

Title 18¹

SUBDIVISIONS

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ARTICLE I. ~~SUBDIVISION CODE~~ ENACTMENT AND APPLICABILITY

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~~18.010.010 Title.~~

18.010.0~~1~~20 Authority.

~~18.010.030 Adoption of Code.~~

~~18.010.010 Title.²~~

~~This Title 18 constitutes, and may be referred to as, the Subdivision Code of the City of Riverside.~~

~~(Ord. 6968 §1, 2007)~~

18.010.0~~1~~20 Authority.³

This Title ~~Subdivision Code~~ is enacted based on the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, Subdivision Map Act, (California Government Code Section 66410 - 66499.58), Planning and Zoning Law (California Government Code Section 65000 et seq.) and the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.).

(Ord. 6968 §1, 2007)

¹ **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.

(FOOTNOTE 310 IN EXHIBIT 2)

² **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. **(FOOTNOTE 311 IN EXHIBIT 2)**

³ **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. **(FOOTNOTE 312 IN EXHIBIT 2)**

~~18.010.030 Adoption of Code.⁴~~

~~This title Subdivision Code, the comprehensive subdivision regulations of the City, is hereby adopted in conformance with current State planning, zoning, subdivision and related development laws.~~

~~(Ord. 6968 §1, 2007)~~

Chapter 18.020 PURPOSE AND SCOPE

18.020.010 Purpose.

18.020.020 Scope.

18.020.010 Purpose.

The purpose of this ~~Title Subdivision Code~~ is to regulate and control the design and improvement of subdivisions in order to achieve the following purposes:

- A. To assist in implementing the Riverside General Plan adopted by the City Council as a long-range, general comprehensive guide to the physical development of the City;
- B. To provide lots of sufficient size and appropriate design for the purposes for which they are to be used;
- C. To provide streets of adequate capacity and design for the traffic that will utilize them and to ensure maximum safety for pedestrians and vehicles;
- D. To provide sidewalks or pedestrian ways where needed for the safety and convenience of pedestrians;
- E. To preserve the natural assets of the City's setting, to prevent the indiscriminate clearing of property and the destruction of trees and shrubs and other desirable landscape features, to ensure adequate access to each building site, and to create new beauty and safeguard the public safety and welfare through skilled subdivision design;
- F. To provide adequate systems of water supply, sanitary sewage disposal, storm drainage, street lighting, and other utilities needed for the public health, safety and convenience;
- G. To provide adequate sites for other public facilities needed to serve the residents of the new developments;
- H. To ensure that the costs of providing land for streets, alleys, pedestrian ways, easements, and other rights-of-way, and for the improvements therein needed to serve new developments, are borne by the subdividers rather than by the taxpayers of the City at large;
- I. To ensure that, insofar as possible, land is subdivided in a manner that will promote the public health, safety, convenience, and general welfare; and
- J. To encourage clustering, the preservation of natural features and limit grading.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.020.020 Scope.

Unless otherwise provided by law, the provisions contained in this ~~Title Subdivision Code~~ shall apply to all real property contained within the corporate limits of the City of Riverside.

⁴ Sec. 18.010.030. Adoption of Code. Unnecessary recitation of adoption is stricken as shown. **(FOOTNOTE 313 IN EXHIBIT 2)**

(Ord. 6968 §1, 2007)

Chapter 18.030 RELATIONSHIP TO OTHER PROVISIONS

18.030.010 Relationship to ~~p~~Prior ~~Title~~Code.

18.030.020 Relationship to ~~zoning regulations~~ the Zoning Code.

18.030.030 Relationship to the General Plan, Specific Plan and Street Alignments.

18.030.040 Relationship to the Subdivision Map Act.

18.030.050 Relationship to the California Environmental Quality Act.

18.030.010 Relationship to ~~p~~Prior ~~Title~~Code.

The provisions of this ~~Title~~ ~~Subdivision~~Code, as it existed prior to the effective date of Ordinance No. 6968, are repealed and superseded as provided in the ordinance enacting this ~~Title~~Code. No provision of this ~~Title~~Code shall validate or legalize any subdivision established or maintained in violation of this ~~Title~~Code as it existed prior to repeal by the ordinance enacting this ~~Title~~Code.

(Ord. 6968 §1, 2007)

18.030.020 Relationship to the ~~z~~Zoning ~~regulations~~Code.

All maps approved pursuant to the provisions of this ~~T~~itle shall conform with the city's zoning ~~regulations~~Code (Title 19 of this Code) with respect to the uses of land, lot sizes and dimensions, and other applicable regulations.

Pursuant to the Land Use Element of the General Plan and Title 19 (19.780.050) the Planning Commission shall determine the base number of dwelling units allowable in a Planned Residential Development (PRD) based on benchmark densities for the underlying zone in which the project is located. Benchmark densities for a PRD by zone are shown in Table 19.780.050.B. The minimum standards for a project to qualify for a PRD with the benchmark density are that it be adequately served by public infrastructure, including good access to public and private services, and that the site is well designed with desirable amenities in accordance with adopted Citywide Design Guidelines and in accordance with ~~this Code~~city codes. (Note: Compliance with ~~this Code~~City Codes allows for granting of variances in certain instances.) In order for a project to qualify as a PRD it must meet these minimum benchmark density requirements. In the case of PRD's in the RC Zone, the following additional criteria apply to qualifying for the benchmark density:

- A. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas or otherwise as part of the project.
- B. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 40, 2019; Ord. 6968 §1, 2007)

18.030.030 Relationship to the General Plan, Specific Plan and Street Alignments.

All maps approved pursuant to the provisions of this ~~T~~itle shall conform with the principles and standards of the General Plan and with any applicable specific plans with respect to population densities and distribution, locations, alignments and sizes of public streets, easements, improvements, areas and

provision of sites for schools, parks, public buildings, streets, trails, linkages or other public facilities in accordance with the recommendations of such plan.

(Ord. 6968 §1, 2007)

18.030.040 Relationship to the Subdivision Map Act.

The provisions of this ~~Title~~ are adopted pursuant to, in compliance with, and in furtherance of the State Subdivision Map Act (California Government Code Section 66410 et seq.) All provisions of the Subdivision Map Act and future amendments thereto not incorporated in this ~~Title~~ shall apply to all subdivisions, subdivision maps and proceedings under this ~~Title~~.

(Ord. 6968 §1, 2007)

18.030.050 Relationship to the California Environmental Quality Act.

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), ~~Public Resources Code, § 21000 et seq.~~, the application shall be reviewed in accordance with the provisions of this ~~Title-Subdivision Code~~, Public Resources Code Section 21000 et seq., Section 15000 et seq. of Title 14 of the California Code of Regulations (the CEQA Guidelines) and the environmental guidelines/regulations adopted by the City of Riverside Resolution 21106, or any subsequent revision thereto.

(Ord. 6968 §1, 2007)

Chapter 18.040 ~~SUBDIVISION CODE~~ APPLICABILITY

18.040.010 Prior rights and violations.

18.040.020 Conflicts with other regulations.

18.040.010 Prior rights and violations.

The enactment of this ~~Title Subdivision Code~~ shall not terminate nor otherwise affect vested subdivision maps, approvals or agreements authorized under the provisions of any prior ordinance or resolution, nor shall violation of any prior ordinance or resolution be excused by the adoption of this ~~Title Code~~.

(Ord. 6968 §1, 2007)

18.040.020 Conflicts with other regulations.

Where any conflict occurs between the provisions of this ~~Title Subdivision Code~~ and the provisions of other titles of ~~this the Riverside Municipal~~ Code or other regulations adopted by the City, the more restrictive provisions shall apply. Nothing contained in this ~~Title Subdivision Code~~ shall be deemed to repeal or amend any regulation of the City requiring a permit or license or both, nor shall anything in ~~this Title the Subdivision Code~~ be deemed to repeal or amend other titles of ~~this~~ Code.

(Ord. 6968 §1, 2007)

ARTICLE II. ~~SUBDIVISION CODE~~ ADMINISTRATION, INTERPRETATION AND ENFORCEMENT

Chapter 18.050 - ~~SUBDIVISION CODE~~ ADMINISTRATION

Chapter 18.060 - INTERPRETATION ~~OF CODE~~

Chapter 18.070 - ENFORCEMENT

Chapter 18.050 ~~SUBDIVISION CODE~~ ADMINISTRATION

18.050.010 Approving authority.

18.050.020 City Engineer.

18.050.030 City Surveyor.

18.050.040 City Traffic Engineer.

18.050.050 Building Official.

18.050.060 Appeal Board.

18.050.070 Subdivision Committee.

18.050.010 Approving authority.

- A. The Planning Commission of the City, as defined in Section 806 of the City's Charter and further defined in Title 2 of this ~~Municipal~~ Code, is designated as the advisory and/or approving agency with respect to subdivisions as set forth in the Subdivision Map Act, Government Code § 66410 et seq., except as otherwise specifically delegated in this ~~T~~itle; and shall have all such powers and duties with respect to subdivision maps and all other related proceedings as are provided by law and this ~~T~~itle.
- B. The Community & Economic Development Director is hereby designated as the advisory and/or approving agency for those proceedings authorized pursuant to Chapters 18.080.040 Tentative Parcel Maps, of this ~~T~~itle.
- C. The City Surveyor is hereby designated as the advisory and/or approving agency for those proceeding authorized pursuant to 18.085 Urban Lot Splits, 18.100 Lot Line Adjustments, Consolidations and Mergers, 18.110 Parcel Map Waivers and 18.120 Certificates of Compliance of this ~~T~~itle.
- D. The City Council shall be the approving authority for all maps in the RC Zone.

(Ord. [7591](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 1, 2022; Ord. [7459](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 41, 2019; Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)**18.050.020 City Engineer.**

The office of City Engineer is hereby established. The Public Works Director or the authorized designee shall be the City Engineer and shall exercise the powers and duties as provided in this ~~Title Code~~ and any other applicable Codes or ordinances of the City.

(Ord. 6968 § 1, 2007)

18.050.030 City Surveyor.

- A. The office of City Surveyor is hereby established. The City Surveyor shall be qualified and appointed pursuant to City personnel procedures and ordinance. The City Surveyor or the acting designee shall exercise the powers and duties as provided in this ~~T~~itle and any other applicable Codes or ordinances of the City.
- B. It shall be the general duty of the City Surveyor or designee to maintain and perpetuate survey monuments within the public rights-of-way of the City, prepare, review and approve property descriptions involving acquisition or disposition of property interests by the City of Riverside, review and approve Subdivision Maps and Records of Surveys, conduct field surveys for the determination

of boundaries, the location of improvements and the placement of fixed works, maintain the City land base mapping and to carry out the additional powers and duties imposed by ordinances of the City.

(Ord. 6968 § 1, 2007)

18.050.040 City Traffic Engineer.

The office of City Traffic Engineer is established under Section 10.08.030 of this ~~Municipal~~ Code.

(Ord. 6968 § 1, 2007)

18.050.050 Building Official.

The office of Building Official is established under Section 16.08.020 of this ~~Municipal~~ Code.

(Ord. 6968 § 1, 2007)

18.050.060 Appeal Board.

The City Council of Riverside, hereinafter referred to as the City Council, is designated the appeal board charged with the duty of hearing and making determinations upon appeals with respect to divisions of real property, the imposition of requirements or conditions thereon, or the kinds, nature and extent of the design or improvements, or both, recommended or decided by the Planning Commission to be required. The Planning Commission shall serve as the appeal board for decisions of the Community & Economic Development Director relative to this ~~T~~title.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 42, 2019; Ord. 6968 § 1, 2007)

18.050.070 Subdivision Committee.

A committee consisting of Community & Economic Development Department Director, the Public Works Director, the Public Utilities General Manager, the Park, Recreation and Community Services Director, the Fire Marshal, or designated representatives of each, and which may include one or more representatives of such other City and County departments, special district, State and other public or private agencies as may, in the judgment of the Community & Economic Development Department Director, be affected by a proposed subdivision, is formed for the purpose of reviewing and advising on subdivisions and maps in accordance with the provisions of this ~~T~~title and of the Subdivision Map Act, Government Code § 66410 et seq.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

Chapter 18.060 INTERPRETATION ~~OF CODE~~

18.060.010 Purpose.

18.060.020 Applicability and authority for interpretations.

18.060.030 Rules and interpretations.

18.060.040 Record of interpretations.

18.060.050 Appeals of interpretations.

18.060.010 Purpose.

The purpose of this ~~C~~chapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of this ~~Title Subdivision Code~~ and to ensure consistent interpretation and application of this ~~Title Code~~.

(Ord. 6968 §1, 2007)

18.060.020 Applicability and authority for interpretations.

If ambiguity arises concerning the meaning or applicability of any provision of this ~~Title Subdivision Code~~, the Community & Economic Development Director shall have the responsibility to review pertinent facts, determine the intent of the provision and to issue an administrative interpretation.

(Ord. [7459](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 43, 2019; Ord. 6968 §1, 2007)

url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank" web="yes">7459 § 43, 2019; Ord. 6968 §1, 2007)

18.060.030 Rules and interpretations.⁵

~~A. Terminology. When used in this Subdivision Code, the following rules apply to all provisions of the Subdivision Code:~~

- ~~1. Language. The words "shall," "must," "will," "is to" and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended and "may" is permissive.~~
- ~~2. Tense. The present tense includes the past and future tense and the future tense includes the present.~~
- ~~3. Number. The singular number includes the plural number and the plural the singular, unless the natural construction of the words indicates otherwise.~~
- ~~4. Conjunction. "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either ...or" indicates that the connected items and provisions shall apply singly but not in combination. "Includes" and "including" shall mean "including but not limited to ...".~~
- ~~5. Local Reference. "City" as used herein means the City of Riverside and all public officials, bodies and agencies referenced herein are those of the City unless otherwise stated.~~

~~AB.~~ **Number of Days.** Whenever the number of days is specified in this ~~T~~title, or in any permit, condition of approval, or notice issued or given as provided in this ~~T~~title, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.

~~BC.~~ **Minimum Requirements.** In interpreting and applying the provisions of this ~~T~~title, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where this ~~T~~title imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this ~~Title Code~~ or other Codes, rules, regulations or by easements, covenants or agreements, the provisions of this ~~T~~title shall control.

~~CD.~~ **Intent.** Whenever there is any question regarding the interpretation of the provisions of this ~~T~~title or their application to any specific case or situation, the Community & Economic Development Director or his/her designee shall interpret the intent of this ~~T~~title. The Community & Economic Development

⁵ Sec. 18.060.030. Rules and interpretations. Text duplicative of Title 1 general provisions should be stricken as shown. **(FOOTNOTE 313 IN EXHIBIT 2)**

Director shall have the authority to forward to the Planning Commission any question regarding interpretation.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 44, 2019; Ord. 6968 §1, 2007)

18.060.040 Record of interpretations.

- A. Once the Community & Economic Development Director has identified the ambiguity and considered relevant information, an official interpretation of this Title shall be established in writing and shall cite the provisions being interpreted, together with an explanation of the meaning or applicability of the provision(s) in the particular or general circumstances that caused the need for interpretation.
- B. Any provision determined by the Community & Economic Development Director to be ambiguous pursuant to this Chapter shall be clarified by amendment as soon as is practical.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 45, 2019)

18.060.050 Appeals of interpretations.

Any aggrieved interested persons may appeal an interpretation of the regulations. Appeals shall be processed pursuant to Chapter 18.170 Appeals.

(Ord. 6968 §1, 2007)

Chapter 18.070 ENFORCEMENT

18.070.010 Enforcement authority.

18.070.020 Compliance.

18.070.030 Penalties.

18.070.040 Permit or approval.

18.070.050 Notice of violation.

18.070.010 Enforcement authority.

It shall be the duty of the City and all officers of the City to enforce this Title-Subdivision Code. Any condition imposed as part of an approved subdivision case shall also be enforceable by the appropriate City officials.

(Ord. 6968 §1, 2007)

18.070.020 Compliance.

No person shall sell, lease or finance any parcel or parcels of real property or commence construction of any building for sale, lease or financing thereon, except for model homes, or allow occupancy thereof, for which a final map or parcel map is required by this Title or the Subdivision Map Act, Government Code § 66410 et seq., until said final map or parcel map in full compliance with this Title and the Subdivision Map Act has been filed for record with the Riverside County Recorder.

(Ord. 6968 §1, 2007)

18.070.030 Penalties.

Each violation of this Title and the Subdivision Map Act, Government Code § 66410 et seq., by a person who is the subdivider or an owner of record, at the time of the violation, of property involved in the violation shall be punishable by imprisonment in the county jail not exceeding one year or in the state prison, by a fine not exceeding \$10,000.00, or by both that fine and imprisonment. Every other violation of this Title and the Subdivision Map Act, Government Code § 66410 et seq. is a misdemeanor. ~~(California Government Code §§ 66499.31).~~

(Ord. 6968 §1, 2007)

18.070.040 Permit or approval.

- A. No permit shall be issued or approval granted necessary to develop any real property which has been divided, or which has resulted from a division in violation of the Subdivision Map Act, Government Code § 66410 et seq. or this Title if it is determined that development of such real property is contrary to public health or the public safety. The authority to deny such a permit or such approval shall apply whether the applicant was the owner of the real property at the time of such violation or whether the applicant is the current owner of the real property with, or without, actual or constructive knowledge of the violation at the time of the acquisition of said applicant's interest in such real property.
- B. If a permit or approval is granted, such additional conditions as would have been applicable to the division of the property at the time the current owner of record acquired the property may be imposed.

(Ord. 6968 §1, 2007)

18.070.050 Notice of violation.

- A. *Notice of intention.* Upon determination that real property has been divided in violation of the provisions of the Subdivision Map Act, Government Code § 66410 et seq. or this Title and an application is not pending for a Certificate of Compliance pursuant to Chapter 18.120 Certificates of Compliance, the Community & Economic Development Director shall cause to be mailed by certified mail to the then current owner of record of the property a notice of intention to record a notice of violation, describing the real property in detail, naming the owners, and stating that an opportunity will be given to the owner to present evidence. The notice shall specify a time, date and place for a meeting of the Planning Commission at which the owner may present evidence to the Planning Commission why the notice should not be recorded. The notice shall also contain a description of the violations and the explanation as to why the subject parcel is not lawful. The date set for the meeting before the Planning Commission shall be no sooner than 30 days and no later than 60 days from the date of mailing of the notice of intention.
- B. *Planning commission meeting; notice of violation.* If at the scheduled hearing, the owner of the real property fails to object to recording the notice of violation, the Planning Commission shall direct the recording of the notice of violation with the County Recorder. If, after the owner has presented evidence, it is determined that there has been no violation, the Community & Economic Development Director shall mail a clearance letter to the then current owner of record. If, however, after the owner has presented evidence, the Planning Commission determines that the property has in fact been illegally divided, the Planning Commission shall direct the recording of the notice of violation with the Riverside County Recorder. The notice of violation, when recorded, shall be deemed to be constructive notice of the violation to all successors in interest in such property.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 46, 2019; Ord. 6968 §1, 2007)

ARTICLE III. MAPS AND PERMITS

Chapter 18.080 - TENTATIVE MAPS

Chapter 18.085 - URBAN LOT SPLITS

Chapter 18.090 - FINAL TRACT AND PARCEL MAPS

Chapter 18.100 - LOT LINE ADJUSTMENTS, CONSOLIDATIONS AND MERGERS/UNMERGERS

Chapter 18.110 - PARCEL MAP WAIVERS

Chapter 18.120 - CERTIFICATES OF COMPLIANCE

Chapter 18.080 TENTATIVE MAPS

18.080.010 Preliminary maps.

18.080.020 Requirements for filing.

18.080.030 Tentative tract maps required.

18.080.040 Tentative parcel maps required.

18.080.050 Tentative vesting maps.

18.080.060 Tentative reversion to acreage maps.

18.080.070 Tentative condominium maps.

18.080.075 Tentative condominium conversion maps.

18.080.080 Tentative environmental subdivision maps.

18.080.090 Tentative maps not required.

18.080.095 Phasing a map.

18.080.100 Approving and appeal authority for tentative maps.

18.080.110 Appeals.

18.080.120 Tentative map revisions.

18.080.130 Changes in essential information.

18.080.140 Withdrawal of tentative map.

18.080.150 Unincorporated territory.

18.080.160 Expiration of a tentative map.

18.080.170 Time extensions.

18.080.010 Preliminary maps.

For every proposed subdivision the subdivider may, at his or her option, file a preliminary map with the Planning Division, and as many additional copies as may be required, for the purpose of obtaining advice on the conformity of the map with the provisions of this [Title](#) and other applicable Codes, and possible improvements in the design of the subdivision.

(Ord. 6968 § 1, 2007)

18.080.020 Requirements for filing.

For information on filing a map see Article 4: Requirements for Filing and Approval in this [Title](#).

(Ord. 6968 § 1, 2007)

18.080.030 Tentative tract maps required.

A tentative tract map, as defined under Article 6 Definitions, shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in Section 783 of the California Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where a parcel map is required pursuant to Section 18.080.040 Tentative Parcel Maps Required of this [Title](#) ~~(California Government Code § 66426)~~.

(Ord. 6968 § 1, 2007)

18.080.040 Tentative parcel maps required.

A. A tentative parcel map, as defined under Article 6 Definitions, shall be required for all subdivisions creating four or fewer parcels or where:

1. The land before division contains less than five acres, each parcel created by the division abuts upon a maintained public street or highway, and no dedications or improvements are required by the approving or appeal authority;
2. Each parcel created by the division has a gross area of 20 acres or more and has an approved access to a maintained public street or highway;
3. The land consists of a parcel or parcels of land having approved access to a public street or highway, which comprises part of a tract of land zoned for industrial or commercial development, and which has the approval of the approving or appeal authority as to street alignments and widths;
4. Each parcel created by the division has a gross area of not less than 40 acres or is not less than a quarter of a quarter section;
5. Or the land being subdivided is solely for the creation of an environmental subdivision pursuant to Section 18.080.080 Environmental Subdivision Maps ~~(California Government Code § 66418.2)~~.

B. A tentative parcel map shall not be required as set forth in Section 18.080.090.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 2, 2022; Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.080.050 Tentative vesting maps.

A tentative vesting map, as defined under Article 6 Definitions, may be used whenever a provision of the Subdivision Map Act, [Government Code § 66410 et seq.](#), as implemented and supplemented by this [Title](#), requires the filing of a tentative tract map or tentative parcel map, in accordance with the following:

- A. If a subdivider does not seek the rights conferred by a tentative vesting map, the filing of a tentative vesting map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction or work preparatory to construction.
- B. The approval or conditional approval of a tentative vesting map shall confer a vested right to proceed with development in substantial compliance with the Codes, policies and standards

described in Government Code Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a tentative vesting map shall confer a vested right to proceed with development in substantial compliance with the Codes, policies and standards in effect at the time the tentative vesting map is approved or conditionally approved.

- C. Notwithstanding Subdivision B any fee required to be paid after the tentative map is approved, such as park development fees, school development fees, drainage mitigation fees or all other applicable fees, shall be paid in the amount required at the time the fee is required to be paid.
- D. Notwithstanding Subdivision B, a permit, approval, extension or entitlement may be made conditional or denied if any of the following are determined:
 - 1. A failure to do so would place residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
 - 2. The condition or denial is required in order to comply with State or Federal law.
- E. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the tentative vesting map as provided in Section 18.180.030, Permit Time Limits. If the final map is approved, these rights shall last for the following periods of time:
 - 1. An initial time period of three years. Where several final maps are recorded on various phases of a project covered by a single tentative vesting map, this initial time period shall begin for each phase when the final map for that phase is recorded.
 - 2. The initial time period set forth in Subsection E.1 shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceed 30 days, from the date a complete application is filed.
 - 3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in Subsection E.1 expires. If the extension is denied, the subdivider may appeal that denial to the City Council within ten days.
 - 4. If the subdivider submits a complete application for a building permit during the periods of time specified in Subsection E.1—3, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.
- F. Whenever a subdivider files a tentative vesting map for a subdivision whose intended development is inconsistent with city zoning regulations in Title 19 of this the Zoning Code in existence at that time, that inconsistency shall be noted on the map. The City may deny such a vesting tentative map or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in Title 19 of this the Zoning Code to eliminate the inconsistency. If the change in Title 19 of this the Zoning Code is obtained, the approved or conditionally approved tentative vesting map shall, notwithstanding Subsection C., confer the vested right to proceed with the development in substantial compliance with the change in Title 19 of this the Zoning Code and the map, as approved. The rights conferred by this Section shall be for the time periods set forth in Subsection E.
- G. Notwithstanding any provision of this Section 18.080.050, Tentative Vesting Maps, a property owner or his or her designee may seek approvals or permits for development which depart from the Codes, policies and standards described in Subsections B and F, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law.

18.080.060 Tentative reversion to acreage maps.

A tentative reversion to acreage map, as defined under Article 6 Definitions, is used when any previously subdivided real property is reverted to acreage. A tentative map shall be prepared and processed in accordance with the applicable provisions of Chapter 18.080, Tentative Maps.

A. *Findings.* Subdivided real property may be reverted to acreage only if the approving and appeal authority finds that:

1. Dedications or offers of dedications to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes, and
2. Either all owners of an interest in the real property within the subdivision have consented to reversion or none of the improvements required to be made have been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later, or no lots shown on the final or parcel map have been sold within five years from the date such map was filed for record.

B. *Conditions.* As a condition of approval, the City may require the complete removal of any improvements located in any right-of-way to be eliminated by the reversion to acreage map, and may require dedication of land for public streets, highways or other easements and the installation of improvements, in accordance with the provisions of Chapter 18.220, Improvements.

(Ord. 6968 §1, 2007)

18.080.070 Tentative condominium maps.

A tentative condominium map, as defined under Article 6 Definitions, is used for the mapping of a condominium project, a community apartment project or for the conversion of five or more existing dwelling units to a stock cooperative project. ~~(California Government Code §§ 66427)~~

(Ord. 6968 §1, 2007)

18.080.075 Tentative condominium conversion maps.⁶

A tentative condominium map, as defined under Article 6 Definitions, is used for the conversion of existing residential real property to condominiums, community apartments or stock cooperative projects or any other form of ownership except conversion projects for which a final or tentative parcel map has been approved or where the conversion involves a limited equity housing cooperative as defined in Civil Code § 817-Section 33007.5 of the Health and Safety Code. All provisions, conditions and further definitions of condominium development as approved included in the California Civil Code shall apply to the divisions of real property as permitted herein.

A. *Findings.* The approving or appeal authority shall not approve a final map for a subdivision to be created from the conversion of residential real property into a condominium project, a community apartment project or a stock cooperative project unless it finds all of the following:

1. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has received, or will have received, pursuant to Section 66452.18 of the Government Code, written notification of intention to convert at least 60 days prior to the filing of a tentative map pursuant to Section 66452 of the Government Code. There shall be a further finding that each such tenant, and each person applying for the rental of a unit in such residential real property, has, or will have, received all applicable notices and rights

⁶ Sec. 18.080.075. Tentative condominium conversion maps. Health and Safety Code § 33007.5 was repealed in 2009. See suggested correction. **(FOOTNOTE 315 IN EXHIBIT 2)**

now or hereafter required by the Subdivision Map Act, Government Code §§ 66410 - 66499.58. In addition, a finding shall be made that each tenant has received ten days written notification that an application for a public report will be, or has been, submitted to the Bureau of Real Estate, that the period of each tenants right to purchase begins with the issuance of the final public report and that such report will be available on request. The written notices to tenants required by this Subdivision shall be deemed satisfied if such notices comply with the legal requirements for service by mail.

2. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given written notification within ten days of approval of a final map for the proposed conversion.
3. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given 180 days written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this Subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the Civil Code.
4. Each of the tenants of the proposed condominium, community apartment project or stock cooperative project has been, or will be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report pursuant to Section 11018.2 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right.
5. This Section shall not diminish, limit or expand, other than as provided herein, the authority of City to approve or disapprove condominium projects.

B. *Development review required.* In addition to the limitations and restrictions contained within this Title, the Subdivision Map Act, Government Code § 66410 et seq., and the applicable building and fire regulations, no residential apartment unit shall be converted for sale, transfer or conveyance as a community apartment project, condominium or stock cooperative project without concurrently obtaining approval of a Condominium Conversion Permit pursuant to 19.790 of Title 19.

C. *Exceptions.* A tentative condominium map shall not be required for:

1. Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

A conversion of a community apartment project that meets all of the requirements of Government Code Section 66412(g).

A stock cooperative, as defined in ~~Section 1351 of the~~ Civil Code § 4190, to a condominium, as defined in Section 783 of the Civil Code, but only if it meets all of the requirements of Government Code Section 66412(h).⁷

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

⁷ **Sec. 18.080.075. Tentative condominium conversion maps—Contd.** Civil Code § 1351 was repealed effective 2014. See suggested correction. **(FOOTNOTE 316 IN EXHIBIT 2)**

18.080.080 Tentative environmental subdivision maps.

A tentative environmental subdivision, as defined under Article 6 Definitions, may be used for the subdivision of land for biotic and wildlife purposes.

A. *Findings.* Prior to approving or conditionally approving an environmental subdivision, the local agency shall find each of the following:

1. That factual biotic or wildlife data, or both, are available to the local agency to support the approval of the subdivision, prior to approving or conditionally approving the environmental subdivision.
2. That provisions have been made for the perpetual maintenance of the property as a biotic or wildlife habitat, or both, in accordance with the conditions specified by any local, state, or federal agency requiring mitigation.
3. That an easement will be recorded in the county in which the land is located to ensure compliance with the conditions specified by any local, state, or federal agency requiring the mitigation. The easement shall contain a covenant with a county, city, or nonprofit organization running with the land in perpetuity, that the landowner shall not construct or permit the construction of improvements except those for which the right is expressly reserved in the instrument. Where the biotic or wildlife habitat, or both, are compatible, the local agency shall consider requiring the easement to contain a requirement for the joint management and maintenance of the resulting parcels. This reservation shall not be inconsistent with the purposes of this ~~S~~section and shall not be incompatible with maintaining and preserving the biotic or wildlife character, or both, of the land.
4. The real property is at least 20 acres in size, or if it is less than 20 acres in size, the following conditions are met:
 - a. The land is contiguous to other land that would also qualify as an environmental subdivision.
 - b. The other land is subject to a recorded perpetual easement that restricts its use to a biotic or wildlife habitat, or both.
 - c. The total combined acreage of the lands would be 20 acres or more.
 - d. Where the biotic or wildlife habitat, or both, are compatible, the land and the other land will be jointly managed and maintained.

(Ord. 6968 §1, 2007)

18.080.090 Tentative maps not required.⁸

This article shall not be applicable to:

- A. The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobile home parks or trailer parks.
- B. Mineral, oil, or gas leases.
- C. Land dedicated for cemetery purposes under the Health and Safety Code.

⁸ **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. **(FOOTNOTE 317 IN EXHIBIT 2)**

- D. The leasing or licensing of a portion of a parcel, or the granting of an easement, use permit, or similar right on a portion of a parcel, to a telephone corporation as defined in Section 234 of the Public Utilities Code, exclusively for the placement and operation of cellular radio transmission facilities, including, but not limited to, antennae support structures, microwave dishes, structures to house cellular communications transmission equipment, power sources and other equipment incidental to the transmission of cellular communications, if the project is subject to discretionary action by the advisory agency or legislative body.
- E. Leases of agricultural land for agricultural purposes. As used in this ~~S~~subdivision, "agricultural purposes" means the cultivation of food or fiber or the grazing or pasturing of livestock.
- F. The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel, unless the project is not subject to review under other local agency ordinances regulating design and improvement.
- G. The financing or leasing of existing separate commercial or industrial buildings on a single parcel.
- H. The construction, financing or leasing of dwelling units pursuant to Government Code Section 65852.1 or accessory dwelling units ~~second units~~ pursuant to Government Code § 66314 et seq. ~~Section 65852.2~~, but this ~~S~~section shall be applicable to the sale or transfer, but not leasing, of those units.
- I. Subdivisions of four parcels or less for construction of removable commercial buildings having a floor area of less than 100 square feet. ~~(California Government Code §§ 66412, 66412.1, 66412.2 and 66412.5.)~~
- J. Subdivisions of a portion of the operating right-of-way of a railroad corporation, as defined by Section 230 of the Public Utilities Code, that are created by short-term leases (terminable by either party on not more than 30 days' notice in writing); or
- K. Land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map. For purposes of this ~~S~~subdivision, land conveyed to or from a governmental agency shall include a fee interest, a leasehold interest, an easement or a license. ~~(California Government Code §§ 66428 (a)(2)).~~
- L. Subdivisions for urban lot splits made pursuant to California Government Code § 66411.7.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 3, 2022; Ord. 6968 § 1, 2007)

18.080.095 Phasing a map.

If a map is proposed to be constructed in phases, the proposed phasing schedule is subject to approval by the Community & Economic Development Director. Upon approval, the phasing map shall be distributed to the Public Works and Public Utilities departments.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 47, 2019; Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.080.100 Approving and appeal authority for tentative maps.

The approving and appeal authority for tentative maps shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

(Ord. 6968 § 1, 2007)

18.080.110 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the approving authority with respect to the approval or disapproval of a lot line adjustment, consolidation or merger or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with Chapter 18.170 Appeals.

(Ord. 6968 § 1, 2007)

18.080.120 Tentative map revisions.

Any revision of a tentative map or portion thereof shall comply with all requirements of this Title, other applicable Codes, specific plans, and planned street lines in effect at the time such revised map is considered by the approving or appeal authority.

(Ord. 6968 § 1, 2007)

18.080.130 Changes in essential information.

When any change is made in the information, statements and drawings filed pursuant to Chapter 18.150 General Application Processing Procedures, such change shall be submitted to the approving authority in writing and shall be approved prior to the filing of the final map.

(Ord. 6968 § 1, 2007)

18.080.140 Withdrawal of tentative map.

See 18.150.150 Withdrawal of Application.

(Ord. 6968 § 1, 2007)

18.080.150 Unincorporated territory.

- A. A tentative map may be filed for property located outside the boundaries of the city and within the city's adopted Sphere of Influence. The map may, in the discretion of the approving Authority, may be acted upon in the manner prescribed by this Chapter, except that if it is approved, such approval shall be conditioned upon annexation of the property to the City within such period of time as shall be specified by the approving or appeal authority.
- B. No final map shall be approved until annexation of the property to the City has been completed. If annexation is not completed within the time specified or any extension thereof granted by the approving or appeal authority, the approval of such map shall be null and void.

(Ord. 6968 § 1, 2007)

18.080.160 Expiration of a tentative map.

A tentative map for which a final map or parcel map has not been recorded as a final map shall expire within 36 months of the date of approval or conditional approval of a tentative map, except for moratoriums, timely requested stays for litigation, and Government Code enacted extensions, any time extension granted by the Approving Authority and shall terminate all proceedings ~~(California Government Code Section 66452.6 (a))~~. Before a map may thereafter be recorded, a new tentative map shall be processed in accordance with the provisions of this Cchapter.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.080.170 Time extensions.

Extensions of time may be granted in accordance with Section 18.180.030 Permit Time Limits of this Title.

(Ord. 6968 § 1, 2007)

Chapter 18.085 URBAN LOT SPLITS

18.085.010 Applicability.

18.085.020 Approving authority.

18.085.030 Requirements.

18.085.040 Subdivision standards.

18.085.050 Procedure.

18.085.060 Noticing.

18.085.070 Additional requirements.

~~18.085.080 Severability.~~

18.085.010 Applicability.

The provisions of this Cchapter are applicable to all parcels created pursuant to California Government Code Section 66411.7, otherwise known as Senate Bill 9.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.020 Approving authority.

The approving and appeal authority for urban lot splits shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.030 Requirements.

A parcel map for an urban lot split made pursuant to California Government Code § 66411.7 shall conform with the following requirements, pursuant to Government Code Section 65913.4(a)(6) and Section 66411.7(a):

A. *Location.* The parcel being subdivided shall:

1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
2. Not be located within a Very High Fire Hazard Severity Zone, with the exception of sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development;
3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation, as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
4. Not be located within a designated hazardous waste site;
5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
7. Not be located on a site that is designated or listed as a city or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.

B. *Prior lot split.* The parcel proposed for an urban lot split shall not have been formed through a previous parcel map for an urban lot split.

C. *Eligibility.* A parcel that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income shall not be eligible for an urban lot split. Further, a parcel is not eligible for an urban lot split if the subdivision would require demolition or alteration of:

1. Housing that is subject to any form of rent or price control;
2. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years; or
3. Housing that has been occupied by a tenant in the last three years.

D. *Number of parcels.* No more than two parcels may be established through a parcel map for an urban lot split pursuant to this Chapter.

E. *Adjacent parcels.* Neither the owner of the parcel being subdivided nor any person acting in concert with the owner may have previously subdivided an adjacent parcel through an urban lot split.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.040 Subdivision standards.

A. *Lot size.* The new parcels shall be of approximately equal parcel area. In no instance shall a parcel be smaller than 40 percent of the lot area of the original parcel proposed for subdivision, or smaller than 1,200 square feet, whichever is greater.

- B. *Access to streets.* Every parcel shall have access to, provide access to, or adjoin the public right-of-way.
 - a. A minimum ten-foot-wide direct access corridor or easement shall be required when parcels do not adjoin the public right-of-way.
 - b. Additional access requirements, including but not limited to a wider access corridor or easement, may be required where necessary to provide adequate access for fire safety equipment pursuant to Chapter 16.32 – Fire Prevention.
- C. *Corridor access lots.* Corridor access lots may be approved ministerially. The corridor width shall be a minimum of ten feet.
- D. *Dedications and easements.* Easements may be required to convey public utilities, access, and other services. Right-of-way dedication and offsite improvements shall not be required, except in connection with a building permit.
- E. *Utilities.* Parcels created through an urban lot split shall have separate sewer, water and electrical utility services.
- F. The application of any subdivision standard that would physically prevent the development of two units of at least 800 square feet on either of the resulting parcels shall be waived. No Modification or other discretionary action shall be required.
- G. All other development standards contained within Titles 17, 18, and 19 shall apply.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.050 Procedure.

- A. *Pre-clearance.* The applicant for an urban lot split shall first submit for pre-clearance approval from the Planning Division. The Planning Division shall determine whether the request meets the eligibility requirements for an urban lot split.
- B. *Final parcel map.* Upon pre-clearance of an urban lot split application, the applicant shall file a final parcel map pursuant to Chapter 18.090.
- C. An urban lot split application shall follow the processing procedures for a final parcel map as set forth in Chapter 18.150 (General Application Processing Procedures).
- D. *Effective date and time limits.*
 - 1. *Expiration of pre-clearance.* Pre-clearance approval of an urban lot split for which a final parcel map has not been recorded as a final map shall expire within 36 months of the date of approval.
 - 2. Applicants shall be required to re-submit for pre-clearance approval from the Planning Division if a final map has not been recorded within 36 months of the initial pre-clearance approval.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.060 Additional requirements.

- A. *Two units.* A maximum of two units may be permitted on a parcel created through an urban lot split. "Unit" means any dwelling unit, inclusive of Accessory Dwelling Units (ADUs) and Junior Accessory

Dwelling Units (JADUs) pursuant to the requirements of Chapter 19.442 and Two-Unit Developments pursuant to the requirements of Chapter 19.443 of ~~this the Zoning~~ Code.

- B. *Further subdivision.* Further subdivision of a parcel established through an urban lot split shall be prohibited. A restrictive covenant shall be recorded on each lot created through an urban lot split prohibiting further subdivision in perpetuity.
- C. *Owner occupancy.* The applicant for an urban lot split shall sign an affidavit stating that they intend to occupy one of the dwelling units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
 - 1. This requirement shall not apply to an applicant that is a "community land trust," as defined in clause (ii) of ~~S~~ubparagraph (C) of ~~P~~aragraph (11) of ~~S~~ubdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a "qualified nonprofit corporation" as described in Section 214.15 of the Revenue and Taxation Code.
- D. *Short-term rentals prohibited.* Units created pursuant to this ~~C~~hapter shall be rented or leased for a term longer than 30 days. A covenant shall be recorded against title to any property developed pursuant to this ~~C~~hapter restricting rental or lease of any unit on the property for a term longer than 30 days.
- E. The correction of nonconforming zoning conditions shall not be required as a condition for ministerial approval of an urban lot split.
- F. *Setbacks.* Setbacks for a unit or units on a parcel created through an urban lot split shall be as set forth in Chapter 19.443 of ~~this the Zoning~~ Code.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

18.085.080 Severability.⁹

~~If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.~~

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 4(Exh. A), 2022)

Chapter 18.090 FINAL TRACT AND PARCEL MAPS

18.090.010 Final tract and parcel maps.

18.090.020 Final map timing.

18.090.030 Certificates.

18.090.040 Survey and monuments.

18.090.050 Preliminary soils report.

⁹ **Sec. 18.085.080. Severability.** Section duplicative of Title 1 general provisions should be stricken as shown.
(FOOTNOTE 319 IN EXHIBIT 2)

18.090.060 Procedure.

18.090.010 Final tract and parcel maps.

The subdivider may cause a final tract or parcel map to be prepared substantially in accordance with the tentative map as approved and in accordance with the provisions of this Cchapter.

(Ord. 6968 §1, 2007)

18.090.020 Final map timing.

Within 36 months of the date of approval or conditional approval of a tentative map, except for any time extension granted by the approving authority, the subdivider may cause the property or any part thereof to be surveyed and a final map to be prepared in accordance with the tentative map as approved and in accordance with the provisions of this Cchapter and the Subdivision Map Act, Government Code § 66410 et seq. A final map shall be filed with the County Recorder only after a determination by the Public Works Department that the conditions of the tentative map have been met. Such determination by the Public Works Department may be appealed to the City Council in accordance with the provisions of Chapter 18.170 Appeals.

(Ord. 6968 §1, 2007)

18.090.030 Certificates.

For the appropriate certificates that are to appear on the final map see the City of Riverside's Final Map Preparation Guide.

(Ord. 6968 §1, 2007)

18.090.040 Survey and monuments.

For information on survey and monuments see the City of Riverside's Final Map Preparation Guide.

(Ord. 6968 §1, 2007)

18.090.050 Preliminary soils report.

- A. *Filing report.* Prior to the approval of any final map or parcel map, a preliminary soils report or waiver thereof shall be filed with and approved by the City Engineer.
- B. *Contents of report.* The preliminary soils report shall be prepared by a civil engineer registered by the State, and shall indicate the presence, if any, of critically-expansive soils or of any other soil problems which, if not corrected, would lead to structural defects. If expansive or defective soils are indicated, the report shall recommend corrective measures to prevent structural damage to any building or structure proposed to be constructed on any expansive or defective soil.
- C. *Investigations.* The preliminary soils report shall be based on investigations consisting of test borings or excavations. The number of investigations shall be adequate to determine fully the extent and degree of soil problems which exist on the site. If expansive or defective soils are present, investigations shall be required at the probable building location on each lot or parcel designated on the map.
- D. *Approval.* The City Engineer shall approve the report if no critically-expansive soil or other soil problems are indicated, or if the recommended corrective measures will prevent structural damage to a building or structure to be constructed on any expansive or defective soil. The City Engineer may review the

preliminary soils report and may require additional information or reject the report if it is found to be incomplete, inaccurate or unsatisfactory.

- E. *Building permit.* No building permit shall be issued for the construction of any building or structure on a lot or parcel of land which has been found to contain defective soils unless the approved corrective measure is incorporated in the construction plans.

(Ord. 6968 §1, 2007)

18.090.060 Procedure.

A. Filing.

1. *Final tract, parcel, vesting, condominium and environmental subdivision maps.* Where a final tract, parcel, vesting, condominium or environmental subdivision maps is required, the subdivider shall, prior to submitting the map for final review, complete all offers of dedication, secure the required approvals with respect to public and private easements and complete plans and specifications for public improvements including drainage facilities and sewer facilities and all applicable provisions of Chapter 18.220 Improvements. All certificates shall be executed except those to be executed by the City Engineer, City Surveyor, City Clerk and County Recorder. The County Tax Collector/Clerk Certificates may be completed or left blank at the discretion of the subdivider, although failure to have the certificates completed will further delay recordation of the map.

The subdivider shall submit to the Public Works Department for approval, the original mylar and as many prints as may be required, along with any required statements, digital data, and documents.

The Public Works Department, after insuring that all conditions and approvals have been met or secured, shall process the map for adoption by the City Council and recordation with the County Recorder.

For final parcel maps where adoption by the City Council is not required the City Surveyor shall have the map transmitted to the County Recorder for recordation.

2. *Final reversion to acreage map.* The owner or his representative shall cause all of the required certificates to be executed, except the certificates of the City Clerk, the City Engineer and the County Recorder, and shall file with the Public Works Department the original tracing and as many prints of the final reversion to acreage map as may be required. Following approval of the final reversion to acreage map and execution of the City Clerk's certificate, the City Clerk shall cause the final reversion to acreage map to be filed with the County Recorder. Filing with the County Recorder of the map shall constitute legal reversion to acreage of the land affected, and shall constitute abandonment of any street, alley, pedestrian way, easement or other right-of-way not shown on the map. Following execution of the County Recorder's certificate, the owner or the representative shall file a durable duplicate transparency of the recorded map with the Public Works Department.

