAL IMPACT:

There are no anticipated fiscal impacts with the proposed project.

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Attachment:

1. Zoning Text Amendment Ordinance (Clean)