



# RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

August 1, 2025

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## RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW – DIRECTOR'S DETERMINATION

File No.: ZAP1098RG25  
Related File No.: PR-2025-001800 (Zoning Code Amendment)  
APN: Citywide

Dear Ms. Manges,

As authorized by the Riverside County Airport Land Use Commission (ALUC) pursuant to its Resolution No. 2011-02, as ALUC Director, I have reviewed City of Riverside Case No. PR-2025-001800 (Zoning Code Amendment), a proposal to consider Senate Bill 9 amendments to Title 18 Subdivisions, 19 Zoning, and 20 Cultural Resources of the Riverside Municipal Code including but not limited to Title 18 Article III (Maps and Permits), Title 19 Article VII (Specific Land Use Provisions), and Title 20. The proposed amendments are intended to bring the Riverside Municipal Code into compliance with recent guidance from the California Department of Housing and Community Development pertaining to the implementation of SB 9 and SB 450.

The proposed amendments do not involve changes in development standards or allowable land uses that would increase residential density or non-residential intensity. Therefore, these amendments have no possibility for having an impact on the safety of air navigation within airport influence areas located within the City of Riverside.

As ALUC Director, I hereby find the above-referenced project **CONSISTENT** with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan, the 2005 Riverside Municipal Airport Land Use Compatibility Plan, and the 2004 Flabob Airport Land Use Compatibility Plan.

This determination of consistency relates to airport compatibility issues and does not necessarily constitute an endorsement of the proposed amendment.

If you have any questions, please contact me at (951) 955-6893.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Paul Rull, ALUC Director

cc: ALUC Case File

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## *Chapter 18.085 URBAN LOT SPLITS*

### **18.085.010 Applicability.**

The provisions of this chapter are applicable to all parcels created pursuant to California Government Code Section 66411.7, otherwise known as Senate Bill 9.

### **18.085.020 Approving authority.**

The approving and appeal authority for urban lot splits shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

### **18.085.030 Requirements.**

A parcel map for an urban lot split made pursuant to California Government Code § 66411.7 shall conform with the following:

- A. *Location.* ~~The Pursuant to Government Code Section 65913.4(a)(B-K), the~~ parcel being subdivided shall:
  - 1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
  - 2. Not be located within a Very High Fire Hazard Severity Zone, with the exception of sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development;
  - 3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation, as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
  - 4. Not be located within a designated hazardous waste site;
  - 5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
  - 6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
  - 7. Not be located on a site that is designated or listed as a city or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.
- B. *Prior lot split.* The parcel proposed for an urban lot split shall not have been formed through a previous parcel map for an urban lot split.
- C. *Eligibility.* A parcel that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income shall not be eligible for an urban lot split. Further, a parcel is not eligible for an urban lot split if the subdivision would require demolition or alteration of:
  - 1. Housing that is subject to any form of rent or price control;

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- 2. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years; or
  - 3. Housing that has been occupied by a tenant in the last three years.
  - D. *Number of parcels.* No more than two parcels may be established through a parcel map for an urban lot split pursuant to this Chapter.
  - E. *Adjacent parcels.* Neither the owner of the parcel being subdivided nor any person acting in concert with the owner may have previously subdivided an adjacent parcel through an urban lot split.

#### **18.085.040 Subdivision standards.**

- A. *Lot size.* The new parcels shall be of approximately equal parcel area. In no instance shall a parcel be smaller than 40 percent of the lot area of the original parcel proposed for subdivision, or smaller than 1,200 square feet, whichever is greater.
- B. *Access to streets.* Every parcel shall have access to, provide access to, or adjoin the public right-of-way.
  - a. A minimum ten-foot-wide direct access corridor or easement shall be required when parcels do not adjoin the public right-of-way.
  - b. Additional access requirements, including but not limited to a wider access corridor or easement, may be required where necessary to provide adequate access for fire safety equipment pursuant to Chapter 16.32 – Fire Prevention, ~~as determined by the Fire Marshal.~~
- C. *Corridor access lots.* Corridor access lots may be approved ministerially. The corridor width shall be a minimum of ten feet.
- D. *Dedications and easements.* Easements may be required to convey public utilities, access, and other services. Right-of-way dedication and offsite improvements shall not be required, except in connection with a building permit.
- E. *Utilities.* Parcels created through an urban lot split shall have separate sewer, water and electrical utility services.
- F. The application of any subdivision standard that would physically prevent the development of two units of at least 800 square feet on either of the resulting parcels shall be waived. No Modification or other discretionary action shall be required.
- G. All other development standards contained within Titles 17, 18, and 19 shall apply.