- B. *City Engineer and City Surveyor action.* The City Engineer and City Surveyor shall, within 20 working days ~~(California Government Code Section 66442)~~ of receipt of the final map and accompanying documents, fees and materials, cause the same to be examined, and if found to be in substantial conformity with the approved tentative map and all amendments, conditions, modifications and provisions made or required by the approving and appeal authority, and if found to be complete, technically correct, in conformity with the improvement plans and specifications, and in compliance with the requirements of this Title, other applicable Codes, Specific Plans, General Plan and planned street lines, shall execute their respective certificate on the map and shall file the final map and accompanying materials with the City Clerk. Should the final map or other accompanying documents, fees or materials be found not to be complete or correct in any respect, the subdivider shall be advised

of the changes or additions that must be made. The City Engineer and City Surveyor shall then, within ten working days of receipt of the corrected final map or accompanying materials, documents or fees, cause the same to be reexamined, and if found to be correct and in compliance with this Title and all other applicable Codes, Specific Plans, General Plan and planned street lines shall execute the City Engineer's certificate on the map, and shall file the final map and accompanying materials with the City Clerk. The date of filing, as set forth in California Government Code Section 66458, shall be the date the final map is filed with the City Clerk.

C. Final approval action.

City Council. At its next regular meeting, (California Government Code Section 66458) after filing the final map and accompanying materials with the City Clerk, the City Council shall consider the final map, and if it is found to comply with all requirements shall approve the final map and instruct the City Clerk to execute the approval certificate. At the time of approval of the final map, the City Council also shall accept, subject to improvement or reject any and all offers of dedication. The time limit for approval of the final map may be extended by mutual consent of the subdivider and the City Council. If the City Council does not approve or disapprove the final map within the prescribed time, or any authorized extension and the final map conforms to all said requirements and rulings, it shall be deemed approved, and the City Clerk shall certify its approval.

City Engineer. City Council approval is not required for final parcel maps without offers of dedication which are approved by the City Engineer. The time limit for approval for these maps may be extended by mutual consent of the subdivider and the City Engineer. If the City Engineer does not approve or disapprove the final parcel map without offers of dedication within the prescribed time, or any authorized extension and the final parcel map conforms to all said requirements and rulings, it shall be deemed approved.

D. Final parcel map filing.

City Clerk. Following approval of the final map and execution of the City Clerk's certificate, the City Clerk shall transmit the final map to the Clerk of the County Board of Supervisors for ultimate transmittal to the County Recorder. The subdivider shall file with the Public Works Department a durable duplicate transparency of the recorded final map.

Public Works Department. Following approval of a final parcel map without offers of dedication the Public Works Department shall cause the map to be transmitted to the County Recorder for recordation. The subdivider shall file with the Public Works Department a durable duplicate transparency of the recorded final map.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

Chapter 18.100 LOT LINE ADJUSTMENTS, CONSOLIDATIONS AND MERGERS/UNMERGERS

18.100.010 Applicability.

18.100.020 Approving and appeal authority.

18.100.030 Lot line adjustment, lot consolidations and lot merger/unmerger.

18.100.040 Finalization of lot line adjustment, consolidation or merger/unmerger.

18.100.050 Appeals.

18.100.060 Expiration of lot line adjustment, consolidation and merger/unmerger.

18.100.070 Time extensions.

18.100.010 Applicability.

The provisions of this ~~C~~chapter shall also be applicable to the adjustment of lot lines between existing parcels, the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished and the merger and unmerger of parcels.

(Ord. 6968 §1, 2007)

18.100.020 Approving and appeal authority.

The approving and appeal authority for lot line adjustments, consolidations and mergers/unmergers shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

(Ord. 6968 §1, 2007)

18.100.030 Lot line adjustment, lot consolidations and lot merger/unmerger.

- A. A lot line adjustment is the adjustment of lot lines between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not created, if the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, specific plan ~~(SB 983, 2006)~~ and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot line adjustment. The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code ~~(California Government Code § 66412 (d))~~.
- B. Lot consolidation are the consolidation of any number of existing contiguous parcels into one parcel provided that no new street is created and no existing street or public service easement is extinguished. No tentative map, parcel map or final map shall be required as a condition to the approval of a lot consolidation. The lot consolidation shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code ~~(California Government Code § 66412 (d))~~.
- C. A lot merger is the merger of two or more contiguous parcels under one ownership into one or more parcels so as to comply with parcel size and zoning standards. All procedures and processes associated with the merging of lots shall be done in compliance with the applicable sections of the Subdivision Map Act, Government Code § 66410 et seq. of the State of California.
- D. A lot ~~deun~~merger is the ability to ~~deun~~merge lots previously merged. All procedures and processes associated with the ~~deun~~merging of lots shall be done in compliance with the applicable sections of the Subdivision Map Act, Government Code § 66410 et seq. of the State of California.

(Ord. 6968 §1, 2007)

18.100.040 Finalization of lot line adjustment, consolidation or merger/unmerger.

- A. *Issuance of Certificate of Compliance.* The approval of the lot line adjustment, consolidation or merger/unmerger by the approving or appeal authority shall be evidenced by the issuance of a Certificate of Compliance for Lot Line Adjustment or a Certificate of Compliance of Lot Consolidation or a Certificate of Compliance to Lot Merger/~~U~~nmerger as may be applicable, and recordation of grant deeds reflecting the newly configured parcels. The property description or descriptions on the Certificate shall describe the reconfigured parcel or parcels which will be recognized by the City as legal lots.
- B. *Recordation of deeds and other documents.* Concurrently with the recordation of the Certificate of Compliance for Lot Line Adjustment, Lot Consolidation or Lot Merger/~~U~~nmerger all deeds exchanging property between the affected parcels or consolidating the affected parcels accompanied by reconveyances or partial reconveyances or other releases of deeds of trust or similar encumbrances on the subject property or amended deeds of trust or similar encumbrances describing the reconfigured parcels shall be submitted to the City's Surveyor for review and approval. The applicant shall be notified of any corrections requested by the City, and any corrected or new documents shall be promptly submitted to the City Surveyor.
- C. *Recordation of Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance for Lot Consolidation or Certificate of Compliance for Lot Merger/~~U~~nmerger.* All deeds and other documents approved by the City Surveyor shall be signed by the appropriate parties and notarized in accordance with applicable law. The recordation as hereinabove provided of the Certificate of Compliance for Lot Line Adjustment, a Certificate of Compliance for Lot Consolidation or a Certificate of Compliance for a Lot Merger/~~U~~nmerger, as may be applicable, shall immediately follow the recordation of the required deeds exchanging property between the affected parcels or consolidating the affected parcels and any necessary reconveyances or partial reconveyances or other documents to ensure that any deed of trust or similar encumbrance now describes the reconfigured parcel or parcels.
- D. *Payment of recording fees.* The fees for the recording of all documents as established by the Office of the County Recorder of Riverside County shall be remitted by applicant to County Recorder at the time of recordation of such documents including the Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance for Lot Consolidation or Certificate of Lot Merger/~~U~~nmerger.
- E. *Failure to submit required deeds and documents within one year or within the time permitted by an approved time extension.* In the event the Certificate of Compliance or any deed, reconveyance or other document required for the finalization of the approved lot line adjustment, lot consolidation or lot merger/unmerger is not submitted to the County Recorder for recordation within one year following the effective date of the approval of such by the approving or appeal authority, or within the time permitted by an approved time extension (Section 18.180.050 Map Approval and Permit Extension), the Certificate of Compliance for Lot Line Adjustment, Certificate of Compliance for Lot Consolidation or Certificate of Compliance for a Lot Merger/~~U~~nmerger, as may be applicable, shall be void and of no further force and effect and shall not be recorded. If the applicant still wishes to proceed with the lot line adjustment, consolidation or merger/unmerger, a new application must be submitted in accordance with the provisions of Chapter 18.100 Lot Line Adjustments, Consolidations and Mergers/~~U~~nmergers.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.100.050 Appeals.

If the applicant, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the approving or appeal authority with respect to the approval or

disapproval of a lot line adjustment, consolidation or merger/unmerger or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with Chapter 18.170 Appeals.

(Ord. 6968 §1, 2007)

18.100.060 Expiration of lot line adjustment, consolidation and merger/unmerger.

A lot line adjustment, consolidation or merger/unmerger which has not been recorded shall expire within one year of the date of approval or conditional approval of a lot line adjustment, consolidation or merger/unmerger, except for any time extension granted by the approving or appeal authority and shall terminate all proceedings. Before a lot line adjustment, consolidation or merger/unmerger may thereafter be recorded, a new lot line adjustment, consolidation or merger/unmerger shall be processed in accordance with the provisions of this Cchapter.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.100.070 Time extensions.

Extensions of time may be granted in accordance with Section 18.180.050 Map Approval and Permit Extension of this Title.

(Ord. 6968 §1, 2007)

Chapter 18.110 PARCEL MAP WAIVERS

18.110.010 Applicability.

18.110.020 Approving and appeal authority.

18.110.030 Finalization of parcel map waiver.

18.110.040 Appeals.

18.110.050 Expiration of parcel map waiver.

18.110.060 Time extension.

18.110.010 Applicability.

Except where required by the Subdivision Map Act, Government Code § 66410 et seq., a final parcel map may be waived subject to the approval of the City Surveyor.

The subdivider, upon obtaining approval of a tentative parcel map may request the waiving of a final parcel map. The request shall be in writing in a form acceptable to the City of Riverside. The request shall be forwarded to the City Surveyor for review.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.110.020 Approving and appeal authority.

The approving and appeal authority for parcel map waivers shall be as defined in Section 18.050.010 Approving and Appeal Authority and as further designated in Section 18.140.040 Approving and Appeal Authority Table.

(Ord. 6968 §1, 2007)

18.110.030 Finalization of parcel map waiver.

- A. A parcel map waiver shall not become operative unless and until a Certificate of Compliance for parcel map waiver signed by the City Surveyor is recorded in the Office of the County Recorder prior to the expiration of the approval.
- B. The City Surveyor shall, upon receipt of the required documents, review them for completeness and compliance with the approved tentative. If the City Surveyor determines that any documents need to be revised, the City Surveyor shall notify the person submitting such document. Any necessary changes, modifications or corrections shall be promptly made and resubmitted to the City Surveyor.
- C. Upon receipt of all necessary documents as reviewed and approved by the City's Surveyor, the City Surveyor shall prepare the appropriate Certificate of Compliance and submit it to the applicant's title officer for completion of the required statements and certificates.
 - 1. The title officer will return the certificate of compliance to the City Surveyor who shall verify completeness of the certificates and transmit the document to the City Surveyor who shall sign the Certificate of Compliance for parcel map waiver.

The Certificate of Compliance for parcel map waiver shall be returned to the City Surveyor who shall transmit the documents to the applicant's title officer for recordation in the Office of the County Recorder for Riverside County, California together with any other required documents.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.110.040 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the approving authority with respect to the approval or disapproval of a parcel map waiver or the conditions of approval imposed, is aggrieved by the action they can appeal the action in accordance with Chapter 18.170 Appeals.

(Ord. 6968 §1, 2007)

18.110.050 Expiration of parcel map waiver.

A parcel map waiver which has not been recorded shall expire within one year of the date of approval or conditional approval of a parcel map waiver, except for any time extension granted by the approving authority, and shall terminate all proceedings. Before a parcel map waiver may thereafter be recorded, a new parcel map waiver shall be processed in accordance with the provisions of this ~~C~~chapter.

(Ord. 6968 §1, 2007)

18.110.060 Time extension.

Extensions of time may be granted in accordance with Section 18.180.030 Permit Time Limits of this ~~T~~itle.

(Ord. 6968 §1, 2007)

Chapter 18.120 CERTIFICATES OF COMPLIANCE

18.120.010 Applicability.

18.120.020 Determination of compliance by the City Surveyor.

18.120.030 Certificate of Compliance.

18.120.040 Conditional Certificate of Compliance.

18.120.050 Required information on certificates.

18.120.060 Right of development.

18.120.070 Appeals.

18.120.010 Applicability.

Any interested person may request, and the City shall determine, whether a real property complies with the provisions of the Subdivision Map Act, Government Code § 66410 et seq., and this Title. If the City determines that the real property complies, the City shall cause a certificate of compliance to be filed for record with the Recorder of the County of Riverside. The certificate of compliance shall identify the real property and shall state that the division of the real property complies with applicable provisions of the Subdivision Map Act, Government Code § 66410 et seq., and this Title. Certificates issued by the City through the Approving or Appeal Authority shall include the following:

- A. *Certificate of Compliance.* A Certificate of Compliance is issued when the real property is in compliance with the Subdivision Map Act, Government Code § 66410 et seq., and this Title.
- B. *Conditional Certificate of Compliance.* A Conditional Certificate of Compliance is issued when it is determined that the subject property was divided in violation of the Subdivision Map Act Government Code § 66410 et seq., or this Title, and conditions are imposed.
- C. *Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/~~U~~nmerger.* A Certificate of Compliance for Lot Line Adjustment, Consolidation or Merger/~~U~~nmerger is issued when a lot line adjustment is approved pursuant to the provisions of Chapter 18.100 Lot Line Adjustments, Consolidations and Mergers/~~U~~nmergers.
- D. *Certificate of Compliance for Parcel Map Waiver.* A Certificate of Compliance for Parcel Map Waiver is issued when the filing of a parcel map is waived pursuant to the provisions of Chapter 18.110 Parcel Map Waivers.

(Ord. 6968 §1, 2007)

18.120.020 Determination of compliance by the City Surveyor.

At the request of an interested party, the City Surveyor will determine whether or not that the real property is in compliance with the provisions of the Subdivision Map Act Government Code § 66410 et seq., and this Title which were applicable at the time the property was divided. The applicant shall be notified in writing of such determination.

(Ord. 6968 §1, 2007)

18.120.030 Certificate of Compliance.

- A. *Application for Certificate of Compliance.* If the City Surveyor determines that the real property is in compliance with the provisions of the Subdivision Map Act, Government Code § 66410 et seq., and this Title which were applicable at the time the property was divided, the applicant may file an application for a Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. If the application for a Certificate of Compliance is filed within one year or less following the Determination of Compliance by the City Surveyor, the application need only be accompanied by any current vesting deed(s) not submitted with the Application for Determination. If the application for a Certificate of Compliance is filed over one year following the Determination of Compliance, the application for a Certificate of Compliance shall be accompanied by the current

vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents, including the vesting deed(s) and map have been received together with the processing fee.

- B. *Preparation of Certificate of Compliance.* The application and any accompanying materials shall be forwarded by the Planning Division to the City Surveyor for preparation of the Certificate of Compliance within five working days of receipt of a completed application. The City Surveyor shall within five working days of referral prepare the Certificate of Compliance, unless the City Surveyor finds and determines that changed circumstances prevent the issuance of the Certificate of Compliance, in which event, the City Surveyor shall issue a notice of determination in accordance with the provisions of Section 18.120.020 Determination of Compliance by the City Surveyor. The Certificate of Compliance shall contain the information as set forth in Section 18.120.050 Required Information on Certificates.
- C. *Issuance.* Upon receipt of the Certificate of Compliance from the City Surveyor, the approving or appeal authority shall issue the Certificate of Compliance. The approving or appeal authority shall then cause the applicant to be notified of the estimated recording fees for recording the Certificate of Compliance.
- D. *Payment of recording fee; recordation.* Upon issuance of the Certificate of Compliance and payment to the City of the estimated recording fees by the applicant, the approving or appeal authority shall then cause the Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance of the estimated recording fees shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded.

(Ord. 6968 §1, 2007)

18.120.040 Conditional Certificate of Compliance.

- A. *Application for Conditional Certificate of Compliance.* If the City Surveyor determines that the real property was divided in violation of the provisions of the Subdivision Map Act, Government Code § 66410 et seq., or this Title which were applicable at the time the property was divided, the applicant shall within 30 days of such determination file an application for a Conditional Certificate of Compliance, together with the required processing fee as prescribed by the City's Fee Resolution. Failure to file an application in 30 days will result in enforcement as prescribed under Chapter 18.070 Enforcement. The application for a Certificate of Conditional Compliance need only be accompanied by any current vesting deed(s) not submitted with the application for determination; provided, however, if the application for a Conditional Certificate of Compliance is filed over one year from the date of the notice of the determination by the City Surveyor of noncompliance, the application for a Conditional Certificate of Compliance shall be accompanied by the current vesting deed(s) and such other information as may be required to ascertain the status of each parcel included in the application, as well as a map drawn to an engineer's scale of the subject property with dimensions showing the location and use of all structures on the property and all streets adjacent to and providing access to the property. The application shall not be considered as complete until all the application documents including the vesting deed(s) and map have been received together with the processing fee.
- B. *City Surveyor's decision.* If the City Surveyor has determined that the real property was divided in violation of the Subdivision Map Act Government Code § 66410 et seq., or this Title, the City Surveyor may either administratively issue a Conditional Certificate of Compliance, thereby approving the Conditional Certificate of Compliance or refer the matter to the Planning Commission as hereinafter provided. Such decision shall be made within 20 working days after receipt of the

completed application and written notice shall be given to the applicant. The decision to refer the matter to the Planning Commission is not appealable.

Written notice of the City Surveyor's decision to approve the Conditional Certificate of Compliance, including conditions imposed, shall be forwarded to the applicant. The City Surveyor's decision to issue a Conditional Certificate of Compliance, shall be final and effective ten days following the notice of decision, unless the applicant or other interested party files an appeal in accordance with Chapter 18.170 Appeals.

- C. *Conditions.* The City Surveyor may impose such conditions on the issuance of the Conditional Certificate of Compliance as would have been applicable to the division of the property at the time that the current owner of record acquired the property; except that where the applicant was the owner of record at the time of the initial violation, who by a grant of the real property created a parcel or parcels in violation of the Subdivision Map Act, Government Code § 66410 et seq., or this Title, and such person is the current owner of record of one or more of the parcels which were created as a result of the grant in violation, then the City Surveyor may impose such conditions as would be applicable to a current division of the property, including the requirement of filing a parcel map or tract map.

The conditions may be fulfilled and implemented by the owner or vendee who applied for the Conditional Certificate of Compliance or any subsequent owner. Compliance with such conditions shall not be required until such time as a permit or other grant of approval for the development or use of the property is issued by the City, unless the property is thereafter included as a part of a legal division of said real property pursuant to the provisions of this Title.

- D. *Preparation of Conditional Certificate of Compliance.* At such time as the decision of the City Surveyor or the Planning Commission acting in its capacity as City Surveyor, or, in the case of an appeal, the decision of the City Council to issue a Conditional Certificate of Compliance is final, the application and any conditions imposed shall be forwarded by the Planning Division to the City Surveyor for preparation of the Conditional Certificate of Compliance within five days of the decision becoming final. The City Surveyor shall within five working days of referral prepare the Conditional Certificate of Compliance. The Conditional Certificate of Compliance shall contain the information as set forth in Section 18.120.050 Required Information on Certificates.
- E. *Issuance.* The City Surveyor, shall issue the Conditional Certificate of Compliance and shall then cause the applicant to be notified of the estimated recording fees for recording the Conditional Certificate of Compliance.
- F. *Payment of recording fee; recordation.* Upon remittance to the City of the estimated recording fees by the applicant, the City Surveyor shall then cause the Conditional Certificate of Compliance to be recorded in the Office of the County Recorder of Riverside County. Such remittance shall be by check made payable to the County Recorder, County of Riverside, in the amount required to have the document recorded.
- G. *Completion of conditions.* Upon completion of the conditions imposed by a Conditional Certificate of Completion, the owner shall notify the City Surveyor. If the conditions are satisfactorily completed, the City Surveyor shall then issue and record a final Certificate of Compliance upon the payment by the applicant of any fee as may be established by the City's Fee Resolution, together with the estimated recording costs.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.120.050 Required information on certificates.

Each Certificate of Compliance or Conditional Certificate of Compliance shall include the following information:

- A. Name or names of owners of record;

- B. Assessor parcel number or numbers of the parcel;
- C. The number of parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued;
- D. The legal description of the parcel or parcels for which the Certificate of Compliance or Conditional Certificate of Compliance is being issued and recorded;
- E. A Notice stating as follows:

"This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act, Government Code § 66410 et seq., and any local Codes enacted pursuant thereto including Title 18 ~~oOf this the Riverside Municipal~~ Code. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act, Government Code § 66410 et seq., or any local Code enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval."; and
- F. Any conditions to be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property.

(Ord. 6968 §1, 2007)

18.120.060 Right of development.

The issuance of a Certificate of Compliance or a Conditional Certificate of Compliance does not imply or grant the right of development of the said property.

(Ord. 6968 §1, 2007)

18.120.070 Appeals.

If the subdivider, a City officer acting in an official capacity, or any other interested person adversely affected by the action taken by the Approving Authority with respect to the approval or disapproval of a Certificate of Compliance or the conditions of approval imposed, is aggrieved by the action, they can appeal the action in accordance with Chapter 18.170 Appeals.

(Ord. 6968 §1, 2007)

ARTICLE IV. ~~REQUIREMENTS FOR~~ FILING AND APPROVAL PROCESS

Chapter 18.130 - GENERAL PERMIT PROVISIONS

Chapter 18.140 - APPROVING AND APPEAL AUTHORITY

Chapter 18.150 - GENERAL APPLICATION PROCESSING PROCEDURES

Chapter 18.160 - NOTICES AND HEARINGS

Chapter 18.170 - APPEALS

Chapter 18.180 - EFFECTIVE DATE OF MAP OR PERMIT APPROVAL, TIME LIMITS AND TIME EXTENSIONS

Chapter 18.130 GENERAL PERMIT PROVISIONS

18.130.010 Purpose and intent.

18.130.020 Maps, permits and actions covered by this ~~T~~title.

18.130.030 Burden of proof and precedence.

18.130.010 Purpose and intent.

This article establishes the overall structure for the application, review and action on discretionary permits. Further, it identifies and describes the permits regulated by this ~~T~~itle and requires compliance with all applicable laws and regulations.

(Ord. 6968 § 1, 2007)

18.130.020 Maps, permits and actions covered by this ~~T~~itle.¹⁰

- A. *Definition.* Discretionary permits or actions apply to projects which require the exercise of judgment or deliberation when the approving or appeal authority decides to approve or disapprove a particular map, permit or action, as distinguished from situations where a City Department, Planning Commission or City Council merely has to determine whether there has been conformity with applicable statutes, Codes or regulations.
- B. *Ministerial parcel map for urban lot split.* A parcel map for an urban lot split, as defined in Section 18.260.220 of this Title and pursuant to § ~~66411.7~~ 64411.7 of the California Government Code, shall be reviewed and ministerially approved by the City Surveyor or his or her designee according to the procedures set forth in Chapter 18.150 (General Application Processing Procedures). The approval of a parcel map for an urban lot split shall not be considered a discretionary action and shall not be appealable.
- C. *Discretionary administrative maps, permits and actions not requiring a public hearing.* The Community & Economic Development Director, acting as the advisory agency, has primary administrative approving authority over maps, permits and actions which require the determination of compliance with applicable subdivision provisions and the application of judgment to a given set of facts. No public hearing is required for administrative maps, permits and actions unless the decision is appealed in accordance with provisions of Chapter 18.170 Appeals. Table 18.140.040 Approving and Appeal Authority describes the various administrative permits which can be approved by the Community & Economic Development Director.
- D. *Discretionary maps, permits and actions requiring a public hearing.* Except when combined with legislative actions (see Section 18.140.030 Concurrent Processing of Permits), the Planning Commission is the designated approving authority for discretionary maps, permits and actions. The table in Section 18.140.040 describes the various discretionary maps, permits and actions which can be approved by the Planning Commission.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 5, 2022; Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 48, 2019; Ord. 6968 § 1, 2007)

18.130.030 Burden of proof and precedence.

- A. *Burden of proof.* The burden of proof to establish the evidence in support of the required finding(s) for any map, permit or action in accordance with this article is the responsibility of the applicant.

¹⁰ **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. **(FOOTNOTE 320 IN EXHIBIT 2)**

- B. *Precedence*. Each map, permit or action shall be evaluated on a case-specific basis. Therefore, granting of a prior map, permit or action does not create a precedent and is not justification for the granting of a new map, permit or action.

(Ord. 6968 § 1, 2007)

Chapter 18.140 APPROVING AND APPEAL AUTHORITY

18.140.010 Purpose.

18.140.020 Designated approving and appeal authority.

18.140.030 Concurrent processing of permits.

18.140.040 Approving and appeal authority table.

18.140.010 Purpose.

This Chapter identifies the designated approving authority for the review of maps, permits and actions required by this Title.

(Ord. 6968 § 1, 2007)

18.140.020 Designated approving and appeal authority.

- A. *General provisions*. The approving and appeal authority, as designated in Table 18.140.040, shall approve (in full or in part), conditionally approve (in full or in part), modify, or deny (in full or in part) applications in accordance with the requirements of this Title. Table 18.140.040 identifies both final (F) and appeal (A) authorities for each application. When a proposed project requires more than one permit, the permits shall be processed pursuant to Section 18.140.030 Concurrent Processing of Permits of this Title.
- B. *Findings required*. In acting on an application, the approving or appeal authority shall make the applicable findings required for a particular map, permit or action and as may be required by other laws and regulations.
- C. *Appeals*. An action of the approving authority may be appealed pursuant to procedures set forth in Chapter 18.170 Appeals.

(Ord. 6968 § 1, 2007)

18.140.030 Concurrent processing of permits.

When a proposed map, permit or action requires more than one application with more than one approving or appeal authority, all applications shall be processed concurrently as interrelated permits for a project and shall not be bifurcated. The highest designated approving or appeal authority for all such requested applications shall take final action on multiple permits. For example, the Planning Commission takes final action on a tentative tract map. However, when processed in conjunction with a General Plan amendment, for example, the tentative tract map shall be reviewed and acted upon by the City Council in conjunction with the other application request(s). The Planning Commission provides recommendations to the City Council on both entitlement requests.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.140.040 Approving and appeal authority table.

Type of Map, Permit or Action	City Surveyor	Community & Economic Development Director or City Surveyor⁽⁶⁾	City Planning Commission (CPC)	City Council (CC)^{(1), (2)}
Administrative				
Certificate of Compliance	F		AR	A/F
Final Condominium Map				F ⁽³⁾
Final Environmental Subdivision Map				F ⁽³⁾
Final Parcel Map				F ⁽³⁾
Final Reversion to Acreage Map				F ⁽³⁾
Final Tract Map				F ⁽³⁾
Final Vesting Map				F ⁽³⁾
Lot Line Adjustments	F		AR	A/F
Lot Consolidations	F		AR	A/F
Lot Mergers/Unmergers	F		AR	A/F
Modifications		F	AR	A/F ⁽⁴⁾
Notice of Violation		F	AR	A/F
Parcel Map Waivers		F	AR	A/F
Tentative Parcel Map		F	AR	A/F ⁽⁵⁾
Time Extensions		F	AR	A/F
Urban Lot Split	F ⁽⁷⁾			
Public Hearing				
Tentative Condominium Map			F	A/F
Tentative Environmental Subdivision			F	A/F
Tentative Reversion to Acreage Map			F	A/F
Tentative Tract Map			F	A/F ⁽⁵⁾
Tentative Vesting Map			R	A/F

R = Recommending Authority; F = Final Action Authority (unless appealable or referred); A = Appeal Authority; AR = Approving Authority as Community & Economic Development Director on Referral

- (1) Decisions of the City Council are final and cannot be appealed.
- (2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing, will need to be re-advertised for such hearing prior to being heard.
- (3) The Public Works Department submits all Tract Maps and those Parcel Maps that require offers of dedications to the City Council for adoption. After adoption they are transmitted to the County Recorder for recordation. Parcel Maps not requiring offers of dedication are approved by the Public Works Department and submitted to the County Recorder for recordation.
- (4) See Title 19 (Zoning ~~Code~~) of ~~this the Riverside Municipal~~ Code, Section 19.650.020.C.2 - Designated Approving Authority
- (5) Tentative RC Zone Maps require City Council approval on its consent calendar.
- (6) As set forth in this ~~T~~title, either the Community & Economic Development Director or the City Surveyor shall be the approving authority for the action listed.
- (7) Urban Lot Splits are subject only to ministerial approval and cannot be appealed.

Note: The Community & Economic Development Director or City Surveyor may refer the action to the next higher Approving Authority in the hierarchy of decision-making.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank> web="yes">7591 § 6, 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank> web="yes">7459 § 49(Exh. A), 2019; Ord. 7341 § 7, 2016; Ord. 7091 § 4, 2010; Ord. 6968 § 1, 2007)

Chapter 18.150 GENERAL APPLICATION PROCESSING PROCEDURES

18.150.010 Purpose.

18.150.015 Initiation of applications.

18.150.020 Application submittal.

18.150.030 Eligible applicants.

18.150.040 Initial application completeness review.

18.150.050 Submittal requirements.

18.150.060 Water discharge, adequate water supply requirements and storm water run-off.

18.150.070 Processing application.

18.150.080 Subdivision Committee.

18.150.090 Environmental review.

18.150.100 Community & Economic Development Director review.

18.150.110 Planning Commission review.

18.150.120 Acceptance of dedications or offers of dedication.

18.150.130 Notice of decision.

18.150.140 Application denial—Reapplication.

18.150.150 Withdrawal of application.

18.150.010 Purpose.

This ~~C~~chapter establishes standard procedures for maps, permits and actions, both administrative and those requiring a public hearing.

(Ord. 6968 §1, 2007)

18.150.015 Initiation of applications.

For all case types the City Manager, or his/her designee, is authorized to initiate subdivision applications, notwithstanding any other section of this ~~T~~title, for any project authorized under this ~~T~~title.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.020 Application submittal.

All applications for maps and permits pertaining to this ~~T~~title shall be submitted to the Planning Division on a City application form, together with all fees, plans, maps and any other information required by the Planning Division.

(Ord. 6968 § 1, 2007)

18.150.030 Eligible applicants.

- A. The owner(s) of the property, the authorized agent(s), a plaintiff in an action of eminent domain, or the City Manager, or his/her designee shall make the application. Any authorized agent shall be formally delegated as such in writing by the property owner. The application shall contain adequate evidence of title to the real property within the subdivision and sufficient data to enable the City Council to make all of the determinations and findings required by this ~~T~~title.
- B. Proceedings for reversion to acreage may be initiated by the City Council on its own motion or by application of all of the owners of record of the real property within the subdivision. The application shall contain adequate evidence of title to the real property within the subdivision and sufficient data to enable the City Council to make all of the determinations and findings required by this ~~T~~title (~~California Government Code 66499.12~~).

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.040 Initial application completeness review.¹¹

All applications filed with the Planning Division in compliance with this ~~T~~title shall be initially reviewed for application completeness as follows:

- A. Within 30 days of application submittal, the Community & Economic Development Director or the designee shall determine whether or not the application is complete. The applicant shall be

¹¹ **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. **(FOOTNOTE 321 IN EXHIBIT 2)**

notified in writing if specific information and/or materials are still necessary to complete the application.

The applicant may appeal the determination in accordance with Chapter 18.170 Appeals and the Permit Streamlining Act (California Government Code Section 65943, part of the Permit Streamlining Act, Government Code § 65920 et seq.

- B. In the event an application is deemed incomplete and the applicant resubmits the application, within 30 days of application resubmittal the Community & Economic Development Director shall determine whether or not the resubmitted application is complete. The applicant shall be notified in writing of the determination if specific information and or materials are still necessary to complete the application.
- C. The City, at its discretion, may deem void any application that remains incomplete 180 days from the date of the original submittal. The City shall notify the applicant of its intention to void the stagnant application at least 30 days prior to withdrawal. Upon withdrawal, the applicant's fee may or may not be partially refunded.
- D. Any resubmittal of a voided application shall require submittal of a new application, along with the appropriate fees; a new case number will be assigned.
- E. Nothing in this Cchapter precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this Cchapter ~~(Government Code Section 65943).~~

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 50, 2019; Ord. 6968 §1, 2007)

18.150.050 Submittal requirements.

A. General requirements.

- 1. Every application for a map or permit pursuant to this Title shall include a completed application form designated for the particular request, the owner and applicant signature(s), the agent authorization as appropriate and processing fee(s) established by City Fee Resolution.
- 2. Applications will not be accepted by the Planning Division without required signed application forms and permit fees as established by City Fee Resolution.

B. Additional requirements for tentative tract, parcel, vesting, reversion to acreage, condominium and environmental subdivision maps.

- 1. *Tentative tract, parcel, vesting, reversion to acreage, condominium and environmental subdivision maps.*
 - a. The tentative map shall be clearly and legibly drawn by or under the direction of a registered civil engineer or licensed land surveyor. The scale of the map shall be at least one inch equal to 100 feet. If necessary to provide the proper scale, more than one sheet may be used, but the relation of the several sheets shall be clearly shown on each. The minimum size of each sheet should be 18 inches by 26 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch.
 - b. The tentative map shall contain the following information:
 - (1) The map number assigned by the Riverside County surveyor;
 - (2) Names and addresses of the record owner and subdivider of the land;

- (3) Name, signature and address of the person, firm or organization that prepared the map and the applicable registration and/or license number;
- (4) Date of preparation, north point and scale of the map; if based on a survey, the date of the survey;
- (5) Boundaries of the subdivision with suitable ties to readily locate the property;
- (6) Riverside County Assessor's parcel number(s) of the property included within the map;
- (7) The locations, names and widths of adjacent streets, alleys, and pedestrian ways;
- (8) Numbers of adjacent subdivisions, buildings and property lines sufficient to show their relationship to the proposed subdivision;
- (9) All properties that are "Not A Part" of the map and/or are designated remainders shall be clearly delineated;
- (10) Contour lines at five-foot intervals or less where the slope of the land is one percent or more, and contour lines at two-foot intervals or less where the slope of the land is less than one percent. Topographic information shall be sufficient fully to show the configuration of the land and any and all depressions that present drainage problems, and shall extend beyond the tract boundaries where necessary to show essential conditions;
- (11) A preliminary 100-scale grading plan (40-scale grading plans are required for maps in the RC - Residential Conservation Zones) shall be submitted with the map which includes how the grading relates to existing contours on adjoining property, location of trees, rock outcroppings, arroyos, blue line streams, and other significant natural features;
- (12) The outlines of groves of trees and orchards, the approximate location of other trees with a trunk diameter of six inches or more, and an indication of all trees that are to remain on the lots;
- (13) Location, width and direction of flow of all watercourses and the outline of any area subject to flooding or storm water overflow;
- (14) Location of all railroads, buildings and other structures, structures for demolition, and all natural obstacles, and an indication of any physical restrictions or conditions in the subdivision which affect the use of the property; distances between all buildings to remain and property lines shall be shown;
- (15) Locations, widths and purposes of all existing and proposed easements for utilities, drainage and other public purposes, shown by dashed lines;
- (16) Locations of existing utilities in and adjacent to the tract; size and invert elevation of sanitary and storm sewers; size of water mains; if sewers and water mains are not in or adjacent to the tract, the direction and distance to the nearest sewer and water main with invert elevation of sewer and size of main;
- (17) Locations, widths and grades of all public streets, private streets, alleys, pedestrian ways and other rights-of-way, and proposed street names; the radius of each curve; any planned line for street widening or for any other public project in or adjacent to the tract;
- (18) Lines and approximate dimensions of all lots and the number assigned to each lot; the total number of lots, the approximate area of each lot and the total area of the map;

- (19) Boundaries of existing and proposed public areas in or adjacent to the tract, with the nature of each indicated by label; the area of each parcel proposed for public use to the nearest one-tenth acre, including any areas proposed to be dedicated as parkland per the requirements of Government Code Section 66477 et seq. (Quimby Act);
- (20) Proposals for handling storm water and drainage;
- (21) Areas designated for preservation or protection from development due to their status as sensitive or protected biological habitat, archaeological resource areas, significant geological formations, or other environmentally important or legally designated lands, as so identified by local Code and/or applicable county, state, or federal regulations; and
- (22) The following drawings and statements shall be filed on or along with the tentative map:
 - i. A vicinity map showing the location of the proposed subdivision;
 - ii. A statement of the total area of the tentative map;
 - iii. For mixed use developments, a statement of the total area of the land used for each type of use;
 - iv. A statement of the proposals for sewage disposal, water supply, electric service, gas service, telephone service, television reception and for other utilities;
 - v. Any application and the drawings and documents required to be filed therewith for any modification that may be proposed in accordance with Chapter 18.230 Modifications; and
 - vi. Any application and the drawings and documents required to be filed therewith for hillside grading pursuant to Title 17.
 - vii. Cross sections at the perimeter, location and design of required trails, Water Quality Management Plan and location of any needed detention basins, and other information as requested by Planning Division Staff on a case by case basis.
- (23) FEMA Flood Zone Designation.
- (24) Size, type and location of proposed water quality best management practices.

2. Tentative vesting map.

- a. A tentative vesting map shall be filed in the same form and have the same contents, accompanying data and reports and shall be processed in the same manner as set forth for a tentative map and shall have printed conspicuously on its face the words "Tentative Vesting Map."
- b. At the time a tentative vesting map is filed, a subdivider shall also supply the following information unless an item(s) is determined by the Community & Economic Development Director not to be necessary:
 - (1) Height, size, and location of buildings;
 - (2) Sewer, water, storm drain, and road details;
 - (3) Information on the uses to which the buildings will be put;
 - (4) Detailed grading plans pursuant to Title 17;
 - (5) An engineer's drainage study approved by the City Public Works Department;

- (6) Building, landscaping, irrigation and sign plans when required for the project by Title 19 of ~~this the Riverside Municipal~~ Code or application for development plan or plot plan approval when required by Title 19 of ~~this the Riverside Municipal~~ Code;
 - (7) A traffic study approved by the City Public Works Department and Planning Division, unless waived;
 - (8) A geologic study approved by the City Engineer for properties identified as being subject to liquefaction;
 - (9) An acoustical study approved by the Building Official for properties requiring such studies by Title 16 of ~~this the Riverside Municipal~~ Code;
 - (10) An application for rezoning the property if the proposed use or density is not permitted in the current zone; and
 - (11) A detailed parking analysis (not required for maps creating single family residential lots only).
3. *Lot line adjustments, lot consolidation and lot merger/unmergers.* The application shall be accompanied by a site plan indicating the current ownership, property lines, existing structures, any encumbrances and such other data and information as may be prescribed by the Planning Division. Any application for property in the Residential Conservation (RC) Zone shall be accompanied by a topographical map, a proposed grading plan and a proposed development plan unless waived by the Community & Economic Development Director.
 4. *Parcel map waiver.* Any person wishing to waive the requirement for the preparation and recordation of a parcel map and who has a recorded a Certificate of Compliance for parcel map waiver shall first submit to the City Surveyor the following:
 - a. An approved tentative map meeting the requirements of this ~~T~~title for a tentative map and conforming to the approved configuration and revisions as stipulated by the approving or appeal authority;
 - b. Names and addresses of fee owner and the subdivider if different from the owner;
 - c. Riverside County Assessor's parcel number(s);
 - d. A preliminary title report or a similar report indicating the encumbrances, if any, on the property;
 - e. The application shall be accompanied by a processing fee as established by the City's Fee Resolution;
 - f. A legal description and plat signed by a licensed land surveyor or civil engineer authorized to practice land surveying clearly describing the new parcels as shown on the approved tentative map;
 - g. An unsigned, acknowledge statement in a format acceptable to the City Surveyor satisfying all of the requirements of Section 66436 of the California Government Code;
 - h. An unsigned certificate or statement in a format acceptable to the City Surveyor satisfying the requirements of Section 66492 of the California Government Code; and
 - i. An unsigned certificate or statement and security in a format acceptable to the City Surveyor satisfying the requirements of Section 66493 of the California Government Code if any part of the subject property is subject to a lien of taxes or special assessments collected as taxes which are not yet payable and any lot lien created by the subdivision would bisect any existing assessor's parcel.

5. *Determination of compliance.* Applications for a determination of compliance can be filed and shall be signed by any person owning real property or a vendee of that person pursuant to a contract of sale of the real property, or at the request of an interested party, see Section 18.120.020 Determination of the City Surveyor.

C. Final tract, parcel, vesting, reversion to acreage, condominium and environmental subdivision maps.

1. *General requirements.* The final map shall:

- a. Be prepared by or under the direction of a registered civil engineer authorized to practice land surveying or licensed land surveyor and shall conform to all of the following provisions and those set forth in Government Code 66434;
- b. Conform substantially with the tentative map approved by the approving appeal authority, including all amendments, conditions, modifications and provisions made or required by the approving or appeal authority, or as modified on appeal, and shall comply with this Ttitle, all other applicable Codes, Specific Plans, General Plan and planned street lines that are in effect as of the filing date;
- c. Be based upon a survey, except for a final parcel map;
- d. Be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on white tinted mylar, 3 mil or 4 mil thick. Lines, fonts, characters and duplication shall comply with all standards of the County of Riverside Assessor, Clerk and Recorder in effect at the time of recordation;
- e. Have the size, content and format of each sheet in compliance with all standards of the Subdivision Map Act, Government Code § 66410 et seq., and City Ordinance. Each sheet shall show the map number, shall contain a north point, shall contain complete engineer's notes and shall show the scale of the map;
- f. Have a title sheet provided which shall indicate the map number and such other descriptive information as may be necessary. For a final parcel map a title containing the words "PARCEL MAP" and such other descriptive information as may be necessary, including the map number. Below the title shall be a subtitle consisting of a general description of the property being subdivided by reference to recorded maps, or by reference to the plat of a United States survey. References to tracts and subdivisions in the description shall be worded identically with original records, and references to book and page of record shall be complete. The words "City of Riverside" if the map is entirely within the City, or the words "Partly in the City of Riverside and partly in unincorporated territory of Riverside County" if the map is partly in unincorporated territory shall be included on the title page. The title page also shall contain all of the required certificates, acknowledgments, endorsements, acceptances, dedications and notarial seals. Where the size of a subdivision permits, in lieu of a title sheet, the information prescribed above may be shown on the same sheet as the final map;
- g. Include the north point with basis of bearing, scale and date of map;
- h. Include the boundaries of the subdivision, indicated by distinctive symbols approved by the Public Works Department and clearly so designated. Such border shall not obliterate any figures or other data. All lines shown on the map which do not constitute a part of the subdivision shall be clearly distinguishable from those lines which are a part of the subdivision and any area enclosed by such lines shall be labeled "Not a part of this subdivision." The map shall show the definite location of the subdivision, and particularly its relation to surrounding surveys;
- i. Contain survey data, including:

- (1) Monuments, stakes, or other evidences set or found on the ground to determine the boundaries of the tract;
 - (2) Corners of all adjoining properties identified by lot and block number, tract name, or place of record, or by section, township and range, or other proper designation;
 - (3) All information and data necessary to locate and retrace any and all exterior boundary lines, lot, or block lines, including basis of bearings;
 - (4) Bearings and distances of straight lines;
 - (5) The radius, central angle and length of each curve and such additional information as may be necessary to determine the location of the centers of curves;
 - (6) The centerlines of all streets in and adjoining the subdivision, indicating all permanent monuments found or placed and making reference to a map or field book wherever the Public Works Department has established such centerline. If any points were reset by ties, the source and detail of relocation data used shall be stated;
- j. Show all lots or parcels intended for sale or reserved for private purposes, all parcels offered for dedication to the City or any other public agency for any purpose and designated remainders with all dimensions, boundaries and courses clearly shown and defined in each case;
 - k. Be numbered consecutively without block identification. Parcels offered for dedication or to be used as streets, alleys, pedestrian ways and nonaccess barrier strips shall be identified by letters;
 - l. Show the location and width of all streets, alleys, pedestrian ways and other rights-of-way and the portions thereof offered for dedication; the names of streets; and the widths of existing dedications, if any, in the subdivision;
 - m. Show the lines of all easements to which the lots are subject. Each easement shall be clearly identified as to nature and purpose; and if already recorded, its recorded reference shall be given. If any easement is not definitely located and of record, a statement of such easement shall appear on the title sheet. Easements shall be denoted by fine dashed lines. Distances and bearings on the side lines of lots which are cut by easements shall be shown so that the map will clearly indicate the actual lengths of the lot lines. The width of the easements and the lengths and bearings of the lines thereof, and sufficient ties thereto to definitely locate the easements with respect to the subdivision shall be shown;
 - n. Show the locations and widths of nonaccess barrier strips;
 - o. Show all limitations on rights of access to and from streets and lots and other parcels of land;
 - p. Show the lines of any stream, channel or body of water in or adjacent to the subdivision, and the outlines of any area subject to flooding or storm water overflow;
 - q. Show the location, width and name of any street and the location and width of any alley, railroad right-of-way or other right-of-way adjacent to the subdivision;
 - r. Show any City boundary crossing or adjoining the subdivision;
 - s. Note when a soils report has been prepared in accordance with Section 18.090.050, together with the date of the report and the name of the engineer making the report; and
 - t. Show any open space easement areas.
2. *Final parcel map.* For a final parcel map the following shall also be included:

- a. The location of any remainder of the original parcel shall be shown, but need not be shown as a matter of survey, but only by reference to the existing record boundaries of such remainder if such remainder has a gross area of five acres or more;
- b. All parcels, excluding remainder parcels, shall be numbered or otherwise designated with all dimensions, boundaries, and courses clearly shown and defined in each case;
- c. The location and width of streets, alleys, pedestrian ways and other easements and the portions thereof dedicated or offered for dedication to the City, including their recording references; and the names of streets;
- d. The lines of easements to which the lots are subject, shown in fine, dashed lines, and the lines, bearings, and dimensions of easements deeded to the City; and
- e. Limitations on rights of access to and from streets.

3. *Final reversion to acreage map.* For a reversion to acreage map each lot or parcel and the number thereof being eliminated shall be shown in fine, dashed lines.

D. *Lot line adjustments, consolidations and merger/unmergers.* Upon receipt of conditional approval the applicant shall submit the required property descriptions and documentation to the City's Surveyor for review and comment. The applicant shall promptly submit to the Surveyor any additional information or corrected documents as deemed necessary upon written request from the Surveyor.

