



**PLANNING COMMISSION HEARING DATE: FEBRUARY 13, 2025
AGENDA ITEM NO.: 2**

SUMMARY

Case Number	PR-2023-001523 (Zoning Text Amendment)
Request	<p>Proposal by the City of Riverside to 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), and X (Definitions). The proposed amendments implement policy direction from the City Council Land Use Committee related to industrial development and are intended to:</p> <ol style="list-style-type: none">1. Define "sensitive receptors" throughout Title 19 including amending applicable tiered development standards for new industrial development adjacent to specified uses;2. Update Floor Area Ratio (FAR) regulations to evaluate a parcel's size and proximity to a sensitive receptor to determine cumulative building area;3. Provide additional landscape buffering requirements for new industrial development adjacent to sensitive receptors;4. Modify project notification requirements by increasing the notification radius for warehousing and distribution projects, require on-site Notice of Filing signs, and require notice to multi-tenant occupants in addition to real property owners;5. Introduce green building and on-site renewable energy requirements for new warehousing and distribution facilities;6. Revise Table 19.150.020.A (Permitted Use Table) to modify the required entitlements for specified warehousing and distribution facilities;7. Align the Zoning Code with recent changes to State law including implementation of Assembly Bill (AB) 98; and8. Make other minor and/or non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies.

Applicant	City of Riverside Community and Economic Development Department
Project Location	Citywide
Ward	Citywide
Staff Planner	Daniel Palafox, Associate Planner 951-826-5985 dpalafox@riversideca.gov

RECOMMENDATIONS

That the Planning Commission:

1. **Recommend** that the City Council determine that Planning Case PR-2023-001523 is exempt from further California Environmental Quality Act (CEQA) 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; and
2. **Recommend Approval** of the Planning Case PR-2023-001523 (Zoning Text Amendment) as outlined in the staff report and summarized in the Findings section of this report.

BACKGROUND

Since 2022, staff have worked closely with the City Council Land Use Committee (Committee) to address community concerns related to the continued growth of industrial development in the region. The City's regulations, including the 2020 Good Neighbor Guidelines ("2020 GNG"), have served as a model for other agencies to follow as strict but fair policy guidance that seek to balance economic development with community wellbeing. Still, consistent with Committee and community feedback and in response to projects within both the City and the region, concern regarding the proximity and concentration of new industrial buildings adjacent to sensitive receptors and of the long-term health impacts of these facilities is growing.

In response to direction from the Committee and feedback from stakeholders, staff have identified several amendments to the Riverside Municipal Code which are presented to the Planning Commission for review.

The following timeline provides a brief overview of the policy context for this report:

- **2022:**
 - Former Committee Chair, Gaby Plascencia, requested a review of the zoning regulations for warehousing and distribution facilities within Riverside and surrounding jurisdictions to be brought to a future Committee meeting.
 - Staff presented various updates to the Committee and initiated community outreach efforts to obtain feedback on current regulations. Potential policy changes were identified.
- **2023:**
 - Staff presented a three-phased approach to implementing the Committee's priorities for revisions to the City's policies and industrial regulations.

- Following discussion, the Committee directed staff to pursue phase one, which includes changes to the Riverside Municipal Code (RMC). Various stakeholder workshops were held to gain additional input. A workshop was held with the Planning Commission to solicit feedback.
- **2024:**
 - Staff released the proposed Zoning Code Amendments to Title 19 (Zoning Code) for stakeholder review. In November 2024, staff presented the proposed amendments to the Committee. The Committee directed staff to proceed with the implementation of the proposed amendments including forwarding proposed amendments to the Planning Commission for consideration.
 - At the legislative level, Assembly Bill (AB) 98 (Carillo & Reyes) was signed into law in September 2024 and becomes effective January 2026. AB 98 establishes new warehousing regulations including requirements for establishing truck routes, loading bay and buffering setbacks, and green building practices; and requires certain data reporting.

