



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: AUGUST 6, 2024

FROM: COMMUNITY & ECONOMIC DEVELOPMENT WARDS: ALL
DEPARTMENT

SUBJECT: PLANNING CASE PR-2024-001678: ZONING CODE TEXT AMENDMENTS
IMPLEMENTING A RESIDENTIAL INFILL DEVELOPMENT AND SMALL LOT
SUBDIVISION ORDINANCE

ISSUE:

Consider text 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) and Article IX (Land Use Development Permit Requirements/Procedure) to implement a Residential Infill Development and Small Lot Subdivision Ordinance as directed by the City Council Housing and Homelessness Committee.

RECOMMENDATIONS:

That the City Council:

1. Determine that Planning Case PR-2024-001678 (Zoning Text Amendment) is exempt from further California Environmental Quality Review pursuant to Section 15061(b)(3) (General Rule), as it can be seen with certainty that approval of the project will not have an effect on the environment;
2. Approve Planning Case PR-2024-001678 (Zoning Text Amendment) based on the findings summarized in the Planning Commission Staff Report; and
3. Introduce and subsequently adopt the attached Ordinance amending Title 19 – Zoning Code of the Riverside Municipal Code.

COMMITTEE RECOMMENDATION:

The Housing and Homelessness Committee met on November 27, 2023, with former Chair Edwards, former Vice Chair Plascencia and former Member and current Chair Cervantes present, to provide staff with policy direction on potential residential infill development standards and revisions to the Planned Residential Development Permit process to implement a small lot subdivision program in the City. After discussion the Committee directed staff to proceed with a complete draft of a Residential Infill Development Ordinance and a Small Lot Subdivision Ordinance to the City Planning Commission and City Council for further consideration.

In April 2024, then-Acting Committee Chair Falcone directed staff to proceed with the former Committee’s direction and bring forth the proposed text amendments to the Planning Commission.

PLANNING COMMISSION RECOMMENDATION:

On June 20, 2024, the Planning Commission voted unanimously to recommend the City Council approve Zoning Code Text amendments implementing the Residential Infill Development and Small Lot Subdivision Ordinance.

BACKGROUND:

In September 2019, the City of Riverside (City) applied for and received a package of Senate Bill (SB) 2 Planning Grant Program (PGP) funds from the California Department of Housing and Community Development (HCD) to facilitate projects that will assist with the implementation of Housing Element policies and actions. Among other projects, the PGP funds allowed Staff to partner with Sagecrest Planning (Consultant) to examine housing development strategies that promote infill development.

In October 2021, the City Council adopted the 6th Cycle Update of the General Plan 2025 Housing Element, which identifies infill development as a mechanism to address the region's housing shortage by increasing housing opportunities on existing underutilized lots. The Housing Element defines infill development as the "addition of housing, businesses, or other new uses on existing sites within developed, urbanized areas as opposed to outlying or undeveloped areas, where the efficient use of existing in-place infrastructure and services can be realized."

In September 2022, HCD certified the City's 6th Cycle Housing Element. Staff began surveying various infill housing development strategies intended to expedite housing production in the City and fulfill various policies and action items of the Housing Element.

On July 24, 2023, staff presented six infill housing development strategies to the City Council Housing and Homelessness Committee (Committee). Staff provided a policy matrix comparing the advantages, disadvantages, and potential for success of each strategy. After discussion, the Committee asked staff to return with additional information on:

1. A complete draft of a Residential Infill Development Ordinance for the consideration and recommendation of the City Planning Commission;
2. Strategies for implementing a Small Lot Subdivision policy for the Committee's consideration; and
3. Best practices from existing Density Transfer Programs within the region for the Committee's consideration.

On August 17, 2023, staff presented the same development strategies to the City Planning Commission at a workshop for consideration and feedback. The Planning Commission's feedback was in alignment with Committee discussion and no further direction was provided (Attachment 1).

