



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MARCH 12, 2024**

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

SUBJECT: PLANNING CASE PR-2023-001625: ZONING CODE TEXT AMENDMENTS AS PART OF A ZONING CODE CLEAN UP

ISSUE:

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), VI (Overlay Zones), VII (Specific Land Use Provisions), VIII (Site Planning and General Development Provisions), IX (Land Use Development and Permit Requirements/Procedures), X (Definitions); and other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancy.

RECOMMENDATIONS:

That the City Council:

1. Determine that Planning Case PR-2023-001625 (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-2023-001625 (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.

BACKGROUND

Crime Free Multi-Housing Program

Participation in the Crime Free Multi-Housing Program (Program) was required for any new multi-family housing development per Title 1 (General Provisions) and Title 19 (Zoning).

On September 5, 2023, the City Council voted to discontinue the program after feedback from community members and the Riverside Police Department due to potentially negative impacts on re-entry into society for formerly incarcerated persons. The City Council subsequently directed

staff to pursue the necessary amendments to remove references to the Program from the Riverside Municipal Code (Attachment 1).

Non-domestic Animal Keeping – Backyard Chickens

On November 13, 2023, staff held a workshop with the City Council Land Use, Sustainability and Resilience Committee (Committee) to provide an update on current regulations for animal keeping and to obtain policy direction related to potential amendments to allow the keeping of chickens in R-1 zones. Following Committee discussion, the Committee directed staff to pursue a Zoning Code Amendment to permit the keeping of backyard chickens in Single Family Neighborhoods (Attachment 2).

Zoning Code Clean Up

Planning staff continuously track the applicability and accuracy of the Zoning Code to ensure the regulations are consistent with State Law, provide clear direction, and are not in conflict with other provisions. Staff identify inaccuracies, ambiguities, and/or conflicts and tracks this information so that periodic Zoning Text Amendments can be made. Staff have identified 9 provisions requiring minor changes or updates to language which will be packaged together and adopted as part of an omnibus ordinance.

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 January 29, 2024, ALUC found the proposed package of Zoning Code amendments consistent with the LUCP. The ALUC Director's Determination Letter is included as Attachment 3.

CITY PLANNING COMMISSION RECOMMENDATION:

On January 18, 2024, staff presented the package of Zoning Code amendments to the Planning Commission where it was unanimously recommended for City Council approval. The proposed amendments to the Zoning Code are included in the Draft Zoning Text Amendment Ordinance (Attachment 4). The following is a summary of each of the proposed changes, including the Zoning Code chapter and proposed amendment. Further detail for each amendment can be found in the January 18th Planning Commission Staff Report (Attachment 5).

DISCUSSION

The purpose of the proposed amendments are to:

1. Remove references to the Crime Free Multi Housing Program throughout Title 19 at the direction of the City Council;
2. Modify non-domestic animal keeping provisions within the Residential Estate (RE) and Single-Family Residential (R-1) Zones to permit the keeping of poultry at the direction of the Land Use, Sustainability and Resilience Committee;
3. Amend permitted locations for accessory structures within various Single-Family Residential zones;

4. Clarify ambiguous, conflicting, and/or outdated language in the RMC as it pertains to vehicle repair facilities, monitored electrified security fence systems, long-term stay hotels, and general sign provisions for vehicle fuel stations; and
5. Other minor, non-substantive changes and technical corrections as required to provide clarity, correct errors, or remove redundancies.