To help fully understand the effects of the proposed changes, a brief overview of the City's existing regulations for industrial development is provided. The proposed amendments focus on six overarching policy topics. An overview of each policy topic will be shared followed by the proposed changes including:

- Sensitive receptors;
- Maximum building size;
- Maximum number of allowed buildings on a given lot;
- Permitted land uses;
- Green building and construction practices;
- Landscaping requirements; and
- Project notification requirements.

A compilation of previous Committee and Commission staff reports that provide more detail can be found in Exhibit 1.

PROPOSAL

The proposed amendments are referenced herein as Exhibit 2 and are separated by Chapter. The following is a summary of each of the proposed changes including the chapter or section, current code, and proposed changes.

AMENDMENT 1 – SENSITIVE RECEPTORS

I. Zoning Code Chapters

- Chapter 19.910 – Definitions
- Chapter 19.130 – Industrial Zones
- Chapter 19. 435 – Warehousing and Distribution Facilities

II. Current Code

There are two regulatory frameworks to keep in mind when planning for new industrial development in the City. The first is the Zoning Code, which does not currently define sensitive receptors; instead, Chapter 19.130 (Industrial Zones) regulates all new industrial development by providing tiered development regulations based on a project's

proximity to a residential zone or use. Existing tiered development standards such as maximum building height, maximum building size, landscaping and setbacks are applied based on this proximity. It is important to keep in mind that the tiered development regulations affect all new industrial development including warehousing and distribution facilities, research facilities, and manufacturing uses.

The second regulatory framework is the 2020 GNG which provides policy guidance to be implemented through the Zoning Code and outlines desired outcomes for all new warehousing and distribution facilities. These policies are intended to be applied to development adjacent to sensitive receptors defined more broadly as residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals, and other public places where residents are most likely to spend time. The 2020 GNG are implemented by Chapter 19.435 (Warehousing and Distribution Facilities) and provide specific site location and operational standards based on the size of the facility, generally increasing in requirements as the building size increases.

There is ambiguity between the Zoning Code and the 2020 GNG related to land uses considered to be sensitive receptors which can cause uncertainty for new industrial development. The land uses listed as sensitive receptors in the 2020 GNG are not consistent with land uses that trigger more restrictive development standards for new industrial development in Chapter 19.130 – Industrial Zones.

III. Proposed Change

Chapter 19.910 (Definitions) includes a new definition for sensitive receptor which resolves this inconsistency and incorporates land uses which are listed as sensitive receptors within the 2020 GNG. The proposed definition includes:

- A residential zone or use (*existing*);
- K-12 public, private and charter schools (*proposed*);
- Designated parks and open space (*proposed*);
- Adult and child day care facilities (*proposed*);
- Assisted living facilities (*proposed*); and
- Hospitals (*proposed*).

Furthermore, Chapter 19.130 (Industrial Zones) is amended to replace references to “a residential zone or use” with “sensitive receptor” consistent with the proposed sensitive receptor definition. This has the effect of expanding the application of various development standards to land uses which are currently required in Title 19.

Finally, Chapter 19.435 (Warehousing and Distribution Facilities) is amended to replace the land uses listed in the 2020 GNG with “sensitive receptor” to be consistent with Chapter 19.130.

AMENDMENT 2 – MAXIMUM BUILDING SIZE

I. Zoning Code Chapters

- Chapter 19.130 – Industrial Zones

II. Current Code

Tiered maximum building size provisions apply to any new industrial development in all Industrial Zones depending on its proximity to a residential zone or use. See table below.

Maximum Building Size			
Distance from a Residential Zone or Use	Industrial Zone		
	BMP	I	AIR
< 200 feet	10,000 sq. ft. (EXISTING)		
< 800 feet	100,000 sq. ft. (EXISTING)		
> 800 feet	Per FAR		

For new industrial development 800 feet or further from a residential zone or use, there is no set maximum. Instead, the building would need to abide by the Floor Area Ratio (FAR) of the underlying zone. FAR is defined as the amount of allowable building area allowed on a given lot based on the size of the lot. For example, a 100,000-square-foot lot with a maximum FAR of 0.5 would allow for a cumulative building floor area up to 50,000 square feet.