#### **18.085.050 Procedure.**

- A. *Pre-clearance.* The applicant for an urban lot split shall first submit for pre-clearance approval from the Planning Division. The Planning Division shall determine whether the request meets the eligibility requirements for an urban lot split.
- B. *Final parcel map.* Upon pre-clearance of an urban lot split application, the applicant shall file a final parcel map pursuant to Chapter 18.090.
- C. An urban lot split application shall follow the processing procedures for a final parcel map as set forth in Chapter 18.150 (General Application Processing Procedures).
- D. *Effective date and time limits.*
  - 1. *Expiration of pre-clearance.* Pre-clearance approval of an urban lot split for which a final parcel map has not been recorded as a final map shall expire within 36 months of the date of approval.

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2. Applicants shall be required to re-submit for pre-clearance approval from the Planning Division if a final map has not been recorded within 36 months of the initial pre-clearance approval.

### **18.085.060 Noticing.**

- A. ~~The applicant of a proposed urban lot split shall provide written notice to the record owners of all property adjacent to/within 300 feet of the exterior boundaries of the property on which the subdivision is proposed.~~
- B. ~~The notice shall be mailed via Certified United States Mail to the last known name and address of such owners as shown on the latest available equalized assessment roll of the County Assessor.~~
- C. ~~The notice shall identify:~~
- ~~1. The location of the property;~~
  - ~~2. The nature of the proposed subdivision;~~
  - ~~3. Contact information for the project manager;~~
  - ~~4. Contact information for the Public Works Department; and~~
  - ~~5. The following statement: "This Notice is sent for informational purposes only and does not confer a right on the noticed party or any other person to comment on the proposed project. Approval of this project is ministerial, meaning the City of Riverside has no discretion in approving or denying the project if it complies with all legal requirements. Approval of this project is final and not subject to appeal."~~
- D. ~~The notice shall be sent no fewer than 30 days after pre-clearance approval of the urban lot split. Urban lot split applications that include a two-unit development shall follow the noticing requirements for the two-unit development (19.443.080 Noticing).~~
- E. ~~A final parcel map for an urban lot split shall not be recorded until such time as evidence of the completed certified mailing has been furnished to the Public Works Department.~~

~~(Ord. 7591 § 4(Exh. A), 2022)~~

### **18.085.0670 Additional requirements.**

- A. *Two units.* A maximum of two units may be permitted on a parcel created through an urban lot split. "Unit" means any dwelling unit, inclusive of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) pursuant to the requirements of Chapter 19.442 and Two-Unit Developments pursuant to the requirements of Chapter 19.443 of the Zoning Code.
- B. *Further subdivision.* Further subdivision of a parcel established through an urban lot split shall be prohibited. A restrictive covenant shall be recorded on each lot created through an urban lot split prohibiting further subdivision in perpetuity.
- C. *Owner occupancy.* The applicant for an urban lot split shall sign an affidavit stating that they intend to occupy one of the dwelling units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
1. This requirement shall not apply to an applicant that is a "community land trust," as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.

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- D. *Short-term rentals prohibited.* Units created pursuant to this chapter shall be rented or leased for a term longer than 30 days. A covenant shall be recorded against title to any property developed pursuant to this chapter restricting rental or lease of any unit on the property for a term longer than 30 days.
  - E. The correction of nonconforming zoning conditions shall not be required as a condition for ministerial approval of an urban lot split.
  - F. *Setbacks.* Setbacks for a unit or units on a parcel created through an urban lot split shall be as set forth in Chapter 19.443 of the Zoning Code.

