

# Riverside, CA

(14596)

## LEGAL REVIEW COMPILATION

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POWERED BY



**\*Footnotes that were the focus of this update are highlighted below\***

## **EXECUTIVE SUMMARY** **(Summary of Footnote Comments)**

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### ~~**PART I. CITY CHARTER (Pg. 1)**~~

1. ~~**Sec. 201. Access to public meetings and public records.**~~ Government Code § 6250 was repealed effective January 1, 2023. I suggest the citation be corrected as shown as nonsubstantive and editorial in nature.
2. ~~**Sec. 400. Enumerated; number, term and manner of election; wards.**~~ Subsection (d) is obsolete and could be removed from the charter.
3. ~~**Sec. 420. Office of Inspector General.**~~ This new section represents an amendment adopted January 13, 2025, that is not yet codified. It is inserted here for purposes of legal review only.
4. ~~**Sec. 601. Powers and duties.**~~ The blue corrections represent an amendment adopted January 13, 2025, that is not yet codified. It is inserted here for purposes of legal review only.

### ~~**PART II. CODE OF ORDINANCES (Pg. 37)**~~

#### ~~**Title 1. General Provisions (Pg. 37)**~~

5. ~~**Sec. 1.01.010 Code adopted.**~~ Unnecessary and obsolete publication information should be stricken as shown. Also, this section could be combined with 1.01.020.
6. ~~**Sec. 1.01.020 Title Citation Reference.**~~ Due to references in the remainder of this chapter and throughout the code, I suggest that “this Code” and “RMC” be defined here as shown. In the event the city elects to republish or recodify this code in the future, I suggest that references to the code in its entirety be standardized (perhaps as RMC throughout?).
7. ~~**Sec. 1.01.050 Definitions and construction.**~~ This chapter applies to the code in its entirety. Throughout the code, definitions and rules of construction that duplicate those in this chapter should be stricken.

~~307. **Sec. 16.68.090 Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.~~

~~308. **Sec. 16.72.010 Title.** Short titles are unnecessary after codification and should be stricken as shown.~~

~~309. **Sec. 16.72.080. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.~~

### ~~Title 17. Grading (Pg. 1246)~~

No comment.

### Title 18. Subdivisions (Pg. 1273)

**310. Title 18. Subdivisions.** I have suggested clarification of the use of the term “code” throughout this chapter for improved distinction between this title, this code of ordinances, and the various state acts cited throughout. For the state acts cited in this title, the city should consider defining them in article VI so the acts may be referred to by name only in section text throughout the title. Note that state law citation format has not been standardized in this or any title of this code but should be for consistency in the event the code is republished or recodified. Also, editorial citations to state statutes should be omitted as shown in this title and all other titles of this code of ordinances.

**311. Sec. 18.010.010. Title.** Short titles are unnecessary after codification and should be stricken as shown. Subdivision regulations are known as Title 18 of this code after codification.

**312. Sec. 18.010.020 Authority.** “This Code” is used in this title to refer to both the title and the entire code of ordinances. Suggested corrections have been made throughout without further comment.

**313. Sec. 18.010.030. Adoption of Code.** Unnecessary recitation of adoption is stricken as shown.

**314. Sec. 18.060.030. Rules and interpretations.** Text duplicative of Title 1 general provisions should be stricken as shown.

**315. Sec. 18.080.075. Tentative condominium conversion maps.** Health and Safety Code § 33007.5 was repealed in 2009. See suggested correction.

**316. Sec. 18.080.075. Tentative condominium conversion maps—Contd.** Civil Code § 1351 was repealed effective 2014. See suggested correction.

- 317. Sec. 18.080.090. Tentative maps not required.** In Subsection H, Government Code § 65852.2 was repealed effective 2024. Pursuant to Government Code § 66412.2, I think the appropriate corrective citation is Government Code § 66314 et seq. (Government Code Title 7, Division 1, Chapter 13, Article 2). The corrective cite should be verified by the city to be certain that I have accurately deduced the city's intent.
- 318. Sec. 18.085.010. Applicability. *Point of Interest Only***—See City of Redondo Beach, et al., v. Rob Bonta, Case No. 22STCP1143 (2024) holding that SB 9 does not apply to charter cities. The city is not in the jurisdictional area currently subject to the ruling, but the rationale on which it rests may be extended in the future to other California jurisdictions. This point applies to the many citations in this title to Government Code § 66411.7 and 66452.6 and perhaps others.
- 319. Sec. 18.085.080. Severability.** Section duplicative of Title 1 general provisions should be stricken as shown.
- 320. Sec. 18.130.020. Maps, permits and actions covered by this title.** In subsection B, there is no Government Code § 64411.70. See suggested correction.
- 321. Sec. 18.150.040 Initial application completeness review.** Note that Government Code § 65943 is currently proposed for repeal (Regular Session, June 26, 2025). Also, the act citation is corrected as shown.
- 322. Sec. 18.150.100 Community & Economic Development Director review.** Citations are completed as shown. Title vs. section references is also corrected, etc.
- 323. Sec. 18.150.110 Planning Commission review.** Citation is completed as shown.
- 324. Sec. 18.160.020. Notice of hearing for discretionary permits reviewed by planning commission.** Section vs. title error is corrected as shown.
- 325. Article 6. Definitions.** For the state acts cited in this title, the city should consider defining them in this section so they may be referred to by name only in section text throughout the title.
- 326. Sec. 18.260.200. "S" Definitions.** This title is Title 18, so I assume this internal cross reference was intended to be to Title 19.
- 327. Sec. 18.260.200. "S" Definitions--Contd.** Civil Code § 1350 was repealed in 2014. See suggested correction.