III. Proposed Change

The maximum building size requirements within Table 19.130.030.A are amended to reflect the proposed sensitive receptor definition and will thus replace reference to “a residential zone or use”. Additionally, two new proximity categories are created to regulate building sizes between 800 and 1,500 feet from a sensitive receptor where the current code only regulates within 800 feet of a residential zone or use. The additional proximity categories were created in response to feedback received from stakeholder engagement and from the Committee.

- For any building within 800 – 1,500 feet of a sensitive receptor, the maximum building size would be limited to 400,000 square feet. The 400,000-square-foot threshold is consistent with thresholds established by surrounding jurisdictions and recommended guidance from the California Air Resources Board (CARB).
- For parcels located 1,500 feet or more away from a sensitive receptor, there is no maximum building size and instead would continue to be governed by the FAR of the underlying zone.

Maximum Building Size			
Distance from Sensitive Receptor	Industrial Zone		
	BMP	I	AIR
< 200 feet	10,000 sq. ft. (EXISTING)		

Maximum Building Size	
Distance from Sensitive Receptor	Industrial Zone
< 800 feet	100,000 sq. ft. (EXISTING)
< 1,500 feet	400,000 sq. ft. (PROPOSED)
> 1,500 feet	Per FAR (EXISTING)

AMENDMENT 3 – MAXIMUM NUMBER OF ALLOWED BUILDINGS

I. Zoning Code Chapters

- Chapter 19.130 – Industrial Zones

II. Current Code

The Zoning Code does not provide a set maximum on the number of buildings allowed on a given lot. Instead, all industrial development must abide by the Floor Area Ratio (FAR) of the underlying zone.

The FAR is defined as the allowable amount of building floor area on a particular parcel relative to the size of the parcel. The cumulative building floor area may be contained in a single structure or multiple, depending on the characteristics of the proposed development. However, each building must abide the maximum building size standards discussed in the previous section. The table below provides the FAR values for each industrial zone and the general building area capacity.

Industrial Zone	Floor Ratio (FAR)	Building Area Capacity
Business Manufacturing Park (BMP)	1.5	A parcel with an FAR of 1.5 allows a cumulative floor area equal to lot area, plus 50%.
General Industrial (I)	0.6	A parcel allows a cumulative floor area equal to 60% of lot area.
Airport (AIR)	0.6	

The following example demonstrates a theoretical building capacity with current FAR values:

- In the General Industrial (I) Zone (maximum FAR of 0.6), a 100,000 square foot parcel (roughly 2.3 acres) within 200 feet of a residential zone or use would limit the size of individual buildings to 10,000 square feet and may not exceed a cumulative floor area of 60,000 square feet (per the FAR).
- Since the current Zoning Code does not limit the number of buildings, this parcel may be developed with one or more buildings, each not exceeding the maximum

building size of 10,000 square feet and all buildings not exceeding the cumulative 60,000 square feet. Assuming the lot accommodates all associated development standards, a total of six 10,000-square-foot buildings would be permitted.

The existing requirements purposefully do not provide a fixed value for the number of buildings on a parcel within industrial zones. The intent is to promote lower intensity uses such as offices, research laboratories and small manufacturing businesses, which often require less space and generate fewer truck trips than warehousing and distribution uses. These lower intensity uses can serve as a buffer between new warehousing and distribution facilities and adjacent sensitive receptors while permitting an appropriate degree of flexibility in site design.

Community feedback and direction from the Committee has sparked interest in evaluating if establishing a maximum number of buildings is warranted to ensure compatibility with the surrounding environment and to reduce overall truck traffic.

III. Proposed Changes

The current FAR row in Table 19.130.030.A is repealed and is replaced by a new FAR table under section 19.130.030.B. The proposed FAR table regulates a parcel's maximum FAR based on:

- 1) The distance to a sensitive receptor (200 feet – 1,500 feet and beyond); and
- 2) The size of the parcel (less than 2 acres – 4 acres and greater).