The applicant shall also take all necessary steps to insure that all conditions imposed by the approving or appeal authority are completed to the satisfaction of the affected department.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 51, 2019; Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.060 Water discharge, adequate water supply requirements and storm water run-off.

- A. *Waste discharge.* The Planning Commission or Community & Economic Development Director shall also determine whether the discharge of waste from the proposed subdivision or permit into the existing community sewer system would result in violation of existing requirements prescribed by the California Regional Water Quality Control Board Santa Ana Region pursuant to Division 7 (commencing with Section 13000) of the Water Code. In the event the Planning Commission finds that the proposed waste discharge would result in or add to violation of requirements of such board, it may disapprove the tentative maps of the subdivision.
- B. *Water supply.* In addition to the required drawings and statements above, proposed residential subdivisions with 500 or more dwelling units shall include with the tentative map application written verification from the applicable public water system that is proposed to serve the subdivision that a sufficient water supply is available to serve the development pursuant to State Law.
- C. *Storm water run-off.* In addition to the required drawings and statements above, all applications requiring discretionary approval shall have submitted with the application a project-specific Water Quality Management Plan (WQMP) pursuant to the requirements of the Municipal Separate Sewer (MS4) Permit.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 52, 2019; Ord. 6968 §1, 2007)

18.150.070 Processing application.

A. *Filing of tentative maps.* An application shall be filed with the City Planning Division.

The City Planning Division shall prepare a written report on a tentative map to the approving authority and the approving authority shall take action within 50 days after the City's acceptance of the filing of a completed application for the map with the City.

Any report or recommendation on a tentative map by the approving authority shall be in writing and a copy served on the subdivider and on each tenant of the subject property, in the case of a proposed conversion of residential real property to a condominium project, community apartment project or stock cooperative project, at least three days prior to any hearing or action on such map by such Approving Authority.

Pursuant to Section 66451.2, fees may be collected from the subdivider for expenses incurred under this ~~S~~section.

5. Indemnification.

- a. With the submittal of any application, the owner and/or applicant agrees that upon approval of its application the owner and/or applicant shall defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action or proceeding against the City of Riverside, its agents, officers or employees, that attacks, set asides, voids, or annuls, any approval by the City concerning:
 - i. Any such approval of the City: and/or
 - ii. An action taken to provide environmental clearance under the California Environmental Quality Act (CEQA) by its advisory agencies, appeal boards or City Council.
- b. The owner and/or applicant shall execute an indemnification agreement in a form acceptable to the City Attorney.
- c. In the event any claim, action or proceeding is brought, the City shall promptly notify the owner and/or applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this ~~S~~section shall prohibit the City from participating in the defense of any proceeding.
- d. In the event that the applicant is required to defend the City in connection with any proceeding described in this ~~S~~section, the City shall retain the right to approve:
 - i. The counsel to so defend the City;
 - ii. All significant decisions concerning the manner in which defense is conducted; and
 - iii. Any and all settlements, which approval shall not be unreasonably withheld.
- e. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.

B. *Filing of lot line adjustments, consolidations and merger/unmerger.* Upon receipt of a complete application, copies thereof shall be referred to other appropriate City departments or other public or private agencies affected, together with a request for a written recommendation and any conditions to conform with the existing General Plan, zZoning, and building regulations, and Building Codes or to facilitate the relocation of existing utilities, infrastructure or easements which should be imposed on the approval of the application. The referral from the Public Works Department shall state that any recommendations, comments or recommended conditions must be returned to the Public Works

Department within 15 days and that failure to do so shall be deemed approval by that department or agency of the requested lot line adjustment, consolidation or merger/unmerger without conditions.

C. *Filing of parcel map waivers.* Upon receipt of the completed application, copies thereof shall be referred to other appropriate City departments or other public or private agencies affected, together with a request for a written recommendation and any conditions. The referral from the Public Works Department shall state that any recommendations, comments or suggested conditions must be returned to the Public Works Department within 15 days and that failure to do so shall be deemed approval by that department or agency of the requested waiver of parcel map without conditions.

D. *Filing of certificates of compliance.*

1. Upon receipt of and acceptance of a completed application by the Public Works Department, including the required processing fee, the application shall be referred by the to the City's Surveyor for review to make a determination as to whether or not the real property complies with the applicable provisions of the Subdivision Map Act, Government Code § 66410 et seq., and this Title.
2. Such determination shall be made within 15 days after acceptance of the completed application; provided, however, that date may be extended by the period of time necessary for the applicant to provide such additional information as may be reasonably requested by the Surveyor in writing in order to ascertain the status of the subject property.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.080 Subdivision Committee.

A. *Referrals.* Following the determination of a complete application for a tentative map as required under Section 18.150.040 Initial Application Completeness Review, the Planning Division shall transmit copies of the tentative map and, where applicable, of the accompanying drawings and statements to members of the Subdivision Committee, together with a request for written recommendations on the proposed subdivision to be returned to the Planning Division within 15 days. The transmittal to the Subdivision Committee shall include a notification of the Subdivision Committee meeting date. The Community & Economic Development Department Director may transmit additional applicable copies to such other public and private agencies or departments as may be affected by the proposed subdivision, together with requests for written recommendations thereon within 15 days (~~California Government Code Section 66453~~). Failure to submit such written recommendations may be deemed recommended approval of the proposed subdivision and limit further ability to comment on the map or recommend conditions of approval.

B. *Subdivision Committee meeting.* The Planning Division shall, within 40 days after the filing of a complete application for a tentative map, hold a conference between the subdivider and the Subdivision Committee. The Committee shall advise the subdivider regarding conformity of the map with the provisions of this Title and other applicable Codes, and conformity of the proposed uses with General Plan and city zoning regulations in Title 19 of this the Zoning Code, and shall advise on possible improvements in the design of the proposed subdivision as well as possible requirements and conditions of map approval. The Committee also shall advise on the requirements, if any, of other City departments and County, special district, State, and other public and private agencies affected by the proposed subdivision.

C. *Report of the Subdivision Committee meeting.* Following the Subdivision Committee meeting, the Planning Division shall furnish to the subdivider a written copy of the report and recommendations on the tentative map to be presented to the Planning Commission. The report shall be given to the subdivider at least three days prior to the consideration of the map by the Planning Commission

~~(California Government Code Section 66452.3)~~. Copies of the report may be transmitted to other public or private agencies affected by the proposed subdivision.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.090 Environmental review.

After acceptance of a complete application, the project shall be reviewed in accordance with the environmental review procedures of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the City's resolution for implementing the California Environmental Quality Act.

(Ord. 6968 §1, 2007)

18.150.100 Community & Economic Development Director review.¹²

A. Tentative parcel map.

1. Tentative parcel maps that meet all of the criteria listed below can be approved by Community & Economic Development Director in accordance with the Subdivision Map Act, Government Code § 66410 et seq. The City Manager shall have the authority to enter into all agreements related to the approval of the parcel map.
 - a. The existing parcel has an average natural slope no greater than 20 percent.
 - b. All necessary infrastructure and utilities are provided to the proposed parcels in a manner consistent with City standards.
 - c. The map would create no more than four parcels.
 - d. None of the conditions of California Government Code Section 66474, Grounds for Denial of Tentative or Parcel Map, exist. These conditions include:
 - (1) That the proposed map is not consistent with the applicable General Plan and Specific Plans as specified in ~~Section~~ Government Code § 65451.
 - (2) That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
 - (3) That the design is not physically suitable for the type of development.
 - (4) That the site is not physically suitable for the proposed density of development.
 - (5) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - (6) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
 - (7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This

¹² **Sec. 18.150.100 Community & Economic Development Director review.** Citations are completed as shown. Title vs. section references is also corrected, etc. **(FOOTNOTE 322 IN EXHIBIT 2)**

~~S~~ubsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

B. Lot line adjustments, lot consolidations and lot merger/unmergers.

1. The City Surveyor shall conditionally approve an application for a lot line adjustment, lot consolidation or lot merger/unmerger upon a finding that the property involved meets all the following criteria:
 - a. The parcels are physically contiguous and not separated by any public right-of-way.
 - b. No additional parcels will be created.
 - c. The resulting parcels comply with all applicable requirements of Title 19 of this Code, unless in conjunction therewith a variance is granted by the Community & Economic Development Director pursuant to the provisions of ~~Section Title~~ 19.720 of this Code.
 - d. The proposed adjustment, consolidation or merger/unmerger and the resulting parcels comply with applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of this ~~T~~title.
 - e. No new streets or street extensions are created, although dedications for street rights-of-way may be required in accordance with the provisions of Section 13.16.060 of ~~this the Riverside Municipal~~ Code.
 - f. In the case of properties proposed to be created by a lot line adjustment, lot consolidation or lot merger/unmerger with an average natural slope of 20 percent or greater, an initial study needs to be prepared and a negative declaration adopted in accordance with the City's California Environmental Quality Act - CEQA Resolution.
2. The City Surveyor may only impose such conditions to a conditional approval of the lot line adjustment, lot consolidation or lot merger/unmerger as may be necessary to conform to the City's Zoning and building regulations including those regulations applicable to the issuance of a building permit set forth in Section 13.16.060 of ~~this the Municipal~~ Code, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, lot consolidation or lot merger/unmerger, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map or final map shall be required as a condition of the approval of a lot line adjustment, lot consolidation or lot merger/unmerger.
3. The City Surveyor may refer the lot line adjustment, lot consolidation or lot merger/unmerger to the Planning Commission.

C. Parcel map waivers.

1. *Findings for waiver.* The City Surveyor and City Engineer, shall grant the application for a waiver of the parcel map only upon a finding that the proposed division of land complies with the requirements established by the Subdivision Map Act, Government Code § 66410 et seq., and this ~~T~~title as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and such other requirements as therein set forth.
2. *Conditions.* The City Surveyor shall condition the waiver of a parcel map upon the filing of a tentative map as set forth in this ~~T~~title conforming to the configuration of each parcel as approved by said Commission, and upon the filing of such documents as may be necessary to meet the requirements of the Subdivision Map Act, Government Code § 66410 et seq., or this ~~T~~title

including a signed and acknowledged statement satisfying all of the requirements of Section 66436 of the Subdivision Map Act and a certificate or statement satisfying the requirements of Section 66492 of the Subdivision Map Act.

3. *Effective date; appeal.* The decision of the City Surveyor to either grant or deny the application for the waiver of a parcel map shall be final and effective ten days following its decision unless the applicant or any other interested person files a notice of appeal to the Planning Commission within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision of the City Surveyor until final action by the Planning Commission.

D. Certificate of Compliance.

1. *Review by Planning Commission.* If the matter of the issuance of a Conditional Certificate of Compliance is referred to the Planning Commission, the Community & Economic Development Director shall cause the matter to be placed on the next available agenda of said Commission. At the time set for discussion, the Planning Commission shall receive a written report from the City Surveyor setting forth the actions taken on the matter and the facts and circumstances relied upon in arriving at such decision together with any recommended conditions. The applicant or other interested party shall have an opportunity to present testimony orally and/or in writing. The Planning Commission, acting in the capacity of the City Surveyor, may direct the issuance of a Conditional Certificate of Compliance, or a Certificate of Compliance if no conditions are imposed, in accordance with the provisions of this ~~C~~chapter, if it finds that the property was divided in violation of the Subdivision Map Act, Government Code § 66410 et seq., or this ~~T~~title and that the proposed real property may be approved as not being contrary to the public health or the public safety. The Planning Commission may impose such conditions as may be authorized in accordance with Ssubsection C above. The Planning Commission shall have the right to continue the matter from time to time as is reasonable in order to obtain additional information as said Commission determines necessary.
2. *Effective date; appeal.* The decision of the City Surveyor or the Planning Commission acting in its capacity as City Surveyor shall be final and effective ten days following the rendering of a decision, unless the applicant or other interested person files a notice of appeal to the City Council within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision until final action by the City Council.
3. *Notice of appeal.* Notice of an appeal to the City Council of a decision of the City Surveyor or of the Planning Commission regarding the issuance of a Conditional Certificate of Compliance shall be filed by the applicant or any other interested party with the Planning Division within ten days of such decision, together with such appeal fee as may be established in the City's fee resolution. The notice of appeal shall set forth the grounds of the appeal and the action or relief requested.
4. *Setting matter for review.* The Planning Division shall promptly forward the notice of appeal to the City Clerk, together with any appropriate staff reports and the decision of the City Surveyor or the Planning Commission from which the appeal is made. The City Clerk shall set the matter for discussion on the City Council's next available agenda; provided, however, the matter shall be set for consideration within 30 days of receipt of the notice of appeal and appeal fee.
5. *Review.* At the time set for discussion, the City Council shall receive a written report from the Public Works Department setting forth the facts and circumstances of the case and the decision of the City Surveyor or Planning Commission. The applicant or any other interested person shall have an opportunity to present testimony orally and/or in writing. The City Council may affirm, reverse, or modify the decision of the City Surveyor or Planning Commission. The City Council shall direct the issuance of a Conditional Certificate of Compliance, or a Certificate of Compliance if no conditions are to be imposed, if it finds that the property was divided in violation

of the Subdivision Map Act, [Government Code § 66410 et seq.](#), or this [Title](#) and that the proposed real property may be approved as not being contrary to the public health or the public safety. The City Council may impose such conditions as may be authorized in accordance with [Subsection C](#) above. The City Council shall have the right to continue the matter from time to time as is reasonable in order to obtain additional information as said City Council determines necessary. The decision of the City Council shall be final and shall be effective immediately upon pronouncement of the decision.

(Ord. [http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank](#) web="yes">7459 § 53, 2019; Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.110 Planning Commission review.

A. Referrals to the Planning Commission from the Community & Economic Development Director or City Surveyor.

1. An application for a parcel map, lot line adjustment, lot consolidation, lot merger/unmerger, parcel map waiver, certificate of compliance or time extension referred to the Planning Commission by the Community & Economic Development Director or City Surveyor shall be reviewed and acted upon by the Planning Commission acting in the capacity of Community & Economic Development Director or City Surveyor within 60 days following the filing of the completed application with the Planning Division or Public Works Department in accordance with the following procedure:
 - a. *Notice.* Notice of the date, time, place and purpose of the public meeting before the Planning Commission shall be given by mailing a notice, not less than ten days prior to the date of such hearing, to the owner of the subject property or to said owner's duly authorized agent and to the project applicant, and to each affected agency, and to all owners of real property as shown on the latest equalized assessment roll abutting the real property which is the subject of the hearing. Real property shall be considered abutting the subject property for the purpose of requiring notice if only separated by a public right-of-way and, except for such public right-of-way, the real properties would be abutting.
 - b. *Review.* At the time set for hearing, the Planning Commission shall receive a written report from the Community & Economic Development Director and/or City Surveyor setting forth the facts and circumstances of the case. The applicant and any other interested party shall have an opportunity to present testimony orally and/or in writing. The Planning Commission may conditionally approve or deny the application. For lot line adjustments or lot consolidations the Planning Commission may conditionally approve the application provided it finds that the parcels are contiguous, no additional parcels will be created, the resulting parcels comply with all applicable requirements of Title 19 of this Code unless in conjunction therewith modifications are approved pursuant to Chapter 18.230 Modifications, and the proposed adjustment or consolidation and the resulting parcels comply with applicable requirements as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of this [Title](#) unless in conjunction therewith modifications are approved pursuant to Chapter 18.230 Modifications.
 - c. *Conditions.* The Planning Commission may impose conditions on the application. However, the City Planning Commission can only impose such conditions to its conditional approval of the lot line adjustment or to its conditional approval of the lot consolidation as may be necessary to conform to the City's Zoning and building regulations including those

regulations applicable to the issuance of a building permit as set forth in Section 13.16.060, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure or easements. No tentative map, parcel map, or final map shall be required as a condition of the approval of a lot line adjustment or a lot consolidation.

- d. *Effective date; appeal.* The decision of the Planning Commission to conditionally approve or deny an application shall be final and effective ten days following its decision unless the applicant or any other interested person files a notice of appeal to the City Council within this time in accordance with the procedures as hereinafter set forth. An appeal shall stay the decision of the Planning Commission until final action by the City Council.

B. Tentative tract, vesting and reversion to acreage maps.

1. The Planning Commission shall consider tentative tract and tentative vesting maps, the accompanying drawings and statements, and the report and recommendations of the Subdivision Committee on the proposed subdivision within 50 days of the filing of a complete application for the map and shall approve, conditionally approve, or disapprove the map and shall report its action in writing to the subdivider. Failure to act within said 50 days shall be deemed approval of the tentative map insofar as it complies with other applicable requirements of this ~~T~~title, Title 19, and other applicable provisions of ~~this the Municipal Code (California Government Code Section 66452.1 and 66452.4).~~
2. The Planning Commission action shall be based on conformity of the tentative tract or tentative vesting map with this ~~T~~title, with other applicable Codes, Title 19, the quality of the design of the subdivision, compatibility with surrounding neighborhoods and the natural environment. The Planning Commission shall not approve a map unless it has found that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan.
3. The Planning Commission shall deny approval of the tentative tract or tentative vesting map if it makes any of the following findings:
 - a. That the proposed map is not consistent with applicable General and Specific Plans as specified in ~~Section Government Code § 65451~~;¹³
 - b. That the design or improvement of the proposed subdivision is not consistent with applicable General and Specific Plans.
 - c. That the site is not physically suitable for the type of development;
 - d. That the site is not physically suitable for the proposed density of development;
 - e. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
 - g. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This ~~S~~subsection shall apply only to easements of record or to easements established by judgment of a court of competent

¹³ Sec. 18.150.110 Planning Commission review. Citation is completed as shown. **(FOOTNOTE 323 IN EXHIBIT 2)**

jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

If the map is disapproved by the Planning Commission, the subdivider shall be furnished with the statement of the reasons for such disapproval. If the map is conditionally approved, the subdivider shall be furnished with a complete statement of the conditions of approval.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 54, 2019; Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.120 Acceptance of dedications or offers of dedication.

After execution of the City Engineer's certificate, either the City Manager or the City Council shall accept, accept subject to improvement or reject any and all dedications or offers of dedication.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.130 Notice of decision.

- A. A notice of decision shall be required for maps and permits in accordance with the provisions of this [Section](#).
- B. Within ten days from the final action on an application, the Community & Economic Development Director or City Surveyor as appropriate shall send written notice of decision to the project applicant, other affected parties, and anyone who has requested to be notified. The notice of decision shall identify the specific action of the approving and appeal authority, including the date of action, applicable conditions, basis for determination, and appeal period.
- C. The written decision of the City Surveyor to conditionally approve or deny the lot line adjustment, lot consolidation or lot merger/unmerger or to refer the application to the Planning Commission shall be issued within 30 days after the filing of a complete application with the Planning Division. If the lot line adjustment, lot consolidation or lot merger/unmerger is to be referred to the Planning Commission, the Community & Economic Development Director shall cause the application to be placed on the next available agenda of said Commission and notice of the hearing before the Planning Commission to be given. The Planning Commission shall act in the capacity of the City Surveyor if the matter is referred to it by the City Surveyor.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 55, 2019; Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.150.140 Application denial—Reapplication.

Whenever an application or portion of an application has been denied or revoked and the denial or revocation becomes final, no new application for the same or similar request may be accepted within one year of the date of the action to deny or revoke, unless the Community & Economic Development Director determines that a new application is warranted due to a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment.

(Ord. [7459](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 56, 2019; Ord. 6968 §1, 2007)

18.150.150 Withdrawal of application.

Any subdivider or applicant wishing to withdraw an application at any time prior to action thereon by the approving or appeal authority shall do so in writing.

(Ord. 6968 §1, 2007)

Chapter 18.160 NOTICES AND HEARINGS

18.160.010 Generally.

18.160.020 Notice of hearing for discretionary permits reviewed by planning commission.

18.160.030 Content of notice.

18.160.040 Notice requirements for administrative discretionary permits reviewed by the Community & Economic Development Director.

18.160.050 Requests for notification.

18.160.060 Failure to receive notice.

18.160.070 Hearing procedure.

18.160.010 Generally.

- A. The following procedures implement Government Code Sections 65090 through 65096 and govern the notice and public hearing, where required, for consideration of a land use or development permit or action pursuant to this [Title](#).
- B. Public hearings shall be required for tentative tract, vesting, reversion to acreage, condominium and environmental subdivision maps identified in this [Title](#). The hearing(s) shall be held before the designated approving or appeal authority pursuant to Section 18.050.010 Approving and Appeal Authority.

(Ord. 6968 §1, 2007)

18.160.020 Notice of hearing for discretionary permits reviewed by planning commission.¹⁴

When a provision of this [Title](#) requires notice of a public hearing to be given, notice shall be given per [Title-Section 19.670 of this Code](#).

(Ord. 6968 §1, 2007)

18.160.030 Content of notice.

Notices shall include at a minimum the date, time and place of the public hearing; the identity of the hearing body; a general explanation of the matter to be considered; and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.

¹⁴ Sec. 18.160.020. Notice of hearing for discretionary permits reviewed by planning commission. Section vs. title error is corrected as shown. **(FOOTNOTE 324 IN EXHIBIT 2)**

(Ord. 6968 §1, 2007)

18.160.040 Notice requirements for administrative discretionary permits reviewed by the Community & Economic Development Director.

- A. Public notice of the consideration of a proposed lot line adjustment, lot consolidation, lot merger/unmerger, parcel map waiver, and certificate of compliance is not required, except when the property under consideration is in the RC Zone, or has an Average Natural Slope of 20 percent or greater, or a modification, as described in Chapter 18.230, is requested. When required, public notice shall be provided by the Community & Economic Development Director by mailing such notice to the owners of property adjacent to the boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor. Such notices shall identify the property under consideration and indicate the nature of the proposed application.
- B. Public notice of the consideration of a proposed tentative parcel map shall be provided by the Community & Economic Development Director by mailing such notice to the owners of property within 300 feet of the boundaries of the property under consideration, using for this purpose the last known name and address of such owners as are shown on the latest available equalized assessment roll of the County Assessor. Such notices shall identify the property under consideration and indicate the nature of the proposed application.
- C. The public notice shall:
 - 1. Be sent no later than 14 days after City acceptance of a complete and accurate application.
 - 2. Invite interested persons to notify the Planning Division in writing of any concerns or comments and/or to request further notification of actions relating to the proposed application during a 15 day comment and review period commencing with the date of the notice.
 - 3. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals, or requests for City Council review.
 - 4. Specify that at the end of a 15 day comment and review period, the Community & Economic Development Director's final report and recommendations will be issued, initiating a ten day appeal period.

(Ord. [7459](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 57, 2019; Ord. 7094 §1, 2010; Ord. 6968 §1, 2007)

18.160.050 Requests for notification.

Any person who requests inclusion on a mailing list for notice of hearing for a project or projects pursuant to this [Title](#) shall submit such request in writing to the Planning Division. The City may impose a reasonable fee for the purpose of recovering the cost of such notification.

(Ord. 6968 §1, 2007)

18.160.060 Failure to receive notice.

Pursuant to California Government Code Section 65093, failure of any person or entity to receive notice required by law of any hearing as required by this [Title](#) shall not constitute grounds for any court to invalidate the actions of a designated Approving or Appeal Authority for which the notice was given.

(Ord. 6968 §1, 2007)

18.160.070 Hearing procedure.

- A. Hearings and public meetings as provided for in this ~~C~~chapter shall be held at the date, time, and place for which notice has been given as required in this ~~C~~chapter. The designated approving or appeal authority shall conduct the public hearing and hear testimony.
- B. The summary minutes shall be prepared and made part of the permanent file of the case.
- C. Any hearing may be continued, and no further public notice shall be required unless the hearing is not continued to a specific date/time, in which instance the hearing shall be re-noticed.

(Ord. 6968 §1, 2007)

Chapter 18.170 APPEALS

18.170.010 Purpose.

18.170.020 Appeal applicability and authority.

18.170.030 Filing an appeal.

18.170.040 Notice and schedule of appeal hearings.

18.170.050 Appeal hearing and action.

18.170.010 Purpose.

This ~~S~~section identifies the procedures for filing and processing an appeal of actions of approving authorities, consistent with California Government Code Section 65904. Where the appeal provisions of this ~~S~~section conflict with other provisions of other sections of ~~this the Riverside Municipal~~ Code, the appeal provisions of this ~~S~~section shall apply with regard to subdivision matters.

(Ord. 6968 §1, 2007)

18.170.020 Appeal applicability and authority.

- A. Any person dissatisfied with an interpretation or action of an approving authority made pursuant to this ~~T~~title may appeal such action to the designated appeal authority and ultimately to the City Council. Appeals must be filed in accordance with the procedures in this ~~S~~section. Table 18.140.040 identifies the appeal authority for each of the City's map and permits and actions. Actions by the City Council are not subject to appeal and are final.
- B. The approving authority, instead of taking any action, may refer the matter to the appeal authority. For example, the Community & Economic Development Director may refer action on a tentative parcel map to the Planning Commission for action.

(Ord. [7459](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank) § 58, 2019; Ord. 6968 §1, 2007)

18.170.030 Filing an appeal.

- A. All appeals shall be submitted in writing to the Planning Division and shall identify the action being appealed and specifically state the basis or grounds of the appeal.

- B. Appeals shall be filed within ten days following the date the Approving Authority either announces its determination or loses jurisdiction on the matter for which an appeal is made and shall be accompanied by a filing fee as established by City Council resolution.
- C. The filing of an appeal shall stay the action being appealed and the issuance of subsequent permit(s), such as grading or building permits. No fee shall be charged for an appeal or referral by the Mayor or City Council or public official acting in an official capacity.
- D. An appeal must be filed to exhaust all available administrative remedies.

(Ord. 6968 §1, 2007)

18.170.040 Notice and schedule of appeal hearings.

Unless otherwise stated herein or agreed upon by the person filing the appeal and the applicant, appeal hearings and public meetings should be set within 30 days from the date of appeal submittal. Notice of hearing for the appeal or public meeting shall be provided pursuant to noticing requirements of this Article.

(Ord. 6968 §1, 2007)

18.170.050 Appeal hearing and action.

Each appeal shall be considered de novo (new), and the appeal authority may reverse, modify or affirm the decision in whole or in part. In taking its action on an appeal, the appeal authority shall state the basis for its action. The appeal authority may modify, delete or add such conditions as it deems necessary. The appeal authority may also refer the matter back to the original approving authority for further action.

(Ord. 6968 §1, 2007)

Chapter 18.180 EFFECTIVE DATE OF MAP OR PERMIT APPROVAL, TIME LIMITS AND TIME EXTENSIONS

18.180.010 Purpose.

18.180.020 Effective date of map or permit approval.

18.180.030 Permit time limits.

18.180.040 Voiding of maps or permits.

18.180.050 Map approval and permit time extension.

18.180.060 Exercising maps or permits.

18.180.070 Permit to run with land.

18.180.080 Permit(s) to be maintained on the site during construction.

18.180.010 Purpose.

This Chapter identifies the effective date of map or permit approvals and provides requirements (including time limits) for map or permit implementation and map or permit extension.

(Ord. 6968 §1, 2007)

18.180.020 Effective date of map or permit approval.

- A. *Tentative tract, vesting or reversion to acreage map.* All decisions of the Planning Commission granting or denying a tentative tract, vesting or reversion to acreage map are final and effective immediately unless appealed within the ten day appeal period.
- B. *Tentative parcel map.* All decisions of the Community & Economic Development Director or the Planning Commission acting as the Community & Economic Development Director shall be transmitted by written notice of decision to the City Clerk for transmittal to the City Council. All decisions of the Community & Economic Development Director shall be final and effective ten days following transmittal of the written notice of decision to the City Clerk, unless a member of the City Council has requested the item be reviewed or a written appeal has been filed by the applicant or an interested person within this time. An appeal or request for review of a Community & Economic Development Director decision shall stay the effective date of permit or approval until final action by the City Council.

No building permit or authority to proceed shall be granted until the decision is final and all appeal periods have expired.

- C. *Lot line adjustments, lot consolidations, lot mergers/unmergers, parcel map waivers and Certificates of Compliance.* All decisions of the Community & Economic Development Director shall be final and effective ten days following the notice of decision unless the applicant or any other interested person files a notice of appeal to the City Council within this time. An appeal shall stay the decision of the Community & Economic Development Director until final action by the City Council. Notwithstanding anything to the contrary herein, there shall be no right to appeal the decision of the Community & Economic Development Director to refer the matter to the Planning Commission.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank> § 59, 2019; Ord. 6968 §1, 2007)

18.180.030 Permit time limits.

Any permit granted pursuant to this [Title](#) shall become null and void if not exercised within the time limit specified in the approving document, or within one year if no time has been specified, except that time extensions may be granted pursuant to Section 18.180.050.

(Ord. 6968 §1, 2007)

18.180.040 Voiding of maps or permits.

Any map or permit granted pursuant to this [Title](#) shall become null and void if the owner or owner's authorized representative of the property for which the map or permit was granted requests, in writing, that the map or permit be voided and the approving or appeal authority having jurisdiction approves the request.

(Ord. 6968 §1, 2007)

18.180.050 Map approval and permit time extension.

- A. The period within which the exercise of a map or permit must occur may be extended by the Community & Economic Development Director. An application for extension shall be filed prior to expiration of the permit along with appropriate fees and necessary submittal materials pursuant to Chapter 18.150 General Application Processing Procedures.

- B. *Tentative maps.*

1. Tentative tract, parcel, vesting, and reversion acreage, condominium, and environmental subdivision maps. The Community & Economic Development Director may extend the life of a tentative map beyond the initial 36 month approval by up to six additional years, or as may be further specified in Section 66452.6(e) of the Government Code of the State of California.
 - a. Any application for a one year extension shall be made in writing to the City prior to the expiration of the 36 months allowed. Thereafter, an application for a one year time extension, not to exceed a total of six years beyond the original date of expiration, shall be made in writing to the City prior to the expiration of the previous time extension. The application for a time extension shall be accompanied by a fee as may be prescribed by the City's fee resolution.
2. *Lot line adjustments, lot consolidations, lot merger/unmergers, parcel map waivers and Certificates of Compliance.* Lot line adjustments, lot consolidations, lot mergers/unmergers, parcel map waivers and Certificates of Compliance may receive a maximum of two, one year extensions. The approval of an extension extends the expiration date for one year from the original permit date.
3. The map or permit, as extended, may be conditioned to comply with any development standards that may have been enacted since the map or permit was initially approved.
4. The extension may be granted only when the designated approving or appeal authority finds that the original map or permit findings can be made and that there are no changing circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.

C. *Granting of stay.* The period of time specified in Subdivision B, including any extension granted by the Community & Economic Development Director, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Community & Economic Development Director. After service of the initial petition or complaint in the lawsuit upon the Community & Economic Development Director, the subdivider may apply for a stay following the same procedures in Subdivision A. Within 40 days after receiving the application, the Community & Economic Development Director shall either stay the time period for up to five years or deny the requested stay.

[GRAPHIC]

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=947659&datasource=ordbank> web="yes">7459 § 60, 2019; Ord. 7094 §2, 3, 2010; Ord. 6968 §1, 2007)

18.180.060 Exercising maps or permits.

The exercise of a map or permit occurs when the property owner has performed substantial work and incurred substantial liabilities in good faith reliance upon such permit(s). Unless otherwise provided by law, such exercise of a permit constitutes the vested right to complete the work authorized by the permit. A permit may be otherwise exercised by a condition of the permit or corresponding legal agreement that specifies that other substantial efforts or expenditures constitutes exercise of the permit.

(Ord. 6968 §1, 2007)

18.180.070 Permit to run with land.

Maps and permits and approvals granted pursuant to the provisions of this Title shall be transferable upon a change of ownership of the land provided that the use and conditions of the original map or permit or approval are fully complied with, and the project is not modified or enlarged/expanded.

(Ord. 6968 §1, 2007)

18.180.080 Permit(s) to be maintained on the site during construction.

A copy of all land use and development permits (including all corresponding stamped-approved plans) authorizing construction shall be kept on site at all times during construction.

(Ord. 6968 §1, 2007)

ARTICLE V. PERMITS PROVISIONS

Chapter 18.200 - GRADING AND SOIL EROSION

Chapter 18.210 - DEVELOPMENT STANDARDS

Chapter 18.220 - IMPROVEMENTS

Chapter 18.230 - MODIFICATIONS

Chapter 18.240 - FEES

Chapter 18.200 GRADING AND SOIL EROSION

18.200.010 Grading.

18.200.020 Soil erosion control.

18.200.010 Grading.

Every map approved pursuant to this Title shall be comply with the City's excavation and grading regulations as set forth in Titles 16 and 17 of this Code.

(Ord. 6968 §1, 2007)

18.200.020 Soil erosion control.

Upon determination and notification by the City Engineer that the land for which a tentative map has been filed is subject to soil erosion by either wind or water runoff, the subdivider shall submit detailed plans and specifications indicating the actions to be taken to prevent such erosion, including the prevention of sedimentation or damage to off-site property. No tentative map shall be approved unless the Planning Commission determines that the subdivider's proposals will prevent such erosion, and the approval of the map shall be conditional thereon.

(Ord. 6968 §1, 2007)

Chapter 18.210 DEVELOPMENT STANDARDS

18.210.010 Applicability.

18.210.020 Dedications.

18.210.030 Streets.

18.210.040 Alleys.

18.210.050 Easements.

18.210.060 Telecommunications.

18.210.070 Blocks.

18.210.080 Lots.

18.210.090 Commercial and industrial areas.

18.210.100 Flood-prone lands and drainage.

18.210.110 Sanitary sewers.

18.210.010 Applicability.

This ~~C~~hapter is applicable to all permits governed by this ~~T~~itle.

(Ord. 6968 §1, 2007)

18.210.020 Dedications.

- A. As a condition of approval, the applicant may be required to dedicate or make an irrevocable offer of dedication of all parcels of land that are needed for streets, pedestrian ways, alleys, including access rights and abutter's rights, drainage, public utility easements and other public or private easements.
- B. The applicant may also be required to dedicate such additional land as may be necessary and feasible to provide multi-purpose trails for the use of the public. The applicant may be required to waive direct access rights to any street from the subject property.
- C. Every parcel required to be dedicated for public use shall be so dedicated or offered for dedication by separate instrument on a final map or by separate instrument.

(Ord. 6968 §1, 2007)

18.210.030 Streets.

Parts "A" through "K" of this ~~S~~ection apply to both public and private streets.

- A. *Alignment and location.* In adjoining subdivisions, streets shall be designed to: (1) conform to the alignment of existing adjoining streets; (2) where the adjoining land is not subdivided, streets shall be designed to conform to the projections of existing streets; (3) where physical conditions are conducive and reflect the City's overall grid pattern; (4) allow, as much as possible, for the subdivision of all adjoining unsubdivided land, and the Planning Commission may require that streets or parts of streets be provided to facilitate the subdivision of adjoining property.
- B. *Rights-of-way and improvements.* Except where a modification is expressly authorized in accordance with Chapter 18.230 Modifications, where a special cross section is required to conform with a specific plan or planned street line, or where the proposed street is private, street rights-of-way and the locations of improvements therein shall conform with the standards prescribed in Table 1 below.

Table 1

STREET RIGHT-OF-WAY AND IMPROVEMENTS

	Right-of-way ¹⁰	Median ¹	Pavement Width ²	Curbs and Gutters	Parkway ³
Street Type	(ft.)	(ft.)	(ft.)		(ft.)
Arterial street	144	12	56 (two) ⁷	Yes	10
Arterial street	120	12	44 (two) ⁸	Yes	10

Arterial street	110	18	34 (two) ⁹	Yes	12
Arterial street	100	21	34 (two) ⁹	Yes	10
Arterial street	88	—	64 ⁷	Yes	12
Collector street	80	—	40	Yes	20
Collection street or local street, multi-family area	66	—	40	Yes	13
Local street, single-family area	66	—	36	Yes	15
Local cul-de-sac street ⁴	60	—	36	Yes	12
Frontage Road	42	—	32 ⁵	Yes	10
Alley	20	—	20	—	—
Half streets	43 ⁶	—	28	Yes	15 ⁶

1. Includes width of curbs on both sides of median strip.
2. Measured from curb face to curb face.
3. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved.
4. When approved because of short length, topography or other reasons.
5. Includes two feet of pavement within adjoining arterial right-of-way.
6. Forty-one feet of right-of-way where ultimate curb separation is 40 feet. Remaining parkway width is 13 feet.
7. Provides four travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
8. Provides three travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
9. Provides two travel lanes in each direction (excluding turning lanes, parking lanes and bike lanes).
10. Additional right-of-way may be required on arterial streets to accommodate reverse frontage configurations, scenic boulevard designations and additional traffic lanes at intersections.

C. *Curves and tangents.* Street curves and tangents shall be as provided in this Ssubsection, unless otherwise approved by the City Engineer. Curves on major and secondary streets shall have a centerline radius conforming to the specifications of the Public Works Department. Curves on collector streets shall have a centerline radius of not less than 300 feet. Curves on other streets shall have a centerline radius of not less than 200 feet. A tangent conforming with the Public Works Department's specifications shall be required between reverse curves on major, secondary and collector streets.

D. *Grades.* Grades of streets shall be as provided in this Ssubsection, unless otherwise approved by the City Engineer. Grades of streets shall be not less than four-tenths percent to ensure adequate drainage, and shall not exceed six percent on major, secondary and collector streets. Grades on other streets shall not

exceed 12 percent. All breaks in grade should be joined by vertical curves of adequate length to provide safe sight distances and driving comfort.

- E. *Intersections.* The angle of intersection between public streets, between a public street and an alley, or between a public street and a private street shall be as nearly a right angle as topography and other limiting factors permit.
- F. *Cul-de-sacs, dead-end streets and adjoining acreage.* A cul-de-sac should not serve more than 16 lots, nor should it exceed 600 feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if warranted due to topographic or other specific conditions and if approved by the Public Works and Fire Departments. A turning area with a curblane radius of not less than 36 feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.
- G. Where a street is terminated adjoining property capable of future subdivision, a one-foot-wide nonaccess barrier strip the width of the street right-of-way shall be dedicated to the City and accepted for public use to deny access from the adjoining property to the street. Future acceptance of the barrier strip by the City for street purposes shall be contingent upon the improvement of the strip and the extension of the street into the adjoining property. In addition, a barricade constructed in conformance with the specifications of the Public Works Department and/or a temporary turning area or temporary connection to another street shall be required.
- H. Frontage roads are normally discouraged.
- I. *Limitations.* A frontage road, or reverse frontage lots, side-on lots, or other type of limited access design may be required where land adjoins or fronts on a major or secondary street. To accomplish the purposes of this Subsection, waivers of vehicular and pedestrian access rights to the major or secondary street may be required. Intersections of a frontage road with the street on which it borders shall be spaced so that minimum disruption of traffic results. At intersections, the planting strip separating the frontage road from the major or secondary street shall have sufficient depth to provide at least 40 feet of stacking space for vehicles entering the intersections between the frontage road and the major or secondary street to the specifications of the Public Works Department.
- J. *Railroads, canals, and other grade crossings.* Where a development borders on or contains a railroad right-of-way, canal, or other grade crossing, a street approximately parallel to such right-of-way at a distance suitable for the appropriate use of the intervening land may be required. Such distance shall be determined with due regard for traffic needs and the requirements of approach grades and future grade separations. Where the design of the development incorporates a street that borders a railroad or canal, the developer shall be required to install full width street improvements.
- K. *Half streets.* Half streets shall not be approved except where essential to the reasonable development of the subdivision in conformity with the requirements of this Title and where the Planning Commission finds it will be practical to require the dedication of the remaining portion of the street when the adjoining property is subdivided.
- L. *Access streets.* A subdivision should be accessible by way of two or more improved streets with a minimum of 28 feet of pavement to the specifications of the Public Works Department.
- M. *Street names.* Streets that are a prolongation or approximate prolongation of existing streets shall be given the same names as the existing streets. No street shall be designated by the same name as any other street even though differentiated by a suffix (Avenue, Boulevard, Way, Place or other term).
- N. *Private streets.* Private streets are generally used in single family residential developments. In addition to Paragraphs A through K above, private streets shall also comply with the following:
 - 1. *General regulations.*

- a. Private streets may be permitted in new developments where their use is logically consistent with a desire for neighborhood identification and control of access and where special overall design concepts may be involved. The use of private streets shall be subject to review and approval by the approving or appeal authority.
- b. All private streets and private drives shall be reviewed by the Public Works Department and the Fire Department for recommendations concerning their design and construction. The installation of street lights which will be maintained by the Public Utilities Department shall be inspected by the Public Utilities Department, with a standard inspection fee required.
- c. The City shall assume no responsibility for enforcement of traffic control on private streets.
- d. The use of private streets and/or drives is not intended to be a device for permitting inadequate street design.

2. *Private street standards.*

- a. For private streets, the street widths shall be as prescribed in Table 2 below and Table 1 Street Right-of-Way and Improvements. Private streets shall be treated as public streets for the purposes of Zoning standards (e.g., lot width, lots size, setbacks etc.)

Table 2

PRIVATE STREET STANDARDS

Pavement Width ¹ (ft.)	Parking Conditions ³	Curbs and Gutters	Parkway ² (ft.)	Curb returns (ft.) ⁴
20	Off-street	Yes	Yes	20
28	Parallel parking on one side	Yes	Yes	20
36	Parallel parking on both sides	Yes	Yes	20

- 1. Measured from curb face to curb face. When rolled curb is approved, measurement is from back of curb.
- 2. Sidewalks shall be required at all locations unless specifically approved to be omitted. Sidewalks generally shall be located adjacent to the property line, except where findings can be made that there are unusual circumstances warranting location of a sidewalk adjacent to the street. All sidewalks shall be in accordance with Standard Drawing No. 325. The remaining parkway area shall be landscaped and irrigated as approved. Utility easements may be required behind curbs to accommodate placement of water meters, electric conduit, etc. (minimum four foot wide). Street trees are required in parkway areas.
- 3. "NO PARKING" signs shall be posted on each side of a private street where parking is not permitted. The design and location of said signs shall be approved by the City Traffic Engineer.
- 4. Minimum curb return radius allowed. Larger radius may be required as deemed appropriate by Public Works.
 - b. Standard structural street design and construction materials shall be utilized in the construction of private streets in compliance with City Public Works Department specifications.

- c. Standard concrete curbs and gutters shall be installed along both sides of the entire length of any private street to the specifications of the Public Works Department. Rolled curbs may be acceptable.
- d. No private street or cul-de-sac shall serve more than 16 lots, nor should it exceed 600 feet in length measured from the centerline of the intersection street to the center of the turnaround, except that a greater length may be permitted if required by topographic conditions and if approved by the Public Works and Fire Departments. A turning area with a curbline radius of not less than 36 feet shall be provided at the end of such street. Alternate designs for turning or reversing directions may be permitted if approved by the Public Works Department.
- e. Street names shall be established according to current City criteria and shall be approved by the Planning Division.
- f. The name of each private street shall be posted at intersections using City street name sign standards or other standard approved by the City Traffic Engineer, with the street name to be followed by the word "PRIVATE" in parentheses.
- g. Sidewalks shall be required and should be located adjacent to the property line.
- h. All private streets shall be equipped with street lights, the type and design of which shall be to the approval of the Public Utilities Department and Planning Division. Street lights shall be installed by the developer.
- i. The Public Utilities Department will bill the Homeowners' Association or individual or group which owns the subject property for the electric street lights as specified in Electric Rate Schedule LS-2 (Energy and Maintenance).
- j. Street lights meeting the specifications of the Public Utilities Department will be maintained by the Public Utilities Department.
- k. The placement of traffic control devices (signs, barricades, markings, etc.) shall be provided to the specifications of the City Traffic Engineer. The design of said markings shall be to the approval of the City Traffic Engineer.

3. *Private driveway standards.*

- a. For private driveways, the minimum widths shall be prescribed in Chapter 19.580 of Title 19 (Zoning).
- b. The connection between the private driveways and any street shall be by an approved connection.
- c. Private driveways shall be provided within 150 feet of any dwelling unit for accessibility of emergency vehicles.
- d. Fences, shrubbery or any other obstruction shall not be permitted in any area that would interfere with accessibility of emergency vehicles, or effective sight distance.
- e. The maximum length of any dead-end private driveway shall not exceed 250 feet in length unless a hammerhead or cul-de-sac turnaround is provided.
- f. Private driveways exceeding 150 feet in length may have traffic bumps installed at appropriate intervals. The bumps shall either be painted white in color with a reflective-type paint or the entrance to the driveway shall be posted with the appropriate caution.
- g. Private driveways shall have no overhead obstruction within 15 feet vertical clearance of the grade of the driveway.

- h. Safety lighting may be provided on all private driveways as appropriate.
- i. A private driveway permit is required for any work within the public right-of-way.