#### **18.085.0780 Severability.**

If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.

## *Chapter 19.443 TWO-UNIT DEVELOPMENTS*

### **19.443.010 Purpose.**

The purpose of this Chapter is to establish standards for Two-Unit Developments to ensure compliance with California Government Code Sections 65852.21 and 66411.7, otherwise known as Senate Bill 9, while minimizing impacts to surrounding uses and properties.

### **19.443.020 Applicability.**

Two-unit developments, as defined in Chapter 19.910 (Definitions), are permitted in the R-1, RE, RR, RC, DSP-RES, and NSP-MDR single-family residential zones.

### **19.443.030 Review authority.**

Applications for two-unit developments shall be considered ministerially, without discretionary review or a hearing, subject only to permit requirements applicable to the new construction or alteration of residential dwellings, including but not limited to building permits.

### **19.443.040 Requirements.**

- A. *Location.* Pursuant to Government Code Section 65913.4(a)(B-K), aA parcel for a two-unit development or urban lot split shall:
1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
  2. Not be located within a Very High Fire Hazard Severity Zone, with the exception of sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development;
  3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
  4. Not be located within a designated hazardous waste site;
  5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
  6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
  7. Not be located on a site that is designated or listed as a City or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.
- B. *Eligibility.* A parcel is not eligible for a two-unit development if the project would require demolition or alteration of:

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1. More than 25% of the exterior walls of a unit that is occupied by a tenant or has been occupied by a tenant at any time in the previous three years;
  2. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
  3. Housing that is subject to any form of rent or price control; and
  4. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years.

### **19.443.050 Development standards.**

Development pursuant to this Chapter shall comply with the following:

A. *Number of units.*

1. Two-unit developments.
  - a. The maximum number of attached or detached primary dwelling units permitted on any lot in a single-family zone is two.
  - b. No more than ~~four~~three total dwelling units, inclusive of up to two detached, attached, and junior ADUs ~~Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)~~ pursuant to the requirements of Chapter 19.442, may be constructed on any undivided lot in a single-family zone.
2. Urban lot splits.
  - a. A maximum of two dwelling units of any kind may be constructed on any single-family lot established through an urban lot split pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, inclusive of detached, attached, and junior ADUs ~~ADUs and JADUs~~, for a maximum of four units total on both lots.
  - b. The maximum number of units that result from any urban lot split may include primary dwellings, ADUs and JADUs ~~detached, attached, and junior ADUs~~.

B. *Parking.* One on-site covered parking space shall be required per unit.

1. This requirement may be satisfied by an attached or detached carport or enclosed garage.
2. Exceptions. No on-site parking shall be required when:
  - a. The site is located within one-half mile walking distance of a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code;
  - b. The site is located within one-half mile of a major transit stop, as defined in Section 21064.3 of the Public Resources Code; or
  - c. The site is located within one block of a permanently established car-share vehicle pick-up/drop-off location.
3. Required parking spaces shall comply with the applicable standards of Chapter 19.580 (Parking and Loading).