Adjusting FAR values limits the cumulative building area for uses which may have an impact on surrounding sensitive receptors. As proposed below, a lower FAR value would apply to larger parcels, thus reducing the amount of building area permitted on the parcel. Smaller lots will have a higher FAR value which will allow more building area relative to the lot size. The revised FAR values also provide a higher FAR value for parcels that are further away from a sensitive receptor.

The proposed revisions to FAR and maximum building size are intended to work together and do not preclude one another. The FAR establishes the total allowable building area for a parcel, while the maximum building size regulates the layout and dimensions of individual buildings.

Proposed Floor Area Ratio Table

Distance from Sensitive Receptor	Lot Size								
	< 2 acres			2-4 Acres			> 4 Acres		
	BMP	I	AIR	BMP	I	AIR	BMP	I	AIR
< 200 feet	.50	.50	.60	.35	.35	.60	.25	.25	.60
< 800 feet	.75	.60	.60	.50	.50	.60	.35	.35	.60
< 1,500 feet	1.5	.60	.60	1.0	.60	.60	.75	.60	.60

> 1,500 feet	1.5	.60	.60	1.5	.60	.60	1.5	.60	.60
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Three factors will affect the application of a parcel's allowable FAR:

1. The lot size;
2. The distance from a sensitive receptor; and
3. The zoning designation of the parcel.

For example, a 100,000-square-foot parcel (~2.3 acres) located within 200 feet of a sensitive receptor in the General Industrial (I) zone would have a maximum FAR of 0.35. The cumulative building area must not exceed 35,000 square feet with each building limited to 10,000 square feet given its proximity to a sensitive receptor. By comparison, the same size parcel in the same zone but located between 200 and 800 feet from a sensitive receptor would allow a cumulative building area of 50,000 square feet (0.50 FAR), which could comprise a single or multiple smaller buildings.

Discussion – FAR Methodology

In determining the new FAR values, factors considered were: 1) What are the current development yields for industrial development? and 2) Which values would ensure compatibility with surrounding land uses?

To analyze this, Staff used geospatial modeling software to calculate and visualize projected FAR values on a parcel's building potential on real vacant parcels in the City. There are approximately 368 vacant industrially zoned parcels that would be affected by the change in FAR.

The size of the parcels is broken down as follows:

- Lots < 2 Acres: 293
- Lots 2-4 Acres: 39
- Lots > 4 Acres: 36

Under the current FAR standards, there is a cumulative industrial building potential of 38,144,184 square feet (exclusive of development standards which may reduce the maximum building capacity). With the proposed tiered FAR standards, the cumulative building potential is reduced to 21,518,454 square feet, or a -42% percent change (Exhibit 3). The majority of this reduction in developable square footage would be absorbed by the industrial land located closest to sensitive receptors.

An assessment of current and past industrial development projects revealed that most parcels are not developed to the maximum FAR allowed; the average FAR actually realized by development projects ranging from .30 to .50 where the underlying zone allowed up to 1.5 (BMP Zone) or .60 (I Zone). The values within the proposed FAR table reflect realistic development yields while providing a mechanism to ensure industrial development is compatible with sensitive receptors.

AMENDMENT 4 – PERMITTED LAND USES

I. Zoning Code Chapters

- Chapter 19.150 – Permitted Land Uses

II. Current Code

Chapter 19.150 (Base Zones Permitted Land Uses) establishes permit requirements for warehousing & distribution facilities based on building size to provide greater discretion and oversight commensurate with potential impacts to air quality, noise, and neighborhood character, which have a proportional relationship to building size.

Building Size	Permit
10,000 sq. ft. or less	P/MC
10,000 sq. ft. - 100,000 sq. ft.	MC/C
100,000 sq. ft. or greater	C

P = Permitted by right; MC = Minor Conditional Use Permit; C = Conditional Use Permit

For reference, if a project complies with all development standards, then an entitlement and/or discretionary review is not required (permitted by right) for buildings 10,000 square feet or less. A Minor Conditional Use Permit is required for buildings between 10,000 and 100,000 square feet that meet all development standards. A Conditional Use Permit must be approved by the Planning Commission for any warehouse & distribution facility over 100,000 square feet.