4. *Special conditions for inclusion in conditions, covenants and restrictions.*

- a. Each buyer shall sign an acknowledgment that he has read the Constitution and By-Laws of the Homeowners' Association (HOA) and the Conditions, Covenants and Restrictions (CC&Rs) applying to the development, including any clause pertaining to private streets and private drives.
- b. The CC&Rs shall be irrevocably written and recorded so that the maintenance and enforcement of the on-street parking prohibition is the responsibility of the HOA for the life of the project. The CC&Rs shall clearly state that the HOA officers are responsible for the enforcement of the on-street parking prohibition and are personally liable for any penalties, including citations, for the failure to follow through with their responsibilities.
- c. Mechanical maintenance and "knock-down" repair of fire hydrants and street lights which meet the specifications of the Public Utilities Department along private streets shall be accomplished by either the City Public Utilities Department or applicable serving utility company, at the expense of the HOA.
- d. The By-Laws or other appropriate document of the Homeowners' Association shall include the obligations of the Association with respect to maintenance of the private streets.
- e. The CC&R's shall provide the City with authority to repair and/or maintain the private streets and/or appurtenances in the event the HOA fails to maintain said streets and/or appurtenances in a manner that provides adequate access at all times so that emergency and utility vehicles can service the properties contiguous or adjacent thereto. Provision shall be made in the CC&R's to enable the City to recover costs of work performed by the City in these streets. The CC&R's shall provide that the HOA grants the City the authority to enter and repair and maintain the private street in the event the HOA defaults in its maintenance responsibilities and the preservation of the public health, safety and welfare necessitates City maintenance of the private street. Repair costs incurred by the City shall be shared, pro rata, by all parcels and collected as assessments along with County property taxes.

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 7, 2022; Ord. 7026 § 1, 2009; Ord. 6968 § 1, 2007)

18.210.040 Alleys.

- A. Alleys not less than 20 feet in width may be required at the rear of existing or prospective multifamily residential or single family residential planned residential developments, commercial or industrial property.

Where permitted in single-family planned residential developments, alleys shall be not less than 20 feet in width.

- B. Rounded corners or a corner cutoff in accordance with the specifications of the Public Works Department may be required at the intersection of two alleys or at the intersection of an alley with any street. Right angle alley turns and the turnaround of a dead-end alley shall conform to the specifications of the Public Works Department.

(Ord. 6968 § 1, 2007)

18.210.050 Easements.

- A. *Utility easements.* Easements for public utilities shall be provided to the specifications of the Public Utilities Department or of the serving utility company. Easements for sewers and drainage shall be provided to the specifications of the Public Works Department. Easements for street trees, sidewalks, and other public uses shall be provided when required.
- B. *Public access easements to public resources.* Easements through a subdivision to provide public access to public waterways, streams, rivers, lakes, reservoirs, and other similar public resources shall be provided to the specifications of the approving agency or City department. Public access through any area designated for habitat preservation shall require consultation with appropriate state and federal agencies. Pedestrian ways, bicycle routes, multi-purpose trails and/or equestrian paths may be considered an acceptable means of public access. If a state or federal agency determines that an access route cannot be established through an identified habitat preservation area, the subdivider shall propose alternate easement design.

(Ord. 6968 § 1, 2007)

18.210.060 Telecommunications.

- A. The design of any subdivision, for which a tentative map or a parcel map is required by this **T**itle, is required to provide any and all appropriate cable television and similar or alternative systems an opportunity to construct, install, and maintain, on land identified on the map as dedicated or to be dedicated to public utility use, any equipment necessary to extend cable television or similar or alternative telecommunications services to each residential parcel in the subdivision. Appropriate cable television or similar or alternative telecommunications systems, as used in this **S**ection, means those franchised to serve the geographical area in which the subdivision is located.
- B. In furtherance of **S**ubsection A of this **S**ection, easements for construction, installation and maintenance of any equipment necessary to extend cable television or similar or alternative telecommunications services to each residence shall be provided in compliance with the specifications of the Public Works Department.
- C. This **S**ection shall not apply to the conversion of existing dwelling units to condominiums, community apartments, or stock cooperatives.

(Ord. 6968 § 1, 2007)

18.210.070 Blocks.

- A. *General.* Blocks shall be designed to allow for adequate building sites for the type of use proposed to comply with Zoning Code requirements prescribing lot sizes and dimensions, to allow for convenient pedestrian and vehicular circulation, access, traffic control and safety and limitations created by topography. Block depths generally shall be sufficient to allow for two tiers of lots of the prescribed depth for the proposed use. In order to promote connectivity, walkability, and a sense of neighborhood cohesiveness, blocks should not normally exceed 2,000 feet in length and may be up to 3,500 feet in length where topographic conditions dictate longer block lengths. Along arterial and standard streets, blocks should be designed where possible to minimize the number of interconnecting streets.

[GRAPHIC]

18.210.070 Blocks

- B. *Corners.* At street intersections, block corners shall be cut off or rounded at the property line to conform with the specifications of the Public Works Department.

C. *Pedestrian ways.* Where needed for traffic safety, for access to schools, playgrounds, shopping facilities or for other community facilities, pedestrian ways not less than ten feet in width may be required. The entire width shall be paved with concrete in accordance with the standard specifications for sidewalks of the Public Works Department. Pedestrian ways lined with solid walls on either side are generally discouraged due to security concerns. Pedestrian ways shall be illuminated in accordance with the specifications of the Public Utilities Department and the Planning Division. Metal posts or other facilities designed to inhibit the passage of vehicles through the pedestrian ways shall be installed to the specifications of the Public Works Department and the Planning Division.

(Ord. 6968 § 1, 2007)

18.210.080 Lots.

- A. *Suitability for purpose.* The subdivision plan shall result in the creation of lots which can be used or built upon. No subdivision shall create lots for building purposes which are impractical for improvement or use due to steepness of terrain, location of watercourses, size, shape or other physical conditions.
- B. *Lot size.* The minimum area and dimensions of all lots shall conform with the requirements of ~~the Zoning Code,~~ Title 19 of ~~this the Municipal~~ Code.
- C. *Lot lines.* Lot lines shall be located so as to facilitate the best utilization of existing and potential building sites. Normally, the side lines of lots shall be straight and approximately at right angles to the street, or approximately radial if the street is curved.
- D. *Access to streets.* Every lot for building purposes shall have direct vehicular access to a street meeting the minimum requirements of this ~~T~~itle for right-of-way width and improvements. Lots, other than corner lots, normally shall not have access to more than one street. On any lot intended for residential occupancy, it shall be possible to provide safe vehicular access by way of a private driveway with a grade not in excess of 15 percent from the street to a garage, carport or parking site on the lot in a location conforming with the requirements of Titles 17 and 19 of this Code.
- E. *Corridor access lots.* Corridor access lots may be approved only where there is no reasonable alternative available to develop the interior portions of excessively deep parcels or where required by unusual physical constraints, subject to the approval of a modification in accordance with Chapter 18.230. For the purposes of this ~~C~~hapter the development standards for corridor access lots shall be as follows:
1. The corridor width shall be a minimum of 20 feet; except for an urban lot split pursuant to California Government Code § 66411.7 shall be as set forth in Chapter 18.085 of this Title;
 2. The building pad shall be located behind at least one of the proposed, existing or potential building pads on an adjoining lot to either side;
 3. The building line means a line parallel with the street, independent of the corridor or panhandle;
 4. The front yard means a yard extending across the full width of the lot as measured from the building line; and
 5. The area of the corridor shall not count in computing lot area for purposes of ascertaining compliance with the provisions of Title 19 of ~~this the~~ Code.
 6. No modification shall be required for the approval of a corridor access lot created pursuant to § 66411.7 of the California Government Code.
 7. The Approving Authority may interpret the standards of the corridor lot.

[GRAPHIC]

Corridor Access Lot

- F. *Property remnants.* Remnants of property which do not conform to lot requirements or which are not required for a public or private utility or other public use or approved access purpose should not be created by or included in a subdivision. Remnants may be approved where exceptional circumstances exist.
- G. *Reverse frontage lots.* Reverse frontage residential lots shall typically be required where those lots are adjacent to arterial street as shown on the Master Plan of Roadways in the General Plan, or to overcome specific disadvantages of topography and orientation. Where reverse frontage lots are approved, the right to vehicular and pedestrian ingress and egress over rear or side lot lines may be required to be relinquished.
- H. *Drainage.* All lots shall be adequately drained to the specifications of Title 17 and the City Engineer.
- I. *Cluster developments.* Subdivisions may be arranged in a cluster fashion, in compliance with the planned residential development regulations indicated in ~~Title 19~~, Section 19.780, ~~Riverside Municipal~~ of this Code.
- J. *Cul-de-sac lots, and knuckle lots.* For purposes of this ~~C~~chapter, cul-de-sac lots and street knuckle lots, lot width means the horizontal distance between the side lot lines measured by a straight line drawn at one-third (i.e., 33.3 percent) the minimum required lot depth on each side lot line. At the front property line along a cul-de-sac bulb and street knuckle, there shall be a minimum distance of at least 45 feet. The Approving Authority may interpret the standards of cul-de-sac lots and street knuckle lots. For more on cul-de-sac streets see Section 18.210.030.

[GRAPHIC]

(Ord. [7591](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank) § 8(Exh. B), 2022; Ord. 7026 § 2 and § 3, 2009; Ord. 6968 § 1, 2007)

18.210.090 Commercial and industrial areas.

- A. When property is designated on the General Plan or by Title 19 of this Code for commercial or industrial use, the plan of the subdivision shall be appropriate for such use and shall conform with all requirements of this ~~T~~itle, except that frontage on a public or City approved private street may not be required to allow parcel division of a shopping center.
- B. Streets shall have adequate capacity to handle the anticipated traffic that will utilize them. The City Engineer may require a traffic study.
- C. Insofar as possible, streets shall be laid out so that there will be direct access to the commercial or industrial area from major streets without utilizing local streets or traversing residential areas.
- D. Lot areas and dimensions shall conform with the requirements of Title 19 of this Code and shall be adequate to accommodate the yard spaces, off-street parking spaces and off-street loading spaces required by Title 19 and such additional spaces and other service facilities as are needed for the type of use and development contemplated.

(Ord. 6968 § 1, 2007)

18.210.100 Flood-prone lands and drainage.

- A. The subdivision of flood-prone lands, as identified by the City Engineer, shall be prohibited except where:

1. The subdivision is designed in a manner to minimize flood damage to both on-site and off-site structures;
 2. All public utilities and facilities, such as sewer, gas, electrical and water systems, are located, elevated and constructed to minimize or eliminate flood damage;
 3. Adequate drainage is provided so as to reduce the property's exposure to flood hazards and to prevent the aggravation of flood hazards with respect to adjacent and downstream properties;
 4. All new or replacement water supply systems and sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the system into flood waters, and on-site waste disposal systems are located so as to avoid impairment of them or contamination from them during flooding;
 5. No use, including landfill, is permitted unless the subdivider has demonstrated that the proposed use, when in combination with all other existing and anticipated uses, will not increase the water surface elevation of the 100-year flood more than one foot at any point. Plans for drains and drainage structures shall be adequate for local drainage needs and to protect lots and streets within the subdivision from flood hazard, taking into consideration the drainage pattern of adjacent property and treating upstream areas as though fully improved.
- B. The design for drainage structures and facilities shall be based on a ten-year flood frequency, except (1) those major channels designated by the Riverside County Flood Control and Water Conservation District for a 100-year flood, and (2) those facilities draining areas containing sump conditions which shall be based on a 50-year flood frequency. All designs shall provide for surface overflow to accommodate a 100-year flood.
- C. Plans for drainage and drainage works shall be subject to the approval of the City Engineer. Where necessary, means shall be provided for disposing of surface and storm waters beyond the limits of the subdivision. In the event that the subdivision is traversed by any watercourse, channel, stream or creek, the City, in order to maintain such watercourse, channel, stream or creek open and unobstructed, may require the dedication of rights-of-way or easements for storm drainage purposes conforming with the lines of such watercourses, or may require the dedication of such further and sufficient rights-of-way or easements as may be required for structures or channel changes or both to dispose of surface and storm waters, or may require that such rights-of-way be classified in an appropriate Zoning district. Such rights-of-way or easements shall be designed to carry the waters of a 100-year flood, without increasing the water surface elevation of that flood more than one foot at any point.

(Ord. 6968 § 1, 2007)

18.210.110 Sanitary sewers.

Sanitary sewers shall be required to the specifications of the serving agency for all land divisions. An exemption may be considered by the City Engineer provided all of the following conditions prevail:

- A. The subdivision is designated for single-family residential purposes only;
- B. All developable lots within the subdivision are at least one acre in size;
- C. A viable point of connection to the sewer system does not exist as determined by the City Engineer;
- D. The Santa Ana Regional Water Quality Control Board (SARWQCB) has approved septic systems for the site; and
- E. The Riverside County Department of Environmental Health has reviewed and accepted the Onsite Wastewater Treatment System Report for Land Divisions pursuant to the applicable policies of the regulating agencies.

(Ord. 7314 § 7, 2016; Ord. 7094 § 4, 2010; Ord. 6968 § 1, 2007)

Chapter 18.220 IMPROVEMENTS

18.220.010 Improvements required for final maps.

18.220.020 Improvement agreement and security.

18.220.030 Improvement plans.

18.220.040 Improvement standards.

18.220.050 Supplemental improvements.

18.220.060 Work required.

18.220.070 Arterial street improvements.

18.220.080 Frontage road requirements.

18.220.090 Reverse frontage and side frontage lots.

18.220.100 Inspection of work.

18.220.110 Access for cable television and similar or alternative telecommunications systems.

18.220.120 Preinstalled improvements.

18.220.130 Forfeiture of security.

18.220.140 Release of security.

18.220.010 Improvements required for final maps.

- A. Before a final tract, vesting, reversion to acreage or parcel map is approved or complete all required improvements shall either be completed and accepted by the City or subject to a secured agreement as set forth in Section 18.220.020 below.
- B. The City will not accept the dedication of any streets, alleys, pedestrian ways, or public places shown on the map unless all the required improvements have been completed and accepted.
- C. If improvements are required to protect certain lots from drainage hazards, an agreement may require that those improvements shall be installed prior to those certain lots being sold. The developer shall be required to obtain written approval from the City's Public Works Department prior to the sale of those lots.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.220.020 Improvement agreement and security.

- A. In the event an agreement is entered into for completion of improvements, the agreement shall be secured by a good and sufficient improvement security in a form satisfactory to the City Attorney. "Improvement Security," as used in this Chapter, means one or more of the following:
 - 1. A deposit or deposits made with the City or a responsible escrow agent of money or negotiable bonds of the kind approved for securing deposits of public moneys.
 - 2. A bond or bonds by one or more duly authorized corporate sureties.
 - 3. An instrument of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the installation of the

improvements and/or agreement are on deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.

4. A lien upon the property to be divided recorded with the Riverside County Recorder, if the City finds that it would not be in the public interest to require the installation of the required improvements sooner than two years from the recordation of the final map.
5. Any form of security, such as a deed of trust in favor of the City, executed by all of the owners of the property to be divided and recorded against the property with the Riverside County Recorder.

B. Said improvement security shall be in the amounts and for the following purposes:

1. Faithful performance in the amount of 100 percent of the total estimated cost of the improvements;
2. Fifty percent of the total estimated cost of the improvements, securing payment to the contractor, his subcontractors and to persons furnishing labor, materials or equipment to them for the improvements; and
3. At least ten percent of the total estimated cost of the improvements for the guarantee and warranty of the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.220.030 Improvement plans.

Prior to the commencement of construction or installation of any improvements within any street, alley, pedestrian way, easement, or other public area or right-of-way, the subdivider shall submit a complete set of construction plans to the Public Works Department. After all necessary changes, modifications, and additions ordered by the City Engineer or other applicable departments or agencies have been made on the improvement plans and before the map is given final approval, the subdivider shall file with the Public Works Department and other affected departments or agencies a complete set of reproducible permanent transparencies of the approved plans which shall become the property of the City and other applicable agencies.

(Ord. 6968 §1, 2007)

18.220.040 Improvement standards.

All improvements shall be constructed and installed in accordance with the approved plans.

(Ord. 6968 §1, 2007)

18.220.050 Supplemental improvements.

The subdivider may be required to install additional improvements for the benefit of property not within the subdivision. The subdivider may be reimbursed for the costs of the additional improvements, pursuant to the Subdivision Map Act, [§ 66486](#).

(Ord. 6968 §1, 2007)

18.220.060 Work required.

The improvements required by this [Chapter](#) shall consist of all of the following work and such other work as may be required as a condition of acceptance of any street, alley, pedestrian way, easement, or other right-of-way:

- A. Grading and filling to approved grade, and construction of all necessary grade crossings, culverts, bridges and other related works;
- B. Construction and installation of all drains, drainage facilities, channel improvements and other drainage works required to provide adequate drainage for every lot and to protect all lots from flood or overflow by storm waters or floodwaters, in accordance with the approved plans for drains and drainage works;
- C. Construction and installation of concrete curbs and gutters on both sides of every street and on the proximate side of each existing or dedicated street bordering the subdivision. If a street is an extension of a turnaround or temporary turnaround, the bulbed portion shall be removed and the required improvements installed;
- D. Installation or provision for the installation of all sewer mains, including dry sewers when required by the Public Works Department, and all laterals required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line and a cleanout placed to serve each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- E. Installation of all utilities, utility lines and appurtenances, including water mains, fire hydrants, gas mains, telephone and electric lines, and all laterals and appurtenant equipment required to serve each lot. When such facilities are located in a street, laterals shall be laid to the property line of each lot. All required facilities installed in a street shall be laid before the street is paved, and shall extend at least to the subdivision boundary;
- F. Required utility lines, including but not limited to electrical, telephone, cable television, and street light service lines, providing service to all new property developments shall be placed underground. The subdivider is responsible for complying with the requirements of this Section, and he shall make the necessary arrangements with the serving utility companies for the installation of such facilities. For the purpose of this Subsection, surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, ducts, street lighting or signal control cabinets, and other associated equipment in an underground system may be placed above ground. The Public Utilities General Manager may waive the requirements of this Subsection if topographic conditions, soil or any other conditions make such underground installation unreasonable or impractical. A written justification for any such waiver shall be prepared and kept on file.

This subdivision shall not apply to telephone transmission lines or electric transmission lines or other lines which do not provide service to the area being subdivided;
- G. Relocation or provision for the relocation of any underground or overhead utility, including irrigation lines, the relocation of which is necessitated by development of the subdivision;
- H. Installation of asphalt concrete pavement, base material, and seal coat in all existing or dedicated streets and alleys or portions thereof;
- I. Installation of concrete sidewalks adjacent to the curbline, except where this requirement is specifically waived; installation of concrete driveway approaches; and installation of concrete pavement for pedestrian ways;
- J. Planting or providing for the planting of trees of the variety, size and condition prescribed by the Park, Recreation and Community Services Department in accordance with the approved plans and specifications; removing and, where required by the Park, Recreation and Community Services Department, transplanting designated trees that are located in the line of construction of improvements; providing maintenance for all trees and landscaped areas until the same are accepted by the City;

- K. Installation or provision for the installation of street lights of approved design and illumination intensity in the locations and manner approved by the Public Utilities General Manager;
- L. Installation of all required street signs, including street name signs, warning signs, and regulatory signs where required;
- M. Construction and installation of street barricades where required;
- N. Where any boundary line of a subdivision is adjacent to or across a public street, alley or pedestrian way from an open and unfenced canal, storm channel, railroad, quarry, airport, or other hazardous facility, or adjacent to unimproved land capable of division or development, or productive agricultural land, construct a six-foot chain link fence or masonry wall or barrier, separation or the like to the specifications of the Planning and Public Works Departments along such subdivision boundary line, or construct the equivalent length of fence or wall along the nearest right-of-way line of such canal, channel, railroad, airport, or other hazardous facility;
- O. Construction of such acceleration and deceleration lanes and traffic channelization devices in streets as are deemed necessary by the Public Works Department to control traffic;
- P. All work and improvements contemplated by and performed under the provisions of this Title shall be accomplished so as to minimize interference with and coordinate with other construction activities or developments of or on behalf of the City and nearby private development.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.220.070 Arterial street improvements.

Where the General Plan or any applicable specific plans shows an arterial street located within the boundaries of a subdivision or located immediately adjacent to a boundary or boundaries of a subdivision, the following dedications and improvements shall be required:

- A. Where the arterial street is designated to be within the boundaries of the subdivision, the subdivider shall dedicate and grade the entire right-of-way and improvement shall be required as designated by this Title, including a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors.
- B. Where the designated arterial street adjoins or is adjacent to a boundary or boundaries of the subdivision, the subdivider shall dedicate and grade one half of said right-of-way from the centerline, and improvements shall be required as designated in this Title for one-half of the street, including one-half of a raised median with landscaping consisting of trees, shrubs, ground cover, hardscape and a fully automated irrigation system as approved by the Public Works and Park, Recreation and Community Services Directors. However, upon approval by the Public Works Department a fee in lieu thereof may be paid by the subdivider to the City, which fee shall be in the amount estimated by the Public Works and Park, Recreation and Community Services Directors to be the cost of one-half of the raised median with landscaping and irrigation system.

(Ord. 6968 §1, 2007)

18.220.080 Frontage road requirements.

Where a limited access design is required for a highway and to accomplish this purpose a frontage road is provided, the frontage road and the adjacent highway shall be improved in accordance with the provisions of this Title, with the following additions and modifications:

- A. Street lights shall be required on both the highway and the frontage road.

- B. Where the highway is already improved and the pavement is not to the required grade and elevation, the subdivider shall remove and install the pavement to the required grade and elevation.
- C. Full improvement of the sections connecting the highway and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the highway deemed necessary by the City Engineer in order to provide for adequate entrances to and exits from the subdivision.
- D. A planting strip shall be provided between the frontage road and its adjacent highway which shall contain trees, shrubs, ground cover and an automatic irrigation system as approved by the Park, Recreation and Community Services Director.

(Ord. 6968 §1, 2007)

18.220.090 Reverse frontage and side frontage lots.

Where a limited access design is required for an arterial, and to accomplish this purpose reverse or side frontage lots bordering the arterial are provided, said arterial shall be improved in accordance with the provisions of this ~~T~~title with the following additions and modifications:

- A. Full improvement of the sections connecting the arterial and the local streets within the subdivision in accordance with the specifications of the Public Works Department shall be required. These improvements shall include any and all improvements on the arterial deemed necessary by the City Engineer to provide for adequate entrances to and exits from the subdivision.
- B. A masonry wall shall be constructed of a design, material, and color approved by the Community & Economic Development Director adjacent to the rear or side property line of the lots backing up to or siding on an arterial street or other location as may be required by the City Engineer. Such wall shall not be less than six feet in height, unless the regulations in Title 19 of this Code prescribe a different height, and shall be uniform in design, material, and color. Where it is more feasible because of topography to construct the wall at the top of a slope adjacent to the arterial, the area between the street and the wall shall be dedicated or granted by easement to the City for restricted street purposes including landscaping; and the Planning Commission may grant modifications required for the development of any adjacent lot or parcel due to such dedication or grant of easement in accordance with the provisions of this ~~T~~title.

[GRAPHIC]

18.220.090.B

Reverse Frontage Walls

- C. Landscaping shall be required in the area between the property line and the curb and in any dedicated area or required landscape easement area between a required masonry wall and fence and the planned street line, and the landscaping shall consist of trees, shrubs, ground cover, and a fully automated irrigation system as approved by the Park, Recreation and Community Services Director; provided, however, a fee in lieu thereof may be paid by the subdivider to the City, which fee shall be in an amount estimated by the Park, Recreation and Community Services Director to be the cost for such improvements.
- D. Long term maintenance of landscaping and the reverse frontage wall shall be the responsibility of a Homeowners' Association (HOA) where one exists in the case of a planned residential development. Where no HOA exists, the developer shall be responsible for providing for the long term maintenance of the landscaping and wall by means acceptable to the City, including payment of an endowment in an amount approved by the City.

(Ord. 6968 §1, 2007)

18.220.100 Inspection of work.

The subdivider shall cause all work under construction to be inspected at such times as are established and required by the City.

(Ord. 6968 §1, 2007)

18.220.110 Access for cable television and similar or alternative telecommunications systems.

A. Any and all appropriate cable television and similar or alternative telecommunications systems shall be provided access to any subdivision for which a tentative map was required by this **T**itle for the purpose of constructing, installing or maintaining equipment consistent with the requirements of the City of Riverside, within public streets, highways, alleys, public utility easements, telecommunications easements and other public easements designated by the City of Riverside as acceptable for cable television and similar or alternative telecommunications systems use, which equipment is necessary to extend the appropriate telecommunications systems to the parcels within the subdivision.

"Appropriate cable television and similar or alternative telecommunications systems", as used in this **S**ection, means those franchised to serve the geographical area in which the subdivision is located.

B. When the subdivision is being developed, the subdivider or the owner shall provide notice to all appropriate cable television and similar or alternative telecommunications systems regarding the optimum time or times for the access required by **S**ubsection A of this **S**ection to take place so that all trenching for utilities, sewers, telecommunications systems and the like can be coordinated and shared when feasible. While the subdivision is under construction, the access required by **S**ubsection A of this **S**ection shall be provided upon terms mutually acceptable to the subdivider or owner and an appropriate telecommunications system. If no mutually acceptable terms can be agreed upon, such appropriate telecommunications system shall have the right to construct, at its sole expense, separate trenches and to place therein all equipment necessary to extend such appropriate telecommunications system to the parcels within the subdivision. When any appropriate telecommunications system installs associated equipment in a separate trench, the trenching activity shall be performed as close in time and physical proximity to the trenching for utility lines, sewers, and any other appropriate telecommunications system equipment as practicable.

(Ord. 6968 §1, 2007)

18.220.120 Preinstalled improvements.

If the subdivider completes all improvements required by this **T**itle prior to approval by the City of the final map or parcel map the subdivider shall be required, in addition to any other requirements of this **T**itle, to provide the City with an improvement security in form acceptable to the City Attorney to guarantee the maintenance of the work required by this **T**itle, until completion of the final map, against any defective work or labor done or defective materials furnished or damage occurring during map construction. The penal sum of this security shall be in the amount of ten percent of the estimated cost of all improvements required by this **T**itle, which cost shall be ascertained by the City Engineer; but in no event shall said penal sum be less than \$300.00.

(Ord. 7341 §7, 2016; Ord. 6968 §1, 2007)

18.220.130 Forfeiture of security.

If the subdivider or the surety fails to complete all the required improvements within a time prescribed by the improvement contract with the City or any authorized extension thereof by the City, in addition to any other legal or equitable remedies available, the City Council may order that the remaining improvements be made by or on behalf of the City at the expense of the subdivider and the surety.

(Ord. 6968 §1, 2007)

18.220.140 Release of security.

The improvement security may be released in the following manner:

- A. Upon completion of all the work, improvements and obligations called for under the subdivider's contract for completion of the improvements, and upon acceptance of all said work and improvements by the Public Works Director or his/her designee, the Public Works Director or his/her designee shall authorize the release of the improvement security given for faithful performance of the contract. The release shall not apply to any required guarantee and warranty period required by Section 18.220.020.B.3. However, the liability of the improvement security given for faithful performance of the contract shall continue for a period of one year following the acceptance of the work and improvements to guarantee the City against any defective work or labor done, or defective materials furnished in the performance of the contract.
- B. The improvement security securing the payment to the contractor, his subcontractors, and to persons renting equipment or furnishing labor or materials may, six months after the completion and acceptance of the work and improvements, be reduced to an amount not less than the total of all claims on which an action has been filed and notice thereof given in writing to the City; and if there are no actions filed, the Public Works Director or his/her designee will authorize the release in full of the improvement security.

(Ord. 6968 §1, 2007)

Chapter 18.230 MODIFICATIONS

18.230.010 Modifications authorized.

18.230.020 Applications.

18.230.030 Approving/appeal authority.

18.230.010 Modifications authorized.

Modifications from the improvement requirements of this **T**itle may be granted pursuant to the procedures set forth in this **C**hapter.

(Ord. 7026 §4, 2009; Ord. 6968 §1, 2007)

18.230.020 Applications.

An application for a modification shall be made by a petition of the subdivider on forms as may be prescribed by the Planning Division. The petition shall set forth the nature and extent of the requested modification, the grounds of the application and the facts relied upon by the petitioner for the request for a modification. The petition shall be filed together with the administrative discretionary or discretionary map or permit.

(Ord. 6968 §1, 2007)

18.230.030 Approving/appeal authority.

The approving or appeal authority shall consider the application for a modification and the drawings and documents filed with an application at the same time as the map or permit is considered. The modification may be granted or may be granted subject to prescribed conditions, provided that the approving or appeal authority shall make the following findings:

- A. That the property is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical or undesirable for the petitioner to fully conform with the regulations prescribed by this ~~T~~title, and required conformance would result in undue hardship;
- B. That the modification is necessary for the preservation and enjoyment of a substantial property right of the petitioner;
- C. That the modification will not be detrimental to the public health, safety or welfare, or be injurious to other properties in the vicinity;
- D. That granting the modification is in accordance with the purposes set forth in this ~~T~~title;
- E. That granting the modification is not contrary to the objectives of the ~~z~~Zoning regulations Code set forth in Title 19 of this Code and the General Plan.

(Ord. 6968 §1, 2007)

Chapter 18.240 FEES

18.240.010 Fees required.

18.240.020 Drainage fees.

18.240.030 Other Fees.

18.240.010 Fees required.

Filing fees for filing a tentative tract, vesting or reversion to acreage map, parcel map, final tract, vesting, reversion to acreage or parcel map, appeal, modification, waiver application and certificate of compliance application, and fees for map checking shall be in an amount established by resolution of the City Council and shall be paid at the time the application, petition or map is filed.

(Ord. 6968 §1, 2007)

18.240.020 Drainage fees.

- A. This ~~S~~section is adopted pursuant to Section 66483, et seq. of the California Government Code which provides for the payment of fees for construction of drainage facilities as a condition to the division of land.
- B. Whenever land that is proposed to be divided lies within the boundaries of an area drainage plan, adopted by resolution of the City Council, a drainage fee in the amount set forth in the adopted plan shall be paid as a condition of approval of the filing of a final map or parcel map, or as a condition of the waiver of the filing of a parcel map.
- C. Each area drainage plan shall be adopted pursuant to the provisions of California Government Code Section 66483 et seq.; shall cover a particular drainage area; shall contain an estimate of the total cost of constructing the drainage facilities required by the plan; and shall include a map of the area that shows the boundaries of the drainage area and the location of the required facilities.

- D. The area drainage plan shall be determined by resolution of the Riverside County Board of Supervisors and/or the Riverside County Flood Control and Water Conservation District to be in conformity with any applicable County-wide or district general drainage plans.
- E. As a condition to adoption of a plan, the City Council shall find and determine that the subdivision and development of property within the planned local drainage area will require construction of the facilities described in the drainage plan and that the drainage fees are fairly apportioned within such area either on the basis of benefits conferred on property proposed for subdivision or on the need for such facilities created by the proposed subdivision and development of other property within such area.
- F. The City Council may provide for varying fees; provided, however, the fee as to any property proposed for subdivision within a drainage area shall not exceed the pro rata share of the amount of the total actual or estimated costs of all facilities within such area which would be assessable on such property if such costs were apportioned uniformly on a per-acre basis.
- G. The planned drainage facilities shall be in addition to existing facilities serving the area at the time of the adoption of the area drainage plan.
- H. Drainage fees required by this Section shall be paid to the City and thereafter transferred into a planned local drainage facilities fund which shall be maintained under the jurisdiction of the Riverside County Flood Control and Water Conservation District. A separate fund shall be established by the district for each adopted local drainage area. Moneys in such funds shall be expended solely for the construction, reimbursement for construction, or right-of-way acquisition for drainage facilities within the drainage area for which the fees were collected, or to reimburse the district for the cost of engineering and administrative services to design and construct the facilities and acquire any necessary right-of-way for the facilities.
- I. In the discretion of the City Council, dedication of right-of-way, actual construction, or design work by a civil engineer may be accepted in lieu of the payment of drainage fees, upon a determination that the alternative is acceptable and is equal to or greater in value than the required fee.
- J. Money may be advanced by the Riverside County Flood Control and Water Conservation District to pay the cost of drainage facilities within an adopted drainage area; thereafter, such moneys may be reimbursed from the planned local drainage facilities fund for the local drainage area in which the facilities were constructed.
- K. When required for the implementation of an adopted area drainage plan, an agreement may be entered into between a developer and the Riverside County Flood Control and Water Conservation District whereby the developer may advance funds for the construction of facilities within a local drainage area, provided that the sole security for payment of funds or other consideration advanced shall be moneys subsequently accruing to the planned local drainage facilities fund for the drainage area in which the facilities are constructed. Reimbursement shall be for the amount advanced only and shall not include interest or other charges. The agreement shall expire ten years after the date it was entered into, and any subsequent moneys paid into the fund shall accrue to it without obligation to creditors for which the agreements have expired.
- L. Drainage fees listed in an adopted plan may be amended by the City Council at any time upon a determination that it is necessary to change the fees in order to correctly reflect the estimated cost of the required facilities.

(Ord. 6968 §1, 2007)

18.240.030 Other Fees.

Other fees may be required pursuant to the City's Fee resolution. Pursuant to California Government Code 66477 and Chapter 16.60 of ~~this the Riverside Municipal~~ Code, the City may, in-lieu of an offer of parkland dedication, impose a fee as a condition of development. The amount of this fee shall be determined by resolution of the City Council.

(Ord. 6968 §1, 2007)

ARTICLE VI. DEFINITIONS¹⁵

Chapter 18.260 - DEFINITIONS

Chapter 18.260 DEFINITIONS

18.260.010 Purpose and applicability.

18.260.020 "A" Definitions.

18.260.030 "B" Definitions.

18.260.040 "C" Definitions.

18.260.050 "D" Definitions.

18.260.060 "E" Definitions.

18.260.070 "F" Definitions.

18.260.080 "G" Definitions.

18.260.090 "H" Definitions.

18.260.100 "I" Definitions.

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18.260.140 "M" Definitions.

18.260.150 "N" Definitions.

18.260.160 "O" Definitions.

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18.260.190 "R" Definitions.

18.260.200 "S" Definitions.

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18.260.220 "U" Definitions.

18.260.230 "V" Definitions.

18.260.240 "W" Definitions.

18.260.250 "X" Definitions.

18.260.260 "Y" Definitions.

18.260.270 "Z" Definitions.

18.260.010 Purpose and applicability.

For the purposes of ~~this Title the Subdivision Code~~, certain words, phrases and terms used herein shall have the meaning assigned to them by this Article, except that definitions derived from State and Federal regulations that are referenced herein shall have the meaning contained in the referenced regulations. For general terminology used throughout ~~this Title the Subdivision Code~~, refer to Section 18.060.030 Rules and Interpretations. For terminology used in ~~this Code the Subdivision Code~~ but not defined in this ~~T~~itle, the definitions used elsewhere in ~~thise Riverside Municipal~~ Code, the Building Code or accepted dictionaries of the English language shall govern.

18.260.020 "A" Definitions.

Advisory agency means the approving and appeal authority charged with the duty of making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, or having the authority to approve, conditionally approve or disapprove maps or permits pursuant to this ~~T~~itle.

Alley means a public way permanently reserved primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

Arterial street means a street which, because of its design and location with respect to other streets and other sources of traffic, is used to carry relatively heavy volumes of traffic through the City and between districts of the City, or as an approach to a freeway. See the Master Plan of Roadways for the location of arterial streets in the City.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.030 "B" Definitions.

Block means an area of land within a subdivision entirely bounded by streets, or bounded in part by streets and in part by the exterior boundary of the subdivision. See definition in Title 19.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.040 "C" Definitions.

City Engineer is the duly appointed Engineer for the City of Riverside or his/her acting designee.

City Surveyor is the duly appointed Surveyor for the City of Riverside or his/her acting designee.

Collector street means a street for traffic moving between arterial and local streets, generally providing direct access to properties. See definition in the General Plan. See the Master Plan of Roadways for the location of collector streets in the City.

Community & Economic Development Department Director means the duly appointed and acting head of the Community & Economic Development Department - Planning Division.

Community apartment project means a development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon. ~~(California Civil Code § 1351 (4))~~—See definition in Title 19.

Condominium map. See "tentative condominium map."

Condominium project means a development consisting of condominium units established in conformance with State law. See definition in Title 19 and the General Plan.

Cul-de-sac means a street having only one outlet for vehicular traffic and ending in a turnaround.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.050 "D" Definitions.

Design means:

- A. Street alignments, grades and widths;
- B. Drainage and sanitary facilities and utilities, including alignments and grades thereof;
- C. Location and size of all required easements and rights-of-way;
- D. Fire roads and firebreaks;
- E. Lot size and configuration;
- F. Traffic access;
- G. Grading;
- H. Land to be dedicated for park or recreational purposes; and
- I. Such other specific requirements in the plan and configuration of the entire subdivision that are necessary to ensure consistency with, or implementation of, the general plan or any applicable specific plan.

Designated remainder means a portion of any unit or units of improved or unimproved land which is not divided for the purpose of sale, lease or financing.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.060 "E" Definitions.

Environmental subdivision. See "tentative environmental subdivision map."

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.070 "F" Definitions.

Flag lot. See "lot, corridor access."

Freeway means a divided highway for through traffic with full control of access, with grade separations at all intersections and in respect to which the owners of abutting lands have no direct right or easement of access to or from their abutting land. A freeway is not a street for the purposes of this Title. See definition in Title 19.

Frontage road means a street which, for its entire length, borders on another street with which it has a common side line, and to which it is accessory, and which provides access to abutting properties and separation from through traffic. The term also includes service road and border road.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.080 "G" Definitions.

General Plan means the General Plan of the City of Riverside, adopted pursuant to the California Government Code Section 65301 et seq. and adopted by the Riverside City Council. See definition in the General Plan.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.090 "H" Definitions.

Highway means a major or arterial street.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.100 "I" Definitions.

Improvement refers to such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of a final or parcel map.

"Improvement" also refers to such other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, or by a combination thereof, is necessary or convenient to ensure conformity to or implementation of the general plan or any specific plan.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.110 "J" Definitions.

(Ord. 6968 § 1, 2007)

18.260.120 "K" Definitions.

(Ord. 6968 § 1, 2007)

18.260.130 "L" Definitions.

Linkages means open space connection for purposes of habitat connectivity, trail connection or a combination of the two. A linkage that provides habitat connectivity will be a connection between habitat area with adequate size, configuration and vegetation characteristics to generally provide habitat for subject wildlife and plant species. A linkage may include sufficient area to buffer the linkage use from surrounding land uses; linkage buffers may serve as flood overflow areas or other uses compatible with the site specific purpose of the linkage. Dimensions of a linkage will depend on site-specific linkage purposes and available open space. See definition in the General Plan.

Local street means a street providing direct access to properties and designed to discourage through traffic.

Lot means a legally recognized parcel of land abutting on one or more streets.

Lot consolidation means the merger of existing lots or parcels into fewer lots or parcels.

Lot, corridor access means a lot with access to a street by means of a corridor having less than the required lot width. The term also includes flag lot and panhandle lot. For information on the development standards for a corridor access lot see Section 18.210.080.E.

Lot, cul-de-sac means a legally recognized parcel of land substantially abutting the bulb portion of a cul-de-sac street. The amount of frontage needed at the bulb will be determined by the approving authority.

Lot line adjustment means the modification of a boundary line or lines between two or more existing adjacent lots or parcels where no additional lots or parcels are created.

Lot, reverse frontage means a lot bordering on streets along both its front and rear property lines, also referred to as through lot, backup lot, and double frontage lot.

Lot, side-on means a lot which sides on a highway and fronts on a minor street, cul-de-sac, or other highway.

(Ord. 7341 § 7, 2016; Ord. 7026 § 5, 2009; Ord. 6968 § 1, 2007)

18.260.140 "M" Definitions.

Median means a strip of land within a street right-of-way designed to separate opposing lanes of traffic, which may be designed to be planted with trees or otherwise landscaped, and which may provide stacking space and protection for vehicles about to make left turns.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.150 "N" Definitions.

Nonaccess barrier strips means a strip of land generally one foot in width at the terminus of a public street where said street abuts an adjacent undeveloped parcel. Said strip is offered but not accepted for dedication as a public street and therefor prohibits access to the undeveloped parcel until such time as the parcel is developed in accordance with City standards. At that time the City accepts the barrier strip as a public right-of-way thereby granting access to the adjacent parcel.

Not A Part (NAP). See "Designated remainder."

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.160 "O" Definitions.

(Ord. 6968 § 1, 2007)

18.260.170 "P" Definitions.

Panhandle lot. See "Lot, corridor access."

Parcel map. See "Tentative parcel map."

Parkway means the landscaped area lying between the curb of an improved street and the sidewalk when the sidewalk is located at the property line. The area along a curb is generally reserved for parallel parking hence the term parkway.

Pedestrian way or walkway means a public way designed for use by pedestrians which is not intended for use by automotive vehicles of any kind, is not located within a street right-of-way, and whose width is typically between four feet and 20 feet.

Planned street line means the boundary line of a street, determined on the basis of the general plan or a specific plan, and adopted by the City Council to establish the planned maximum width of an existing street or to establish the ultimate right-of-way of a proposed street.

Planting strip means a strip of land within a street right-of-way which separates the roadway from a sidewalk and/or a property line, or a strip of land within a street right-of-way which is designed to separate a frontage road from a highway, and which in either case is to be planted with trees or otherwise landscaped.

Private drive means a secondary source of vehicular access and limited internal circulation contained within a residential project with the intention of providing access to off-street parking areas and various other project facilities and solely under private ownership.

Private street means a primary source of vehicular access and internal circulation contained entirely within in a residential development and solely under private ownership.

Public right-of-way means any place which is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter, crossing, intersection, parkway, median, highway, alley, lane, mall court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park square, and other similar public way.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.180 "Q" Definitions.

(Ord. 6968 § 1, 2007)

18.260.190 "R" Definitions.

Reversion to acreage map. See "Tentative reversion to acreage map."

(Ord. 6968 § 1, 2007)

18.260.200 "S" Definitions.

Safety lighting means the level of light necessary for nighttime safety of outdoor areas.

Sidewalk means a paved way designed for use by pedestrians which is typically located within a street's right-of-way between a landscaped planting strip and an individual property line.

Slope, average natural means the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the formula indicated in Section 19.100 of ~~Title 19 of this the~~ Zoning Code.

Specific plan means a tool authorized by Government Code §65450, et. seq. For systematic implementation of the General Plan for a defined portion of a community's planning area. A specific plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development and use of natural resources and a program of implementation measures., including financial measures pursuant to Government Code 65451. See definition in Title 19.

Stacking space means a space within the traveled roadway of a street designed to provide a protected rest space for vehicles awaiting a through or turning movement at a street intersection.

Street means a public way or City approved private way designed primarily for vehicular traffic, whether designated as a street, arterial, highway, thoroughfare, road, avenue, boulevard, lane, place, or other designation, but not including an alley.

Street, curve means a street where the deflection in the street direction causes the need for a centerline radius of 20 to 60 degrees for topographical or design needs of the subdivision. Curvilinear streets are not street curves for purposes of this definition.

Street, knuckle means the area where two streets meet in termination and the angle of deflection between the two centerlines of the streets range from 60 to 100 degrees. For reference see City Standard Drawing Number 104.

Stock cooperative means a development in which a corporation hold title to, either in fee simple or for a term of years, improved real property, a majority of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of ~~S~~subdivision (f) of Section 25100 of the Corporations Code.

A "stock cooperative" includes a limited equity housing cooperative which is a stock cooperative that meets the criteria of Section 33007.5 of the Health and Safety Code. See definition in Title ~~19-18~~.¹⁶

Subdivider means a person, firm, corporation, partnership or association which proposes to divide, divides, or causes to be divided real property into a subdivision for themselves or for others, except that employees and consultants of such persons or entities, acting in such capacity, are not "subdividers."

¹⁶ **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. **(FOOTNOTE 326 IN EXHIBIT 2)**

Subdivision means the division of any improved or unimproved land, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section ~~1350~~ 4125¹⁷ of the California Civil Code, or a community apartment project, as defined in Section 11004 of the California Business and Professions Code. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for purposes of computing the number of parcels. "Subdivision" shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings, mobile home parks or trailer parks; mineral, oil or gas leases; or land dedicated for cemetery purposes under the Health and Safety Code of the State.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.210 "T" Definitions.

Tentative condominium map means a map of a condominium project, community apartment project or the conversion of five or more existing dwelling units to a stock cooperative.

Tentative environmental subdivision map means a subdivision of land pursuant to this division for biotic and wildlife purposes that meets all of the conditions specified in ~~Sections~~ subdivision 18.080.080 Tentative Environmental Subdivision Maps.

Tentative map means tentative tract, parcel, vesting, reversion to acreage, condominium and environmental subdivision maps.

Tentative parcel map means a map made for the purpose of showing the design and improvement of a proposed subdivision pursuant to A.1—5 of 18.080.030 Tentative Tract Maps Required of this ~~T~~itle and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property.

Tentative reversion to acreage map means a map of subdivided real property to be reverted to acreage.

Tentative tract map means a map made for the purpose of showing the design and improvement of a proposed subdivision and the existing conditions in and around it and need not be based upon an accurate or detailed final survey of the property (California Government Code § 66424.5).

Tentative vesting map means a map which meets the requirements of a tentative tract map and §§ 66452 of the California Government Code (California Government Code § 66424.5).

Trails means hiking, biking or equestrian trails, as indicated in the General Plan or a Specific Plan, and as further defined by the City during the development review process.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.220 "U" Definitions.

Urban lot split means a subdivision pursuant to Section 66411.7 of the California Government Code."

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169188&datasource=ordbank> web="yes">7591 § 9, 2022; Ord. 6968 § 1, 2007)

¹⁷ **Sec. 18.260.200. "S" Definitions--Contd.** Civil Code § 1350 was repealed in 2014. See suggested correction. **(FOOTNOTE 327 IN EXHIBIT 2)**

18.260.230 "V" Definitions.

Vertical subdivision means a subdivision in which the air space above the property is divided for the purpose of sale or for the conveyance of an undivided interest coupled with the right of exclusive occupancy. The term also includes condominium projects as defined in California Civil Code Section ~~1350~~ 4125¹⁸, and community apartment projects as defined in California Business and Professions Code Section 11004.