C. *Setbacks.*

1. The ~~interior~~side ~~yard~~ and rear yard setbacks for two-unit developments shall be at least four feet.

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2. The front yard ~~and street-side yard~~ setbacks for two-unit developments shall be as required by the Zone.
  3. Additional setbacks shall not be required for an existing structure or for a structure constructed in the same location and to the same dimensions as an existing structure (i.e., a building reconstructed on the same footprint).
  4. Notwithstanding the above, an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet Building Code safety standards and are sufficient to allow separate conveyance.
- D. *Additional requirements for two-unit developments.*
1. Unless otherwise specified in this Chapter, all development standards applicable to the construction of a single-family dwelling shall apply to two-unit developments, including but not limited to:
    - a. Building height;
    - b. Number of stories; and
    - c. Lot coverage.
  2. Applicable Chapters. The requirements of the following Chapters of this Title shall apply to two-unit developments:
    - a. Chapter 19.440 - Accessory buildings and structures;
    - b. Chapter 19.550 - Fences, walls and landscape materials;
    - c. Chapter 19.554 - Trash/recyclable materials collection area enclosures;
    - d. Chapter 19.555 - Outdoor equipment screening;
    - e. Chapter 19.556 - Outdoor lighting; and
    - f. Chapter 19.580 - Parking and loading.
  3. All other development standards contained within Titles 17, 18, and 19 shall apply.
- E. The application of any development standard that would physically prevent the development of ~~up to at least~~ two primary dwelling units ~~or that would physically preclude either of the two units from being at least 800 square feet in floor area of at least 800 square feet~~ shall be waived. No Variance or other discretionary action shall be required.
- F. Additional requirements for urban lot splits shall be as set forth in Chapter 18.085 (Urban Lot Splits) of the Subdivision Code.

### **19.443.060 Design standards.**

#### ~~A. Privacy.~~

- ~~a. A minimum separation of 10 feet shall be provided between any detached dwellings on the site.~~
- ~~b. Windows within 30 feet of a neighboring structure on another parcel shall not directly align with the windows of the neighboring structure.~~
- ~~c. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining property shall be located a minimum of 15 feet from the interior lot lines.~~



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~~B. *Building height.* Where any portion of the proposed construction consists of two stories or exceeds 16 feet in overall height, upper floors and the portions of the structure exceeding 16 feet in height shall comply with the minimum required setbacks of the underlying zone.~~

AC. *Materials.*

- a. On sites already developed with an existing residential unit, the new construction shall be designed and constructed to match the existing dominant roof pitch, paint color and exterior finish materials, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.
- b. Where no development currently exists or where existing development is to be removed, two-unit developments shall be designed so that the units match one another in dominant roof pitch, paint color and exterior building finishes, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.
- c. Design elements and detailing shall be continued completely around the structure. Such elements shall include but not be limited to window types and treatments, trim detailing, and exterior wall materials.
- d. Window and door types and styles shall be consistent on all elevations.
- e. All vents, downspouts, flashings, electrical conduit, etc., shall be painted to match the color of the adjacent surface unless specifically designed as an accent material.
- f. Exterior building lighting shall be directed downward, have a shielded light source, and be designed so that the light is not directed off site.

BD. *Landscaping.*

- a. Front and street side yard areas shall be fully landscaped pursuant to the requirements of Chapter 19.570 (Water Efficient Landscaping and Irrigation) and the Citywide Design Guidelines.
- ~~b. A minimum of one 24-inch box tree of a broadleaf or evergreen species shall be provided on-site per unit constructed. Palms shall not be considered to satisfy this requirement.~~
- be. Complete landscaping and irrigation plans shall be submitted to the Planning Division prior to the issuance of building permits.
- cd. Installation of approved landscaping shall be completed prior to release of final occupancy.

### 19.443.070 Additional requirements.

A. *Short-term rentals.*

- a. Units created pursuant to this Chapter shall be rented or leased for a term longer than 30 days.
- b. A Covenant shall be recorded against title to any property developed pursuant to this Chapter restricting rental or lease of any unit on the property for a term longer than 30 days.

B. *Owner occupancy.*

- a. Unless the lot on which a two-unit development is constructed was established through an Urban Lot Split pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, the owner of the property shall reside in one of the units as their principal residence.
- b. A deed restriction shall be recorded on title to the subject property binding current and future owners to this requirement.
- c. Owner occupancy requirements for two-unit developments constructed on lots established through an Urban Lot Split shall be as set forth in Chapter 18.085 of the Subdivision Code.

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- C. *Nonresidential uses.* Except for permitted home occupations pursuant to Chapter 19.485, non-residential uses shall be prohibited.