On November 27, 2023, staff presented an update on the infill strategies previously identified by the Committee, which included several options for a Small-Lot Subdivision Ordinance; best practices and additional information on a potential Density Transfer Program; and a full draft of a proposed Residential Infill Development Ordinance to streamline infill development on existing undersized lots by providing infill development standards (Attachment 2).

On May 23, 2024, staff conducted a workshop with the City Planning Commission presenting the proposed amendments for their consideration and feedback. A detailed assessment of current

policy and proposed Zoning Code Amendments may be read in the associated staff report (Attachment 3). The Planning Commission subsequently recommended approval of the proposed amendments at the meeting of June 20, 2024.

Community Engagement

In February 2024, staff had the opportunity to engage with various stakeholders with recent or current residential development experience in the City through a virtual workshop in order to assess challenges and opportunities as well as obtain general feedback on residential infill development. A summary of the stakeholder feedback is provided in Attachment 4. Staff also met with individual stakeholders upon request to obtain feedback on the proposed changes and evaluate potential projects in the City.

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 June 13, 2024, ALUC found the proposed package of Zoning Code amendments consistent with the LUCP. The ALUC Director’s Determination Letter is included as Attachment 5.

DISCUSSION:

The purpose of the proposed amendments are to:

1. Streamline development standards for existing, undersized lots within the Single Family (R-1) and Multi-Family (R-3 & R-4) Residential Zones that are underutilized or difficult to develop due to substandard lot size;
2. Amend the existing Planned Residential Development (PRD) Permit process to implement three new PRD permit types as part of a Residential Small Lot Subdivision Program; and
3. Make other minor, non-substantive changes, clarifications and technical corrections as required to implement the Infill Development and Small Lot Subdivision Ordinance.

It should be noted that the Zoning Code amendments implementing residential infill development standards and small lot subdivisions are two separate development tools intended to achieve a similar outcome of promoting infill development. The residential infill development standards focus on streamlining development on existing substandard lots. The Small Lot Subdivision provisions allow for administrative or streamlined approval of smaller-scale for-sale subdivisions. Figure 1 provides an overview of key differences between the two development strategies below.

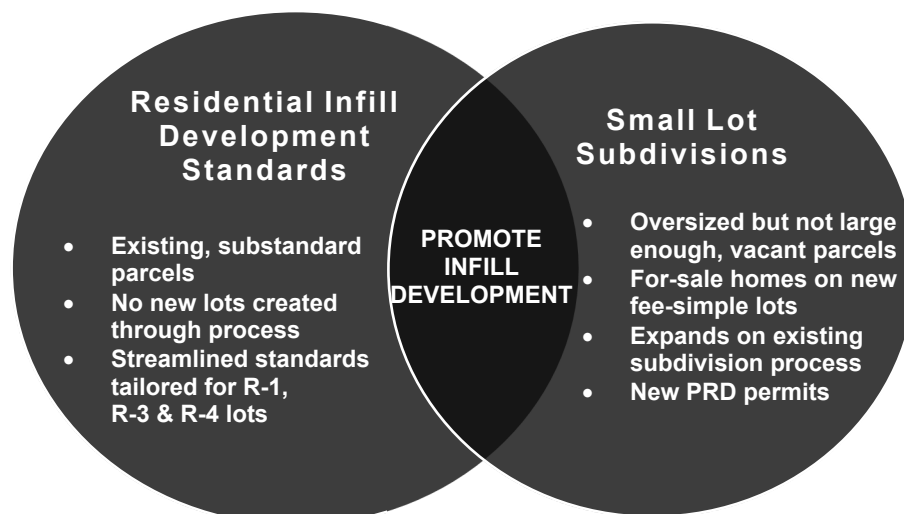
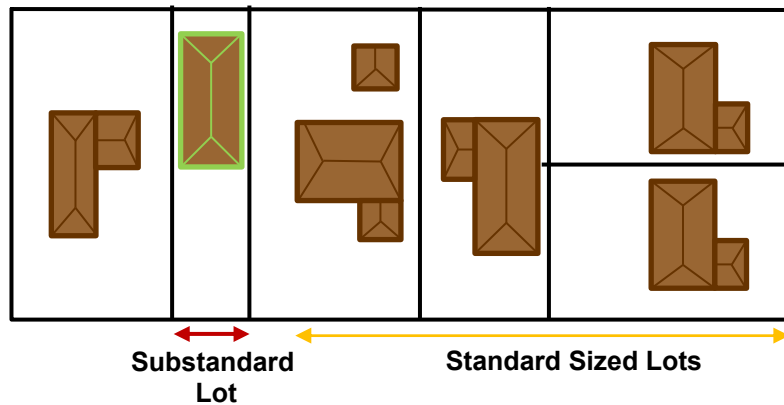