Vesting map. See "Tentative vesting map."

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

18.260.240 "W" Definitions.

(Ord. 6968 § 1, 2007)

18.260.250 "X" Definitions.

(Ord. 6968 § 1, 2007)

18.260.260 "Y" Definitions.

(Ord. 6968 § 1, 2007)

18.260.270 "Z" Definitions.

Community & Economic Development Director means the Community & Economic Development Department Director or his or her designee who is authorized to act as the Community & Economic Development Director according to the procedures set forth in the California Government Code and this ~~T~~title. See definition in Title 19.

(Ord. 7341 § 7, 2016; Ord. 6968 § 1, 2007)

¹⁸ **Sec. 18.260.230 "V" Definitions.** Civil Code § 1350 was repealed in 2014. See suggested correction.
(FOOTNOTE 328 IN EXHIBIT 2)

Title 19¹⁹

ZONING

ARTICLE I. - ~~ZONING CODE~~ ENACTMENT AND APPLICABILITY
 ARTICLE II. - ~~ZONING CODE~~ ADMINISTRATION, INTERPRETATION AND ENFORCEMENT
 ARTICLE III. - NONCONFORMING PROVISIONS – LOTS, STRUCTURES, AND USES
 ARTICLE IV. - GENERAL ZONING PROVISIONS
 ARTICLE V. - BASE ZONES AND RELATED USE AND DEVELOPMENT PROVISIONS
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 ARTICLE VII. - SPECIFIC LAND USE PROVISIONS
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 ARTICLE IX. - LAND USE DEVELOPMENT PERMIT REQUIREMENTS/PROCEDURES
 ARTICLE X. - DEFINITIONS

ARTICLE I. ~~ZONING CODE~~ ENACTMENT AND APPLICABILITY

Chapter 19.010 - ~~ZONING CODE~~ ENACTMENT
 Chapter 19.020 - PURPOSE AND SCOPE
 Chapter 19.030 - RELATIONSHIP TO OTHER PROVISIONS
 Chapter 19.040 - ~~ZONING CODE~~ APPLICABILITY

Chapter 19.010 ~~ZONING CODE~~ ENACTMENT

~~19.010.010 Title.~~

19.010.0~~1~~20 Authority.

19.010.0~~2~~30 Adoption of ~~Title Code~~ and map.

~~19.010.010 Title.~~²⁰

~~This Title 19 constitutes, and may be referred to as, the Zoning Code of the City of Riverside, or this title.~~

~~(Ord. 6966 §1, 2007)~~

19.010.0~~1~~20 Authority.²¹

This Title ~~The Zoning Code~~ is enacted based on the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution, Planning and Zoning Law (California

¹⁹ **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. **(FOOTNOTE 329 IN EXHIBIT 2)**

²⁰ **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. **(FOOTNOTE 330 IN EXHIBIT 2)**

²¹ **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. **(FOOTNOTE 331 IN EXHIBIT 2)**

Government Code Section 65000 et seq.), California Environmental Quality Act (California Public Resources Code Section 21000 et seq.), and the California Health and Safety Code.

(Ord. 6966 §1, 2007)

19.010.0230 Adoption of ~~Title~~Code and map.

This ~~Title~~ Zoning Code, the comprehensive land use and zoning regulations of the City, together with the zoning map, are hereby adopted in conformance with current State planning, zoning, and development laws.

(Ord. 6966 §1, 2007)

Chapter 19.020 PURPOSE AND SCOPE

19.020.010 Purpose.

19.020.020 Scope.

19.020.010 Purpose.

The purpose of ~~this Title~~ the Zoning Code is to encourage, classify, designate, regulate, restrict and segregate the highest and best location and use of buildings, structures and land for agriculture, residence, commerce, trade, industry, water conservation or other purposes in appropriate places; to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; to regulate and determine the size of yards and other open spaces; and, to regulate and limit the density of population and for such purpose to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. Further, such regulations are deemed necessary to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewerage, schools, parks and other public facilities; and, to promote the public health, safety and general welfare, all as part of the General Plan of the City.

(Ord. 6966 §1, 2007)

19.020.020 Scope.

Unless otherwise provided by law, the provisions contained in ~~this Title~~ the Zoning Code shall apply to all real property contained within the corporate limits of the City of Riverside.

(Ord. 6966 §1, 2007)

Chapter 19.030 RELATIONSHIP TO OTHER PROVISIONS

19.030.010 Relationship to ~~p~~Prior ~~Title~~Code.

19.030.020 Relationship to the General Plan.

19.030.030 Relationship to the California Environmental Quality Act.

19.030.010 Relationship to prior ~~Title Code~~.²²

The provisions of ~~this Title the Zoning Code~~, as it existed prior to the effective date of Ordinance No. 6966, are repealed and superseded in their entirety as provided in said Ordinance No. 6966. No provision of this ~~T~~itle shall validate or legalize any land use or structure established, constructed, or maintained in violation of this ~~T~~itle as it existed prior to its repeal ~~by the Ordinance No. 6966~~.

(Ord. 6966 §1, 2007)

19.030.020 Relationship to the General Plan.

~~This Title the Zoning Code~~ is intended to provide the legislative framework to implement the goals and policies of the City of Riverside General Plan.

(Ord. 6966 §1, 2007)

19.030.030 Relationship to the California Environmental Quality Act.²³

When a project is determined to be subject to the provisions of the California Environmental Quality Act (CEQA), ~~Public Resources Code § 21000 et seq.,~~ the application shall be reviewed in accordance with ~~that Act,~~ the provisions of this ~~T~~itle, ~~Public Resources Code Section 21000 et seq.,~~ Section 15000 et seq. of Title 14 of the California Code of Regulations (the CEQA Guidelines), and any environmental guidelines or regulations adopted by the City of Riverside.

(Ord. 6966 §1, 2007)

Chapter 19.040 ~~ZONING CODE APPLICABILITY~~

19.040.010 Prior rights and violations.

19.040.020 Public nuisance.

19.040.030 Continuation of an ~~e~~Existing ~~I~~and ~~u~~Use or ~~s~~Structure.

19.040.040 Conflicts with other regulations.

19.040.050 Conflicts with ~~o~~Overlay ~~z~~Zones.

19.040.060 Conflicts with specific plans.

19.040.070 Conflicts with development agreements.

19.040.080 Development applications in process.

19.040.090 Other requirements/permits.

19.040.100 Conflicting ~~p~~Permits.

19.040.110 Public ~~p~~Projects.

~~19.040.120 Severability, partial invalidation of Zoning Code.~~

²² **Sec. 19.030.010. Relationship to prior zoning regulations.** References to Ord. 6966 are stricken in that this title is the codification of 6966. **(FOOTNOTE 332 IN EXHIBIT 2)**

²³ **Sec. 19.030.030. Relationship to the California Environmental Quality Act.** See suggested changes to clarify the state law citations. **(FOOTNOTE 333 IN EXHIBIT 2)**

19.040.010 Prior rights and violations.

The enactment of ~~this Title the Zoning Code~~ shall not terminate nor otherwise affect vested land use development permits, approvals, or agreements authorized under the provisions of any ordinance or resolution, nor shall violation of any prior ordinance or resolution be excused by the adoption of this ~~T~~itle.

(Ord. 6966 §1, 2007)

19.040.020 Public nuisance.

Neither the provisions of ~~this Title the Zoning Code~~ nor the approval of any permit authorized by ~~this Title the Zoning Code~~ shall authorize the maintenance of any public nuisance.

(Ord. 6966 §1, 2007)

19.040.030 Continuation of an ~~e~~Existing ~~I~~Land ~~u~~Use or ~~s~~Structure.

It is unlawful and a violation of ~~this Riverside Municipal~~ Code for anyone to use a parcel or structure in a manner that violates any provision of ~~this Title the Zoning Code~~. However, a land use that was lawfully established before this ~~T~~itle was enacted, or before enactment of any applicable amendment to ~~this Title the Zoning Code~~, may continue. No expansion or modification to a pre-existing legal nonconforming use or structure shall be permitted except as allowed by Chapter 19.080 (Nonconformities) of ~~this Title the Zoning Code~~. It is the responsibility of the property owner to provide evidence or information to justify or establish nonconforming rights. Enforcement of this ~~S~~ection shall be in accordance with Article III (Nonconforming Provisions) of ~~this Title the Zoning Code~~.

(Ord. 6966 §1, 2007)

19.040.040 Conflicts with other regulations.

Where any conflict occurs between the provisions of ~~this Title the Zoning Code~~ and the provisions of other titles of ~~this the Riverside Municipal~~ Code or other regulations adopted by the City, the more restrictive provisions shall apply. Nothing contained in ~~this Title the Zoning Code~~ shall be deemed to repeal or amend any regulation of the City requiring a permit or license or both, nor shall anything in ~~this Title the Zoning Code~~ be deemed to repeal or amend other titles of ~~this the Riverside Municipal~~ Code.

(Ord. 6966 §1, 2007)

19.040.050 Conflicts with ~~o~~Overlay ~~z~~Zones.

In the event of any conflict between the requirements of ~~this Title the Zoning Code~~ and standards in an adopted Overlay Zone or Planned Residential Development, the requirements of the Overlay Zone or applicable Planned Residential Development shall govern.

(Ord. 6966 §1, 2007)

19.040.060 Conflicts with specific plans.

In the event of any conflict between the requirements of ~~this Title the Zoning Code~~ and standards in an adopted specific plan, the requirements of the Specific Plan shall govern.

(Ord. 6966 §1, 2007)

19.040.070 Conflicts with development agreements.

In the event of any conflict between the requirements of ~~this Title the Zoning Code~~ and standards in an adopted development agreement, the requirements of the development agreement shall govern.

(Ord. 6966 §1, 2007)

19.040.080 Development applications in process.

Following the effective date of ~~this Title the Zoning Code~~, or any amendment of ~~this Title the Zoning Code~~, regulations of ~~this Title the Zoning Code~~ are applicable to all applications in process, except for any application deemed to have been previously submitted and complete by the Planning Division, in that case the prior zoning ~~Code~~ regulations, then in effect, shall apply.

(Ord. 6966 §1, 2007)

19.040.090 Other requirements/permits.

Nothing in ~~the Zoning Code~~ eliminates the need for obtaining any other permits required by the City, or any permit or approval required by other provisions of ~~this the Riverside Municipal Code~~ or the regulations of any City department, including the successor agency to the Riverside Redevelopment Agency, or any county, regional, State, or Federal agency.

(Ord. 6966 §1, 2007)

19.040.100 Conflicting ~~p~~Permits.

After the effective date of ~~this Titlee Zoning Code~~, or any amendment hereto, all permits for the use of land shall be issued in compliance with the provisions of ~~this Titlee Zoning Code~~. Any permit issued after the effective date of ~~this Titlee Zoning Code~~ that conflicts with the provisions of ~~this Titlee Zoning Code~~ shall be deemed invalid.

(Ord. 6966 §1, 2007)

19.040.110 Public ~~p~~Projects.

Notwithstanding any lawful exemptions to zoning regulations, the provisions of this ~~T~~itle, except for the provisions of Chapter 19.570 (Water Efficient Landscaping and Irrigation), shall not apply to any buildings, improvements, lots or premises, owned, leased operated or controlled by the City or any City Project for public purposes by the City of Riverside.

(Ord. 7061 §1, 2009; Ord. 6966 §1, 2007)

²⁴~~19.040.120 Severability, partial invalidation of Zoning Code.~~

~~If any portion of this title is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, such determinations shall not affect the validity of the remaining portions of this title. the City Council hereby declares that this title and each article, section, subsection, paragraph, subparagraph, sentence, clause, phrase and portion thereof is adopted without regard to the fact that one or more portions of this title may be declared invalid, unconstitutional, or unenforceable.~~

~~(Ord. 6966 §1, 2007)~~

ARTICLE II. ~~ZONING CODE~~ ADMINISTRATION, INTERPRETATION AND ENFORCEMENT

Chapter 19.050 - ADMINISTRATIVE RESPONSIBILITY

Chapter 19.060 - INTERPRETATION ~~OF CODE~~

Chapter 19.070 - ENFORCEMENT

Chapter 19.050 ADMINISTRATIVE RESPONSIBILITY

19.050.010 Riverside Planning Agency.

19.050.020 Responsibilities of the City Council.

19.050.030 Responsibilities of the Planning Commission.

19.050.040 Responsibilities of the Community & Economic Development Director.

19.050.045 Responsibilities of the Staff Application Review Team~~Development Review Committee~~.

19.050.050 Responsibilities of the Public Works Director.

19.050.060 Responsibilities of the Building Official.

19.050.070 Responsibilities of the Cultural Heritage Board.

19.050.080 Creation of the Planning Commission.

19.050.010 Riverside Planning Agency.

A. California Government Code Section 65100 requires each jurisdiction to establish a planning agency to carry out the land use and planning functions of the jurisdiction. The City's Planning Agency is generally the Planning Division. The functions of the Planning Agency, as designated by this Title~~the Zoning Code~~, may be carried out by any one of the following, as further defined in this Chapter~~and Zoning Code~~. In the absence of an assignment, the City Council shall have the Planning Agency responsibility and authority.

1. City Council
2. Planning Commission

3. Community & Economic Development Director
4. ~~Staff Application Review Team~~~~Development Review Committee~~
5. Public Works Director
6. Building Official
7. Cultural Heritage Board
8. City Manager

Pursuant to Government Code Section 65105, planning agency personnel, in the performance of their functions, may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(Ord. 7331 §1, 2016; Ord. 7235 §2, 2013; Ord. 6966 §1, 2007)

19.050.020 Responsibilities of the City Council.²⁵

A. The City Council shall have the following responsibilities:

1. Appoint members of the Planning Commission.
2. Hear and act upon appeals of decisions of the Planning Commission, ~~Staff Application Review Team~~~~Development Review Committee~~ or Community & Economic Development Director as applicable, pursuant to Table 19.650.020 - Approving and Appeal Authority in Chapter 19.650 (Approving Authority).
3. Hear and act upon applications as required by Title 18 - Subdivision Code. In the event that applications for other land use permits are requested in conjunction with these entitlements, the City Council shall also be the final decision-making body for the other land use permits.
4. Direct planning-related policy amendments and special studies as necessary or desired.
5. Exercise such other powers and duties as are prescribed by State law or local ordinance.
6. Initiate amendments to ~~this Title~~~~the Zoning Code~~.
7. Review and certify environmental documents prepared pursuant to the California Environmental Quality Act (CEQA), ~~Public Resources Code § 21000 et seq.~~, pursuant to the City Council adopted CEQA Resolution and any amendments thereto.

(Ord. 7331 §1, 2016; Ord. 6966 §1, 2007)

19.050.030 Responsibilities of the Planning Commission.²⁶

A. The Planning Commission shall have the power and duties assigned to it pursuant to Article VIII, Section 806 of the City Charter.

B. The Planning Commission shall have the further responsibilities:

²⁵ Sec. 19.050.020. Responsibilities of the city council. Citation is completed as shown. (FOOTNOTE 334 IN EXHIBIT 2)

²⁶ Sec. 19.050.030. Responsibilities of the Planning Commission. Citation is completed as shown. (FOOTNOTE 335 IN EXHIBIT 2)

1. Hear and act on referrals by the Community & Economic Development Director and Staff Application Review Team~~Development Review Committee~~.
2. Hear and act upon applications as indicated in Section 19.650.020 of this T~~it~~le and Section 18.140.040 of the Subdivision Code (Approving and Appeal Authority Tables).
3. Hear and make recommendations to the City Council on applications or proposals for amendments to this Title~~the Zoning Code~~.
4. As appropriate, initiate studies of amendments to this Title~~the Zoning Code~~ and General Plan, and make recommendations to the City Council for amendments to this Title~~the Zoning Code~~ and General Plan.
5. Review the capital improvement program of the City and the local public works projects of other local agencies within the corporate boundaries of Riverside for their consistency with the City's General Plan, pursuant to Government Code Sections 65401 et. seq.
6. Exercise all duties previously given to the Board of Administrative Appeals and Zoning Adjustment.
7. Convene as an Accessibility Appeals Board, which Board shall be comprised of the three persons with disabilities and four members of the Planning Commission.
8. Exercise such other powers and duties as are prescribed by State law, local ordinance, or as directed by the City Council.
9. Review and approve environmental documents prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code § 21000 et seq., pursuant to the City Council adopted CEQA Resolution and any amendments thereto.
10. Hear and act on Design Review matters pursuant to Chapter 19.710 (Design Review) of this T~~it~~le.

(Ord. 7331 §1, 2016; Ord. 7235 §3, 2013; Ord. 6966 §1, 2007)

19.050.040 Responsibilities of the Community & Economic Development Director.

- A. The Community & Economic Development Director or his/her designee shall have the responsibility and authority to administer and enforce this Title~~the Zoning Code~~ as follows:
 1. Maintain the chapters of this Title~~the Zoning Code~~, Zoning Map, and all records of zoning actions and interpretations.
 2. Advise the City Council, Planning Commission, Cultural Heritage Board and City Manager on planning matters.
 3. Provide administrative services and staff for meetings of the Planning Commission and Cultural Heritage Board.
 4. Conduct administrative functions authorized by this Title~~the Zoning Code~~, including distribution and receipt of permit applications and corresponding fees; application review and public noticing; determination and issuance of administrative permits and approvals as per Table 19.650.020 (Approving and Appeal Authority); and preparation of staff reports with recommendations, proposed findings, and proposed conditions for discretionary and legislative actions by designated planning agencies.
 5. Provide information to the public, and facilitate public participation on planning matters, promote an understanding of the General Plan and the regulations relating to it.

6. Exercise such other powers and duties as are prescribed by State law, local ordinance, or as directed by the City Council and/or City Manager.
7. Promote the coordination of local plans and programs with the plans and programs of other public agencies.
8. Conduct administrative functions authorized by Title 17 (Grading), Title 18 (Subdivision) and Title 20 (Cultural Resources).
9. Report on the General Plan consistency of Public Works projects, acquisitions, dispositions, etc. pursuant to Government Code Sections 65401 and 65402.
10. Report on the progress of the implementation of the General Plan on a regular basis.

(Ord. 7331 §1, 2016; Ord. 7235 §4, 2013; Ord. 6966 §1, 2007)

19.050.045 Responsibilities of the Staff Application Review Team~~Development Review Committee~~.

The Staff Application Review Team~~Development Review Committee~~ shall be the ~~pre-designated~~ group of City departments or divisions ~~assembled for~~~~involved in~~ the process of reviewing projects involving new construction, re-construction and/or other entitlement applications, each of which shall conduct administrative functions authorized by this Title~~the Zoning Code~~, including application review and issuance of administrative permits and approvals as per Table 19.650.020 (Approving and Appeal Authority), including the preparation of staff reports and recommendations, with proposed findings and proposed conditions for certain discretionary actions. The Staff Application Review Team~~Development Review Committee~~ will not collectively vote, nor perform any collective function. Each department and division that is participating in the Staff Application Review Team~~Development Review Committee~~ will retain and exercise its own approval authority in the Staff Application Review Team~~Development Review Committee~~ process.

(Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 1, 11-5-2019; Ord. 7331 §1, 2016)

19.050.050 Responsibilities of the Public Works Director.

The Public Works Director or the authorized designee shall be the City Engineer and shall exercise the powers and duties as provided in this Title~~the Zoning Code~~, and any other applicable ordinance of the City.

(Ord. 7331 §1, 2016; Ord. 6966 §1, 2007)

19.050.060 Responsibilities of the Building Official.

The Building Official or the authorized designee shall issue building and sign permits in accordance with the provisions of this Title~~the Zoning Code~~ and any other applicable ordinance of the City.

(Ord. 7331 §1, 2016; Ord. 6966 §1, 2007)

19.050.070 Responsibilities of the Cultural Heritage Board.

The Cultural Heritage Board shall have the powers and responsibilities established in Title 20 - Cultural Resources of ~~this the Riverside Municipal~~ Code.

(Ord. 7331 §1, 2016; Ord. 6966 §1, 2007)

19.050.080 Creation of the Planning Commission.

Pursuant to Government Code Sections 65101 et seq., Section 806 of the City Charter and Chapter 2.40 of ~~this the Municipal~~ Code, the City Council, as the legislative body of the City of Riverside, creates the Planning Commission as follows:

- A. *Eligibility for office.* A member of the Planning Commission shall be a resident of the City of Riverside. If a member moves his or her residence outside of the City, such member shall automatically be removed from office.
- B. *Membership and term.* The Planning Commission shall consist of nine members appointed for a term of four years. Alternates may also be appointed by the City Council.
- C. *Vacancies.* If a member of the Planning Commission is unable or unwilling to complete his or her term, the City Council shall fill the vacancy by appointing a qualified person to serve the remainder of the term.
- D. *Removal.* Members of the Planning Commission serve at the pleasure of the City Council and may be removed from their position by a vote of a majority of the members of the City Council. No public hearing need be held prior to removal, and no cause for removal need be shown.
- E. *Meetings.* The Planning Commission shall meet at least once each month on a regularly scheduled time and day, and at such other times as the chairperson deems necessary to perform the duties of the Commission.
- F. *Appointment of Officers.* The Planning Commission shall elect a chairperson, vice-chairperson, secretary and sergeant-at-arms from among its members at a Commission meeting in March of every year. The chairperson, vice-chairperson, secretary and sergeant-at-arms shall serve at the pleasure of the Commission.
- G. *Rules.* The Planning Commission shall adopt Rules for the transaction of its business, including rules for the election of officers.
- H. *Record of proceedings.* The Planning Commission shall maintain summary minutes and a taped recording of its proceedings. The taped recording shall be retained as set forth in the City's record retention policy.
- I. *Administrative support.* The Community & Economic Development Director or his/her designee shall be responsible for the administration of this ~~S~~section and shall assist the Planning Commission in performing its functions.

(Ord. 7331 §1, 2016; Ord. 7235 §5, 2013; Ord. 6966 §1, 2007)

Chapter 19.060 INTERPRETATION OF CODE

19.060.010 Purpose.

19.060.020 Applicability and authority for interpretations.

19.060.030 Rules and interpretations.

19.060.040 Record of interpretations.

19.060.050 Appeals.

19.060.010 Purpose.

The purpose of this Cchapter is to specify the authority and procedures for clarifying any ambiguity in the regulations of this Title~~the Zoning Code~~, and to ensure consistent interpretation and application of this Title~~the Zoning Code~~.

(Ord. 7331 §2, 2016; Ord. 6966 §1, 2007)

19.060.020 Applicability and authority for interpretations.

A. If ambiguity arises concerning the meaning or applicability of any provision of this Title~~the Zoning Code~~, the Community & Economic Development Director or his/her designee shall have the responsibility to review pertinent facts, determine the intent of the provision, and to issue an administrative interpretation for the following provisions specified in this Cchapter:

1. The development standards applicable to a particular zoning district or use.
2. Zoning boundaries.
3. The Community & Economic Development Director or his/her designee shall interpret the phrases "other similar uses," "uses customarily incidental to," etc., as used in this Title~~the Zoning Code~~.

B. An administrative record of all such decisions by the Community & Economic Development Director shall be maintained pursuant to Section 19.060.040 (Records of Interpretations).

C. Interpretations by the Community & Economic Development Director may be appealed to the Planning Commission, and interpretations of the Planning Commission may be appealed to the City Council pursuant to Chapter 19.680 (Appeals).

(Ord. 7331 §2, 2016; Ord. 6966 §1, 2007)

19.060.030 Rules and interpretations.²⁷

~~A. Terminology. When used in the Zoning Code, the following rules apply to all provisions of the Zoning Code:~~

- ~~1. Language. the words "shall", "must", "will", "is to", and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended, and "may" is permissive.~~
- ~~2. Tense. the present tense includes the past and future tense, and the future tense includes the present.~~
- ~~3. Number. the singular number includes the plural number, and the plural the singular, unless the natural construction of the words indicates otherwise.~~
- ~~4. Conjunctions. "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either or" indicates~~

²⁷ Sec. 19.060.030. Rules and interpretations. Text duplicative of Title 1 general provisions should be stricken as shown. (FOOTNOTE 336 IN EXHIBIT 2)

~~that the connected items and provisions shall apply singly but not in combination. "Includes" and "including" shall mean "including but not limited to".~~

~~5. Local reference. "City" as used herein means the City of Riverside and all public officials, bodies and agencies referenced herein are those of the City unless otherwise stated.~~

~~AB.~~ *Number of days.* Whenever the number of days is specified in ~~this Title the Zoning Code~~, or in any permit, condition of approval, or notice issued or given as provided in ~~this Title the Zoning Code~~, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.

~~BC.~~ *Minimum requirements.* In interpreting and applying the provisions of ~~this Title the Zoning Code~~, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where ~~this Title the Zoning Code~~ imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this Code or other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of ~~this Title the Zoning Code~~ shall control.

~~CD.~~ *Intent.* Whenever there is any question regarding the interpretation of the provisions of ~~this Title the Zoning Code~~ or their application to any specific case or situation, the Community & Economic Development Department Director or his/her designee shall interpret the intent of ~~this Title the Zoning Code~~. The Community & Economic Development Director or his/her designee shall have the authority to forward to the Planning Commission any question regarding interpretation.

~~DE.~~ *Boundary interpretations.* Where uncertainty exists as to the boundary of any zone shown on the Official Zoning Map, the following rules shall apply:

1. *Street, Alley or Lot Lines.* Where the indicated zone boundaries are approximately street, alley or lot lines, such lines shall be construed to be the boundaries, otherwise such boundaries shall be determined by use of the scale appearing on the Official Zoning Map, unless specifically indicated by dimensions.
2. *Determination by the Community & Economic Development Director or Planning Commission.* Where uncertainty exists, the Community & Economic Development Director or his/her designee may, by written decision, determine the location of the zone boundary or refer such determination to the Planning Commission.
3. *Vacated street or alley.* Where a street or alley is officially vacated or abandoned, the zone boundary shall be changed so as to include such vacated or abandoned street or alley in the same zone as the adjoining property to which it reverts.

(Ord. 7331 §2, 2016; Ord. 6966 §1, 2007)

19.060.040 Record of interpretations.

- A. Once the Community & Economic Development Director or his/her designee has identified the ambiguity and considered relevant information, an official interpretation shall be established in writing and shall cite the provisions being interpreted, together with an explanation of the meaning or applicability of the provision(s) in the particular or general circumstances that caused the need for interpretation.
- B. Any provision of ~~this Title the Zoning Code~~ determined by the Community & Economic Development Director or his/her designee to be ambiguous pursuant to this ~~C~~chapter shall be clarified by amendment as soon as is practical.

(Ord. 7331 §2, 2016; Ord. 6966 §1, 2007)

19.060.050 Appeals.

Any aggrieved person or persons may appeal an interpretation of the regulations or Zoning Map. Appeals shall be processed pursuant to Chapter 19.680 (Appeals).

(Ord. 7331 §2, 2016; Ord. 6966 §1, 2007)

Chapter 19.070 ENFORCEMENT

19.070.010 Enforcement authority.

19.070.020 Violations.

19.070.030 Verification of permitted uses.

19.070.010 Enforcement authority.

It shall be the duty of the Code Enforcement Division, Fire Department, Public Works Department, their respective designees, and/or the Police Department of the City, and all officers of the City otherwise charged with the enforcement of the law, to enforce ~~this Title~~ the Zoning Code. Any condition imposed as part of an approved planning case, including but not limited to conditional use permits, minor conditional use permits, and temporary use permits, and any condition imposed by an appropriate decision-making body or authorized Planning Division official shall also be enforceable by the appropriate City officials.

(Ord. 6966 §1, 2007)

19.070.020 Violations.

For the purposes of this ~~C~~chapter, those persons vested with enforcement authority pursuant to Section 19.070.010 (Enforcement Authority) shall have the power to issue Notices of Violation and field citations, inspect public and private property and use whatever judicial and administrative remedies are available under ~~this the Riverside Municipal~~ Code.

(Ord. 6966 §1, 2007)

19.070.030 Verification of permitted uses.

The City may require, upon reasonable notice, evidence sufficient to establish that a business permittee or other person engaging in a regulated use of land is in compliance with all entitlements. Such evidence may include, but is not limited to, financial records, operating plans, and other verifiable information. Failure to provide the City with required information may be considered evidence of noncompliance.

(Ord. 6966 §1, 2007)

²⁸ARTICLE III NONCONFORMING LOTS, STRUCTURES, AND USES PROVISIONS

Chapter 19.080 - NONCONFORMITIES

Chapter 19.080 NONCONFORMITIES

DIVISION I - GENERAL NONCONFORMING ~~PROVISIONS~~ LOTS, STRUCTURES AND USES

DIVISION II - NONCONFORMING LOTS

DIVISION III - NONCONFORMING STRUCTURES AND USES

DIVISION IV - NONCONFORMING STRUCTURES AND USES IN THE RA-5 AND RC ZONES

DIVISION I GENERAL NONCONFORMING PROVISIONS - LOTS, STRUCTURES AND USES

19.080.010 Intent and purpose.

19.080.020 Establishment of nonconforming status.

19.080.030 Continuation and maintenance.

19.080.040 Loss of nonconforming status.

19.080.045 Amortization.

19.080.010 Intent and purpose.

- A. This article provides for the orderly termination of nonconforming rights for lots, structures and uses that were legally established but, due to revisions to the provisions of ~~this Title~~the Zoning Code, no longer comply. The orderly termination of legally established nonconforming lots, structures and uses is necessary to promote the public health, safety and general welfare, and to bring such lots, structures and uses into conformity with the goals, objectives and policies of ~~this Title~~the Zoning Code and the General Plan. Where a lot, structure or use is referred to as nonconforming it shall mean that it is legally nonconforming.
- B. This article limits the expansion of nonconforming lots, structures and uses and establishes the circumstances under which they may be continued, and provides for the correction, maintenance, and removal of such lots, structures and uses.
- C. The City finds that nonconforming lots, structures and uses within the City, both those that are legally established and those that are illegal, are detrimental to the orderly development of the City and are detrimental to the health, safety, peace, comfort and general welfare of persons and property within the City.
- D. Nonconforming lots, structures and uses shall be eliminated as rapidly as possible as set forth in this article and without infringing upon the constitutional rights of the owners of legally established nonconforming properties.
- E. These provisions shall regulate the continuation, termination, and modification of lots, structures and uses that were lawfully established, but which no longer conform to the provisions of ~~this Title~~the Zoning Code due to a change in zoning boundaries, change in zoning regulations or upon annexation.
- F. Only the provisions contained in DIVISION IV of this ~~C~~chapter shall apply to property zoned RA-5 or RC and described in Sections 3 and 4 of Measure R, enacted November 13, 1979.

²⁸ **Article III. Nonconforming Provisions.** I suggest the article title be changed as shown for clarity and accuracy.
(FOOTNOTE 337 IN EXHIBIT 2)

(Ord. 7408 §1, 2018; Ord. 7331 §3, 2016; Ord. 6966 §1, 2007)

19.080.020 Establishment of nonconforming status.

- A. Lots, structures and uses not having previously acquired proper permits are illegal and subject to immediate abatement.
- B. It shall be the property owner's responsibility to provide evidence or information to justify the establishment of nonconforming rights.
- C. All decisions and determinations related to nonconforming uses, structures, and lots shall be the Community & Economic Development Director or his/her designee's responsibility. The Community & Economic Development Director or his/her designee may approve, deny, conditionally approve or refer any determination request to the Planning Commission. Any approval, denial, or conditional approval of the Community & Economic Development Director or his/her designee may be appealed in accordance with Chapter 19.680 (Appeals).
- D. Any nonconforming situation that becomes specifically authorized under the terms of an approval pursuant to ~~this Title~~the Zoning Code, such as but not limited to the granting of a conditional use permit or variance, shall henceforth be governed by the terms of such approval and shall no longer be considered to be a nonconformity, unless and until such approval expires or is revoked.

(Ord. 7408 §1, 2018; Ord. 7331 §3, 2016; Ord. 6966 §1, 2007)

19.080.030 Continuation and maintenance.

A. Continuation.

- 1. Except as otherwise provided herein, any lot, structure or use legally established on the effective date of ~~this Title~~the Zoning Code, may continue as a nonconforming lot, structure, or use.
- 2. Any lot, structure, or use legally established prior to the annexation of the property may continue as a nonconforming lot, structure, or use, respectfully.
- 3. A change in ownership or tenancy without any change in use, occupancy, or development shall not affect any of the legal nonconforming rights, privileges, and responsibilities provided under this article.
- 4. Any lawfully created lot that becomes nonconforming with regard to lot area, street frontage, lot width, lot depth, or accessibility may continue indefinitely with such nonconformity and may be developed and used as if it were a conforming lot.

B. Maintenance.

- 1. Routine maintenance and repairs may be performed on a nonconforming lot, use, or structure, provided such work does not involve structural alterations or any enlargement of the structure subject to the granting of building permits as required by the Building Official.

(Ord. 7408 §1, 2018; Ord. 7331 §3, 2016; Ord. 6966 §1, 2007)

19.080.040 Loss of nonconforming status.

- A. When any nonconformity is eliminated or brought into conformance with the current regulations of ~~this Title~~The Zoning Code, the nonconforming rights and privileges with respect to that nonconformity are terminated and shall not be restored.
- B. Except as otherwise provided herein whenever a nonconforming use has been discontinued for a continuous period of one year or more or whenever a nonconforming use is changed to another use, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be brought into conformity with the zone in which it is located. Discontinuation shall mean any termination of a use, regardless of intent to resume the use. Payment of a valid business tax certificate shall in and of itself not be considered to be a continuation of the use.
- C. A nonconforming residential use that has been discontinued, may be reestablished subject to the granting of a nonconforming status determination by the Community & Economic Development Director or his/her designee based on the following findings:
1. The continuation of the nonconforming residential use will not adversely affect or be detrimental to the health, safety and general welfare of the public or property or improvements within the area.
 2. The nonconforming residential use is substantially compatible with existing and proposed uses in the general area, including factors relating to the nature of its location, operation, building design and site design.
 3. The continuation of the nonconforming residential use will protect a valuable property investment.
- D. A nonconforming nonresidential use that has been discontinued for a continuous period of more than one year but no more than three years may be reestablished subject to the granting of a conditional use permit.

(Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 6966 § 1, 2007)

19.080.045 Amortization.

~~This Title~~The Zoning Code gives the City Council the authority to establish amortization regulations for nonconforming uses or structures.

(Ord. 7331 § 3, 2016; Ord. 6966 § 1, 2007)

DIVISION II NONCONFORMING LOTS

19.080.050 Continuation and use of a nonconforming lot.

19.080.055 Landlocked lots.

19.080.060 Modification of nonconforming lots.

19.080.050 Continuation and use of a nonconforming lot.

Any lawfully created lot that becomes nonconforming with regard to lot area, street frontage, lot width, lot depth or accessibility may continue indefinitely with such nonconformity and may be developed and used as if it were a conforming lot.

(Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 6966 § 1, 2007)

19.080.055 Landlocked lots.

Any lawfully created lot zoned for residential uses with no direct access to a public street (landlocked) may be developed provided the owner/developer demonstrates that legal access has been secured through an easement or other binding document. In determining setbacks, all lots lines shall be considered "side lot lines."

(Ord. 7408 § 1, 2018)

19.080.060 Modification of nonconforming lots.

A nonconforming lot may be modified through a lot line adjustment/consolidation/merger or map without a variance or modification, provided that such modifications do not increase the degree of nonconformity.

(Ord. 7408 § 1, 2018)

DIVISION III NONCONFORMING STRUCTURES AND USES

19.080.070 Modification or expansion of nonconforming structures.

19.080.080 Restoration of a destroyed nonconforming structure or use.

19.080.090 Revocation of nonconforming rights.

19.080.100 Loss of nonconforming status for alcoholic beverage sales.

19.080.070 Modification or expansion of nonconforming structures.

A nonconforming structure or use shall not be altered or expanded to increase the degree of nonconformity, except as follows:

- A. A minor conditional use permit shall be required for expansions to a nonconforming use according to the applicability of the provisions found in ~~P~~paragraphs B and C.
- B. Expansion of a nonconforming nonresidential use is permitted subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:
 1. The expansion of the use will protect a valuable property investment;
 2. The expansion of the use will not adversely affect or be materially detrimental to the surrounding neighborhood;
 3. There is a need for modernization in order to properly operate the use and protect valuable property rights;
 4. The expansion of the use which included expansion of a structure shall be architecturally compatible with the existing building;
 5. The expansion of the use shall be compatible with the character of the surrounding area;
 6. The expansion shall not displace on-site parking; and
 7. The use has not been discontinued for a period of one year or more, except as provided in Section 19.080.040.

C. Expansion of a nonconforming residential use is subject to the granting of a minor conditional use permit. To grant a minor conditional use permit, all of the following findings shall be made:

1. The expansion shall not increase the number of living units on the property, except as allowed by California state law;
2. The expansion of the use shall benefit the health, safety, and welfare of the occupants;
3. The expansion of the use which includes expansion of a structure shall be architecturally compatible with the existing building;
4. The expansion of the use shall be compatible with the character of the surrounding area; and
5. The expansion shall not displace required on-site parking.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 1(Exh. A), 2022; Ord. [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) § 1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 6966 § 1, 2007)

19.080.080 Restoration of a destroyed nonconforming structure or use.

- A. Whenever a nonconforming structure is destroyed by fire or other calamity, by act of God, or by the public enemy to the extent of 50 percent or less, as outlined in Subsection D below, the structure may be restored and the nonconforming use may be resumed, provided that all required permits are obtained and the restoration construction is started within one year and diligently pursued to completion.
- B. Whenever a nonconforming nonresidential structure is destroyed by fire or other calamity, by act of God, or by the public enemy, and the destruction exceeds 50 percent, as outlined by Subsection D below, the structure may be restored subject to the granting of a conditional use permit.
- C. Whenever a nonconforming residential structure is destroyed by fire or other calamity, by act of God, or by the public enemy, and the destruction exceeds 50 percent as outlined in Subsection D below, the structure may be restored subject to the granting of a minor conditional use permit and affirmative determination of all of the following findings:
 1. The restoration of the nonconforming residential use will not adversely affect or be detrimental to the health, safety, and general welfare of the public or property or improvements within the area.
 2. The restoration of the nonconforming residential use is substantially compatible with existing and proposed uses in the general area, including factors relating to the nature of its location, operation, building design, and site design.
 3. The restoration of the nonconforming residential use will protect a valuable property investment.
- D. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the nonconforming structure to its condition prior to such damage or partial destruction to the estimated cost of duplicating the entire structure as it existed prior thereto. Estimates for this purpose shall be made by or shall be reviewed and approved by the Building Official and the Community & Economic Development Director or his/her designee and shall be based on the minimum cost of construction in compliance with the Building Code.

(Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 7049 § 1, 2009; Ord. 6966 § 1, 2007)

19.080.090 Revocation of nonconforming rights.

The City may revoke the right to continue a nonconforming use or structure pursuant to the procedures for permit modification and revocation contained in Chapter 19.700 (Modification and Revocation of Permits/Variances and Other Approvals).

(Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 6966 § 1, 2007)

19.080.100 Loss of nonconforming status for alcoholic beverage sales.

Any nonconforming use that sells on-sale or off-sale alcoholic beverages, may not be continued or reestablished without a conditional use permit or a minor conditional use permit in accordance with this Title~~the Zoning Code~~ if any of the following occur:

- A. There is a change in type of retail liquor license within a license classification; or
- B. The sales of alcoholic beverages is abandoned or discontinued (including but not limited to circumstances such as suspension, cancellation or revocation of an existing retail liquor license) for any period of time, excluding a maximum 30-day closure required to perform necessary repairs or restoration that does not increase the square footage of the business used for the sale of alcoholic beverages; or
- C. There is a substantial change in the mode or character in the operation of the alcoholic beverage sales business (e.g. due to physical expansion of the alcoholic beverage sales business floor area or increased hours of operation).

(Ord. 7408 § 1, 2018; Ord. 7331 § 3, 2016; Ord. 7158 § 3, 2012; Ord. 6966 § 1, 2007)

DIVISION IV NONCONFORMING STRUCTURES AND USES IN THE RA-5 AND RC ZONES

19.080.110 Nonconforming uses and structures; generally.

19.080.120 Structural alterations.

19.080.130 Building permit issuance.

19.080.110 Nonconforming uses and structures; generally.

Except as specifically provided elsewhere in this Cchapter, any nonconforming use or structure may be continued indefinitely. If a nonconforming use is changed to any different use, such different use shall conform to the provisions of this Cchapter. Any discontinuance of a non-conforming for a continuous period of one year shall be deemed to constitute an abandonment of such nonconforming use and any future use shall conform to the provisions of this Cchapter. If any nonconforming building be destroyed by fire, explosion or other casualty, act of God or the public enemy, the owner may reconstruct a building of the same size or smaller to continue the previous use, provided a building permit is obtained and repairs are commenced within one year, then the right to continue the nonconforming use shall terminate and the use of the property must thereafter conform to the provisions of the Cchapter for the zone in which it is located.

(Ord. 7408 § 1, 2018)

19.080.120 Structural alterations.

The nonconforming use of a nonconforming building may be expanded or extended throughout such building; provided that no structural alterations, except those required by law or ordinance, shall be made therein unless a conditional use permit is obtained. The nonconforming use of a conforming building may be expanded or extended into any other portion of such conforming building, subject to the granting of a conditional use permit.

(Ord. 7408 § 1, 2018)

19.080.130 Building permit issuance.

A building permit for ordinary and routine maintenance and repair work may be issued by the building official if such maintenance and repair work will not require a structural alteration, reconstruction or enlargement of a nonconforming building or improvement or increase the floor area or cubical content of a nonconforming building or improvement. The alteration and reconstruction of a nonconforming buildings or improvements requiring building permits may be permitted subject to the granting of a conditional use permit. Within the limitations hereinafter set forth a building permit for a new building, enlargement of an existing building, or increase in floor area or cubical content may be permitted. Such building permit may be granted if all of the following conditions do exist:

- A. Such expansion will protect a valuable property investment.
- B. Such expansion and proposed use will not adversely affect or be mentally detrimental to the adjoining properties.
- C. That there is need for relief of overcrowded conditions or for modernization in order to properly operate the use and protect valuable property rights.

(Ord. 7408 §1, 2018)

ARTICLE IV GENERAL ZONING PROVISIONS

Chapter 19.090 - ESTABLISHMENT OF ZONES AND ADOPTION OF MAPS

Chapter 19.090 ESTABLISHMENT OF ZONES AND ADOPTION OF MAPS

19.090.010 Designation of zones.

19.090.020 Adoption of zoning map.

19.090.030 Zoning boundaries.

19.090.040 Conformance with zoning regulations.

19.090.010 Designation of zones.

- A. *General.* The City is divided into zones to allow for the orderly, planned development of the City and to implement the General Plan. All zones shall be listed and appropriately designated on the official Zoning Map. There are three steps to determine consistency with the General Plan.
 1. General Plan 2025 Table LU-5 (Zoning/General Plan Consistency Matrix) identifies General Plan land use designations and corresponding zones that have been determined as consistent; or
 2. If the zoning designation is not identified as consistent pursuant to Table LU-5 (Zoning/General Plan Consistency Matrix), then Table LU-6 (Consistency Quick Check) can be used to determine

consistency when a use is allowed in the existing zone, and is allowed in another zone consistent with the site's General Plan designation; or

3. If the use does not meet the criteria of Table LU-6, then consistency can be determined by evaluating a proposed project pursuant to Table LU-7 (Consistency Criteria). All criteria must be found consistent or not applicable to determine consistency.

B. *Base zones.* Every parcel shall have a base zone that establishes the primary type and intensity of land use permitted, along with development regulations for that particular type and intensity of land use.

C. *Overlay zones.* An overlay zone supplements the base zone for the purpose of establishing special use or development regulations for a particular area in addition to the provisions of the underlying base zone. In the event of conflict between the base zone regulations and the overlay zone regulations, the provisions of the overlay zone shall apply.

(Ord. [7481](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=979504&datasource=ordbank) § 1, 2019; Ord. 6966 §1, 2007)

19.090.020 Adoption of zoning map.

The City's Zoning Map, entitled "Zoning Map of the City of Riverside," adopted by the City Council, is incorporated by reference as part of [this Titlethe Zoning Code](#). The map shall be maintained on file in the office of the Planning Division. The boundaries of the zones as set forth on the zoning map are confirmed, adopted, established and may be changed in accordance with [this Titlethe Zoning Code](#).

(Ord. 6966 §1, 2007)

19.090.030 Zoning boundaries.

Pursuant to Chapter 19.060.020 (Applicability and Authority for Interpretations), where uncertainty exists as to the boundaries of any zone shown on the Official Zoning Map, the following rules shall apply.

- A. Where a zoning boundary approximately follows a lot, alley, or street line, such lot lines and street and alley centerlines shall be construed as the zoning boundaries; otherwise, such boundaries shall be determined by use of the scale appearing on the zoning map unless dimensions are specifically indicated.
- B. Where a public street or alley is officially vacated or abandoned, the property encompassed by said street or alley shall be included within the zones of the adjoining properties. If the adjoining properties are in different zones, the boundary lines shall be the centerline of the former street or alley and the extension of the side yard lines of the abutting properties. In the event such street, alley, or right-of-way was a boundary between two or more different zones, the new zone or zone boundary shall be the property line that is created by such vacation.