#### **~~19.443.080~~ Noticing.**

- A. ~~The Applicant of a proposed two-unit development shall provide written notice to the record owners of all properties within 300 feet of the exterior boundaries of the property on which the development is proposed.~~
- B. ~~The notice shall be mailed via Certified United States Mail to the last known name and address of such owners as shown on the latest available equalized assessment roll of the County Assessor.~~
- C. ~~The notice shall identify:~~
- a. ~~The location of the property;~~
  - b. ~~The nature of the proposed construction;~~
  - c. ~~The anticipated start and end dates of construction;~~
  - d. ~~Contact information for the project manager;~~
  - e. ~~Contact information for the Community & Economic Development Department; and~~
  - f. ~~The following statement: "This Notice is sent for informational purposes only and does not confer a right on the noticed party or any other person to comment on the proposed project. Approval of this project is ministerial, meaning the City of Riverside has no discretion in approving or denying the project if it complies with all legal requirements. Approval of this project is final and not subject to appeal."~~
- D. ~~The notice shall be sent no fewer than 14 days prior to the issuance of a permit for the proposed two-unit development.~~
- E. ~~No permit shall be issued until such time as evidence of the completed certified mailing has been furnished to the Planning Division and it has been verified that the minimum notice period has elapsed.~~

~~(Ord. 7592 § 6(Exh. G), 2022)~~

#### **19.443.0890 Variances.**

- A. No variances from the provisions of this Chapter shall be permitted.
- B. Waiver of any development standard necessary to permit the minimum amount of development authorized by California Government Code § 65852.21 shall not require the granting of a Variance or any other discretionary approval.

#### **19.443.90100 Severability.**

If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.

## ***Chapter 20.50 DEFINITIONS***

### **20.50.010 Definitions.**

For the purposes of this title, these terms are defined as follows:

*Alteration* means any change, modification, or demolition, through public or private action, to the character-defining or significant physical features of properties affected by this title. Such changes may be: changes to, or modifications of, structural or architectural details or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant visual and/or historical qualities of the Cultural Resource.

*Board* means the Cultural Heritage Board.

*Certificate of Appropriateness* means a certificate, issued by the Board or Historic Preservation Officer or Qualified Designee that approves plans, specifications, or statements of work for any proposed alteration, removal, relocation or demolition of any cultural resource.

*Certified Local Government (CLG)* means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and State historic preservation programs.

*Character defining features* means the overall shape of the building, its materials, craftsmanship, decorative details, architectural features, and the various aspects of its site and environment.

*Contributing feature* means a site, improvement, or natural feature that within a Historic District, Neighborhood Conservation Area, or an individually significant property that provides appropriate historic context, historic architecture, historic association, or historic value, or is capable of yielding important information about the period including, but not limited to: streets, curbs, sidewalks, streetlights, street furniture, signs, landscaping, monuments, and works of art, gutters, setbacks, signage, parkway, alleys, walls, fencing, and gates.

*Contributor* means a building structure within a Historic District or Neighborhood Conservation Area that provides appropriate historic context, historic architecture, historic association or historic value, or is capable of yielding important information about the period.

*Cultural landscape* means a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.

*Cultural resource* means improvements, natural features, sites, cultural landscapes, or other objects, which may reasonably be of scientific, aesthetic, educational, cultural, architectural, social, political, military, historical or archaeological significance. This includes designated cultural resources, eligible cultural resources, and contributing features to Historic Districts and Neighborhood Conservation Areas. A "Point of Cultural Interest" as recognized under Title 20 is expressly not under this definition. Cultural resource has the same meaning as historic resource.

*Cultural resources Overlay Zone* means a Title 19 zoning category applied to a property identified as a Designated Cultural Resource.

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*Cultural resources survey* means a project that surveys and identifies properties within the City according to the standards set forth in National Register Bulletin #24. Completed surveys shall have findings adopted by City Council, as a consent or discussion item.

*Demolition of a cultural resource* means the removal, over a 5-year period, of more than 25 percent of the wall(s) and roof forms on the primary elevation and/or facing a public street(s) or 50 percent of entire structure.