Figure 1 – Development Strategies Diagram

A copy of the proposed Zoning Code amendments is available in Attachment 6.

RESIDENTIAL INFILL DEVELOPMENT STANDARDS

The proposed Zoning Code amendments include new provisions providing flexible development standards for existing, legally established substandard lots. In this context, substandard lots can



be defined as lots which do not meet the minimum requirements of the underlying zoning designation. These lots are often smaller and irregularly shaped making it difficult to develop new homes which must meet the development standards for standard-sized lots.

The Infill Development Strategy adopted by the City Council in 2003 provides financial incentives in the form of fee reductions to developers who initiate residential development on eligible infill sites, but the strategy never introduced flexible development standards. Existing infill housing projects must abide by the development standards for standard sized lots which can result in requests for variances or otherwise limit the viability of the project site due to inflexible development standards. Existing substandard lots may remain vacant and underutilized without more flexible development standards.

Proposed Amendments

Zoning Code amendments include substantive changes to the following chapters:

- Chapter 19.100 – Residential Zones (RA-5, RC, RR, RE, R-1-½ Acre, R-1-13000, R-1-10500, R-1-8500, R-1-7000, R-3-4000, R-3-3000, R-3-2500, R-3-2000, R-3-1500, R-4); and
- Chapter 19.580 – Parking and Loading

There are also minor, non-substantive text amendments throughout the Riverside Municipal Code to ensure implementation of the infill development standards.

Chapter 19. 100 – Residential Zones

Two new sections provide development standards for existing, legally created substandard lots within Single Family (R-1) and Multi-Family (R-3 & R-4) Residential Zones.

- §19.100.065 – Regulations for infill development on undersized lots in the R-1 Zones
- §19.100.075 – Regulations for infill development on undersized lots in the R-3 and R-4 Zones

Infill Development Standards for Single Family (R-1) Residential Zones

Section 19.100.065 provides appropriate development standards for lots that do not meet the minimum lot size of the underlying zone. Several provisions were incorporated including tiered setbacks, maximum building height, lot coverage, privacy considerations and landscaping

requirements. Various lot size thresholds were established throughout various R-1 zones to determine eligibility. The infill development standards will not apply to the Residential Conservation (RC) and Residential Agricultural (RA-5) zones.

The table below provides a general overview of the proposed infill development standards.

PROPOSED R-1 INFILL DEVELOPMENT STANDARDS					
Residential Zone	Minimum Lot Size (current)	Infill standards apply to lots under:	Setback Provisions	Landscaping	Privacy
R-1-1/2 Acre	21,780 square feet	≤18,000 square feet	Reduced for lots 5,500 – 18,000 sq. ft.	Front and side yard required if adjacent to street	No change
R-1-13000	13,000 square feet	≤10,500 square feet	Reduced for lots 5,500 – 10,500 sq. ft.		No change
R-1-10500	10,500 square feet	≤8,500 square feet	Reduced for lots 5,500 – 8,500 sq. ft.		No change
R-1-8500	8,500 square feet	≤7,000 square feet	Reduced for lots 5,500 – 7,000 sq. ft.		No change
Any R-1 Lot < 5,500 sq. ft.	N/A	≤5,500 square feet	Reduced setbacks for lots 1,500 – 5,499 sq. ft.		Privacy provisions for window placement & second story features

Infill Development Standards for Multi-Family (R-3 & R-4) Residential Zones

Section 19.100.075 provides development standards appropriate for substandard multi-family lots including setbacks, building heights, privacy considerations, common and private open space and landscaping requirements. To be eligible, the parcel must be a legally established lot zoned R-3 or R-4 and have an area less than 21,780 square feet where the current minimum lot size is 30,000 square feet. The development standards are flexible depending on the size of the lot; smaller sized parcels are generally given greater flexibility compared to larger sized infill parcels.