The text of the proposed amendments are included in Attachment 4 and are summarized in the table below:

Amendment Topic	Zoning Code Chapter	Proposed Change
Crime Free Multi Housing Program	Chapter 19.120 – Mixed Use Zones; Chapter 19.210 – Mobile Home Parks; Chapter 19.255 – Assemblies of People – Non-Entertainment; Chapter 19.330 – Hotel/Motel Long-Term Stay; Chapter 19.350 – Parolee/Probationer Home; Chapter 19.400 – Shelters – Emergency; Chapter 19.401 – Single Room Occupancies; Chapter 19.740 – Temporary Use Permit; Chapter 19.770 – Site Plan Review Permit; and Chapter 19.790 – Condominium Conversion Permits	All provisions containing reference to the Program are stricken to implement City Council direction.
Non-domestic Animal Keeping of Backyard Chickens	Chapter 19.150 – Base Zones Permitted Land Uses; and Chapter 19.455 – Animal Keeping	Table 19.150.020.B and Section 19.455.030 are amended to permit the noncommercial keeping of no more than 5 chickens (hens only) for any property within the Residential Estate (RE) and R-1 Residential Zones with requirements for proper enclosures and minimum distance from neighboring residences. In accordance with Title 6 – Health & Sanitation and Title 8 – Animals, the premises where the chickens are held must be maintained in a clean, neat and sanitary condition. Violations will be subject to Code Enforcement action per Title 1 – General Provisions. Portions of Chapter 19.455 are also reorganized to provide clarity for the reader.

Amendment Topic	Zoning Code Chapter	Proposed Change
Long Term Stay Hotel	Chapter 19.330 – Hotel/Motel, Long-Term Stay; and Chapter 19.910 – Definitions	Chapter 19.910 is amended to clarify occupancy duration requirements within the long term stay hotel definition. Chapter 19.330 is amended to revise the maximum period of occupancy to no more than 180 consecutive calendar days per year.
Monitored Electric Security Fence Systems	Chapter 19.550 – Fences, Walls, and Landscape Materials	The maximum height for electric fences is clarified to be 10 feet along with other minor non-substantive changes.
Accessory Buildings and Structures	Chapter 19.440 – Accessory Buildings and Structures	Chapter 19.440 is amended to permit certain open-sided accessory structures in front of the primary dwelling outside of the front yard setback for properties in Single Family Residential Zones whose minimum lot size is one-half acre or larger, excluding the Residential Conservation (RC) and Residential Agricultural (RA-5) Zones.
Accessory Dwelling Units	Chapter 19.442 – Accessory Dwelling Units	An incorrect California Building Code section citation pertaining to minimum unit size for ADUs is corrected.
General Sign Provisions – Vehicle Fuel Stations	Chapter 19.620 – General Sign Provisions	Signage requirements for vehicle fuel stations are streamlined by separating the sign types into their own section within Table 19.620.080.C and the calculation metric for primary use building wall signs is revised to be consistent with allowed signage for other commercial uses.
Vehicle Repair Facilities	Chapter 19.150 – Base Zones Permitted Land Uses	Table 19.150.020.A is amended to consolidate the permit requirements for outdoor major and minor vehicle repair facilities into one row to improve clarity for the reader.
Approving and Appeal Authority	Chapter 19.650 – Approving and Appeal Authority	The title for Section 19.650.030 is corrected to reflect the procedures for processing concurrent land use development permits.

STRATEGIC PLAN ALIGNMENT:

The actions undertaken for Planning Case PR-2023-001625 contribute to the following Strategic Priority and Goal from the Envision Riverside 2025 Strategic Plan:

Priority 5. High Performing Government – Goal 5.3 – Enhance communication and collaboration with community members to improve transparency, build public trust, and encourage shared decision making.

The actions undertaken for the proposed project aligns with the following Cross-Cutting Threads:

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

FISCAL IMPACT:

There are no anticipated fiscal impacts with the proposed project.

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

Attachments:

1. September 5, 2023 – City Council Meeting Minutes & Staff Report
2. November 13, 2023 – Land Use, Sustainability and Resilience Committee Meeting Minutes & Staff Report
3. ALUC Director's Determination of Consistency
4. Zoning Text Amendment Draft Ordinance
5. January 18, 2024 City Planning Commission Staff Report
6. January 18, 2024 City Planning Commission Draft Minutes
7. Presentation