*Demolition by neglect* means the practice in which the owner of a cultural resource, or designee, allows the continued deterioration of a resource over a period of time as a result of lack of maintenance, failure to protect the resource from pests or vandals, and/or failure to take reasonable measures to prevent ingress of water or wind through the roof, walls, or apertures of the resource, leading to deterioration and/or structural failure that results in complete or partial demolition (50% or more), the loss of character-defining features, and/or that constitutes a threat to public health and safety.

*Design guidelines* means the document approved by the Board which illustrates appropriate and inappropriate methods of alteration and construction. The purpose of design guidelines is to promote appropriate design and decision-making and to preserve the integrity and character defining features of cultural resources. The Secretary of the Interior's Standards for the Treatment of Historic Properties shall serve as design guidelines where there exist no other established design guidelines.

*Designated cultural resource* means any cultural resource that has been designated a City landmark, structure or resource of merit, Historic District, or Neighborhood Conservation Area (prior to 2006); County Landmark, County Historic Preservation District, a California Point of Historical Interest or Historical Landmark; a National Heritage Landmark; or is listed in the National Register of Historic Places or the California Register of Historical Resources.

*Eligible cultural resource* means a cultural resource or Historic District which has been determined by the Historic Preservation Officer or Qualified Designee, Board, or City Council to meet the City's designation criteria pursuant to a survey prepared by a professional meeting the Secretary of the Interior's standards which either documents the resource, records the resource on the State Department of Parks and Recreation survey forms, or has been so designated by the California State Historic Preservation Officer.

*Historic District* means an area which contains:

- A. A concentration, linkage, or continuity of cultural resources, where at least 50 percent of the structures or elements retain significant historic integrity, (a "geographic Historic District") or
- B. A thematically-related grouping of cultural resources which contribute to each other and are unified aesthetically by plan or physical development, and which have been designated or determined eligible for designation as a Historic District by the Historic Preservation Officer or Qualified Designee, Board, or City Council or is listed in the National Register of Historic Places or the California Register of Historical Resources, or is a California Historical Landmark or a California Point of Historical Interest (a "thematic Historic District").

In addition to either A. or B. above, the area also:

- 1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- 2. Is identified with persons or events significant in local, State, or national history;
- 3. Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
- 4. Represents the work of notable builders, designers, or architects;
- 5. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation;

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6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning;
  7. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association; or
  8. Has yielded or may be likely to yield, information important in history or prehistory.

*Historic Preservation Officer* is the person selected by the Community Development Director for the City of Riverside and appointed by the City Manager to administer the cultural resources program, including professional support to the Board, management of both the Board's Certificate of Appropriateness process, and execution of the Administrative Certificate of Appropriateness process. The Historic Preservation Officer shall meet the requirements of the Department of the Interior, National Park Service as set forth in appendix A to Title 36, Part 61 (Professional Qualification Standards).

*Improvement* means any building, structure, fence, gate, wall, landscaping, planted tree, work of art, or other man-made physical feature of real property, or any part of such feature which is not a natural feature.

*In-kind replacement* means to match the old in material, design, color, and texture, when sufficient information is known about the original to be replaced. Refer to the Secretary of Interior Standards for Historic Properties for more specific information on in-kind replacement as applies to the appropriate level of treatment (i.e.: preservation, rehabilitation, restoration, or reconstruction). If sufficient information is not known about the original to be replaced, in-kind replacement is not possible.

*Integrity* means the ability of a cultural resource to convey its significance. To retain integrity a cultural resource must retain most of the aspects that closely relate to the resource's significance including location, design, setting, materials, workmanship, feeling, and association.

*Land Use Committee* means the Land Use, Sustainability, and Resilience Committee.

*Landmark* means:

- A. Any improvement or natural feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity; and
- B. Meets one or more of the following criteria:
  1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
  2. Is identified with persons or events significant in local, state or national history;
  3. Embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
  4. Represents the work of a notable builder, designer, or architect, or important creative individual;
  5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;
  6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape;
  7. Is one of the last remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or
  8. Has yielded or may be likely to yield, information important in history or prehistory.

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An improvement or natural feature meeting one or more of the above criteria, yet not having the high degree of integrity to qualify as a landmark, may qualify as a structure or resource of merit (see subsection "Secretary of Interior's Standards for the Treatment of Historic Properties," below).