Eligible Infill Lot Size Methodology

For each single-family residential zone except the R-1-1/2 Acre zone, the eligible infill lot size was determined by applying the standards of the residential zone with the next smallest minimum lot size. For example, lots in the R-1-13000 zone must be 10,500 square feet or smaller to qualify for the infill development standards, which is the minimum lot size of the R-1-10500 zone. The rationale being the preceding residential zones offer development standards which are most compatible with the infill lots in that size range.

Staff determined the infill lot size for the R-1-1/2 Acre zone by assessing the average substandard lot size in the zone through a survey of existing substandard lots in the City. There are approximately 266 substandard lots in the R-1-1/2acre zone with an average lot size of approximately 18,000 square feet therefore this was the value chosen.

For infill lots in the multi-family residential zones (R-3 & R-4), a minimum lot size of one-half acre (21,780 square feet) provides the most flexibility for substandard lots most compatible with the allowed density and provided development standards.

Chapter 19.580 – Parking & Loading

Table 19.580.060 (Required Spaces) is amended to reflect increased flexibility in parking configuration for single-family dwellings on residential infill lots. There is no change in the required number of parking spaces.

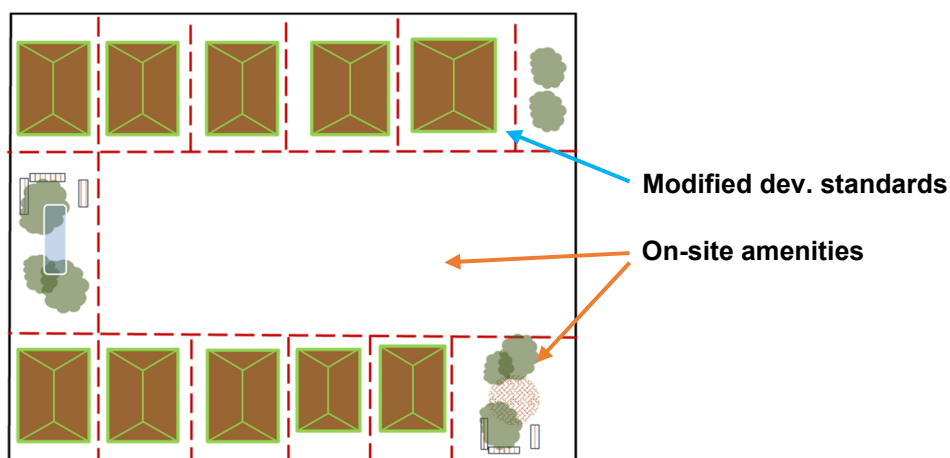
- For R-1 lots between 3,500 to 5,499 square feet, two covered parking spaces are required either in a carport or garage.
- For R-1 lots less than 3,500 square feet, one covered space and one uncovered space is required. Tandem parking is also permitted to satisfy this requirement.
- All other R-1 infill lots will adhere to the existing single-family dwelling parking requirement of two parking spaces within a private garage.

Multi-family infill projects will abide by the existing parking requirements.

SMALL LOT SUBDIVISION ORDINANCE

Small lot subdivision refers to the process of allowing existing residential lots to be subdivided into multiple smaller fee-simple lots resulting in clustered single-family units. In the City, there is a current process in place through Planned Residential Developments (PRDs) to allow for the subdivision of large tracts of land into clustered single-family residential development.

PRDs are permitted subject to a Planned Residential Development Permit (PRD Permit) which allows modified development standards such as smaller internal lot dimensions, reduced interior setbacks and increased lot coverage in exchange for enhanced on-site amenities, privately maintained streets, and common open space. PRDs are prohibited in multi-family residential zones but are allowed in all single-family residential zones except for the Residential Agricultural (RA-5) Zone.