If the project design does not meet the development standards, then additional discretionary review of an entitlement (MCUP or CUP) is required.

III. Proposed Changes

Changes include amending the permitted uses table to reflect that warehousing and distribution facilities between 100,000 square feet through 400,000 square feet are allowed in all industrial zones subject to a Conditional Use Permit.

A fourth building size category is created to prohibit warehousing and distribution facilities greater than 400,000 square feet in all industrial zones except for the General Industrial (I) zone, where the General Plan anticipates heavier industrial uses.

Building Size	Permit
10,000 sq. ft. or less	P/MC
10,000 sq. ft. - 100,000 sq. ft.	MC/C
100,000 sq. ft. - 400,000 sq. ft.	C
400,000 sq. ft. or greater	C (Only in I Zone)

The addition of a 400,000-square-foot tier is consistent with the new proposed maximum building size of 400,000 square feet within 1,500 feet of a sensitive receptor and is thus incorporated throughout.

AMENDMENT 5 – LANDSCAPING REQUIREMENTS

I. Zoning Code Chapters

- Chapter 19.130 – Industrial Zones

II. Current Code

Landscaped setbacks are required for all front yards in all industrial zones. Additional landscaping buffers apply for parcels adjacent to a residential zone or use. For example, in the Business and Manufacturing Park (BMP) zone, 20 feet of the required 50-foot front yard setback must be landscaped when adjacent to a residential zone or use. Additionally, 15 feet of the required 60-foot side and rear yard setback must be landscaped when adjacent to a residential zone or use.

III. Proposed Changes

Changes to landscaping requirements reflect an increase from 15 to 20 feet for side and rear landscape buffer requirements when the project site is adjacent to a sensitive receptor.

A new landscaping section dedicated to buffering between industrial development and sensitive receptors outlines the dimensions and plant material requirements for industrially zoned parcels which share a property line with a sensitive receptor.

AMENDMENT 6 – GREEN BUILDING AND CONSTRUCTION PRACTICES

I. Affected Zoning Code Chapters

- Chapter 19.435 – Warehousing and Distribution Facilities

II. Current Code

The Zoning Code does not require any renewable energy or sustainable construction practice requirements beyond what the California Green Building Code requires such as solar roof installation, cool roofing and heavy-duty electric vehicle charging readiness. Exploring sustainable operation and construction practices was an area of interest identified by the Committee and community feedback.

III. Proposed Changes

A new section for renewable energy and construction practices integrates various green building construction and operation practices for any new warehousing and distribution project. Changes include requiring all building roofs be solar-ready and be constructed with solar reflective material. Additionally, for buildings greater than 100,000 square feet, solar photovoltaic systems must be installed to power 100% of the non-refrigerated portions of the facility and any parking areas. Other proposed changes include requiring the applicant to utilize electric-powered tools and CARB Tier IV- or higher-rated off-road construction equipment.

AMENDMENT 7 – PROJECT NOTIFICATION REQUIREMENTS

I. Zoning Code Chapters

- Chapter 19.670 – Public Hearings and Notice Requirements

II. Current Code

For projects that require a Minor Conditional Use Permit (MCUP) but not a public hearing, mailed postcards are required to be sent to property owners within 300 feet of the project site. For projects that require a public hearing before the Planning Commission or City Council, mailed postcards must be sent to property owners within 300 feet of the project site and notice must be published in one newspaper cycle 10 days prior to the public hearing. There is no requirement to notify occupants of multi-tenant properties such as renters living within an apartment complex.

The Zoning Code does not require a physical sign for project notification to be posted on-site for any project. In certain circumstances, a physical placard may be placed at a project site for right-of-way vacations as required by the California Streets and Highways Code.

III. Proposed Changes

Proposed amendments include adding a new subsection within Chapter 19.435 (Warehousing and Distribution Facilities) requiring that the mailed notification radius for any new warehousing and distribution facility be extended from 300 feet to 2,640 feet (or one half-mile). The increased notification radius will only apply to new or expanded warehousing and distribution facilities.