An improvement or natural feature meeting one or more of the above criteria, yet not formally designated as a landmark by the City Council, may be an eligible landmark.

*Moratorium* means a suspension of an ongoing or planned development activity or permits.

*Natural feature* means any naturally-occurring tree, plant life, habitat, geographical or geological site or feature, but does not include Improvements.

*Neighborhood conservation area* means an area that:

- A. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- B. Represents established and familiar visual features of a neighborhood, community, or of the City;
- C. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
- D. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association.

Designation of Neighborhood Conservation Areas is no longer allowed. Those designated prior to May 2006 shall remain in effect and subject to this title, and may be modified or dedesignated.

*Non-contributing feature of a Historic District, Neighborhood Conservation Area, or individually significant property* means a site, improvement, or natural feature within a Historic District or Neighborhood Conservation Area that does not provide appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that element:

- A. Was not present during the district's or area's period of historic significance; or
- B. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
- C. Does not independently meet the designation criteria as defined in this title.

*Non-contributor to either a Historic District or a Neighborhood Conservation Area* means a building structure within a Historic District or Neighborhood Conservation Area that does not provides appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that building structure:

- A. Was not present during the district's or area's period of historic significance; or
- B. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
- C. Does not independently meet the designation criteria as defined in this title.

*Person* means any natural person, property owner, or occupant; association, company, corporation or other legal entity; local, city, county, or federal agency.

*Point of cultural interest* means

- A. *Criteria.* Point of historical interest means a site, of local significance, meeting one or more of the following criteria:
  - 1. Has anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value;
  - 2. The original physical feature(s) no longer exist to an appreciable extent; and

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- 3. Is found to not qualify as a recognized cultural resource or an eligible cultural resource.
  - B. *Not cultural resources.* Points of cultural interest are recognized, not designated, and do not qualify as a cultural resource by virtue of their recognition.
  - C. *Intent.* The purpose of points of cultural interest is to recognize otherwise-intangible historic facts about a place in the City. Points of cultural interest are strictly informational in nature.
  - D. *Relationship with other laws.* Points of cultural interest are specifically and expressly intended to not have any significance under the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 et seq.) or the State CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.), the National Environmental Protection Act, or any other environmental law, statute, or regulation.

*Preservation* means the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

*Qualified designee* means the person(s) designated by the Historic Preservation Officer who meets the requirements of the Department of the Interior, National Park Service as set forth in Appendix A to Title 36, Part 61 (Professional Qualification Standards).

*Resource of Merit* See "Structure (or Resource) of Merit," below.

*Secretary of Interior's Standards for the Treatment of Historic Properties* means the guidelines prepared by the National Park Service for preserving, rehabilitating, restoring, and reconstructing historic buildings and the standards for historic preservation projects prepared by the National Park Service with the most current guidelines for applying the standards.

*Structure (or Resource) of Merit* means:

- A. Any improvement or natural feature which contributes to the broader understanding of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City while retaining sufficient integrity; and:
- B. Meets one or more of the following criteria:
  - 1. Has a unique location, embodies a singular physical characteristic, or contains a view or vista representing an established and familiar visual feature within a neighborhood, community or area.
  - 2. Is an example of a type of building which was once common but is now rare in its neighborhood, community or area;
  - 3. Is connected with a business or use which was once common but is now rare;
  - 4. Has yielded or may be likely to yield, information important in history or prehistory; or
  - 5. Represents an improvement or Cultural Resource that no longer exhibits the high degree of integrity sufficient for landmark designation, yet still retains necessary integrity under one or more of the landmark criteria to convey cultural resource significance as a structure or resource of merit.

## **20.50.020 Interpretation.**

The Historic Preservation Officer or Qualified Designee has the discretion to interpret the above terms, in addition to any other term in applying this title. In applying this title, the Historic Preservation Officer or Qualified Designee may, in its discretion, request from the Board a definition, interpretation, or an opinion regarding any defined term, or any other term.