(Ord. 6966 §1, 2007)

19.090.040 Conformance with zoning regulations.

Except as otherwise provided in [this Titlethe Zoning Code](#), development shall conform with the zone regulations contained in [this Titlethe Zoning Code](#). Every department, official and employee of the City having the authority to issue any permit or license required by law shall comply with the provisions of

~~this Title the Zoning Code~~. Any permit issued in conflict with the provisions of ~~this Title the Zoning Code~~ shall be void and have no effect.

(Ord. 6966 §1, 2007)

ARTICLE V BASE ZONES AND RELATED USE AND DEVELOPMENT PROVISIONS

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)

Chapter 19.110 - COMMERCIAL AND OFFICE ZONES (O, CR, CG AND CRC)

Chapter 19.120 - MIXED-USE ZONES (MU-N, MU-V, MU-U)

Chapter 19.130 - INDUSTRIAL ZONES (BMP, I, AI AND AIR)

Chapter 19.140 - PUBLIC FACILITIES ZONE (PF)

Chapter 19.145 - RAILWAY ZONE (RWY)

Chapter 19.146 - NORTHSIDE SPECIFIC PLAN ZONE (NSP)

Chapter 19.147 - DOWNTOWN SPECIFIC PLAN ZONE (DSP)

Chapter 19.148 - ORANGECREST SPECIFIC PLAN ZONE (OSP)

CHAPTER 19.149 - AIRPORT LAND USE COMPATIBILITY

Chapter 19.150 - BASE ZONES PERMITTED LAND USES

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)

19.100.010 Purpose.

19.100.030 Permitted land uses.

19.100.040 Residential development standards.

19.100.050 Additional regulations for the RC Zone.

19.100.060 Additional regulations for the RA-5, RE, RC, RR and R-1 Zones.

19.100.065 Regulations for infill development on undersized lots in the R-1 Zones.

19.100.070 Additional regulations for the R-3 and R-4 Zones.

19.100.075 Regulations for infill development on undersized lots in the R-3 and R-4 Zones.

19.100.080 Design review.

19.100.090 Other regulations applicable to all residential zones.

19.100.010 Purpose.

The purpose of this ~~C~~chapter is to define allowable land uses and property development standards, including density of development, for all residential zones in order to produce healthy, safe, livable and attractive neighborhoods within the City of Riverside, consistent with the goals and policies of the City's General Plan. Fourteen residential zones are established to implement the residential land use designations of the General Plan. The purpose of each of the residential zones is as follows:

- A. *Residential Agricultural Zone (RA-5)*. The Residential Agricultural Zone (RA-5) is established to provide areas where general agricultural uses can occur independently or in conjunction with a single-family residence, that preserves the agricultural character of the area.

- B. *Residential Conservation Zone (RC)*. The Residential Conservation Zone (RC) is established consistent with General Plan objectives and voter approved initiatives (Proposition R and Measure C) to protect prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic conditions that warrant sensitive development from adverse development practices, and specifically, to achieve the following objectives:
1. To preserve and enhance the beauty of the City's landscape;
 2. To maximize the retention of the City's natural topographic features, including, but not limited to, skyline profiles, ridgelines, ridge crests, hilltops, hillsides, slopes, arroyos, ravines, canyons, prominent trees and rock outcrops, view corridors, and scenic vistas through the careful selection and construction of building sites and building pads on said topographic features.
 3. To assure that residential use of said topographic features will relate to the surrounding topography and will not be conspicuous and obtrusive because of the design and location of said residential use;
 4. To reduce the scarring effects of excessive grading for building pads and cut and fill slopes;
 5. To prevent the construction of slopes inadequately protected from erosion, deterioration or slippage; and
 6. To conserve the City's natural topographic features.
- C. *Rural Residential Zone (RR)*. The Rural Residential Zone (RR) is established to provide areas for single-family residences on large lots where flexible provisions apply pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats, sheep, and swine under Future Farmers of America-supervised and 4-H-supervised projects. These zones are established in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RR Zone to provide opportunities for persons whose lifestyles include the keeping of such animals in areas where such animal-keeping activities minimize impact to other residential properties.
- D. *Residential Estate Zone (RE) and R-1-½ Acre Zone*. The Residential Estate Zone (RE) and R-1-½ Acre Zone are established to provide areas for large lot single-family residences where the keeping of livestock and other farm animals and agricultural uses are not permitted.
- E. *Additional Single-family Residential Zones (R-1-13000, R-1-10500, R-1-8500 and R-1-7000)*. Additional Single-family Residential Zones (R-1-½ Acre, R-1-13000, R-1-10500, R-1-8500 and R-1-7000) are established to provide areas for single-family residences with a variety of lot sizes and housing choices.
- F. *Multiple-Family Residential Zones (R-3-4000, R-3-3000, R-3-2500, R-3-2000 and R-3-1500)*. Medium High-Density Residential Zones (R-3-4000 and R-3-3000) and High-Density Residential Zones (R-3-2500, R-3-2000 and R-3-1500) are established to provide areas for multiple family residences, including such residential development types as apartments, town homes, condominiums, tiny homes (foundation) in tiny home communities, and single-family homes in a Small Lot Subdivision Planned Residential Development.
- G. *Multiple-Family Residential Zone (R-4)*. The Very High-Density Residential Zone (R-4) is established to provide areas for higher density multiple family residences in areas of the City readily served by public transit and near commercial zones and other nonresidential areas that meet the everyday shopping, educational, health service and similar needs of residents.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 1, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 2(Exh. B), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">7552 § 1, 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">7528 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 9, 11-5-2019; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.030 Permitted land uses.

Table 19.150.020 A (Permitted Uses Table), Table 19.150.020 B. (Incidental Use Table) and Table 19.150.020 C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), uses requiring approval of a conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020 A also identifies those uses that are specifically prohibited. Uses not listed in the Tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

A. *RA-5 Zone Permitted Uses.* A summary of this ~~S~~section is contained in the Permitted Uses Table (Table 19.150.020-A), the Incidental Uses Table (Table 19.150.020 B), and the Temporary Uses Table (Table 19.150.020 C). If any conflict between this ~~S~~section and the Tables exists, the provisions of this ~~S~~section shall apply.

1. A one-family dwelling or manufactured dwelling of a permanent character placed in a permanent location and of not less than 750 square feet ground floor area exclusive of open porches and garage;
2. Farms or ranches for orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the general field of agriculture, aviaries, and raising of chinchillas, guinea pigs and parakeets;
3. Poultry, rabbits, crowing fowl and crowing roosters.
 - a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept,
 - b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry, and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical

structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot;

4. Pot-bellied pigs shall not be allowed in the RA-5 zone unless mandated by State law;
5. The grazing, raising or training of equine, riding stables or academies, sheep and cattle, provided that the lot has a minimum area of one acre and animals are not housed or pastured within 100 feet of a residence provided that the property is maintained in accordance with Section 6.16.010 (Fly-Producing Conditions) of ~~this the Municipal~~ Code, and further that:
 - a. Not more than a total of two of any of the following or a total of two of any combination of horses, colts, mules, ponies, goats, sheep, cows, calves or animals of general like character shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises,
 - b. Dairies, feeding lots and similar uses may be permitted after public hearing under a conditional use permit,
 - c. Additional animals may be permitted subject to the granting of a conditional use permit in the RA-5 zone;
6. The keeping of bees, provided that all other conditions of ~~this Title~~~~this the Zoning Code~~ and other City ordinances are complied with;
7. Parks, playgrounds or community centers owned and operated by a governmental agency, subject to the granting of a conditional use permit;
8. Golf courses, including miniature courses and driving ranges, subject to the granting of a conditional use permit;
9. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;
10. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;
11. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises, and one stand for the sale of such products;
12. Nameplates and signs as provided in Chapter 19.620 (General Sign Provisions);
13. The growing and wholesale disposal of earthworms in worm farms, provided that the area devoted to the cultivation of worms does not exceed 64 square feet, and further provided that:
 - a. All worm farms shall be kept at least 50 feet away from all adjacent dwellings,
 - b. The maximum height of any worm bed shall be two feet and all other structures shall conform to the requirements for accessory structures,
 - c. Worm farms in excess of 64 square feet shall only be permitted subject to the granting of a conditional use permit;
14. Agricultural field office as defined in Section 19.910.020 ("A" Definitions) subject to the granting of a conditional use permit in the RA-5 zone subject to the following operation and development standards:

- a. The use shall be conducted on a property zoned RA-5 having five acres or more gross area which is zoned for agricultural uses and which is predominately occupied by a commercial agricultural business,
 - b. The use shall be in conjunction with any permitted agricultural use, provided that such office shall be occupied by an agricultural business, which business is either located on-site or off-site the property,
 - c. The use shall be established within a stickbuilt, mobile coach or prefabricated structure, attached to or detached from any other building on the property,
 - d. Adequate parking and vehicular access shall be available in accordance with Chapter 19.580 (Parking and Loading) of ~~this Title~~the Zoning Code,
 - e. The building shall comply with the setback standards established for accessory structures in Chapter 19.440 (Accessory Buildings and Structures) of ~~this Title~~the Zoning Code;
15. Agricultural caretaker living quarters as defined by Section 19.910.040 ("C" Definitions) of this ~~T~~itle subject to the granting of a conditional use permit provided all of the following criteria apply:
- a. The use shall be conducted on a property having five acres or more gross area which is zoned residential agricultural and which is predominantly occupied by a bona fide agricultural business,
 - b. The use shall be established within a stickbuilt (completely assembled on site) or prefabricated structure, attached to or detached from the primary dwelling unit on the property or within a mobile home. The square footage of the agricultural caretaker living quarters shall not exceed 50 percent of the square footage of the primary dwelling unit,
 - c. Occupancy shall be limited to the agricultural caretaker and his or her family. The agricultural caretaker shall be a full-time employee of the on-site agricultural business,
 - d. The primary dwelling unit on the property shall be occupied by the legal owner of the property,
 - e. The agricultural caretaker living quarters shall be established in such a way as to minimize its view from adjacent streets and properties,
 - f. The use shall not be conducted longer than two years except that subsequent time extensions may be granted by the City Planning Commission. Each time extension shall not exceed two years. Written notice shall be given to adjacent property owners as prescribed by Section 19.670.020 (Notice Requirements for Administrative Discretionary Permits with No Public Hearing) of this ~~T~~itle for minor variances. The standard time extension application fee for conditional use permits shall be required,
 - g. The property owners shall execute and record a covenant and agreement with the City to revert the property to single-family residential use, including the removal of the kitchen facilities of any permanent addition, and the removal of any mobile home which does not meet the requirements of the residential agricultural zone, after the expiration of the conditional use permit or the termination of the agricultural business;
16. Home occupations and telecommuting as defined by Sections 19.910.090 ("H" Definitions) and 19.910.210 ("T" Definitions) of this Code in accordance with the provisions contained in Chapter 19.485 (Home Occupations) of this ~~T~~itle. Such uses shall not be allowed in the RA-5 zone unless mandated by State law.

17. Parolee/probationer home, as defined by Section 19.910.170 ("P" Definitions), transitional shelter housing, as defined by Section 19.910.210 ("T" Definitions), permanent emergency shelter, as defined by Section 19.910.060 ("E" Definitions) and drop-in center, as defined by Section 19.910.050 ("D" Definitions) of this Code, are prohibited in the RA-5 Zone.

B. *RC Zone permitted uses.* A summary of this ~~S~~section is contained in the Permitted Uses Table (Table 19.150.020-A), the Incidental Uses Table (Table 19.150.020-B), and the Temporary Uses Table (Table 19.150.020-C). If any conflict between this ~~S~~section and the Tables exists, the provisions of this ~~S~~section shall apply.

1. One-family dwellings of a permanent character placed in a permanent location and of not less than 750 square feet ground floor area, exclusive of open porches and garage;
2. Planned residential developments subject to the granting of a planned residential development permit as set forth in Chapter 19.780 (Planned Residential Development Permit);
3. Orchards, tree crops, field crops, truck gardening, berry and bush crops, flower gardening, growing of nursery plants, similar enterprises carried on in the general field of agriculture, aviaries and raising of chinchillas, guinea pigs and parakeets;
4. Poultry, rabbits, crowing fowl and crowing roosters.
 - a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept.
 - b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot.
5. The grazing, raising or training of horses; provided, that the lot has a minimum area of one acre and animals are not housed or pastured within 100 feet of a residence; and further, that not more than a total of two horses, colts or ponies or a total of two of any combination of horses, colts or ponies shall be kept on any lot with an area of one acre and that one additional animal may be kept for each half acre over one acre in any such premises;
6. The keeping of bees; provided, that all other conditions of ~~this Titlethe Zoning Code~~ or other City ordinances are complied with;
7. Parks and playgrounds of a noncommercial nature, subject to the granting of a conditional use permit;
8. Golf courses, subject to the granting of a conditional use permit;
9. Uses customarily incidental to any of the above uses, including hobby activities of a noncommercial nature;
10. Rented rooms in any one-family dwelling for occupancy of not more than four persons in addition to members of the family occupying such dwelling;
11. Accessory buildings and uses, including a private garage, accessory living quarters, recreation room, private stable, barn, greenhouse, lathhouse, corral, pen, coop or other similar structure, a building or room for packing products produced or raised on the same premises;
12. Nameplates and signs as provided in Chapter 19.620 (General Sign Provisions);

13. Agricultural field office as defined in Section 19.910.020 ("A" Definitions) subject to the granting of a conditional use permit.

(Ord. [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) § 1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank) § 1(Exh. A), 2020; Ord. [7431](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 1(Exh. A), 2-20-2018; Ord. 7331 § 4, 2016; Ord. 7110 § 1, 2011; Ord. 7064 § 1, 2010; Ord. 6966 § 1, 2007)

19.100.040 Residential development standards.

Tables 19.100.040.A (Residential Development Standards: Single-Family Residential Zones) and 19.100.040.B (Residential Development Standards: Multiple-Family Residential Zones) establish the development standards applicable to all development within the residential zones.

(Ord. [7552](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank) §§ 2, 3, 2021; Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016; Ord. 7109 § 2, 2010; Ord. 7027 § 1, § 2, 2009; Ord. 6966 § 1, 2007)

Table 19.100.040.A

Residential Development Standards: Single-family Residential Zones

Development Standards	Single-family Residential Zones								
	RA-5	RC ¹²	RR	RE	R-1-1/2 Acre ¹⁷	R-1-1300 ¹⁷	R-1-10500 ¹⁷	R-1-8500 ¹⁷	R-1-7000 ¹⁷
Density - Maximum (Dwelling Units per Gross Acre) ^{1,15, 16}	0.20	0.50 ¹¹	2.1 ¹¹	1.0 ¹¹	2.0 ¹¹	3.4 ¹¹	4.1 ¹¹	5.1 ¹¹	6.2 ¹¹
Lot Area - Minimum (Net) ¹⁶	5 Acres ^{2,9,14}	Varies ^{2,14}	20,000 sq. ft.	1 Acre	21,780 sq. ft.	13,000 sq. ft.	10,500 sq. ft.	8,500 sq. ft.	7,000 sq. ft.
Lot Width - Minimum ¹⁶	300 ft. ²	130 ft. ²	100 ft. ^{13,14}	130 ft. ^{13,14}	125 ft. ^{13,14}	100 ft. ^{13,14}	90 ft. ^{13,14}	80 ft. ^{13,14}	60 ft. ^{13,14}
Lot Depth - Minimum ¹⁶	500 ft. ²	100 ft. ²	150 ft.	150 ft.	150 ft.	110 ft.	110 ft.	100 ft.	100 ft.
Building Height - Maximum ^{10,15}	35 ft.	20 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Number of Stories - Maximum ¹⁵	2	1	2	2	2	2	2	2	2

Lot Coverage - Maximum	30%	N/A	30%	30%	30%	30%	35%	35%	40%
Setbacks - Minimum ^{8, 18}									
A. Front ⁷	40 ft. ²	30 ft. ^{2, 6}	30 ft.	30 ft.	30 ft. ⁴	25 ft. ⁴	25 ft. ⁴	25 ft. ⁴	20 ft. ⁴
B. Side ^{5, 16}	20 ft. ²	25 ft. ²	20 ft.	25 ft.	20 ft.	15 ft. ³	10/15 ft. ³	7.5/12.5 ft. ³	7.5/10 ft. ³
C. Rear ^{5, 16}	25 ft. ²	25 ft. ²	100 ft.	30 ft.	35 ft.	30 ft.	25 ft.	25 ft.	25 ft.

Notes:

1. See Section 19.100.060 A (Additional Density). Gross acreage means streets are included for density purposes. Notwithstanding allowable density on a gross acreage basis, individual lots must meet the minimum lot size requirements exclusive of streets, except in the RA-5 Zone as described in Note 9.
2. Lot width, depth and area; building area; and setback requirements shall be as required as set forth in the Table. However, the zoning standards and requirements of the RC and RA-5 Zones shall not apply to any buildings existing prior to or under construction on November 13, 1979, or to the restoration or rehabilitation of or to any additions to such buildings, provided that the use, restoration, rehabilitation or addition shall conform to the current standards and requirements of the zoning in existence immediately prior to November 13, 1979. Also see Section 19.100.050 A (Lot Area).
3. Where a lot is less than 65 feet in width and was of record prior to November 23, 1956, or was of record prior to the date on which such lot was annexed to the City, the required side yards adjacent to interior side lot lines shall be reduced to five feet.
4. Front setback exceptions: See Section 19.630.040 E (Permitted projections into required yards for RA-5, RE, RR, and R-1 Zones).
5. Side and rear setback exceptions: See Section 19.630.040 E (Permitted projections into required yards for RA-5, RE, RR, and R-1 Zones). The side setback can be applied to either side except that the larger setback is required when a side yard is adjacent to a street.
6. No lot that fronts onto Hawarden Drive within the Hawarden Drive Special Design Area, generally between Anna Street and the Alessandro Arroyo, shall have a front yard depth of less than 50 feet.
7. Where a lot or parcel of land at the junction of two intersecting streets in any residential zone has frontage on each street over 130 feet in length, front yards of the depth required in the appropriate zone shall be required on both frontages. Also see Chapter 19.630 (Yard Requirements and Exceptions).
8. No dwelling shall be located closer than five feet to any retaining wall exceeding two feet in height, unless such retaining wall is an integral part of an approved dwelling.

9. Lot area in the RA-5 Zone is measured to the centerline of the adjoining street or streets; provided, however, individuals may construct one single-family dwelling on a lot of less than five acres existing as of May 15, 1979 and the residence is owner occupied after construction.
10. Refer to Chapter 19.560 (Building Height Measurement) for height measurement and exceptions to height limits.
11. Project density may be greater in a Planned Residential Development (see Chapter 19.780).
12. See Section 19.100.050 (Additional Regulations for the RC Zone).
13. See Section 18.210.080 (Lots) and Article X (Definitions) for exceptions for cul-de-sac lots, knuckle lots, lots on curves and corridor lots.
14. See Section 18.210.030 N.2.a for exception to lot size on private streets if over 20,000 square feet.
15. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
16. See Chapter 18.085 (Urban Lot Splits) of the Subdivision Code and Chapter 19.443 (Two-Unit Developments) of this Title for density, lot area, lot width, lot depth, side setback and rear setback requirements for residential development pursuant to California Government Code § 65852.21 and § 66411.7.
17. See Section 19.100.065 for regulations on undersized lots.
18. See Chapter 19.780 (Planned Residential Development Permits) for setbacks in Planned Residential Developments.

Table 19.100.040 B

Residential Development Standards: Multiple-family Residential Zones

Development Standards	Multiple-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Density - Maximum (Dwelling Units per Gross Acre) ⁵	10.9	14.5	17.4	21.8	29	40
Lot Area - Minimum ⁷	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.	30,000 sq. ft.
Lot Width ⁴ - Minimum	80 ft.	80 ft.	80 ft.	80 ft.	80 ft.	100 ft.
Lot Depth ⁴ - Minimum	150 ft.	150 ft.	100 ft.	100 ft.	100 ft.	150 ft.
Building Height ^{3, 5, 6, 7} - Maximum	30 ft./40 ft. ²	30 ft./40 ft. ²	30 ft./40 ft. ²	30 ft./40 ft. ²	30 ft./40 ft. ²	50 ft.
Number of Stories ^{5, 6, 7} - Maximum	2 ²	2 ²	2 ²	2 ²	2 ²	4
Setbacks - Minimum ^{6, 7}						
A. Front ¹	25 ft.	25 ft.	20 ft.	15 ft.	15 ft.	15 ft.

B. Front (Arterial Streets over 110 feet) ¹	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	15 ft.
C. Interior Side ¹	10 ft.	10 ft.	10 ft.	7.5 ft.	7.5 ft.	7.5 ft.
D. Street Adjoining Side ¹	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
E. Rear ¹	20 ft.	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.

Notes:

1. Where a property abuts the RA-5, RC, RR, RE or R-1 Zone, for buildings over two stories in height, the required side and rear yards shall be increased by two and one-half feet for each story in excess of two stories, except as otherwise stated in this footnote.
2. Up to 60% of units may be located in three-story buildings with a maximum height of 40 feet.
3. Refer to Chapter 19.560 (Building Height Measurement) for height measurements and exceptions to height limits.
4. See Section 18.210.080 (Lots) and Article X (Definitions) for exemptions for cul-de-sac lots and knuckle lots.
5. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
6. See Section 19.100.075 for regulations on undersized lots.
7. See Section 19.780.060.D (Planned Residential Development Permits) for Small Lot PRD regulations.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, §§ 2(Exh. A), 3(Exh. B), 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank> web="yes">7652 § 1(Exh. A), 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 2(Exh. B), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">7573 § 1(Exh. A), 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">7552 §§ 2(Exh. A) and 3(Exh. B), 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 10(Exh. B), 11-5-2019; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank> web="yes">7413, § 1(Exh. A), 2-20-2018)

19.100.050 Additional regulations for the RC Zone.

A. Lot area.

1. The lot area requirements for land Zoned RC varies based on average natural slope and the date the property was zoned RC, as set forth in this Ssection.
2. The lot area requirements for land Zoned RC prior to May 15, 1979, shall be as follows:
 - a. Every lot shall have a minimum width at the building line of 130 feet and a minimum area of one-half acre; provided, however, that the average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.
 - b. Notwithstanding the provisions of Subdivision 1 of this Subsection, every lot or parcel located within the Hawarden Drive Special Design Area, generally between Anna Street and Alessandro Arroyo, shall have a minimum width at the building line of 130 feet and a minimum area of two acres; provided, however, that where a lot or parcel located within said area has less width or less area than herein required and was a legally created lot of record prior to June 16, 1977, such lot may be occupied by a single-family residential use if the lot has a minimum area of one-half acre.
3. The lot area requirements for land zoned RC on or after May 15, 1979, shall be as follows:
 - a. Every lot with an average natural slope of less than 15 percent shall have a minimum width at the building line of 130 feet and a minimum area of one-half acre.
 - b. Every lot with an average natural slope from 15 percent to 30 percent shall have a minimum width at the building line of 130 feet and a minimum area of two acres.
 - c. Every lot with an average natural slope over 30 percent shall have a minimum width at the building line of 200 feet and a minimum area of five acres.
 - d. The average lot size of the lots shown on any subdivision or parcel map shall be not less than two acres.
 - e. These provisions shall not apply to lots created pursuant to California Government Code § 66411.7.

B. *Nonconforming lot size—dwelling unit permitted.* Notwithstanding the provisions of Subdivision 3 of Subsection A above, individuals may construct one single-family dwelling on a lot existing as of May 15, 1979, of less than the minimum lot size required by Section A-3 if such individuals occupy the residence after construction.

C. *Average natural slope.* For the purposes of this Ssection, "average natural slope" shall mean the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the following formula:

$$S = \frac{0.002296 \times I \times L}{A}$$

A

where:

S = average natural slope in percent

I = natural contour interval in feet

L = length of natural contours in feet

A = acres of property (parcel of record existing on November 13, 1979)

0.002296 = Constant that converts square feet into acres and expresses slope percent.

The average natural slope shall be computed from photogrammetric maps, grading permit plans and other data or evidence approved by the Public Works Department.

D. Grading.

1. No grading permit shall be issued for any grading in the RC Zone until grading plans and, if required, special drawings showing grading and topography as viewed from critical locations within the neighborhood or community, have been submitted to and approved by the designated Approving or Appeal Authority as set forth in Table 19.650.020 (Approving and Appeal Authority).
2. The Approving and/or Appeal Authority shall consider the following items of particular concern in the review of grading proposals in the RC Zone. Conditions may be applied in the approval of grading plans so as to achieve these objectives pursuant to adopted standards included in the City's Grading Ordinance (Title 17).
 - a. The maximum retention of vistas, natural plant communities and natural topographic features including ridgelines, hilltops, slopes, rock outcroppings, arroyos, ravines and canyons;
 - b. The avoidance of excessive building padding or terracing and cut and fill slopes to reduce the scarring effects of grading;
 - c. The encouragement of sensitive grading to ensure optimum treatment of natural hillside and arroyo features; and
 - d. The encouragement of imaginative grading plans to soften the impact of grading on hillsides including rolled, sloping or split pads; rounded cut and fill slopes and post and beam construction techniques.

E. Design review.

1. No building permit shall be issued for any building or structure in the RC Zone until slope planting and irrigation plans and the drawings required by Chapter 19.710 (Design Review) have been submitted to and approved in accordance with the provisions of Chapter 19.710 (Design Review).
2. In addition to the standards established in ~~this Title~~ the Zoning Code and in Chapter 19.710 (Design Review), the Design Review Approving or Appeal Authority shall consider the following items of particular concern in the RC Zone and shall approve the plans and drawings if all applicable standards are met:
 - a. The encouragement of unique site design to ensure optimum treatment of natural hillside and arroyo features and avoid inharmonious, incongruent, conspicuous and obtrusive development;
 - b. The reduction of the scarring effects of grading and the protection of slopes subject to erosion, deterioration or slippage, and fire by the use of appropriate slope planting, irrigation and maintenance; and
 - c. The encouragement of structures that will relate spatially and architecturally with the environment and complement the natural land forms.
3. Conditions may be applied when the proposed development does not comply with applicable standards and shall be such as to bring such development into conformity or the plans and drawings may be disapproved and the Design Review Approving or Appeal Authority shall specify the standard or standards that are not met.

4. All cut and fill slopes exceeding five feet in height shall be suitably landscaped with plant materials and adequately irrigated in accordance with approved plans and maintained on completion of the grading operations. The applicant or developer shall be responsible for the maintenance of all slope planting and irrigation systems until such time as the properties are occupied or until a homeowner's association accepts the responsibility to maintain the landscaping in common areas.

F. *Subdivisions*. To assure compliance with the provisions of this ~~C~~chapter and ~~this Title~~~~the Zoning Code~~ where a planned development permit is not required, there shall be submitted along with every tentative subdivision map and parcel map filed for approval in accordance with the provision of Title 18 (Subdivision Code) a preliminary grading plan showing at least one practical usable building site that can be developed in accordance with the provisions of this ~~C~~chapter for each lot or parcel.

(Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 2(Exh. B), 2022; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.060 Additional regulations for the RA-5, RE, RC, RR and R-1 Zones.

A. *Additional density*. In the RE, RC, RR and R-1 zones and where consistent with the applicable General Plan land use designation the typical project density may be increased according to the regulations set forth in the Planned Residential Development Permit (PRD) process (Chapter 19.780 - Planned Residential Development Permits).

B. *Conversion of existing dwelling unit to an accessory structure*. In the RE, RA-5, RR and R-1 zones, one entirely new single-family dwelling may be constructed upon a lot where there already exists not more than one single-family dwelling, provided that:

1. At the time of issuance of a building permit for the new dwelling, the property owner/applicant also obtains a building permit to make alterations to the existing dwelling as are required by the City to reduce the character of use of the existing dwelling to a lawful accessory building, or the owner/applicant obtains a building moving permit to remove the existing dwelling from the lot;
2. The owner of the lot executes and delivers to the City a written agreement in a form approved by the City to make the required alterations or to remove the existing dwelling concurrently with or immediately after the construction and completion of the new dwelling, together with a faithful performance surety bond or other security, in the form approved by the City and in the amount of 100 percent of the amount of the cost of such alterations or removal, as estimated by the City; and
3. The Building Official determines that the requirements of Section 19.100.040 (Residential Development Standards) and Building Code and Fire Prevention Code will be complied with.

C. *Exceptions to setback requirements*.

1. *Front porches and balconies*. In the R-1 Zones, front porches that are open except for an overhead covering and have no habitable space above may encroach into the front setback up to a maximum of six feet.
2. *Flexible yard setbacks*.
 - a. In the R-1 Zones, on local streets only, where the residential structure has the garage set back ten or more feet from the required front yard setback, the habitable portion of the residential structure may extend into the front setback up to a maximum of five feet.
 - b. In conjunction with the consideration of a tentative tract or parcel map in the R-1-7000 Zone, interior side yard setbacks may be reduced to five feet provided a minimum distance of 15 feet is maintained between adjacent dwellings.

- c. In the R-1 Zones, portions of the dwelling may encroach up to ten feet into the required rear yard setback provided that the encroachment does not exceed 500 square feet in total area.
 3. *Accessory structures.* Refer to Chapter 19.440 (Accessory Buildings and Structures) for development standards.
 4. *Stairway projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
 5. *Fire escape projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
 6. *Cornice, eave and sill projections.* Refer to Chapter 19.630 (Yard Requirements and Exceptions) see Section 19.630.040 (Permitted Projections into Required Yards).
 7. *Additions to established dwellings.* For lawfully established dwellings that do not conform to the side yards required in the RC, RR, RE and R-1 Zones additions may be constructed within such required side yards if such additions are located not closer to the side lot line than the existing dwelling; provided, that in no case shall such additions be located closer than five feet to interior side lot lines or ten feet to street side lot lines.
 8. *Garage in the R-1-7000 Zone.* In the R-1-7000 Zone, a garage that is an integral part of the main dwelling may be located not closer than five feet to any interior side lot line.
- D. *Setbacks for RR Zoned Properties less than 20,000 square feet in area.* For legally created parcels within the RR Zone which are less than 20,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:
1. For lots less than 8,500 square feet in area, the R-1-7000 standards apply.
 2. For lots greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-8500 standards apply.
 3. For lots greater than 10,500 square feet in area, but less than 13,000 square feet in area, the R-1-10500 standards apply.
 4. For lots greater than 13,000 square feet in area, but less than 20,000 square feet in area, the R-1-13000 standards apply.
- E. *Landscaping.* Front and side yard setback areas adjacent to streets shall be suitably landscaped and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation). Such setbacks shall not be used for off-street parking, storage, or accessory buildings.
- F. See also Section 19.630.040 - Permitted projections into required yards for additional exceptions to the setback requirements.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 4, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank> web="yes">7652 § 2, 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 2(Exh. B), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">7552 § 4, 2021; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.065 Regulations for infill development on undersized lots in the R-1 Zones.

A. Setbacks for R-1-½ acre zoned properties less than 18,000 square feet in area. For legally created parcels within the R-1-½ acre Zone which are less than 18,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:

1. For lots less than 5,500 square feet in area, see [Section 19.100.065.E](#).
2. For lots equal to or greater than 5,500 square feet in area, but less than 8,500 square feet in area, the R-1-7000 standards apply.
3. For lots equal to or greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-8500 standards apply.
4. For lots equal to or greater than 10,500 square feet in area, but less than 13,000 square feet in area, the R-1-10500 standards apply.
5. For lots equal to or greater than 13,000 square feet in area, but less than 18,000 square feet in area, the R-1-13000 standards apply.

B. Setbacks for R-1-13000 zoned properties less than 10,500 square feet in area. For legally created parcels within the R-1-13000 Zone which are less than 10,500 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:

1. For lots less than 5,500 square feet in area, see [Section 19.100.065.E](#).
2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.
3. For lots equal to or greater than 7,000 square feet in area, but less than 8,500 square feet in area, the R-1-8500 standards apply.
4. For lots equal to or greater than 8,500 square feet in area, but less than 10,500 square feet in area, the R-1-10500 standards apply.

C. Setbacks for R-1-10500 zoned properties less than 8,500 square feet in area. For legally created parcels within the R-1-10500 Zone which are less than 8,500 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:

1. For lots less than 5,500 square feet in area, see [Section 19.100.065.E](#).
2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.
3. For lots equal to or greater than 7,000 square feet in area, but less than 8,500 square feet in area, the R-1-8500 standards apply.

D. Setbacks for R-1-8500 zoned properties less than 7,000 square feet in area. For legally created parcels within the R-1-8500 Zone which are less than 7,000 square feet in area, the following setbacks shall be provided and supersede those listed in Table 19.100.040.A as follows:

1. For lots less than 5,500 square feet in area, see [Section 19.100.065.E](#).
2. For lots equal to or greater than 5,500 square feet in area, but less than 7,000 square feet in area, the R-1-7000 standards apply.

E. Development Standards for R-1 Zone lots less than 5,500 square feet in area. For legally created parcels within all R-1 Zones which are less than 5,500 square feet in area, the following development standards shall apply and supersede those listed in Table 19.100.040.A:

Table 19.100.065

Residential Development Standards: R-1 Zone Lots Less than 5,500 Square Feet

Development Standards	Lot Size (square feet)			
	1,500—2,499	2,500—3,499	3,500—4,499	4,500—5,499
Building Height - Maximum	35 ft.	35 ft.	35 ft.	35 ft.
Number of Stories - Maximum	3	3	3	3
Lot Coverage - Maximum	55%	55%	50%	45%
Setbacks - Minimum ¹				
1. Front ²	10 ft.	10 ft.	15 ft.	15 ft.
2. Interior Side	5 ft.	5 ft.	5 ft.	5 ft.
3. Street Side	10 ft.	10 ft.	10 ft.	10 ft.
4. Rear	10 ft.	15 ft.	15 ft.	20 ft.

Notes:

1. See 19.630.040 (Permitted projections into required yards).

2. Garages and carports shall be set back 20 feet.

F. *Privacy Considerations.* Residential development on R-1 Zone lots less than 5,500 square feet in area that abut the RA-5, RC, RR, RE, or R-1 Zone shall adhere to the following:

1. Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
2. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 Zoned property shall be located a minimum of 15 feet from the interior lot lines.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank>)
Ord. 7683, § 5(Exh. C), 2024)

19.100.070 Additional regulations for the R-3 and R-4 Zones.

A. *Usable open space.*

1. The minimum usable open space, as defined in Article X (Definitions), required for each dwelling unit shall be as set forth in Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones) below:

Table 19.100.070

Usable Open Space Standards: Multi-Family Residential Zones

Usable Open Space Standards ¹	Multi-Family Residential Zones					
	R-3-4000	R-3-3000	R-3-2500	R-3-2000	R-3-1500	R-4
Common Usable Open Space - Minimum per Unit	400 sq. ft.	400 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.	150 sq. ft.
Private Usable Open Space Ground Floor/Upper Story Unit	120 sq. ft./50 sq. ft.	120 sq. ft./50 sq. ft.	120 sq. ft./50 sq. ft.	100 sq. ft./50 sq. ft.	100 sq. ft./50 sq. ft.	50 sq. ft./50 sq. ft.

Notes:

1. See Table 19.100.075 B for requirements for infill development on undersized lots.
2. *Development consisting of 20 units or fewer.* Common open space may be divided into multiple areas; provided, however, that at least one area shall have no dimension smaller than 25 feet.
3. *Development consisting of 21 units to 75 units.*
 - a. Common open space may be divided into multiple areas; provided, however, that at least one area shall have no dimension smaller than 50 feet.
 - b. Common open space shall include but not be limited to two of the recreational amenities listed below:
 - (1) One child's outdoor play area, which shall include a range of age-appropriate equipment including those rated for use by children younger than five.
 - (2) Pool and spa.
 - (3) One outdoor cooking facility with sheltered dining area to accommodate seating for a minimum of twelve adults.
 - (4) Court facilities (e.g., tennis, volleyball, basketball, etc.).
 - (5) Exercise room.
 - (6) Clubhouse with wet bar/counter facilities.
 - (7) Dog park.
4. *Development consisting of 76 units or more.*
 - a. Common open space may be divided into multiple areas; provided, however, that at least one area shall have at least one dimension of 100 feet.
 - b. Common open space shall include but not be limited to four of the following recreational amenities:
 - (1) One child's outdoor play area, which shall include a range of age-appropriate equipment including those rated for use by children younger than five.
 - (2) Pool and spa.
 - (3) Clubhouse with a central multi-purpose room equipped with full kitchen facilities; and at least two separate and defined areas/rooms for games, exercises, recreation, entertainment, etc.

- (4) Two outdoor cooking facilities each with sheltered dining area to accommodate seating for a minimum of 12 adults.
 - (5) Court facilities (e.g., tennis, volleyball, basketball, etc.).
 - (6) Jogging/walking trails with exercise stations.
 - (7) Community garden.
 - (8) Theater.
 - (9) Computer room or coworking space.
 - (10) Exercise room.
 - (11) Dog park.
5. Other recreational amenities not listed above may be considered in lieu of those listed subject to Community & Economic Development Director review and approval.
 6. Recreational amenities may be grouped together and located at any one area of the common space.
 7. Recreational amenities shall be evenly dispersed throughout the site with separate recreational amenities; if not centrally located and equidistant to all residential units within the development.
 8. All recreation areas or facilities required by this Section shall be maintained by private homeowners' associations, property owners, or private assessment districts subject to Community & Economic Development Director review and approval.
 9. In the R-4 Zone, the required common usable open space may be located on the roof of a garage or building, provided that minimum dimensional standards and the minimum number of amenities can be met.
 10. Onsite common useable open space reduction.
 - a. Required common usable open space may be reduced by up to 20 percent for multifamily residential development located within:
 - (1) One-quarter mile (1,320 feet) of a Neighborhood Park or Special Use Park; or
 - (2) One-half mile (2,640 feet) of a Community Park or Regional Park.
 - b. Park types shall be those defined and listed in the Comprehensive Park, Recreation & Community Services Master Plan (2020).
 - c. Distances shall be measured from the outside perimeter the public park to the property line of the development site.
- B. *Private usable open space.* Dwelling units shall be provided with private usable open space, as defined in Article X (Definitions), accessible directly from the living area of the unit and as set forth in Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones) and in the following:
1. *Ground floor units.* Private usable open space for ground floor units shall be in the form of a fenced yard or patio. Such private usable open space shall have no dimension of less than eight feet in R-3 zones and five feet in the R-4 Zone.
 2. *Upper story units.* Each dwelling unit shall have private usable open space area of at least 50 square feet. Such private usable open space shall have no dimension of less than five feet. Upper story private usable open space shall have at least one exterior side open above railing height.
 3. Each square foot of private usable open space provided beyond the minimum requirement of this Section shall be considered equivalent to one and one-half square feet of the required common

usable open space provided in the project; provided, however, that in no case shall private usable open space constitute more than 40 percent of the total required common usable open space for the project.

- C. *Distance between buildings.* The minimum distance between buildings shall be not less than 15 feet, except within a Tiny Home Community, in which case the minimum distance between buildings shall not be less than five feet.
- D. *Trash collection areas.* Common trash collection areas shall be provided and conform to the regulations set forth in Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures).
- E. *Keeping of animals.* Domestic animals in accordance with Table 19.150.020 B (Incidental Uses Table) pursuant to Chapter 19.455 (Animal Keeping) are permitted. All other animal keeping is prohibited. No poultry, pigeons, rabbits, horses, mules, ponies, goats, swine, cows or similar animals generally considered to be non-household pets shall be kept in any R-3 or R-4 Zone.
- F. *Private streets and driveways.* All driveways and streets provided within any multi-family development shall be private and shall be maintained by a private homeowners' association, property owner, or private assessment district. Such private streets and driveways shall be designed, built and maintained as set forth in the permit conditions authorizing such development.
- G. *Recreational vehicle parking.* Recreational vehicle parking shall be in accordance with Section 19.580.070 A.4 (Recreational Vehicle Parking in Residential Zones). In addition to providing all required parking spaces, a development may provide a special parking area and spaces for recreational vehicles, provided such area and spaces are screened from view from surrounding properties by a block wall of a minimum height of eight feet, with finish surfaces matching the color and materials used on the primary buildings within the development.
- H. *Landscaping.* Front, side, and rear yard setback areas adjacent to streets shall be suitably landscaped and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).
- I. *Lighting.*
 - 1. The provisions of Section 19.590.070 (Light and Glare) shall apply.
 - 2. The provisions of Chapter 19.556 (Lighting) shall apply.
- J. *Site Planning.*
 - 1. Primary building entrance(s) shall be oriented toward the following (listed in priority order):
 - a. Public right-of-way;
 - b. Primary internal streets and pedestrian walkways, not including drive aisles;
 - c. Common usable open space;
 - d. Secondary internal streets or drive aisles.
 - 2. *Pedestrian walkways.*
 - a. Pedestrian walkways shall be included and shall be clearly demarcated from vehicular circulation areas through the use of different surfacing materials if at the same finished elevation; or shall be a raised sidewalk separated by a curb with a minimum height of six inches; and shall be ADA compliant.
 - b. Pedestrian walkways shall connect building entrances with public sidewalks and on-site facilities including, but not limited to, open space, plazas, courtyards, and parking areas.
- K. *Parking.* In addition to the standards and requirements of Chapter 19.580 (Parking and Loading) the following standards shall apply:

1. No parking shall be permitted between the primary building or buildings and the public right-of-way.
2. Garages and carports visible from the public right-of-way shall match architectural style, finish materials and colors of the primary building(s).
3. Parking garages/structures visible to the public shall match exterior building cladding materials of the primary building(s).

L. Building appearance.

1. A minimum of two of the following window accent features shall be used on all windows visible from the public right-of-way: sills, shutters, canopies, awnings and/or multi-paned windows.
2. Building facades shall be designed so as to define and articulate each vertical module of residential units, using at least two of the following:
 - a. Providing a variation in the wall plane (projection or recess) a minimum of two feet in depth between the modules;
 - b. Varying a minimum of two of the following architectural elements between modules: window recess depth, roof shape, window shape, stoop detail, and/or railing type;
 - c. Providing porches and balconies;
3. Windows visible from the public right-of-way shall be recessed a minimum of four inches.
4. A minimum of three exterior cladding or finish materials shall be used per building. Variation in color, texture or application method among the same material shall not be considered a different material.

M. Fences and walls. In addition to the standards and requirements of Chapter 19.550 (Fences, Walls, and Landscape Materials) the following standards shall apply.

1. Fences and/or walls located anywhere between the primary building(s) and the public right-of-way shall not exceed the following:
 - a. Three feet in height for solid fences and walls;
 - b. Four feet in height for openwork or combination solid and openwork fences and walls provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet.
 - c. Fences and/or walls that enclose common usable open space amenities such as swimming pools and playgrounds, and excluding passive landscape areas, shall have a maximum height of six feet and, if solid, shall match the exterior finish material(s) and color(s) of the primary building(s).
2. Permitted materials for fences and/or walls shall include decorative masonry split face block, brick, natural stone, precast concrete panels, stucco, wrought iron, aluminum, wood, chemically treated or naturally resistant to decay.
3. As applicable, perimeter fencing of residential development shall be located and contain breaks to connect on-site pedestrian pathways within the development to any trails shown in the General Plan, when these residential developments are in the vicinity of planned trails outlined in the General Plan.

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web="yes">Ord. 7683</ulink>, §§ 6, 7(Exh. D), 2024; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank" web="yes">7592</ulink> § 2(Exh. B), 2022; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank" web="yes">7573</ulink> § 1(Exh. A), 2021; Ord. 7<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank" web="yes">528</ulink> § 1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank" web="yes">7520</ulink> § 1(Exh. A); Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank" web="yes">7505</ulink> § 1(Exh. A), 2020; Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

19.100.075 Regulations for infill development on undersized lots in the R-3 and R-4 Zones.

The following regulations shall apply to residential infill development projects in the R-3 and R-4 zones on lots less than 21,780 square feet in area:

- A. *Development Standards.* For legally created parcels within all R-3 and R-4 Zones which are less than 21,780 square feet in area, the following development standards shall apply and supersede those listed in Table 19.100.040.B:

Table 19.100.075 A

Residential Development Standards: R-3 and R-4 Zone Lots Less than 21,780 Square Feet

Development Standards	Lot Size (square feet)				
	< 5,000	5,001— 10,000	10,001— 15,000	15,001— 20,000	20,001— 21,780
Building Height—Maximum	40 ft. ¹	40 ft. ¹	40 ft.	40 ft.	40 ft.
Number of Stories—Maximum	31	31	3	3	3
Setbacks—Minimum					
A. Front	10 ft.	15 ft.	15 ft.	15 ft.	15 ft.
B. Front (Arterial Streets over 110 feet)	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
C. Interior Side ²	5 ft.	5 ft.	5 ft.	5 ft.	7.5 ft.
D. Street Side ²	7.5 ft.	7.5 ft.	7.5 ft.	10 ft.	10 ft.
E. Rear ²	7.5 ft.	7.5 ft.	10 ft.	10 ft.	10 ft.
Distance Between Buildings	5 ft.	5 ft.	5 ft.	15 ft.	15 ft.

Notes:

1. Height may be increased to 45 feet if building is designed with tuck under parking. Ground floor tuck under parking shall not be considered a story.

2. Where a property abuts the RA-5, RC, RR, RE or R-1 Zone, buildings with habitable space above 20 feet in height shall increase the required side and rear yards by five feet.

B. *Privacy Considerations.* Where an R-3 or R-4 zoned property less than 21,780 square feet in area abuts the RA-5, RC, RR, RE, or R-1 Zone, the development shall adhere to the following:

1. Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
2. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 zoned property shall be located a minimum of 15 feet from the interior lot lines.

