



Community & Economic Development Department  
3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | RiversideCA.gov

Planning Division

CULTURAL HERITAGE BOARD MEETING DATE: SEPTEMBER 17, 2025  
AGENDA ITEM NO.: 4

## DISCUSSION ITEM

<b>Case Numbers</b>	PR-2025-001800 (AMD)
<b>Request</b>	To amend Title 20 of the Riverside Municipal Code to clarify that all cultural resources, including <u>Neighborhood Conservation Areas</u> and <u>Structures of Merit</u> , are historic resources, affirming that they are ineligible for SB 9 urban lot splits and two-unit developments pursuant to Government Code Section 65852.21(a)(5) and Section 66411.7(a)(3).
<b>Project Location</b>	Citywide
<b>Ward</b>	All
<b>Staff Planner</b>	Clarissa Manges, Assistant Planner 951-826-5264 cmanges@riversideca.gov

## RECOMMENDATION

That the Cultural Heritage Board recommend that City Council:

1. Determine that Planning Case PR-2025-001800 is exempt from further California Environmental Quality Act (CEQA) review pursuant to Sections 15308 (Actions to Protect Environment), 15060(c)(2) (No Physical Change), 15060(c)(3) (Not A Project), and 15061(b)(3) (General Rule), as the proposed amendment will cause no direct or indirect change to the environment and does not meet the definition of a Project under CEQA, and is pursuant to Section 65852.21(k) and Section 66411.7(n);
2. Approve Planning Case PR-2025-001800 (Title 20 Text Amendment) as outlined in the staff report and summarized in the Findings Section of this report; and
3. Introduce, and subsequently adopt, an Ordinance amending Title 20 (Cultural Resources) of the Riverside Municipal Code.

## BACKGROUND

Senate Bill (SB) 9 (Atkins) took effect January 1, 2022, which requires all California cities to allow the construction of up to two primary dwelling units and/or subdivision of one lot into two (urban lot split) on most single-family zoned lots, provided they meet the criteria established in California Government Code Sections 65852.21 (which regulates two-unit developments) and 66411.7 (which regulates urban lot splits). SB 9 requires cities to approve eligible projects ministerially, meaning subject only to objective standards and

without design or other discretionary review. On July 5, 2022, the City Council adopted ordinances implementing SB 9 in the Riverside Municipal Code (RMC) through the creation of a new chapter in Title 18 - Subdivision (Chapter 18.085 - Urban Lot Splits) and Title 19 - Zoning (Chapter 19.443 - Two Unit Developments). Statutory enforcement authority over SB 9 was granted to the California Department of Housing and Community Development (HCD) in 2024 with the enactment of Assembly Bill (AB) 434 (Grayson). On January 1, 2025, SB 450 (Atkins) took effect, revising standards that can be imposed under SB 9. California Government Code Section 65852.21(a)(5) and Section 66411.7(a)(3) state that "site[s] that [are] designated or listed as a city or county landmark or historic property or district pursuant to a city or county Ordinance" are ineligible for SB 9.

On March 21, 2025, HCD presented the City with a letter outlining changes needed to bring the RMC into compliance with SB 9 and SB 450 (Exhibit 1). Within the letter, HCD identified that some eligibility criteria that the RMC imposes on SB 9 projects may not align with the eligibility criteria that the California Government Code prescribes. This included the eligibility criteria pertaining to historic resources. Currently, the RMC identifies that any parcel located within a historic district, neighborhood conservation area, city or county Landmark, city Structure of Merit, State Historic Resources Inventory-listed property, or other historic property pursuant to Title 20 (Cultural Resources) is a designated Cultural Resource. Therefore, these resources are determined to be ineligible for SB 9. HCD has interpreted the Government Code to only exempt parcels from SB 9 that are (1) designated or listed as a historic landmark, (2) designated or listed as a historic property, or (3) designated or listed as an historic district. As such, the HCD letter indicated that neighborhood conservation areas and structures of merit may not fit these categories because Title 20 does not appear to define them exclusively as historic resources:

- Title 20 defines Neighborhood Conservation Areas (NCA) as areas that
  - "A. Provide a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
  - B. Represent established and familiar visual features of a neighborhood, community, or of the City;
  - C. Reflect significant development or geographical patterns, including those associated with different eras of settlement and growth; or,
  - D. convey a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association."
- Title 20 defines Structures of Merit as "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" that also
  - "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."

NCA's and Structures of Merit, however, receive the same protections as historic landmarks, historic properties, and historic districts and thus can be considered historic resources under the RMC. For instance, under Title 20's definition of designated cultural resources, neighborhood conservation areas and structures of merit are designated just like historic landmarks, historic properties, and historic districts. Furthermore, the classification of such historic resources as cultural resources, with no separate distinct classification as historic resources, makes the two terms virtually interchangeable.

## PROPOSAL

The proposed amendment (Exhibit 2) will clarify in Title 20's definition of cultural resources to mean that all cultural resources, including neighborhood conservation areas and structures of merit, are historic resources, affirming that they are ineligible for SB 9 urban lot splits and two-unit developments. The definition will now read, with the proposed change emphasized in bold:

"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 pursuant to the California Government Code.**"

## PUBLIC OUTREACH AND COMMENT

A Public Hearing notice was published in the Press Enterprise at least ten days prior to the meeting. As of the writing of this report, no responses have been received by Staff regarding this proposal.

## ENVIRONMENTAL REVIEW

The proposed amendment is exempt from additional California Environmental Quality Act (CEQA) review pursuant to Sections 15308 (Actions to Protect Environment), 15060(c)(2) (No Physical Change), 15060(c)(3) (Not A Project), and 15061(b)(3) (General Rule), as the proposed amendment will cause no direct or indirect change to the environment and does not meet the definition of a Project under CEQA, and is pursuant to Section 65852.21(k) and Section 66411.7(n).

## FINDINGS

Cultural Resources Code Amendment Findings pursuant to Chapter 20.45.020(D):

1. The proposed amendment is generally consistent with the goals, policies, and objectives of the general plan; and
2. The proposed amendment complies with the purposes of this Title.

## APPEAL INFORMATION

Actions by the Cultural Heritage Board, 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. HCD Letter to the City of Riverside- March 21 2025
2. Chapter 20.50 – SB 9 Redline

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