**328. Sec. 18.260.230 "V" Definitions.** Civil Code § 1350 was repealed in 2014. See suggested correction.

## Title 19. Zoning (Pg. 1367)

**329. Title 19. Zoning.** Throughout this chapter, I've recommended (without further comment) update of references to this title and reference to this code of ordinances. Using the term "zoning code" can be confusing to the reader in that the title "code" is part of the city "code." See suggested corrections throughout.

**330. Sec. 19.010.010. Title.** Short titles are unnecessary after codification and should be stricken as shown. This title should be referred to as Title 19, Zoning, of the city's code of ordinances.

**331. Sec. 19.010.020. Authority.** "Zoning Code" should be replaced with "this title" throughout this title as shown. This footnote is not repeated in this title.

**332. Sec. 19.030.010. Relationship to prior zoning regulations.** References to Ord. 6966 are stricken in that this title is the codification of 6966.

**333. Sec. 19.030.030. Relationship to the California Environmental Quality Act.** See suggested changes to clarify the state law citations.

**334. Sec. 19.050.020. Responsibilities of the city council.** Citation is completed as shown.

**335. Sec. 19.050.030. Responsibilities of the Planning Commission.** Citation is completed as shown.

**336. Sec. 19.060.030. Rules and interpretations.** Text duplicative of Title 1 general provisions should be stricken as shown.

**337. Article III. Nonconforming Provisions.** I suggest the article title be changed as shown for clarity and accuracy.

**338. Chapter 19.432, Cannabis Personal Use.** Is this the best location for this chapter? Consider grouping this with offenses in Title 9.

**339. Sec. 19.342.070. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.

**340. Sec. 19.442.010 Purpose.** Government Code §§ 65852.2 and 65852.22 were renumbered as shown in 2023.

- 341. Sec. 19.442.030. Requirements.** Government Code §§ 65852.2 and 65852.22 were renumbered as shown in 2023.
- 342. Sec. 19.442.030. Requirements.** Government Code § 66441.7 does not exist and 66441 deals with statements by an engineer or surveyor for surveys and final maps. It doesn't appear that 66441.7 or 66441 is the intended citation.
- 343. Sec. 19.443.010 Purpose.** Government Code § 66441.7 does not exist and 66441 deals with statements by an engineer or surveyor for surveys and final maps. It doesn't appear that 66441.7 or 66441 are the intended citations.
- 344. Sec. 19.443.100. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.
- 345. Sec. 19.490.010. Purpose.** Citation should be completed as shown.
- 346. Sec. 19.490.020. Applicability and permit requirements.** Citation should be completed as shown.
- 347. Chapter 19.620, General Sign Provisions et seq.** After the Supreme Court decision in *Reed v. Town of Gilbert*, 576 U.S. 155, 135 S.Ct 2218 (2015), and its progeny, any sign ordinance provision that requires a city employee to read the content of a sign before taking action should be avoided (including restrictions on political versus other temporary signs, onsite versus offsite signs, and commercial versus non-commercial message signs). Regulation of signs on city property and regulations that limit the size, building materials, and other aesthetic aspects of a sign, regardless of content, are generally appropriate. Post-Reed sign ordinances can—in theory—still have content-based restrictions, but the standard to uphold these restrictions is very strict and best avoided by ensuring that sign regulations are content-neutral. Many of the provisions of this and following sign-related chapters turn on sign content. The city may wish to consider updating its sign ordinances.
- 348. Sec. 19.620.150 Definitions--Contd.** Definition duplicative of Title 1 should be stricken as shown. Also, minor corrections are suggested as shown.
- 349. Sec. 19.623.040 Severance.** Text duplicative of Title 1 general provisions should be stricken as shown.
- 350. Sec. 19.670.070 Requests for notification.** Extraneous text should be stricken as shown.
- 351. Sec. 19.790.030 Applicability and permit requirements.** Civil Code § 1351 was renumbered as shown in 2014.

**352. Sec. 19.790.040 Definitions.** Civil Code § 1351 and 1353 were repealed/renumbered as shown in 2014. Civil Code § 1367 and 1367.1 were also renumbered as shown in 2014.

**353. Sec. 19.910.200 "S" Definitions.** Health and Safety Code § 33007.5 was repealed in 2009. See suggested correction.

**354. Sec. 19.910.200 "S" Definitions.** Civil Code § 1350 was moved and renumbered in 2014. See suggested correction.

## **Title 20. Cultural Resources (Pg. 1966)**

**355. Sec. 20.15.060. Meeting and notice for Mills Act Applications.** Some of the sections in this chapter need appropriate introductory or linking text added. This one and the next several rely on the catchline, an editorial device, to complete the section. I suggest that the sections be rewritten such that the intended regulation is encompassed within the section and not dependent on nonsubstantive editorial features.

**356. Sec. 20.45.030. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.

**357. Sec. 20.50.010. Definitions.** I recommend that these definitions be moved to the beginning of the title.