Small Lot Subdivision Example

The current PRD approval requirements lend themselves to larger-scale subdivision development. Smaller-scale PRDs are often infeasible due to market conditions, project design constraints, and the existing approval process which may not support the development of smaller-scale PRD projects.

Proposed Amendments

Zoning Code amendments include substantive changes to the following chapters:

- Chapter 19.150 – Base Zones Permitted Land Uses; and
- Chapter 19.780 – Planned Residential Development Permit

There are also minor changes throughout the RMC to ensure consistency with the implementation of the Small Lot Subdivision program.

Chapter 19.780 – Planned Residential Permit

Various provisions are amended to incorporate three new PRD permit types intended to promote small-lot subdivisions and provide streamlined approval for smaller PRD projects in single family and multi-family zones. Chapter 19.780 is amended to reflect:

In Single Family Zones (R-1, RR and RE Zones excluding the RC and RA-5 zone):

- **Minor Planned Residential Development Permit (Minor PRD):** Intended for projects in single-family residential zones consisting of 16 or fewer dwelling units.
- **Administrative Planned Residential Development Permit (Administrative PRD):** Intended for projects in single-family residential zones consisting of four or fewer parcels.

In Multi-Family Zones (R-3 zones excluding the R-4 zone):

- **Small Lot Subdivision Planned Residential Development Permit (Small Lot PRD):** Intended for 16 or fewer dwelling units within Medium-High Density or High-Density (R-3) multi-family residential zones.

Minor PRD & Administrative PRD Permits

New provisions provide flexible development standards and reduce enhanced amenity requirements for Minor PRDs and Administrative PRDs without sacrificing superior design and to ensure compliance with the General Plan and the California Subdivision Map Act (Government Code §66400 et seq.). For Administrative PRDs specifically, a tentative parcel map for 4 or fewer lots can be processed without the need for a Public Hearing with the Planning Commission as it is considered an administrative action pursuant to Section 18.140.040 of the Subdivision Code. The Minor PRD will require a Tentative Tract Map, approved by the Planning Commission, but will still benefit from more flexible setbacks, parking, open space and superior design standard requirements.

Small Lot PRD Permit

The Small Lot PRD permit would allow for the subdivision of multi-family (R-3) parcels for the purposes of cluster development and to provide an additional for-sale housing type option for multi-family properties. A new section within Chapter 19.780 incorporates the same findings and approval requirements for Small Lot PRDs as all other PRD projects.

Section 19.780.055 also establishes a minimum and maximum density. A minimum density will help to ensure that properties already zoned for higher density are not underutilized and are consistent with the density set forth in the General Plan. The development standards within Section 19.780.060 are amended to incorporate specific height limits, privacy considerations, lot size and coverage, setbacks, landscaping, and common and private open space requirements.

All PRD Permits – Minor, Administrative and Small Lot

All three permit types will adhere to existing application processing, findings and approval requirements, project noticing and development review procedures.

Section 19.780.070 is amended to reflect that all of the proposed PRD permits will need to submit

maintenance agreements which demonstrate that the property owners agree to maintain the premises and any other improvements not dedicated to public use in lieu of a Homeowners' Association, which can be cost-prohibitive for smaller subdivisions.