For any new development project within the BMP and I Industrial zones which requires an MCUP or CUP, a new section would require that a Notice of Filing sign be posted at the project site to increase project transparency early on in the project. The sign must meet certain timing, size specifications and maintenance requirements to adequately allow community members more time to respond throughout the initial stages of project review. A sign template and informational form has been created to streamline the implementation of this new requirement (Exhibit 4).

The amendments also include revising the notice requirements to also include tenant occupants in addition to real property owners for any project subject to notice requirements. Doing so will allow tenants within multi-tenant properties to similarly be notified as property owners are during the project notification process.

IMPLEMENTATION OF ASSEMBLY BILL 98

AB 98 passed the State assembly in August 2024 and was signed into law by Governor Newsom in September 2024. The bill establishes various warehouse development standards within San Bernardino and Riverside counties including building design and location, parking, truck loading bays, landscaping buffers, and entry gate requirements. The bill also requires that the City update its General Plan Circulation Element to establish truck routes by January 2026. The full legislative text is available per Exhibit 5.

To ensure the Zoning Code is in compliance with state law, staff have reviewed AB 98

and made modifications to the proposed text amendments in order to meet or exceed the standards established therein. The modifications include:

- Increasing the required wall height for new or expanded warehousing and distribution facilities which are adjacent to a sensitive receptor from 8 feet to 10 feet.
- Referencing the statutory requirements for landscaping buffers for any new or expanded warehousing and distribution facilities which are adjacent to a sensitive receptor.
- Ensuring that all loading bays, docks, truck wells are located away from the nearest property of any sensitive receptor for buildings 100,000 square feet or greater which exceeds AB 98 requirements.

It is expected that the CA Legislature will amend the bill sometime this year in order to address feedback from the City and other agencies which may affect several provisions of the bill including but not limited to those related to the Circulation Element and establishment of truck routes.

PUBLIC OUTREACH AND COMMENT

Notice was published in the Press Enterprise on January 17, 2025. At the time of writing this report, Staff has not received public comments regarding this project. Exhibit 1 contains summaries of the various public outreach and stakeholder engagement efforts previously undertaken as part of this effort.

ENVIRONMENTAL REVIEW

The proposed amendments are exempt from additional California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) of the CEQA guidelines, as it can be seen with certainty that the proposed text amendments will not have an effect on the environment.

FINDINGS

Zoning Code Amendment Findings pursuant to Chapter 19.810.040:

- 1) The proposed Zoning Code Text Amendments are generally consistent with the goals, policies, and objectives of the General Plan;
- 2) The proposed Zoning Code Text Amendments will not adversely affect surrounding properties; and
- 3) The proposed Zoning Code Text Amendments will promote public health, safety, and general welfare and serves the goals and purposes of the Zoning Code.

ENVISION RIVERSIDE 2025 STRATEGIC PLAN ALIGNMENT

The proposed amendments align with Strategic Priority No. 5 – High Performing Government by demonstrating adaptivity as an organization, and more specifically with Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, building public trust, and encourage shared decision making. In addition, the project aligns with the five Cross-Cutting Threads as follows:

1. **Community Trust** – The proposed 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. **Fiscal Responsibility** – The proposed amendments do not incur costs to the City.
4. **Innovation** – The proposed amendments incorporate latest best practices for streamlining and promoting equitable development communities.
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.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Compilation of Prior Staff Reports
2. Proposed Amendments
 - a. Chapter 19.130 – Industrial Zones (BMP, I, AI, and AIR)
 - b. Chapter 19.150 – Base Zones Permitted Land Uses
 - c. Chapter 19.435 – Warehousing and Distribution Facilities
 - d. Chapter 19.670 – Public Hearings and Notice Requirements
 - e. Chapter 19.910 – Definitions
3. Floor Area Ratio Comparison Table
4. Example Notice of Filing Sign Template
5. Assembly Bill 98 – Legislative Text
6. Current Sensitive Receptor Areas Map
7. Proposed Sensitive Receptor Areas Map
8. Presentation

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