C. *Usable open space.* The minimum usable open space, as defined in Article X (Definitions), required for each dwelling unit on undersized lots in the R-3 and R-4 Zones shall be as set forth in Table 19.100.075 B (Usable Open Space Standards: Undersized Lots in Multi-Family Residential Zones) and shall supersede Table 19.100.070:

Table 19.100.075 B

Usable Open Space Standards: Undersized Lots in Multi-Family Residential Zones

Usable Open Space Standards ¹	Lot Size (square feet)				
	< 5,000	5,001— 10,000	10,001— 15,000	15,001— 20,000	20,001— 21,780
Common Usable Open Space - Minimum per Unit	None	None	40 sq. ft. or 2% of lot area, whichever is greater	50 sq. ft.	75 sq. ft.
Common Usable Open Space Minimum Dimension in each direction	None	None	10 ft.	10 ft.	15 ft.
Private Usable Open Space ^{2, 3}	None	None	40 sq. ft.	40 sq. ft.	50 sq. ft.

Notes:

1. Usable open space is not required for developments with six or fewer units.
2. ;hg;Usable private open space shall have a minimum dimension of 5 feet in each direction, with a vertical clearance of at least eight feet.
3. ;hg;Upper story private usable open space shall have at least one exterior side open above railing height.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank" web="yes">Ord. 7683</ulink>, § 8(Exh. E), 2024)

19.100.080 Design review.

- A. *Infill developments in the single family residential zones.* A cursory review of building elevations for infill developments will take place in the plan check stage of the building permit process to insure compatibility of the new development with the existing neighborhood.
- B. *Multi-family residential.* In any R-3 or R-4 Zone, all new buildings, structures, or enlargements of an existing building or structure shall require design review approval pursuant to the provisions of Chapter 19.710 (Design Review).

(Ord. 7408 § 1, 2018; Ord. 7331 § 4, 2016)

19.100.090 Other regulations applicable to all residential zones.

In addition to the requirements contained in this ~~C~~chapter, regulations contained in the following titles of ~~this the Riverside Municipal~~ Code and other chapters of ~~this Title~~~~the Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.49: Garage Sales

Chapter 5.75: Mobile Home Parks Rent Stabilization Procedures

Title 6: Health and Sanitation

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Chapter 6.16: Fly-Producing Conditions

Title 8: Animals

Chapter 8.04: Animals

Chapter 8.10: Noisy Animals

Chapter 8.19: Pot-Bellied Pigs

Chapter 8.20: Bees and Apiaries

Title 16: Buildings and Construction

Title 17: Grading

Title 18: Subdivision

Title 20: Cultural Resources

(Ord. 7331 § 4, 2016; Ord. 6966 § 1, 2007)

Chapter 19.110 COMMERCIAL AND OFFICE ZONES (O, CR, CG AND CRC)

19.110.010 Purpose.

19.110.020 Permitted land uses.

19.110.030 Commercial and office development standards.

19.110.040 Additional standards, regulations and requirements for commercial and office development.

19.110.050 Design review required.

19.110.060 Other regulations applicable to all Commercial and Office Zones.

19.110.010 Purpose.

Four commercial and office zones are established to implement the four commercial and office land use designations in the General Plan. The purpose of each commercial and office zone is as follows:

- A. *Office Zone (O)*. The Office Zone (O) is intended for the location of offices for administrative, business and professional activities that involve a relatively low volume of direct customer contact. The Zone is also established to allow limited commercial uses that support the office uses and their employees.
- B. *Commercial Retail Zone (CR)*. The Commercial Retail Zone (CR) is intended for a broad range of indoor oriented retail sales and service, and office uses as either stand-alone businesses or as part of commercial centers or office developments.
- C. *Commercial General Zone (CG)*. The Commercial General Zone (CG) is intended to allow for more intense service commercial retail, office, and repair uses. The CG Zone allows for some outdoor retail uses.
- D. *Commercial Regional Center Zone (CRC)*. The Commercial Regional Center Zone (CRC) is intended for intense, regional-serving commercial uses. The areas are located adjacent or in proximity to freeways and arterial roadways that accommodate regional traffic.

(Ord. 7331 §5, 2016; Ord. 6966 §1, 2007)

19.110.020 Permitted land uses.

- A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730—Minor Conditional Use Permit) or conditional use permit (Chapter 19.760—Conditional Use Permit), or uses requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the tables are prohibited unless, the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.
- B. The provisions set forth in Chapter 19.215 (Neighborhood Commercial Overlay Zone—NC) may be applied to any commercial zone and may further limit the uses permitted.

- C. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 19, 11-5-2019; Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018; Ord. 7331 §5, 2016; Ord. 7064 §2, 2010; Ord. 6966 §1, 2007)

19.110.030 Commercial and office development standards.

Table 19.110.030 (Commercial and Office Development Standards) sets forth the minimum development standards for each of the commercial and office zones.

(Ord. 7331 §5, 2016; Ord. 7109 §3, 2010; Ord. 6966 §1, 2007)

Table 19.110.030
Commercial and Office Development Standards

Development Standard	O	CR	CG	CRC	Notes, Exceptions & Special Provisions
Floor-Area-Ration (FAR) - Maximum	1.0	0.50	0.50	0.50	See notes 2 & 4
Lot Area - Minimum	20,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	10 acres	See note 3
Lot Width - Minimum	65 ft.	60 ft.	100 ft.	300 ft.	Pursuant to Title 18 (Subdivision Code)
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	100 ft.	Pursuant to Title 18 (Subdivision Code)
Building Height - Maximum	40 ft.	75 ft.	75 ft.	75 ft.	See note 4. See also Chapter 19.200 - Building Stories Overlay Zone (S)
Front Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	50 ft.	Front yard setback shall be increased by 2 ½ feet per story for any story over the second story. See Chapter 19.180 - Building Setback Overlay Zone.
Side Yard Setback - Minimum					Side yard setbacks shall be increased by 2 ½ feet per story for any story over the second story.
A. Interior Side B. Street Side	5 ft. 15 ft.	0 ft. 0 ft.	0 ft. 0 ft.	20 ft. 50 ft.	Whenever a CRC Zone property abuts a property zoned for residential use, the setback

					shall be 50 ft. with at least 10 feet of landscaping.
Rear Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	0 ft.	Whenever a CRC Zone property abuts a property zoned for residential use, the building setback shall be 50 ft. with at least 10 feet of landscaping. Whenever a CR or CG zoned property abuts a property zoned for residential use, the building setback shall be a minimum of 15 feet with at least five feet of landscaping. Additional setbacks may be required.
Landscape Setbacks	Varies	Varies	Varies	Varies	See Chapter 19.580 - Parking and Loading
Landscape Setback from any Freeway Right-of-way	5 ft.	5 ft.	5 ft.	20 ft.	

Notes:

1. The setback areas specified may be used for the following purposes:
 - a. Off-street parking, loading and traffic circulation, including lights for the illumination of such areas, except where landscaped areas may be required per Chapter 19.580 (Parking and Loading) or as noted above.
 - b. Signs necessary to direct and control vehicular and pedestrian traffic within the shopping center (see Chapter 19.620).
 - c. The permitted signs identifying the shopping center (see Chapter 19.620).
2. The Approving or Appeal Authority may allow a development project to exceed a maximum FAR when it can be found that such project (a) will not have a detrimental effect on infrastructure and municipal services, (b) will not adversely impact the surrounding neighborhood, and (c) will not likely set a precedent for additional development that would adversely affect infrastructure, service or surrounding land uses.
3. Smaller minimum lot areas may be established by a master plan for the center or for the adaptive reuse or development of existing infill lots.
4. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

(Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018)

19.110.040 Additional standards, regulations and requirements for commercial and office development.

- A. *Walls.* Where any commercial zone adjoins any lot zoned for residential use, a minimum six-foot-high decorative masonry wall shall be erected and maintained along such property line. However, such wall shall be limited in height to three feet within the front yard setback requirement.
- B. *All activities to be conducted indoors.* All activities shall be conducted wholly within a building except those activities specifically permitted within Article VII.
- C. *Access by easement permitted.* Direct access to a public street or alley is not required for individual parcels within a commercial or office complex if permanent access to the parcel is provided by a recorded easement.
- D. *Temporary sales.* Temporary sales activities are permitted subject to the regulations set forth in Chapter 19.740 (Temporary Use Permit).
- E. *Screening of mechanical equipment.* The screening of mechanical equipment shall comply with regulations set forth in Chapter 19.555 (Outdoor Equipment Screening).
- F. *Screening of trash receptacles.* The screening of trash receptacles shall comply with regulations set forth in Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures).
- G. *Utilities.* Utilities shall be installed and maintained as set forth in Chapter 19.555 (Outdoor Equipment Screening).
- H. *Landscaping.* Landscaping shall be provided and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).
- I. *Parking.* Parking shall be provided as set forth in Chapter 19.580 (Parking and Loading).
- J. *Lighting.*
 - 1. All outdoor lighting associated with commercial uses adjacent to or within the immediate vicinity of residential uses shall be designated with fixtures and poles that illuminate commercial uses, while minimizing light trespass into residential areas.
 - 2. The candlepower of outdoor lighting shall be the minimum required for safety purposes.
 - 3. The provisions of Section 19.590.070 (Light and Glare) shall apply.
 - 4. The provisions of Chapter 19.556 (Lighting) shall apply.

(Ord. 7331 §5, 2016; Ord. 6966 §1, 2007)

19.110.050 Design review required.

No new building, structure, outdoor dining area, sign, or exterior alteration and no enlargement of an existing building, structure, outdoor dining area or sign shall be commenced in any commercial or office zone until design review approval has been granted pursuant to Chapter 19.710 (Design Review).

(Ord. 7331 §5, 2016; Ord. 6966 §1, 2007)

19.110.060 Other regulations applicable to all Commercial and Office Zones.

In addition to the requirements contained in this ~~C~~chapter, regulations contained in the following titles of ~~this the Riverside Municipal~~ Code and other chapters of ~~this Title the Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Chapter 5.16: Close-Out Sales

Chapter 5.24: Dance Halls and Public Dances

Chapter 5.28: Poolrooms

Chapter 5.32: Transient Occupancy Tax

Chapter 5.38: Pedestrian Food Vendors

Chapter 5.48: Swap Meet

Chapter 5.52: Massage

Chapter 5.60: Bingo

Chapter 5.64: Motor Vehicle Fuel Price Posting

Chapter 5.65: Convalescent Transport Vehicles

Chapter 5.66: Ambulances

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Establishments and Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Chapter 6.16: Fly-Producing Conditions

Title 7: Noise Control

Title 8: Animals

Chapter 8.18: Commercial Kennels

Title 9: Peace, Safety and Morals

Chapter 9.07: Charge for Police Response to Loud or Large Parties

Chapter 9.09: Public Pay Telephone Regulations

Chapter 9.16: Litter and Littering

Chapter 9.40: Adult-Oriented Businesses

Chapter 9.42: Fortunetelling and Occult Arts

Chapter 9.48: Disclosure of Hazardous Materials

Title 16: Building and Construction

Title 17: Grading

Title 18: Subdivision

Title 20: Cultural Resources

(Ord. 7331 §5, 2016; Ord. 6966 §1, 2007)

Chapter 19.120 MIXED-USE ZONES (MU-N, MU-V, MU-U)

19.120.010 Purpose.

19.120.015 Design review required.

19.120.020 Permitted land uses.

19.120.030 Site plan review permit and required findings.

19.120.040 Phasing.

19.120.050 Development Standards.

19.120.070 Design standards and guidelines.

19.120.080 Performance standards.

19.120.090 Other regulations applicable to Mixed-Use Zones.

19.120.010 Purpose.

A. *General.* The mixed-use zones are established with the following intents and purposes:

1. To encourage a mixture of compatible and synergistic land uses, such as residential with compatible nonresidential uses including office, retail, personal services, public spaces and other community amenities. These uses are allowed as either:
 - a. Singular, stand-alone uses that contribute to a mixture of uses within the zone; or
 - b. Combined uses in one project as a mixed-use development.
2. To strengthen the interaction between residential, commercial and employment uses in order to reduce dependency on automobiles, improve air quality, decrease urban sprawl, facilitate use of transit and encourage conservation of land resources.
3. To provide opportunities for transit-oriented development.
4. To revitalize deteriorating commercial areas by integrating residential uses and public institutions into the commercial fabric to create an active street life and enhance the vitality of businesses.
5. To provide alternatives to new development of small shopping centers.
6. To foster pedestrian-oriented activity nodes by providing a mix of uses in compact, walkable areas.
7. To increase the area available for residential development and provide alternative types of housing.
8. To provide appropriate locations for a broad range of live/work activities to occur.

9. To encourage medium- and high-density residential development to occur in close proximity to employment and services.
10. To allow for a greater variety of land uses and structures, including adaptive reuse of existing structures and flexibility in site planning.

B. *Zones established.* Three mixed-use zones are established to provide development opportunities for integrated, complementary residential and commercial development on the same parcel or a contiguous group of parcels. Singular, stand-alone uses are permitted when they foster an overall mixture of uses in the zone. A wide range of uses is permitted, and it is the intent of these zones to foster a mixture of product types. Development solely as commercial or residential districts is strongly discouraged. Design and development standards for all three zones are directed toward encouraging pedestrian activity and ensuring that mixed commercial and residential uses are designed to be compatible both within the development and with other surrounding areas.

1. *Mixed Use—Neighborhood (MU-N).* The MU-N Zone provides opportunities for primarily neighborhood-serving commercial uses with limited, low-intensity residential uses in a mixed-use environment. It is intended to preserve the existing housing stock and residential character of neighborhoods, while allowing for development of new housing opportunities and encouraging pedestrian-oriented retail and service uses. The focus of the development and design standards is on ensuring that new and infill development are distributed and designed in a manner sensitive in scale and design to the street environment and adjacent single-family residential areas.
2. *Mixed Use—Village (MU-V).* The MU-V Zone provides for medium to high-density residential development with retail, office and service uses primarily at the street level to facilitate a pedestrian environment. It is intended to encourage new housing opportunities, such as live/work units and residential over retail, that are nearby to commercial services. Plazas, courtyards, outdoor dining, transit stops and other public gathering spaces and community amenities, such as art in public spaces, are strongly encouraged. The focus of the development and design standards is on landscaping and buffering techniques to provide transitions from developed commercial areas to lower density residential neighborhoods.
3. *Mixed Use—Urban (MU-U).* The MU-U Zone provides opportunities for primarily high-density residential development with commercial, office, institutional, and business uses emphasizing retail, entertainment and student-oriented activities. Such development is intended to facilitate the grouping of innovative housing options with employment uses, entertainment activities, and public gathering spaces, transit stations and other community amenities, such as art in public spaces. The focus of the development and design standards is on ensuring that large-scale mixed-use projects are functionally integrated through the relationships between location and types of uses and structures, the efficient use of land, optimal site planning and design elements.

(Ord. 7331 §6, 2016; Ord. 6966 §1, 2007)

19.120.015 Design review required.

No new building, structure, outdoor dining area or sign exterior alteration or enlargement of an existing building, structure, outdoor dining area or sign shall be commenced in any mixed-use zone until design review approval has been granted pursuant to Chapter 19.710 (Design Review).

(Ord. 7331 §6, 2016; Ord. 6966 §1, 2007)

19.120.020 Permitted land uses.

- A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), uses requiring approval of a conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the Tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.
- B. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank> web="yes">7413, § 1(Exh. A), 2-20-2018; Ord. 7331 § 6, 2016; Ord. 7064 § 3, 2010)

19.120.030 Phasing.

- A. For any mixed-use development that is proposed to be constructed in phases, the applicant shall submit a development phasing plan, to be reviewed in conjunction with the site plan review permit where required, that specifies the chronology of development, including structures, public facilities and infrastructure. The project shall be phased so that supporting public facilities and infrastructure are provided concurrent with their need and are completed before the occupancy of structures. Project phasing may be reviewed independently subsequent to initial approval of the site plan review permit.
- B. If the initial phase of development does not include a mix of uses, the conditions may be applied to the development phasing plan so that a mix of component uses is provided before the completion of the project.

(Ord. [7573](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1 (Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.040 Development Standards.

- A. *General.* Table 19.120.050 (Mixed-Use Zones Development Standards) identifies the development standards applicable to all development in the mixed-use zones. Certain development standards may be subject to special conditions. These standards are provided here or as otherwise referenced. Under Site Plan Review, when required, more restrictive development standards may be applied by the Planning Commission. Development standards established by other provisions of this Zoning Ordinance and not specifically prescribed in Table 19.120.050 shall apply.

Table 19.120.050 Mixed-Use Zones Development Standards

Zones	

Development Standards	MU-N	MU-V	MU-U	Notes, Exceptions & Special Provisions
Lot Area - Minimum	7,000 sq. ft.	20,000 sq. ft.	20,000 sq. ft.	See Note 1
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	See Note 1
Lot Width - Minimum	60 ft.	75 ft.	80 ft.	See Note 1
Front Yard Setback - Minimum	15 ft.	0 ft.	0 ft.	
Side Yard Setback - Minimum	0 ft.	0 ft.	0 ft.	See Note 2
Rear Yard Setback - Minimum	15 ft.	15 ft.	15 ft.	See Note 3
Building Height - Maximum	35 ft.	45 ft.	60 ft.	
FAR - Maximum	1.0	2.5	4.0	See Notes 4 and 7
Residential Density - Maximum (Gross)	10 du/ac	30 du/ac	40 du/ac	See Notes 4 and 7
Open Space Requirements - Stand Alone Residential	See R-3-4000 Standards	See R-3-1500 Standards	See R-4 Standards	See Table 19.100.070 (Additional regulations for the R-3 and R-4 Zones)
Open Space Requirements - Mixed-Use Development ⁸				
Minimum Private Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du for at least 50% of the units	See Note 5 See Section 19.120.070(K) (Residential Useable Open Space)
Minimum Common Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du	See Note 6 See Section 19.120.070(K) (Residential Useable Open Space)

Notes, Exceptions and Special Provisions.

1. Standard shall apply to newly created lots or parcels only.
2. The minimum side yard setback in the MU-N Zone shall be 10 feet when adjacent to a residential zone. The minimum side yard setback in the MU-V and MU-U Zones shall be 15 feet when adjacent to a residential zone.
3. The minimum rear yard setback for any mixed-use zone shall be 25 feet when adjacent to a residential zone. Where a development abuts an alley to the rear, the rear setback shall be measured from the centerline of the alley.

4. Higher residential densities are permissible for projects in the MU-V and MU-U Zones that have the potential to serve as transit-oriented developments. Proposed projects within one-half of a mile of: (1) a transit stop along Magnolia or University Avenues or (2) any transit station may have a residential density of up to 40 dwelling units per acre in the MU-V Zone with a maximum total permissible FAR of 2.5 and up to 60 dwelling units per acre in the MU-U Zone with a maximum total permissible FAR of 4.0. This provision is permissible, not mandatory, and subject to discretion as part of the Site Plan Review process.
5. Private useable open space shall have a minimum dimension on any side of five feet. Private useable open space can also be met through equivalent design features as approved by the Planning Commission.
6. Common useable open space may be divided into more than one area; however, at least one area shall be a minimum of 625 square feet, with no dimension on any side of less than 25 feet.
7. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
8. For the purposes of this ~~S~~ection, ~~m~~Mixed-~~u~~Use ~~d~~Development shall incorporate a minimum amount of leasable retail, office or other commercial floor area as follows:

MU-N Zone 1,000 square feet or 10% of the gross floor area of the project, whichever is greater.

MU-V Zone 40% of the lineal frontage of the ground floor fronting on any arterial street.

MU-U Zone 80% of the lineal frontage of the ground floor fronting on any arterial street.

Where a Mixed-Use Development has frontage on more than one arterial street having different classifications according to the Circulation and Community Mobility Element of the General Plan, this requirement shall apply only to the arterial street with the higher classification.

B. Parking requirements.

1. Parking for uses in the mixed-use zones shall be provided as required in Chapter 19.580 (Parking and Loading).
2. Parking structures shall be architecturally integrated with the project design and their visual impact minimized through placement of buildings, use of screening materials, architectural treatment, artwork, landscaping, or other methods subject to the approval of the Approving Authority.
3. Parking between the public right-of-way and buildings shall be prohibited.
4. The perimeter of parking areas and driveways adjacent to streets and sidewalks shall be screened with an attractive low wall, berm, fence, landscaping, or similar methods subject to the approval of the Approving Authority.

C. Special provisions for live/work units.

1. *Floor area requirements.* The minimum floor area of a live/work unit shall be 750 square feet.
2. *Internal layout.* The residential component of the live/work unit shall be internally connected to the working space.
3. *Occupancy and employees.* At least one of the full-time employees of the live/work unit shall reside in the unit. The residential area shall not be rented separately from the working space. The business activity occupying the live/work unit may utilize employees in addition to residents as necessary.

4. *Retail sales.* Retail space may be integrated with working space.

5. *Business Tax Certificate.* A business tax certificate shall be obtained in compliance with this the ~~Municipal~~ Code, Title 5, for business activities conducted within the live/work unit.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 3(Exh. C), 2022; Ord. [7573](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 11, 11-5-2019; Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) § 1(Exh. A), 2-20-2018; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.050 Design standards and guidelines.

The purpose of this Ssection is to facilitate high quality development within mixed-use zones with an emphasis on innovative project design, infill development, and reuse of existing structures. These standards address site planning and building design and are in addition to the development standards in Section 19.120.060 (Development Standards) of this Cchapter.

A. *Setbacks.*

1. The front setback area shall include landscaping and/or a hard-surface expansion of the public sidewalk.
2. Along street frontages in the MU-U Zone, if any portion of the building is set back 15 feet or greater at the ground level, at least one of those setback areas shall include non-residential outdoor uses consisting of plazas, patio dining, displays, public art, or entry courts.

B. *Building siting, orientation and entrances.*

1. Buildings shall be sited and oriented adjacent to the following, in order of priority:
 - a. Public right-of-way;
 - b. Primary internal streets and pedestrian walkways, not including drive aisles;
 - c. Common usable open space;
 - d. Secondary internal streets or drive aisles.
2. *Building entrances.*
 - a. Primary building entrance(s) and commercial storefronts shall be oriented toward the following (listed in priority order):
 - (1) Public right-of-way;
 - (2) Primary internal streets and pedestrian walkways, not including drive aisles;
 - (3) Plazas or common usable open space;
 - (4) Secondary internal streets or drive aisles.
 - b. Pedestrian walkway connections to building entrances shall include special paving treatment, color or materials.

- c. At least one of the following shall be used to demarcate primary building entrances: awnings, canopies, overhangs, recesses, porticos, and/or arcades.

C. *Building step back.* Buildings shall provide a transition between urban and residential areas (Figure 19.120.070 C. - Building step back). Taller elements of the building shall increasingly step back from adjacent single-family residential zones. No portion of the building, excluding parapets, shall extend above an imaginary plane drawn at the property line that is adjacent to the RA-5, RC, RR, RE, and R-1 Zones, and extended at an angle of 45 degrees toward the center of the property.

Figure 19.120.050 C. Building step back

[GRAPHIC]

E. *Building appearance.*

1. The design of mixed-use development shall incorporate the following provisions:
 - a. All building elevations visible from the public right-of-way shall be modulated at least every 50 feet by changes in building mass, facade treatment, fenestration pattern, roof form or other architectural features.
 - b. Where residential and nonresidential uses are located within the same building, the nonresidential component shall be differentiated from residential component through changes in exterior finish material, floor height, glazing pattern, building wall plane, and/or horizontal projection.
 - c. A minimum of three exterior cladding or finish materials shall be used per building. Variation in color, texture or application method among the same material shall not be considered a different material.
 - d. Building facades shall be designed to define and articulate each vertical module of residential units, using at least two of the following:
 - (1) Providing a variation in the wall plane (projection or recess) a minimum of two feet in depth between the modules;
 - (2) Varying a minimum of two of the following architectural elements between modules: window recess depth, roof shape, window shape, stoop detail, and/or railing type;
 - (3) Providing porches and balconies;
 - e. Windows visible from the public right-of-way shall be recessed a minimum of four inches.

F. *Privacy for residential units.*

1. The windows of a residential unit shall not directly align with the windows of the unit of an adjacent building; but shall be offset by a minimum of ten feet from window edge to opposing window edge (Figure 19.120.070 E. - Privacy for Residential Unit(s)).
2. Patios, balconies or similar openings of a residential unit shall not directly align with that of the unit of an adjacent building; but shall be oriented or offset by a minimum of 15 feet from opening edge to opposing opening edge (Figure 19.120.070 E. - Privacy for Residential Units).

Figure 19.120.050 E. Privacy for Residential Units

[GRAPHIC]

G. Vehicle circulation and access.

1. On-site vehicular circulation serving non-residential uses shall be open and not obstructed by the use of fences and gates. Private residential parking areas may be secured and gated.
2. Vehicular entrances, including private garages, carports and parking structure entrances, shall be oriented toward the following (listed in priority order):
 - a. Public alleys;
 - b. Secondary internal streets or drive aisles;
 - c. Primary internal streets;
 - d. Public streets (except private garages and carports shall not take direct access from a public street).

H. Pedestrian walkways.

1. On-site pedestrian walkways shall be provided between adjacent uses within the project and align with walkways on neighboring properties where pedestrian connections exist.
2. Pedestrian walkways shall connect residential and non-residential uses in the project, common open space, plazas and courtyards, parking areas and public sidewalks.
3. Pedestrian walkways shall be clearly demarcated from vehicular circulation areas through the use of different surfacing materials if at the same finished elevation; or shall be a raised sidewalk separated by a curb with a minimum height of six inches; and shall be ADA compliant.

I. Fences and walls. In addition to the standards and requirements of Chapter 19.550 (Fences, Walls, and Landscape Materials) the following standards shall apply:

1. Fences and/or walls located anywhere between the primary building and the public right-of-way shall not exceed the following:
 - a. Three feet in height for solid fences and walls;
 - b. Four feet in height for openwork or combination solid and openwork fences and walls provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet;
 - c. Fences and/or walls that enclose common usable open space amenities such as swimming pools and playgrounds, and excluding passive landscape areas, shall have a maximum height of six feet and, if solid, shall match the exterior finish material and color of the primary building(s).

J. Permitted materials for fences and/or walls shall include decorative masonry split face block, brick, natural stone, precast concrete panels, stucco, wrought iron, aluminum, wood, chemically treated or naturally resistant to decay.

K. Residential usable open space.

1. Common and private usable open space shall be provided as set forth in Table 19.120.050 - Mixed-Use Development Standards.
2. Common open space areas shall include the minimum number and type of amenities based on the project's size as set forth in 19.100.070 A. (Usable open space).

3. Private useable open space shall be contiguous to the unit served.

4. In the MU-V and MU-U Zones, private and common usable open space may be provided on the roofs of buildings and parking garages.

L. *Outdoor display and storage.* Commercial outdoor display and storage shall not be permitted except as specified in Chapters 19.500 (Outdoor Display of Incidental Plant Materials), 19.505 (Outdoor Display and Sales) and 19.510 (Outdoor Storage).

M. *Trash receptacles and enclosures.*

1. The trash storage container areas for residential and non-residential uses shall be separate.

2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

N. *Mechanical equipment screening.* The provisions of Chapter 19.555 (Outdoor Equipment Screening) regarding required screening of mechanical equipment shall apply.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 3(Exh. C), 2022; Ord. [7573](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.060 Performance standards.

The purpose of this Section is to ensure that residential uses in mixed-use zones are not adversely impacted by adjacent commercial uses, including, but not limited to, traffic, noise, light and safety impacts. In the interests of both the residents and the businesses, no site plan review permit shall be approved for a project unless the project is designed to meet the following performance standards, in addition to performance standards set forth in Chapter 19.590 (Performance Standards).

A. *Noise.* Development in mixed-use zones shall comply with all requirements of Title 7 (Noise) and the California Building Standards Code.

B. *Security.*

1. The residential units shall be designed to ensure the security of residents through the provision of separate and secured entrances and exits. Where residential units are in the same structure as a commercial use, access to residential units shall be from a secured area located on the first floor at the ground level.

2. Nonresidential and residential uses located on the same floor shall not have common entrance hallways or common balconies.

C. *Light and glare.*

1. All outdoor lighting associated with commercial uses adjacent to or within the immediate vicinity of residential uses shall be designated with fixtures and poles that illuminate commercial uses, while minimizing light trespass into residential areas.

2. The provisions of Section 19.590.070 (Light and Glare) shall apply.

3. The provisions of Chapter 19.556 (Lighting) shall apply.

D. *Odor.*

1. All trash storage areas for non-residential uses shall be located so as to be convenient and where associated odors and noise will not adversely impact the residential uses.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 2, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 3(Exh. C), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">7573 § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.070 Other regulations applicable to Mixed-Use Zones.

In addition to the requirements contained in this [Chapter](#), regulations contained in the following titles of ~~this the Riverside Municipal~~ Code and other chapters of ~~this Title the Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Chapter 5.16: Close-Out Sales

Chapter 5.24: Dance Halls and Public Dances

Chapter 5.28: Poolrooms

Chapter 5.32: Transient Occupancy Tax

Chapter 5.38: Pedestrian Food Vendors

Chapter 5.49: Garage Sales

Chapter 5.52: Massage

Chapter 5.60: Bingo

Chapter 5.64: Motor Vehicle Fuel Price Posting

Chapter 5.49: Garage Sales

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Establishments and Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Chapter 6.16: Fly-Producing Conditions

Title 7: Noise Control

Title 8: Animals

Chapter 8.04: Animals

Chapter 8.10: Noisy Animals

Chapter 8.18: Commercial Kennels

Chapter 8.19: Pot-Bellied Pigs

Title 9: Peace, Safety and Morals

Chapter 9.07: Charge for Police Response to Loud or Large Parties

Chapter 9.09: Public Pay Telephone Regulations

Chapter 9.16: Litter and Littering

Chapter 9.42: Fortune telling and Occult Arts

Chapter 9.48: Disclosure of Hazardous Materials

Title 16: Buildings and Construction

Title 17: Grading

Title 18: Subdivision

Title 20: Cultural Resources

(Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

Chapter 19.130 INDUSTRIAL ZONES (BMP, I, AI AND AIR)

19.130.010 Purpose.

19.130.020 Permitted land uses.

19.130.025 Uses specifically prohibited.

19.130.030 Development standards for Industrial Zones.

19.130.040 Additional standards, regulations and requirements for the BMP, I, AIR and AI Zones.

19.130.050 Design review required.

19.130.060 Other regulations applicable to Industrial Zones.

19.130.010 Purpose.

The industrial zones are established to implement the Business/Office Park and Industrial land use categories of the General Plan. The purpose of the industrial zones is to provide areas appropriate for a wide variety of industrial, manufacturing, and support uses that have the potential to provide jobs and generate tax revenue in Riverside, while protecting residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals and other public places from nuisances or hazards

associated with such activities. The industrial zones will also offer locations for new and emerging clean energy uses within the City of Riverside. Commercial uses allowed in the industrial zones are intended to serve the needs of the industrial and surrounding uses and their employees, and generally are not intended to draw customers from a larger region. The purpose of each of the industrial zones is as follows:

- A. *Business and Manufacturing Park Zone (BMP)*. The Business and Manufacturing Park Zone (BMP) is established to provide a district for low-intensity and low-impact industrial, office, and related uses. Typical uses include research and development facilities and laboratories; uses that demonstrate clean energy practices; administrative, executive and professional offices; small-scale warehouses, light manufacturing; and support commercial.
- B. *General Industrial Zone (I)*. The General Industrial Zone (I) is established to provide a district for general manufacturing and wholesaling, limited warehousing and distribution facilities, and support commercial. Uses that demonstrate clean energy practices are also allowed in the (I) zone.
- C. *Air Industrial Zone (AI)*. The Air Industrial Zone (AI) is established to help protect the health, safety and general welfare of the Riverside Municipal Airport and its environs, including provisions for sensible growth and high-quality development tailored to the varied development conditions of the airport area. Uses that demonstrate compatibility with the Riverside Municipal Airport and clean energy practices are allowed in the AI Zone. The AI Zone consists of four subzones - AI-1, AI-2, AI-3, and AI-4 - with the following primary purposes:
 - 1. AI-1: To establish areas for businesses needing large-scale, high-visibility locations.
 - 2. AI-2: To establish areas for airport, industrial, office and limited commercial uses needing moderate scale sites at or adjacent to the Riverside Municipal Airport.
 - 3. AI-3: To establish areas for moderate-size uses with varying locations and site size needs.
 - 4. AI-4: To establish areas for small-size uses with limited visibility and site size needs.
- D. *Airport Zone (AIR)*. The Airport Zone (AIR) is established in recognition of the importance of airport and aviation-related uses to the City's economy, and to allow for aviation, industrial, service and commercial uses related to or compatible with or convenient for airport operations including those that demo.

(Ord. [7587](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1160052&datasource=ordbank) § 1, 2022; Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank) § 1, 2020; Ord. 7331 § 7, 2016; Ord. 6966 § 1, 2007)

19.130.020 Permitted land uses.

- A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), or conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the tables or in Section 19.130.025 (Uses Specifically Prohibited) are prohibited unless, the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

- B. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018; Ord. 7331 §7, 2016; Ord. 7064 §4, 2010; Ord. 6966 §1, 2007)

19.130.025 Uses specifically prohibited.

- A. The following uses are specifically prohibited in any industrial zone:

1. Any residential use other than permitted caretaker housing
2. Ammonia, chlorine or bleaching powder manufacture
3. Animal slaughtering
4. Asphalt batching plant and rock, sand and gravel pit crushing and screening plant
5. Automobile wrecking, dismantling, and salvage yards
6. Bone, coal or wood distillation
7. Brick, tile or clay products manufacture
8. Cement, lime, gypsum or plaster of Paris manufacture, except that the manufacture of cement products shall be permitted
9. Explosive manufacture or storage
10. Fat rendering
11. Fertilizer manufacture
12. Foundry or smelting of ferrous metals, steel mill or boiler works
13. Garbage, offal, dead animal or refuse incineration, reduction or dumping
14. Glue manufacture
15. Hydrochloric, nitric or sulfuric acid manufacture
16. Junk, rag or scrap iron storage yards or bailing
17. Petroleum refining or petroleum products manufacture
18. Rock, sand or gravel excavating
19. Rubber or gutta-percha manufacture
20. Soap manufacture
21. Stockyard, cattle-feeding yard or hog ranch
22. Tallow, grease or lard manufacture or refining
23. Tanning, curing or storing of raw hides or skins
24. Other uses that, by written decision of the Community & Economic Development Director or his/her designee, are determined to be detrimental to the public welfare by reason of the emission of odor, dust, smoke, gas, noise, vibration or other causes.

(Ord. 7331 §7, 2016; Ord. 6966 §1, 2007)

19.130.030 Development standards for Industrial Zones.

A. Table 19.130.030.A (BMP, I and AIR Industrial Zones Development Standards) sets forth the minimum development standards for all development in the BMP, I, and AIR Zones.

B. Table 19.130.030.B (AI Industrial Zones Development Standards) sets forth the minimum development standards for all development in the AI Zones.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 1, 2022; Ord. 7331 §7, 2016; Ord. 6966 §1, 2007)

Table 19.130.030.A

BMP, I and AIR Industrial Zones Development Standards

Development Standards	BMP	I	AIR	Notes, Exceptions & Special Provisions
Floor-Area-Ratio (FAR) - Maximum ^{1, 3}	1.50	0.60	0.60	See Chapter 19.149-Airport Land Use Compatibility
Lot Area - Minimum	40,000 sq. ft. ²	10,000 sq. ft.	8,000 sq. ft.	
Lot Width - Minimum	140 ft.	60 ft.	60 ft.	
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	
Building Height - Maximum ³	—	—	—	See Chapter 19.149-Airport Land Use Compatibility
a. Within 200 feet of a Residential Zone or use ^{6, 7}	35 ft.	35 ft.	35 ft.	
b. All other locations	45 ft.	45 ft.	45 ft.	
Building Size - Maximum	—	—	—	Gross floor area, exclusive of mezzanine. Multiple buildings allowed provided the maximum FAR is not exceeded.
a. Within 200 feet of a Residential Zone or use ^{6, 7}	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	
b. 200-800 feet of a Residential Zone or use ^{6, 7}	100,000 sq. ft.	100,000 sq. ft.	100,000 sq. ft.	
c. All other locations	Per FAR	Per FAR	Per FAR	
Front Yard Setback - Minimum ⁵	—	20 ft.	15 ft.	In the BMP Zone, 20-feet of the required 50-foot front yard setback shall be landscaped.

a. Buildings over 30 ft. in height or on an arterial street	50 or 40 ft. ⁴ (See Notes)	—	—	However, a 40-foot front yard setback shall be permitted if it is landscaped in its entirety.
b. Buildings 30 ft. or less in height and not on an arterial street	20 ft. (See Notes)	—	—	In the BMP zone, the 20-foot front yard setback required for buildings 30-feet or less in height shall be landscaped in its entirety.
Side Yard setbacks - Minimum	—	—	—	
a. Interior Side	0 ft.	0 ft.	0 ft.	
b. Adjacent to Residential Zone or use ^{6, 7}	60	60	60	At least 20 feet of the minimum side yard setback area directly adjacent to a Residential Zone or use shall be fully landscaped.
c. Street side	Same as Front Yard	20 ft.	15 ft.	Minimum 10 feet fully landscaped.
Rear Yard Setback - Minimum	—	—	—	
a. Rear yard	0 ft.	0 ft.	15 ft.	
b. Adjacent to Residential Zone or use ^{6, 7}	60 ft.	60 ft.	60 ft.	At least 20 feet of the minimum rear yard setback area directly adjacent to a sensitive receptor shall be fully landscaped.
c. Adjacent to Streets	Same as Front Yard	20 ft.	20 ft.	Minimum 10 feet fully landscaped.

Notes:

1. The Approving or Appeal Authority may allow a development project to exceed a maximum FAR when findings can be made that such project (a) will not have a detrimental effect on infrastructure and municipal services, (b) will not adversely impact the surrounding neighborhood, and (c) will not likely set a precedent for additional development that would adversely affect infrastructure, service or surrounding land uses.
2. Smaller minimum lot areas may be established by a specific plan or master plan in the BMP Zone. A master plan must include provisions for common access, parking and maintenance. A total master plan area of five acres is required. Site plan review approval by the Community & Economic Development Director or his/her designee is required for any master plan.
3. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
4. In the BMP Zone, off-street parking, gate or guard houses, roofs or canopies covering unenclosed pedestrian walks and walls or fences not more than six feet in height shall be permitted in the rear 30 feet of the required 50-foot front yard setback.

5. A minimum front yard setback of 50 feet shall be required and maintained wherever a lot or parcel in any industrial zone abuts or is adjacent to a lot or parcel in any residential zone or use.
6. Except where the site is separated from such residential zone or use by a freeway.
7. Measured from the residential zone or property line to the industrial building.
8. Height may be increased subject to a Conditional Use Permit (CUP).

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 2(Exh. A), 2022; Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), §§ 2(Exh. A), 3(Exh. B), 2020; Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018)

19.130.040 Additional standards, regulations and requirements for the BMP, I, AIR and AI Zones.

- A. *Health Risk Assessment.* A Health Risk Assessment (HRA) shall be prepared in accordance with South Coast Air Quality Management District (SCAQMD) Guideline for the new development or substantial enlargement of industrial uses within 1,000 feet of a Residential Zone or use.
- B. *Walls.* Wherever a lot or parcel in any industrial zone abuts a Residential Zone or use, or abuts an alley that separates the industrial zone from a Residential Zone or use, a minimum ten-foot high solid masonry wall shall be constructed along the property line or alley right-of-way line separating the industrial zone from the Residential Zone or use. Wall height shall be measured from the finished grade of the adjacent Residential Zone or use.
 1. Such wall shall be limited in height to three feet in any required front yard or street side yard setback area.
 2. Such wall shall not be required until the industrial lot or parcel is developed with a permitted use.
- C. *Outdoor display and storage.* Except for the outdoor storage and display of aircraft, outdoor display and storage shall not be permitted except as specified in 19.285 (Outdoor Storage Yard), 19.500 (Outdoor Display of Incidental Plant Materials), 19.505 (Outdoor Display and Sales - Incidental) and 19.510 (Outdoor Storage—Incidental).
- D. *Use of interior rear and side yards for off-street parking and loading.* Except for required landscape areas, required interior rear yards and side yards may be used for off-street parking, off-street loading, outdoor storage incidental to a permitted use, and any use permitted in the required front yard area; provided such loading, parking and storage areas are acoustically shielded and screened from adjacent Residential Zones or uses and the public right-of-way, to the satisfaction of the Community & Economic Development Director or his/her designee.
- E. *Lighting.* Lighting for signs, structures, landscaping, parking areas, loading areas and the like, shall comply with the regulations set forth in Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Outdoor Lighting).
- F. *Screening of mechanical equipment.* All roof-supported or ground-supported mechanical equipment and utility equipment shall comply with the regulations set forth in Chapter 19.555 (Outdoor Equipment Screening).
- G. *Landscaping.*
 1. Front and side yard areas

- a. Landscaping adjacent to streets and residential zones or uses shall be suitably landscaped and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).
- b. Such landscape areas shall not be used for off-street parking, loading, storage or accessory buildings.
- 2. *Buffering between uses.* In addition to any required perimeter walls, a landscape-planter strip shall be provided when an industrially zoned parcel is adjacent to a residential zone or use. The buffer shall be along the shared property line.
 - a. *Dimensions:* The landscape planter strip shall have a minimum width of twenty feet.
 - b. *Plant Materials:* The planter strip shall have a layered composition of deciduous and/or evergreen trees.
 - i. A minimum of two rows of trees is required.
 - 1. Each row shall be placed at intervals of one for every 30 linear feet and shall be staggered such that the distance between trees in each row is not less than 15 feet.
 - ii. All trees shall be mature at the time of planting.
 - iii. The remainder of the planter strip shall be permanently stabilized by ground cover plantings, mulch, or similar methods.
 - iv. Alternative planting materials may be considered subject to the approval of the approving authority.
- H. *Performance standards.* All uses shall comply with the performance standards set forth in Chapter 19.590 (Performance Standards) for industrial uses, except that the noise associated with aircraft operations shall be exempt from noise standards but shall comply with any applicable Federal Aviation Administration regulations regarding noise.
- I. *Parking and loading requirements.* Parking areas shall be provided as set forth in Chapter 19.580 (Parking and Loading).
- J. *Trash receptacles and enclosures.*
 - 1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.
 - 2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 4, 2020; Ord. 7331 §7, 2016; Ord. 6966 §1, 2007)

19.130.050 Design review required.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced in any industrial zone until design review approval has been granted pursuant to Chapter 19.710 (Design Review).

(Ord. 7331 §7, 2016; Ord. 6966 §1, 2007)

19.130.060 Other regulations applicable to Industrial Zones.

In addition to the requirements contained in this ~~C~~chapter, regulations contained in the following titles of ~~this the Riverside Municipal~~ Code and other chapters of ~~this Titlethe Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Chapter 5.16: Close-Out Sales

Chapter 5.28: Poolrooms

Chapter 5.32: Transient Occupancy Tax

Chapter 5.38: Pedestrian Food Vendors

Chapter 5.48: Swap Meet

Chapter 5.52: Massage

Chapter 5.60: Bingo

Chapter 5.64: Motor Vehicle Fuel Price Posting

Chapter 5.66: Ambulances

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Title 7: Noise Control

Title 8: Animals

Chapter 8.18: Commercial Kennels

Title 9: Peace, Safety and Morals

Chapter 9.07: Social Host of Minors Accountability

Chapter 9.09: Public Pay Telephone Regulations

Chapter 9.16: Litter and Littering

Chapter 9.40: Adult-Oriented Businesses

Chapter 9.42: Fortunetelling and Occult Arts

Chapter 9.48: Unified Hazardous Materials Programs

Title 12: Airport and Aircraft

Title 16: Building and Construction

Title 17: Grading

Title 18: Subdivision

Title 20: Cultural Resources

(Ord. [7541](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 4, 2020; Ord. 7331 §7, 2016; Ord. 6966 §1, 2007)

Chapter 19.140 PUBLIC FACILITIES ZONE (PF)

19.140.010 Purpose.

19.140.015 Review required.

19.140.020 Permitted land uses.

19.140.030 Development standards for public facilities.

19.140.040 Other regulations applicable to the Public Facilities Zone.

19.140.010 Purpose.

The Public Facilities Zone (PF) is established to create and preserve areas for official and public uses of property and related activities, including civic center, public schools, public buildings, parks and recreation facilities, waterworks and drainage facilities, and similar areas that, for the welfare of the City, should be kept clear of particular structures or improvements, and for watershed areas for conservation of flood or storm waters or for protection against flood or storm waters.

(Ord. 7331 §8, 2016; Ord. 6966 §1, 2007)

19.140.015 Review required.

Any new building or structure or any exterior alteration or enlargement of an existing building or structure shall be subject to design review pursuant to Chapter 19.710 (Design Review). As noted in Section 19.040.110 (Public Projects) the provisions of this **Title** do not apply to City projects.

(Ord. 7331 §8, 2016; Ord. 6966 §1, 2007)

19.140.020 Permitted land uses.

A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), uses requiring approval of a conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses

requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

B. The following uses are permitted as a matter of right in the Public Facilities Zone:

1. Drainage and flood control facilities.
2. Any public facility use not involving a structure or building, except for public parks, or any City project or a project on City owned property, pursuant to Section 19.04.110.

C. If not on City owned property, the following uses are permitted in the Public Facilities Zone subject to the granting of a conditional use permit pursuant to the provisions of Chapter 19.760 (Conditional Use Permit) of ~~this Title~~ ~~the Zoning Code~~.