PRD PERMIT COMPARISON				
Standard	PRD Permit (Existing)	Minor PRD (Proposed)	Admin PRD (Proposed)	Small Lot PRD (Proposed)
Dwelling Unit Yield	Any # (average is 70)	16 or fewer	4 or fewer	16 or fewer
Map Required	Tentative Tract Map	Tentative Tract Map	Tentative Parcel Map	Tentative Tract or Parcel Map
Eligible Residential Zones	R-1, RR, RE, RC	R-1, RR, RE	R-1, RR, RE	R-3
Approving and Approval Authority	Planning Commission	Planning Commission	Community & Economic Development Director	Planning Commission
Superior Design Standards for Density Bonus	Must meet at least 5/11	Must meet at least 4/11	Must meet at least 3/11	N/A – no bonus proposed
Height/Stories	Per underlying zone	Maximum height of 35 feet/3 stories	Maximum height of 35 feet/3 stories	Maximum height of 35 feet/3 stories
Open Space	Common: 500 sq.ft./ du Private: 200 sq.ft./du	500 sq.ft./ du Can combine common/private space	300 sq.ft./ du Can combine common/private space	Per standards of base zone Can combine common/private space
Parking	2 fully enclosed garage spaces 1 guest parking per 3 dwelling units RV parking permitted on separate lot	1 covered, 1 uncovered space per unit 1 guest parking per 3 dwelling units RV parking prohibited	1 covered, 1 uncovered space per unit 1 guest parking per 3 dwelling units RV parking prohibited	Must meet Chapter 19.580 (Parking and Loading) RV parking prohibited

Chapter 19.150 – Permitted Uses Table

The Permitted Uses Table (19.150.020.A) is amended to reflect the permit applicability for Minor, Administrative and Small Lot PRDs based on the respective zoning designation. Minor PRDs and Administrative PRDs will be prohibited in the Residential Conservation (RC) and Residential Agricultural (RA-5) single-family residential zones. Small Lot PRDs are only permitted in R-3 multi-family residential zones.

ENVIRONMENTAL REVIEW:

The proposed amendments are exempt from additional California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3) (General Rule) of the CEQA guidelines, as it can be seen with certainty that the proposed text amendments will not have a significant 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 as the development regulations are intended to revitalize existing vacant lots; and
- 3) The proposed Zoning Code Text Amendments will promote public health, safety, and general welfare and serves the goals and purposes of the General Plan.

STRATEGIC PLAN ALIGNMENT:

This item contributes to **Strategic Priority 2 – Community Well-Being, Goal 2.1** – Facilitate the development of a quality and diverse housing supply that is available and affordable to a wide range of income levels and **Goal 2.3** – Strengthen neighborhood identities and improve community health and the physical environment through amenities and programs that foster an increased sense of community and enhanced feelings of pride and belonging citywide.

This Project aligns with the following Cross-Cutting Threads:

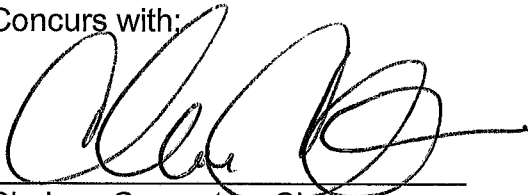
1. **Community Trust** – The proposed Zoning Code amendments are presented at an open public meeting and contains transparent information on City processes and regulations.
2. **Equity** – The proposed Zoning Code amendments promote equitable development regulations which encourage much needed housing development in the region.
3. **Fiscal Responsibility** – The proposed Zoning Code amendments do not incur costs to the City.
4. **Innovation** – The proposed Zoning Code amendments incorporate new development tools intended to streamline housing production for first time homeowners in the City.
5. **Sustainability & Resiliency** – The proposed Zoning Code amendments adopt development standards which are environmentally sensitive to surrounding neighborhoods and are consistent with the objectives of the General Plan.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Prepared by:	Matthew Taylor, Principal Planner
Approved by:	Jennifer A. Lilley, Community & Economic Development Director
Certified as to availability of funds:	Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by:	Rafael Guzman, Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Concurs with:

A handwritten signature in black ink, appearing to read 'Clarissa Cervantes', written over a horizontal line.

Clarissa Cervantes, Chair
Housing and Homelessness Committee

Attachments:

1. August 17, 2023 – Planning Commission Minutes
2. November 27, 2023 – Housing and Homelessness Committee Staff Report
3. May 23, 2024 - Planning Commission Workshop Staff Report
4. February 13, 2024 – Stakeholder Feedback Summary
5. Airport Land Use Commission (ALUC) Approval Letter
6. Residential Infill Development & Small Lot Subdivision Draft Ordinance
7. Presentation