1. Public buildings and associated grounds used for governmental and related purposes and activities
2. Public educational institutions
3. Public parks and recreation facilities
4. Public rifle, pistol and archery ranges
5. Zoos, arboretums, wildlife preserves and similar uses
6. Water and sewage treatment plants
7. Utility substations
8. Power generation facilities
9. Government agency storage and maintenance yards
10. Public parking garages

D. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) [§ 1\(Exh. A\), 2-20-2018](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank); Ord. 7331 §8, 2016; Ord. 7064 §5, 2010; Ord. 6966 §1, 2007)

19.140.030 Development standards for public facilities.

A. *Setbacks.* Any building or other structure established in the Public Facilities Zone shall be set back a minimum of 20 feet from all property lines. For any building adjacent to a zone permitting residential uses, an additional setback of one foot for every two feet of building height in excess of 45 feet shall be required for any yard area abutting the zone permitting residential uses.

B. *Building height.* The maximum height for any building or structure in the Public Facilities Zone shall be 60 feet or four stories, whichever is less. See Chapter 19.149 - Airport Land Use Compatibility to determine if height restrictions for airport compatibility apply.

- C. *Landscaping*. Landscaping shall be provided and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation). In addition, any setback abutting a public street shall be fully landscaped.
- D. *Screening*. Utility substations, storage and maintenance yards, and similar facilities that have an industrial character shall be screened from public view by any combination of block walls, landscaping, or durable and aesthetically acceptable fencing materials that complement the site. Such screening materials shall have a minimum height of eight feet.
- E. *Trash receptacles and enclosures*.
1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.
 2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.
- F. *Lighting*. Lighting for signs, structures, landscaping, parking areas, loading areas and the like, shall comply with the regulations set forth in Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Lighting).
- G. *Airport land use compatibility standards*. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank> url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank" web="yes">7413, § 1(Exh. A), 2-20-2018; Ord. 7331 §8, 2016; Ord. 6966 §1, 2007)

19.140.040 Other regulations applicable to the Public Facilities Zone.

In addition to the requirements contained in this ~~C~~chapter, regulations contained in the following titles of ~~this the Riverside Municipal~~ Code and other chapters of ~~this Title~~~~the Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Chapter 5.38: Pedestrian Food Vendors

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Establishments and Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Title 7: Noise Control

Title 9: Peace, Safety and Morals

Chapter 9.07: Charge for Police Response to Loud or Large Parties

Chapter 9.09: Public Pay Telephone Regulations

Chapter 9.16: Litter and Littering

Chapter 9.48: Disclosure of Hazardous Materials

Title 16: Building and Construction

Title 17: Grading

Title 20: Cultural Resources

(Ord. 7331 §8, 2016; Ord. 6966 §1, 2007)

Chapter 19.145 RAILWAY ZONE (RWY)

19.145.010 Purpose.

19.145.020 Permitted land uses.

19.145.030 Development standards for the Railway Zone.

19.145.040 Other regulations applicable to the Railway Zone.

19.145.010 Purpose.

The Railway Zone (RWY) is established to preserve and protect existing railroad rights-of-way exclusively for rail transportation and related uses. The Railway Zone is further intended to ensure that the use of railroad rights-of-way is consistent with the General Plan and compatible with adjacent uses.

(Ord. 7331 §9, 2016; Ord. 6966 §1, 2007)

19.145.020 Permitted land uses.

A. Table 19.150.020.A (Permitted Uses Table), Table 19.150.020.B (Incidental Uses Table and Table 19.150.020.C (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), uses requiring approval of a conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020.A also identifies those uses that are specifically prohibited. Uses not listed in the Tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar to and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

B. The following uses shall be permitted by right in the Railway zone:

1. Right-of-way for railroad and associated transportation of goods and persons.
2. Uses customarily incidental to railway operations and their related transportation purposes, including railway related structures and accessory buildings used specifically for that railway or transportation business, but not including manufacturing or business purposes not directly in connection with a railway or carrier itself.

3. Light-rail transit related facilities consisting of:

- a. Tracks
- b. Energy transmission facilities, including rights-of-way and pressure control or booster stations for gasoline, electricity, natural gas, synthetic natural gas, oil or other forms of energy sources

4. Public streets.

5. Any other use that the Community & Economic Development Director or his/her designee, pursuant to provisions of Chapter 19.060 (Interpretation ~~of Code~~), determines that is no more detrimental than a listed permitted or conditional use.

C. Construction caretaker temporary living quarters shall be permitted subject to approval of a minor conditional use permit pursuant to the provisions of Chapter 19.730 (Minor Conditional Use Permit).

D. The following uses are permitted subject to the granting of a conditional use permit pursuant to the provisions of Chapter 19.760 (Conditional Use Permit):

- 1. Parking lots, although no structures other than fencing are allowed.
- 2. Maintenance/repair facilities
- 3. Train stations

E. Sound attenuation walls shall be permitted subject to design review pursuant to the provisions of Chapter 19.710 (Design Review).

F. Chapter 19.149 - Airport Land Use Compatibility includes Airport Land Use Compatibility Plan requirements for discretionary actions proposed on property located within an Airport Compatibility Zone.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018; Ord. 7331 §9, 2016; Ord. 7064 §6, 2010; Ord. 6966 §1, 2007)

19.145.030 Development standards for the Railway Zone.

Table 19.145.030 (Railway Zone Development Standards) identifies the development standards applicable to all development within the Railway Zone.

Table 19.145.030 Railway Zone Development Standards	
Development Standards	Standard
Lot Area - Minimum	None
Lot Coverage - Minimum	None
Setbacks - Minimum	None

Building Height - Maximum	35 ft. (Also see Chapter 19.149 to determine if more restrictive height requirements for airport compatibility apply)

(Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 1(Exh. A), 2-20-2018; Ord. 7331 §9, 2016; Ord. 6966 §1, 2007)

19.145.040 Other regulations applicable to the Railway Zone.

In addition to the requirements contained in this ~~C~~chapter, regulations contained in the following titles of ~~this~~ Code and other chapters of ~~this Titlethe Zoning Code~~ may apply.

Title 5: Business Taxes, Licenses and Regulations

Chapter 5.04: Taxes, Licenses and Regulations

Title 6: Health and Sanitation

Chapter 6.08: Regulation of Food Establishments and Food Facilities

Chapter 6.09: Regulation of Food Handlers

Chapter 6.13: Exterior Structure Maintenance

Chapter 6.14: Landscape Maintenance

Chapter 6.15: Abatement of Public Nuisances

Title 7: Noise Control

Title 9: Peace, Safety and Morals

Chapter 9.16: Litter and Littering

Chapter 9.48: Disclosure of Hazardous Materials

Title 16: Building and Construction

Title 17: Grading

Title 20: Cultural Resources

(Ord. 7331 §9, 2016; Ord. 6966 §1, 2007)

Chapter 19.146 NORTHSIDE SPECIFIC PLAN ZONE (NSP)

19.146.010 Purpose.

19.146.020 Permitted land.

19.146.025 Prohibited uses.

19.146.030 Development standards.

19.146.040 Interpretations.

19.146.050 Design review.

19.146.010 Purpose.

The Northside Specific Plan Zone is established to create safe, healthy and balanced community celebrating the history and culture of the greater Riverside area. The Northside Specific Plan includes a mix of diverse uses that enhance the existing character of the Northside. The Northside Specific Plan, as adopted by City Council on November 17, 2020 as may be amended from time to time, sets forth the land use regulations and development standards applicable to all properties within the Northside Specific Plan Zone. Where any conflict exists between the regulations and standards contained in the Northside Specific Plan and provisions of ~~this Title~~the Zoning Code, the more restrictive regulations or standards shall apply.

A. As specified in the Northside Specific Plan, the Zone is divided into 12 subdistricts, each with varying uses and development standards. The subdistricts are as follows:

1. Northside Village Center (NVC) - Serves as the key hub for the Northside neighborhood. Uses include a local-serving and community-oriented uses to serve residents.
2. Trujillo Adobe Heritage Village (TAHV) - Provides opportunities that enhance the development of a cultural resource center celebrating the Trujillo Adobe.
3. Open Space, Parks, and Trails (OS) - Provides for a system of parks, open space, and trails linking residential neighborhoods with new services and amenities.
4. Freeway Mixed Use (FMU) - Allows for a mixed-use neighborhood that transitions from highway related uses closest to the freeway to residential neighborhoods on backside of West La Cadena Drive.
5. Mixed Use Neighborhoods (MU) - Provide for a variety of office, retail and residential uses to promote mixed use developments.
6. High Density Residential (HDR) - Allows for high density housing such as row houses, condominiums and apartments and includes both single and multi-family housing.
7. Medium High Density Residential (MHDR) - Medium High Density Residential neighborhoods in the Northside neighborhood will be maintained in the Northside Specific Plan.
8. Medium Density Residential (MDR) - Existing Medium Density Residential (MDR) areas in the Northside neighborhood will also be protected under the Specific Plan.
9. Business Office Park (B/OP) - Provides for single or mixed light industrial uses that do not create nuisances due to odor, dust, noise, or heavy truck traffic.
10. Commercial (C) - Includes existing retail areas in the Northside Specific Plan Zone.
11. Public Facilities/Institutional (PF) - Provide space for cultural facilities and governmental activities.
12. Transition Zone Overlay (TZO) - Allows existing land uses to transition from Business/Office Park land uses, which can continue and expand, to multi-family residential uses when the real estate market allows the properties to transition.

(Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 1(Exh. A), 2020)

19.146.020 Permitted land.

All permitted and conditionally permitted uses for each sub-district are listed in the adopted Northside Specific Plan. Any use which is prohibited by state and/or federal law is also strictly prohibited.

(Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 1(Exh. A), 2020)

19.146.025 Prohibited uses.

Any use which is listed as prohibited in the adopted Northside Specific Plan or prohibited by state and/or federal law is strictly prohibited.

(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank), § 1, 2023; Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 1(Exh. A), 2020)

19.146.030 Development standards.

Site development standards required for each sub-district are set forth in the adopted Northside Specific Plan.

19.146.040 Interpretations.

Any standard or regulation not specifically covered by the Northside Specific Plan shall be subject to the provisions of this ~~Title Zoning Code~~ and ~~this the Riverside Municipal~~ Code. Interpretations may be made by the Community & Economic Development Director or her/her designee or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.060 (Interpretation ~~of Code~~).

(Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 1(Exh. A), 2020)

19.146.050 Design review.

Design guidelines for each sub-district and general design guidelines that apply to all sub-districts are set forth in the adopted Northside Specific Plan. Any new building, structure, sign, or exterior alteration of an existing building, structure, or sign shall require design review approval as required by the adopted Northside Specific Plan.

(Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 1(Exh. A), 2020)

Chapter 19.147 DOWNTOWN SPECIFIC PLAN ZONE (DSP)

19.147.010 Purpose.

19.147.020 Permitted land uses.

19.147.025 Prohibited uses.

19.147.030 Development standards.

19.147.040 Interpretations.

19.147.050 Design Review.

19.147.010 Purpose.

- A. The Downtown Specific Plan (DSP) Zone is established to create a diverse, vibrant, 24-hour Downtown area where people can work, live, shop, receive education and enjoy recreational facilities and where arts and culture are an integral component of the urban environment.
- B. The Downtown Specific Plan Zone allows a broad range of residential, office, retail, service commercial, arts and culture, recreational, educational, institutional, and entertainment uses. The Downtown Specific Plan, as adopted by the City Council on December 10, 2002 and as may be amended from time to time, sets forth the land use regulations and development standards applicable to all properties within the Downtown Specific Plan Zone. Where any conflict exists between the regulations and standards contained in the Downtown Specific Plan and provisions of this [Title Zoning Code](#), the more restrictive regulations or standards shall apply.
- C. As specified in the Downtown Specific Plan, the Zone is divided into nine subdistricts, each with varying uses and development standards. The subdistricts are as follows:
 1. Raincross District: Intended to be the hub of the Downtown area, allowing a wide variety of uses, including cultural, arts, entertainment, retail, hospitality and urban residential uses. This area provides many opportunities for growth and development, using the area's historic buildings as a point of reference for scale and design.
 2. Justice Center District: Intended to be Downtown's center for courts, governmental, and large-scale private office uses. The emphasis is on density, height, and contemporary buildings with historic references in detailing.
 3. Almond Street District: Intended to maintain the residential scale and appearance of the existing neighborhood while allowing for a mix of small-scale office uses, live/work uses, and single-family residential uses, with an emphasis on adaptive reuse of existing historic residential structures.
 4. Prospect Place Office District: Intended to provide for a variety of high-quality office uses and be a transitional area between the open space of the Riverside Community College campus and the urban intensity of the Justice Center and the Core Districts.
 5. Health Care District: Intended to encourage the expansion of the existing hospital and medical-related uses and the establishment of new medical and medical support uses, and to create an attractive entry into Downtown from the south.

6. Market Street Gateway District: Intended to create an attractive entry into the City and the Downtown area by providing a green parkway character and high-quality development adjacent to the SR-60 freeway. This district allows office and residential uses.
7. Residential District: Intended to maintain and protect the existing character of the single-family residential neighborhoods downtown, as well as preserve the historic housing stock. This district includes three residential areas: Heritage Square, Mile Square, and Prospect Place.
8. Neighborhood Commercial District: Intended to provide local shopping needs for all Downtown residents. Permitted uses include grocery store, restaurants, small offices and banks, laundromat and pharmacies.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §5, 2021; Ord. 7331 §10, 2016; Ord. 6966 §1, 2007)

19.147.020 Permitted land uses.

All permitted and conditionally permitted uses for each subdistrict are listed in the adopted Downtown Specific Plan. Any use which is prohibited by state and/or federal law is also strictly prohibited.

(Ord. 7331 §10, 2016; Ord. 7064 §7, 2010; Ord. 6966 §1, 2007)

19.147.025 Prohibited uses.

Any use which is listed as prohibited in the adopted Downtown Specific Plan or prohibited by state and/or federal law is strictly prohibited.

(Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank> web="yes">7630 § 2, 2023; Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank> web="yes">7431 § 2, 2018)

19.147.030 Development standards.

Site development standards required for each subdistrict are set forth in the adopted Downtown Specific Plan.

(Ord. 7331 §10, 2016; Ord. 6966 §1, 2007)

19.147.040 Interpretations.

Any standard or regulation not specifically covered by the Downtown Specific Plan shall be subject to the provisions of this ~~Title Zoning Code~~ and ~~this the Riverside Municipal~~ Code. Interpretations may be made by the Community & Economic Development Director or her/her designee or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.060 (Interpretation ~~of Code~~).

(Ord. 7331 §10, 2016; Ord. 6966 §1, 2007)

19.147.050 Design Review.

Design guidelines for each subdistrict and general design guidelines that apply to all subdistricts are set forth in the adopted Downtown Specific Plan. Any new building, structure, sign, or exterior alteration of an existing building, structure, or sign shall require design review approval as required by the adopted Downtown Specific Plan.

(Ord. 7331 §10, 2016; Ord. 6966 §1, 2007)

Chapter 19.148 ORANGECREST SPECIFIC PLAN ZONE (OSP)

19.148.010 Purpose.

19.148.020 Permitted land uses.

19.148.030 Development standards.

19.148.040 Interpretations.

19.148.050 Design review.

19.148.010 Purpose.

- A. The Orangecrest Specific Plan (OSP) Zone is established to create a diverse area where people live, shop and enjoy recreational facilities.
- B. The Orangecrest Specific Plan Zone allows a broad range of residential uses with office and retail uses spaced throughout. The Orangecrest Specific Plan, as adopted by the City Council on December 3, 1985 and as may be amended from time to time, sets forth the land use regulations and development standards applicable to all properties within the Orangecrest Specific Plan Zone. Where any conflict exists between the regulations and standards contained in the Orangecrest Specific Plan and provisions of this ~~Title-Zoning Code~~, the more restrictive regulations or standards shall apply.
- C. As specified in the Orangecrest Specific Plan, the Zone is divided into subdistricts, each with varying uses and development standards.

(Ord. 7331 §11, 2016; Ord. 6966 §1, 2007)

19.148.020 Permitted land uses.

All permitted and conditionally permitted uses for each subdistrict are listed in the adopted Orangecrest Specific Plan. Any use which is prohibited by state and/or federal law is also strictly prohibited. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

(Ord. [7413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), 2018; Ord. 7331 §11, 2016; Ord. 7064 §8, 2010; Ord. 6966 §1, 2007)

19.148.030 Development standards.

Site development standards required for each subdistrict are set forth in the adopted Orangecrest Specific Plan. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank> web="yes">7413, § 1(Exh. A), 2-20-2018; Ord. 7331 §11, 2016; Ord. 6966 §1, 2007)

19.148.040 Interpretations.

Any standard or regulation not specifically covered by the Orangecrest Specific Plan shall be subject to the provisions of this [Title Zoning Code](#) and ~~this the Riverside Municipal~~ Code. Interpretations may be made by the Community & Economic Development Director or his/her designee or referred to the Planning Commission if not specifically covered in the City's existing regulations pursuant to the procedures set forth in Chapter 19.060 (Interpretation ~~of Code~~).

(Ord. 7331 §11, 2016; Ord. 6966 §1, 2007)

19.148.050 Design review.

Design guidelines for each subdistrict and general design guidelines that apply to all subdistricts are set forth in the adopted Orangecrest Specific Plan. Any new building, structure, sign, or exterior alteration of an existing building, structure, or sign shall require design review approval as required by the adopted Orangecrest Specific Plan.

(Ord. 7331 §11, 2016; Ord. 6966 §1, 2007)

CHAPTER 19.149 AIRPORT LAND USE COMPATIBILITY

19.149.010 Purpose.

19.149.020 Airport Land Use Compatibility Plan (ALUCP).

19.149.030 Airport Land Use Commission (ALUC).

19.149.040 Actions which require ALUC Review.

19.149.050 Actions not subject to ALUC Review—City ALUCP Compatibility Review.

19.149.060 Compatibility zones and criteria for Riverside Municipal and Flabob Airports.

19.149.070 Compatibility zones and criteria for March Air Reserve Base/Inland Port Airport.

19.149.080 Variance process.

19.149.090 Overrule procedures.

19.149.010 Purpose.

The purpose of this ~~C~~chapter is to establish and implement the requirements of the Riverside County Airport Land Use Compatibility Plan (ALUCP) for airports that affect land uses within the City of

Riverside. Airports that affect land uses within the City of Riverside are the Riverside Municipal Airport, Flabob Airport, and the March Air Reserve Base/Inland Port Airport.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.020 Airport Land Use Compatibility Plan (ALUCP).

The Airport Land Use Compatibility Plan (ALUCP) is a State-required, long-range master plan that reflects the anticipated growth of an airport over a 20-year time period. State law requires general and specific plans to be consistent with any ALUCP affecting the City. The requirements are established to limit noise impacts on noise-sensitive uses and to protect and preserve airports and aviation safety, as well as public safety, from aviation-related hazards.

The Riverside County Airport Land Use Compatibility Plan (RCALUCP), designates zones of airport influence areas for 13 airports in Riverside County, and provides a series of policies and compatibility criteria to ensure that both aviation uses, and surrounding areas may continue, and are compatible. In 2004, the RCALUCP established compatibility criteria, and maps for influence areas of the Riverside Municipal, Flabob Airports. In 2014, the ALUC adopted the March Air Reserve Base/Inland Port Airport Compatibility Plan which includes compatibility criteria and maps for influence areas of the March Air Reserve Base/Inland Port Airport.

The RCALUCP establishes criteria specific to each of the airport compatibility zones described in Sections 19.149.050 and 19.149.060 of this [Chapter](#). For property located within a compatibility zone and subject to airport land use compatibility plan policies and criteria, land use, density, and intensity limitations of the ALUCP may be more restrictive than what would otherwise be allowed per City zoning designation applicable to the property. In addition to complying with the Zoning requirements of this [Title](#), proposed uses and development on property within an airport compatibility zone must be determined to be consistent with, and comply with the compatibility criteria of the applicable compatibility zone and airport land use compatibility plan.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.030 Airport Land Use Commission (ALUC).

- A. The purpose of an Airport Land Use Commission (ALUC) is to conduct airport land use compatibility planning. ALUCs protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports. The statutes governing ALUCs are set forth in Division 9, Part 1, Chapter 4, Article 3.5, Sections 21670—21679.5 of the California Public Utilities Code (PUC).
- B. The Riverside County Airport Land Use Commission has two principal duties, which include:
 1. Preparing and adopting the ALUCP.
 2. Reviewing plans, regulations, and other actions of local agencies, and airport operators to ensure consistency with the RCALUCP.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.040 Actions which require ALUC Review.

- A. As required by State law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the applicable Airport Land Use Compatibility Plan prior to approval by the City.
1. The adoption or approval of any amendment to a general or specific plan affecting the property within an airport influence area (Public Utilities Code Section 21676(b)).
 2. The adoption or approval of a zoning ordinance or building regulation which affects property within an airport influence area, and involves the types of airport impact concerns listed in Section 1.4 of the March ALUCP (Public Utilities Code Section 21676(b)). These are impacts related to:
 - a. Exposure to aircraft noise;
 - b. Land use safety with respect both to people on the ground and the occupants of aircraft;
 - c. Protection of airport airspace; and
 - d. General concerns related to aircraft overflights.
 3. Adoption or modification of a master plan for an existing public-use airport (Public Utilities Code Section 21676(c)).
 4. Any proposal for expansion of an existing airport or heliport if such expansion will require an amended airport permit from the State of California (Public Utilities Code Section 21664.5).
 5. Any proposal for a new airport or heliport whether for public use or private use if the facility requires a State airport permit (Public Utilities Code Section 21661.5).
- B. *Other land use actions subject to ALUC Review.* In addition to the above types of land use actions for which ALUC review is mandatory, other types of land use actions are subject to review under the circumstances described in Section 1.5 of Chapter 2 Countywide Policies of the Riverside County Airport Land Use Compatibility Plan.
- C. *Timing of ALUC Review.* Proposed projects requiring ALUC review should be submitted to ALUC as early in the process as possible so that the Commission's (or ALUC Executive Director's) review can be considered by the City before taking formal action on a project. The timing may vary depending upon the nature of the specific project. However, all projects requiring ALUC review must be submitted to ALUC for review prior to final approval by the City.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.050 Actions not subject to ALUC Review—City ALUCP Compatibility Review.

For discretionary actions on property within an airport influence area and compatibility zone, but which are not subject to ALUC review as described in Section 19.149.040 above, the City shall review such action for consistency with the applicable ALUCP, and make a finding of project consistency or inconsistency with the applicable airport compatibility plan based on the basic land use compatibility criteria described below. Where there is uncertainty with regard to compatibility of a proposed use or

project with the applicable airport land use compatibility plan, the City shall consult with ALUC staff, or defer such matter to ALUC for a consistency determination.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.060 Compatibility zones and criteria for Riverside Municipal and Flabob Airports.

For uses proposed within airport influence areas of Riverside Municipal and Flabob airports, refer to the Riverside County Airport Land Use Compatibility Plan to determine whether a particular use is compatible with the applicable airport and a permissible use.

- A. Airport Compatibility Zones. The RCALUCP establishes six separate Airport Compatibility Zones for Riverside Municipal and Flabob Airports. A general description of each Compatibility Zone is provided in the following table.

Table 19.149.060 - Riverside Municipal and Flabob Airports Compatibility Zones

Compatibility Zones	Description
A	Runway Protection Zone and within Building Restriction Line
B1	Inner Approach/Departure Zone
B2	Adjacent to Runway
C	Extended Approach/Departure Zone
D	Primary Traffic Patterns and Runway Buffer Area
E	Other Airport Environs

Compatibility Zones for the Riverside Municipal and Flabob Airports can be found in Figure PS-6A of the Public Safety Element of the City of Riverside General Plan 2025, and within Chapter 3 of the Riverside County Airport Land Use Compatibility Plan.

- B. *Land use compatibility criteria.* The criteria for assessing whether a project is compatible with Riverside Municipal or Flabob airports are set forth in the Basic Compatibility Criteria matrix, Table 2A in Chapter 2 - Countywide Policies of the Riverside County Airport Land Use Compatibility Plan. These criteria are to be used in conjunction with the compatibility map and policies for the applicable airport (Riverside Municipal or Flabob) within Chapter 3 of the Riverside County ALUCP, or as amended.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.070 Compatibility zones and criteria for March Air Reserve Base/Inland Port Airport.

For uses proposed within airport influence areas of the March Air Reserve Base/Inland Port Airport, refer to the March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan (March ALUCP) to determine whether a particular use is compatible with the applicable airport and a permissible use.

- A. *Airport Compatibility Zones.* The 2014 March ALUCP establishes eight separate Compatibility Zones for March Air Reserve Base/Inland Port Airport. A general description of each compatibility zone is provided in the following table.

Table 19.149.070 - March Air Reserve Base/Inland Port Airport Compatibility Zones

Compatibility Zones	Description
M	Military
A	Clear Zone
B1	Inner Approach/Departure Zone
B2	High Noise Zone
C1	Primary Approach/Departure Zone
C2	Flight Corridor Zone
D	Flight Corridor Buffer
E	Other Airport Environs

The Compatibility Zones for the March Air Reserve Base/Inland Port Airport are provided in Figure PS-6B of the Public Safety Element of the City of Riverside General Plan 2025, and as established per Map MA-1 within Volume 1 of the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan.

- B. Land use compatibility criteria for March Air Reserve Base/March Inland Port Airport. The criteria for assessing whether a project is compatible with the March ARB/IPA are set forth in the Compatibility Zone Factors matrix, Table MA-1 within Volume 1 of the March ALUCP, within Chapter 3 of the Riverside County Airport Land Use Compatibility Plan, or as amended. These criteria are to be used in conjunction with the compatibility map and policies for the March ARB/IPA as presented in Chapter 3 of the Riverside County ALUCP, or as amended. The basic compatibility criteria listed in Table 2A of Chapter 2 of the Riverside County ALUCP does not apply to the environs of March ARB/IPA.

- C. *Accident Potential Zones (APZ's).* In addition to the compatibility zones described above, Map MA-1 within Volume 1 of the March ALUCP identifies two Accident Potential Zones (APZ's I and II) for the March Air Reserve Base/Inland Port Airport. The Department of Defense (DoD) Air Force Instruction AFI 32-7063 - December 18, 2015 describes Clear Zones, and APZ's as areas off the end of DOD runways that were developed based on past Air Force aircraft accidents and reflect land areas at greater risk of an aircraft accident. The Clear Zone and the APZs represent areas where an accident is most likely to occur, if one would occur; however, they are not predictors of accidents. More specifically, the Clear Zone, and Accident Potential Zones (APZ's) are defined as follows:

1. The Clear Zone begins at the end of the runway and is the area of highest accident potential; it has few uses that are compatible.
2. APZ I lies beyond the Clear Zone [and] is in area of lower but still considerable accident potential.
3. APZ II is beyond APZ I and possesses less accident potential.

D. Department of Defense Requirements for March Air Reserve Base/Inland Port Airport Accident Potential Zones (APZ's)

For discretionary actions proposed within March ARB/IPA Accident Potential Zones (APZ I & II) or within the Clear Zone, the proposed use and/or development shall, in addition to meeting the compatibility criteria of the March ALUCP, be consistent with current Air Force Guidance including:

1. Department of Defense Instruction 4165.57 for Air Installations Compatible Use Zones, March 12, 2015, or as amended, and
2. Air Force Instruction AFI 32-7063 for Air Installations Compatible Use Zones Program, December 18, 2015, or as amended. Specifically AFI 32-7063, Table A.2.1 of Attachment 2 - Land Use Compatibility Recommendations for APZS, generally identifies land uses acceptable or not acceptable within the Clear Zone, APZ I, and APZ II, and establishes maximum residential density, or nonresidential floor area ratio requirements applicable to each use and APZ.

Where a discretionary action is proposed within an APZ, or Clear Zone, the Department of the Air Force, 452d Air Mobility Wing (AFRC) March Air Reserve Base shall be consulted to determine whether the proposed discretionary action is consistent with the Air Force Guidance referenced above. Such consultation would be in addition to, and shall not be in lieu of requirements of the March ALUCP, or any review for airport land use compatibility that may be required by the Riverside County ALUC.

(Ord. [2413](http://newords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank), § 2(Exh. A), 2-20-2018)

19.149.080 Variance process.

Variances from development standards of ~~this Title~~ ~~the Zoning Code~~ are subject to Chapter 19.720 Variance provisions. In addition to the variance provisions contained in Chapter 19.720, this ~~S~~section includes special provisions to ensure that variances do not result in a conflict with airport compatibility criteria.

- A. Any variance that involves issues of noise, safety, airspace protection, or overflight compatibility as addressed in the applicable ALUCP must be referred to ALUC for review. Specifically, at a minimum, where a variance involves a deviation from the maximum allowable lot coverage, floor area ratio, or building height, the City shall consult with ALUC staff, or defer such matter to ALUC for a consistency determination. The provisions of Chapter 19.720, including required variance findings, apply regardless of a consistency determination by ALUC.
- B. Where a variance from ~~this Title~~ ~~the Zoning Code~~ would result in a deviation from compatibility criteria of the applicable ALUCP, such deviation shall be referred to ALUC for review. Where ALUC has determined the project and/or variance inconsistent with the applicable ALUCP, the

City Council may override ALUC's determination and approve subject to making the required findings of Chapter 19.720.

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) (Exh. A), 2-20-2018)

19.149.090 Override procedures.

When ALUC disapproves or finds an action, regulation, or permit, to be inconsistent with the ALUCP, ALUC shall notify the City within 30 days of such action pursuant to Public Utilities Code (PUC) 21675.1(d). The City Council may overrule ALUC decision, by a two-thirds vote and shall make specific findings that the proposed action, regulation, or permit is consistent with the purposes of Article 3.5, as stated in Section 21670 of the PUC.

A City Council proposed overrule of an ALUC action must provide a copy of the proposed decision and findings to both ALUC and the California Division of Aeronautics, a minimum of 45 days' prior to the decision to overrule ALUC. These agencies have 30 days in which to provide comments to City Council pursuant to PUC Sections 21676(a) and (b).

(Ord. [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) [7413](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=878996&datasource=ordbank) (Exh. A), 2-20-2018)

Chapter 19.150 BASE ZONES PERMITTED LAND USES

19.150.010 Purpose.

19.150.020 Permitted land uses.

19.150.030 Special or unusual uses.

19.150.010 Purpose.

This ~~S~~ection establishes land use regulations for all base zones listed in this article consistent with the stated intent and purpose of each zone.

([7573](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) [7573](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. 7331 §12, 2016; Ord. 6966 §1, 2007)

19.150.020 Permitted land uses.

Table 19.150.020 A. (Permitted Uses Table), Table 19.150.020 B. (Incidental Uses Table) and Table 19.150.020 C. (Temporary Uses Table) in Chapter 19.150 (Base Zones Permitted land uses) identify permitted uses, permitted accessory uses, permitted temporary uses, and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit), or conditional use permit (Chapter 19.760 - Conditional Use Permit), or uses requiring some other permit. Table 19.150.020 A. also identifies those uses that are specifically prohibited. Uses not listed in tables are prohibited unless the Community & Economic Development Department Director, or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar and no more

[illegible]

																											Uses Table
Adult-Oriented Businesses	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	9.40 - Adult-Oriented Businesses 19.240 - Adult-Oriented Businesses
Agricultural Field Office																											See Incidental Uses Table
Agricultural Stand																											See Incidental Uses Table
Agriculture, Horticulture and Growing of Nursery Plants (Farms, Field Crops, Flower & Truck Gardening, Orchards, Ranches & Tree Crops)	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Aircraft Charter Services	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X					For parking see Offices - Business and Professional under 19.580

Aircraft Parts, Supplies, Merchandise and Equipment Shops	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	For parking see Vehicle Sales under 19.580
Aircraft Sales, Rental, Service, Repair and Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	For parking see Vehicle Sales under 19.580
Airports - Private	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	
Airports - Public	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	
Alcohol Sales																							See Incidenta l Uses Table
Ambulance Company:																							5.65 - Convalescent Transport Vehicles
With Vehicle Storage	X	X	X	X	X	X	X	X	X	C	X	X	X	X	P	P	P	P	P	X	X	X	5.66 - Ambulances
Without Vehicle Storage	X	X	X	X	X	X	X	P	P	P	X	X	X	X	P	P	P	P	P	X	X	X	
Animal Keeping																							See Incidenta l Uses Table
Commercial Kennels & Catteries:																							19.270 - Commercial Kennels & Catteries
Outdoor Kennels & Catteries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X	
Indoor Kennels & Catteries	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M C	M C	M C	X	X	X	X	X	

Sales	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X	X	P	
Grooming (No overnight/long term boarding)	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	M C	M C	X	X	X	X	P	
Arcades and Internet/Cyber Cafés	X	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	M C	X	X	X	X	X	X	M C	19.245 - Arcades and Internet/Cyber Cafés
Artist Studio (Including Photo)	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	X	X	X	X	X	P	For parking see Offices - Business, and Professional under 19.580
Assemblies of People - Entertainment - Not Including Adult-Oriented Businesses (e.g., Theater - Live Performance, Motion Picture, Auditoriums, Banquet Halls, etc.) - Not Subject to the Provisions of RMC 5.80 (Entertain	X	X	X	X	X	X	X	X	C	C	C	C	C	C	C	X	X	X	X	X	X	C	19.250 - Assemblies of People - Entertainment 5.80 - Entertainment Permit 19.149 Airport Land Use Compatibility***

ment Permit)																							
Assemblies of people—non-entertainment (e.g., Places of Worship, Fraternal, Service Organizations, Conference Facilities, etc.)	X	X	C	C	C	C	X	C	C	C	C	C	C	C	C	C	C	X	X	X	X	C	19.255 - Assemblies of people—non-entertainment 5.24 - Dance Halls & Public Dances 5.60 - Bingo See 19.149 -
Storefront	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	M C	M C	M C	X	M C	X	X	P/ M C	Airport Land Use Compatibility*** 19.740 - Temporary Use Permit (Temporary Emergency Shelter with Assemblies of People - Non - Entertainment) 19.910 - Definitions See Incidenta	
																						l Use Table for Tiny Homes and Tiny Home	

	X	X	X	X	C	C	X	C	C	C	X	X	X	X	X	X	X	X	X	X	X	Communities See Temporary Use Table for Temporary Emergency Shelter
Assisted Living (Residential Care Facilities)	X	X	X	X	C	C	X	C	C	C	X	X	X	X	X	X	X	X	X	X	X	19.260 - Assisted Living 5.65 - Convalescent Transport Vehicles See 19.149 - Airport Land Use Compatibility***
Auction House (Indoor)	X	X	X	X	X	X	X	X	C	C	X	X	X	X	C	C	X	X	X	X	X	For parking see Assemblies of People under 19.580
Auxiliary Dwelling Unit																						See Incidental Uses Table
Bail Bonds Office	X	X	X	X	X	X	X	M C	M C	M C	X	X	X	X	X	X	X	X	X	X	X	19.265 - Bail Bonds Establishments For parking see Offices -

																							Business, and Professional under 19.580
Bakery - Retail	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X	X	P	For parking see Retail Sales under 19.580
Bakery - Wholesale	X	X	X	X	X	X	X	X	P	P	P	X	X	X	P	P	P	X	X	X	X	For parking see Manufacturing under 19.580	
Banks and Financial Institutions/Services, Including Brokerages	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	X	X	X	X	X	P	19.475 - Drive-Thru Businesses	
With Drive-thru Lanes (including drive-up ATM's)	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	M C	M C	X	X	X	X	X	X		
Bars, Saloons, Cocktail, Lounges & Taverns	X	X	X	X	X	X	X	X	M C	M C	M C	C	C	C	X	X	X	X	X	X	M C/C	19.450 - Alcohol Sales	
Bed and Breakfast Inn	X	X	X	X	X	X	X	X	P/M C	P/M C	P/M C	P/M C	P/M C	P/M C	X	X	X	X	X	X	P/M C	19.325 - Historic Residence	
In Historic Residence	X	X	M C	M C	M C	M C	X	P/M C	P/M C	P/M C	P/M C	P/M C	P/M C	P/M C	X	X	X	X	X	X	P/M C	Used for Retail Business, Office or Bed and Breakfast	

Boardinghouse	X	X	X	X	X	C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.910 Definitions
Boarding of Cats and Dogs/Kennels:																							19.270 - Boarding of Cats and Dogs/Ke nnels
Outdoor Kennels	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X	X	
Indoor Kennels	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M C	M C	M C	X	X	X	X	
Sales	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	X	X	X	X	X	X	P	
Grooming (No overnight/long term boarding)	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	M C	M C	X	X	X	X	P	
Brewery:																							19.272 - Brewerie s, Micro- Brewerie s, Brewpub s, and Brew- On- Premises 19.450 - Alcohol Sales
Brewery, Microbrewery and Winery manufacturing and wholesale only.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	
Brewery, Microbrewery, and Winery with off-sale retail and/or on-site tasting.	X	X	X	X	X	X	X	X	M C	M C	M C	M C	C	C	C	M C	M C	M C	M C	X	X	M C	
Brewpub	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	M C	M C	M C	M C	M C	M C	X	X	M C	
Brew-On-Premises (no tasting or sale of prepared beers)	X	X	X	X	X	X	X	X	M C	M C	M C	M C	X	X	X	M C	M C	M C	M C	X	X	X	

Cannabis Testing Laboratory																								See Laboratories - Research
Cannabis Warehouse/Distribution																								See Warehouse & Distribution Facilities
Caretaker Living Quarters																								See Incidental Uses Table
Catering Establishments	X	X	X	X	X	X	X	M _C	P	P	P	P	P	P	P	P	P	X	P	X	X	P	6.08 - Regulation of Food Establishments and Food Facilities 6.09 - Regulation of Food Handlers	
Cemeteries, Mortuaries & Ancillary Uses	X	X	C	C	C	X	X	X	C	C	X	X	X	X	X	C	C	C	C	X	X	X		
Crematoriums	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X	C	C	C	C	X	X	X		
Check Cashing	X	X	X	X	X	X	X	X	P/M _C	P/M _C	X	X	X	X	X	X	X	X	X	X	X	M _C	19.280 - Check Cashing Establishments For parking see Banks and Financial	

	X	X	X	X	X	X	X	P	P	P	X	X	X	P	P	P	X	X	X	P	Service under 19.580
Commercial Kitchen (no on-site dining)	X	X	X	X	X	X	X	P	P	P	X	X	X	P	P	P	X	X	X	P	For parking see Manufacturing under 19.580
Commercial Storage Facilities (Mini-Warehouse) ¹																					19.190 - Commercial Storage Overlay Zone
Day Care Centers	X	X	M/C	M/C	M/C	M/C	X	M/C	M/C	M/C	M/C	M/C	M/C	M/C	X	X	X	X	X	M/C	19.290 - Day Care Centers See 19.149 - Airport Land Use Compatibility***
Drug Store or Pharmacy:																					
2,000 sq. ft. or less and no drive-thru lane(s)	X	X	X	X	X	X	X	M/C	P	P	P	P	P	P	X	X	X	X	X	X	P
2,000 sq. ft. or less with drive-thru lane(s)	X	X	X	X	X	X	X	M/C	M/C	M/C	M/C	M/C	M/C	M/C	X	X	X	X	X	X	X
More than 2,000 sq. ft. and no drive-thru lane(s)	X	X	X	X	X	X	X	X	P	P	P	P	P	P	X	X	X	X	X	X	X
More than 2,000 sq.	X	X	X	X	X	X	X	X	M/C	M/C	M/C	M/C	M/C	M/C	X	X	X	X	X	X	X

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Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, 6 or Fewer Occupants)	P	P	P	P	P	P	P	X	X	X	X	P	P	P	X	X	X	X	X	X	X	19.315 - Group Housing
Group Housing (Convalescent Homes, SRO's, Alcohol & Drug Treatment Facilities, more than 6 Occupants)	X	X	C	C	C	X	X	C	C	C	C	X	X	X	X	X	X	X	X	X	X	19.315 - Group Housing
Hangars	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	X	X	X	
Heliport or Helistop	X	X	X	X	X	X	X	C	C	C	C	X	X	C	C	C	X	P	C	X	X	19.320 - Heliports and Helistops
Historic Residence Used for Retail Business, Office or Bed and Breakfast																					See Bed and Breakfast Inn, Office and Retail Sales on this Table	
Home Improvement, Sales and Service (Hardware																					See Incidenta l Uses Table for Outdoor Display	

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rap Metal Recyclers																							primary use; see incidental uses table
Laboratories - Research	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	
Laundry, Commercial (Cleaning Plants, Industrial Laundries, Carpet and Upholstery Cleaners)	X	X	X	X	X	X	X	X	X	P	X	X	X	X	X	P	P	P	X	X	X	X	
Live/Work Unit	X	X	X	X	X	X	X	X	X	X	X	X	P/MC	P/MC	P/MC	X	X	X	X	X	X	MC	19.335 - Live/Work Units See 19.149 - Airport Land Use Compatibility***
Low Barrier Navigation Center	X	X	X	X	X	X	X	X	MC	MC	X	P	P	P	P	P	X	X	X	X	X	X	Provided the center meets all four (4) requirements under Government Code sec. 65662(a) - (d)
Lumber Yard and Building Materials - Wholesale	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	MC	P	X	X	X	X	X	See Incidental Uses Table for Outdoor Display

Manufactured Dwellings:	P	P	P	P	P	P	P	X	X	X	X	P	X	X	X	X	X	X	X	X	X	19.850 - Fair Housing and Reasonable Accommodations
Sales of Manufactured Dwellings	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X	19.100 - Residential Zones 19.340 - Manufactured Dwellings See 19.149 - Airport Land Use Compatibility***
Manufacturing (Indoors)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	
Marijuana Uses and Activities	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Prohibited Uses. See 19.342 - Marijuana Uses and Activities
Marijuana Cultivation, Personal																						See Incidental Uses Table
Medical Marijuana Dispensary	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Prohibited Use
Medical Services - Clinic, Medical/Dental	X	X	X	X	X	X	X	P	P	P	P	P	P	P	M C	M C	M C	M C	X	X	P	5.52 - Massage

	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	Land Use Compati- bility***
Offices (Administrative, Business, Executive and Professional, but not Medical or Dental)	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	P	9.42 Fortunetelling and Occult Arts 19.325 - Historic Residence Used for Retail Business, Office or Bed and Breakfast
In Historic Residence	X	X	M C	M C	M C	M C	X	P	P	P	P	P	P	P	P	P	P	X	X	M C	
Outdoor Dining and/or Food Preparation (Permanent)																					See Incidentals Uses Table
Outdoor Display of Incidental Plant Materials																					See Incidentals Uses Table
Outdoor Sales, Display and Storage	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	P	X	X	X	See Incidentals Uses Table
Outdoor Storage Yard (including Contractor Storage Yards) - Primary Use	X	X	X	X	X	X	X	X	X	C	X	X	X	X	M C	P/M C	X	X	X	X	19.285 - Outdoor Storage Yard

Minor Planned Residential Development	X	X	P R D	P R D	P R D	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	ment Permits See 19.149 - Airport Land Use Compati- bility***
Administrative Planned Residential Development	X	X	P R D	P R D	P R D	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Small Lot Subdivision Planned Residential Development	X	X	X	X	X	P R D	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Plant Nurseries - Retail	X	X	X	X	M C	M C	X	X	P	P	X	M C	X	X	X	X	X	X	X	X	X	X	X	19.360 - Plant Nurseries - Retail 19.505 - Outdoor Display and Sales
Plant Nurseries - Wholesale	X	P	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X	
Publishing and Printing	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	X	For parking see Manufact- uring - 19.580
Rail Transit Station	X	X	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Recreational Facilities - Commercial:																							5.28 - Poolrooms 19.370 - Recreation	

Billiard Parlors and Pool Halls	X	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	X	X	X	X	X	X	X	nal Facilities - Commercial (Billiard Parlors and Pool Halls)
Bowling Alleys	X	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	X	X	X	X	X	X	X	
Skate Facility	X	X	X	X	X	X	X	X	M C	M C	M C	M C	M C	M C	X	X	X	X	X	X	X	
Amusement Parks	X	X	X	X	X	X	X	X	C	C	C	X	X	X	X	X	X	X	X	X	X	
Golf Courses and Driving Ranges	C	C	C	C	C	X	X	X	C	C	C	X	X	X	X	X	X	C	X	X	X	
Health and Fitness, music, dance or martial arts studios:																						
4000 sq. ft. or less	X	X	X	X	X	X	X	X	P	P	P	P	P	P	M C	M C	M C	M C	X	X	P	
more than 4000 sq. ft.	X	X	X	X	X	X	X	X	M C	M C	M C	X	C	C	X	X	X	X	X	X	M C	
Other Indoor or Outdoor Facilities	X	X	X	X	X	X	X	X	C	C	C	X	X	X	C	C	C	C	X	X	X	
Recycling Center - Paper, Glass, Plastic, Aluminum and Nonferrous Metals	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X	19.375 - Recycling Center - Paper, Glass, Plastic, Aluminum and Other Nonferrous Metals	

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College, Community College, University and Professional (Private)	X	X	X	X	C	X	X	C	C	C	C	X	C	C	C	X	X	C	C	X	X
Private (Grades K-12)	X	X	C	C	C	X	X	C	C	C	C	C	C	C	X	X	X	X	C	X	X
Vocational and Technical:																					
Total Enrollment 20 persons or less or a total size of 2,000 sq. ft. or less	X	X	X	X	X	X	X	M	M	M	M	M	M	M	M	M	M	M	X	X	X
Total Enrollment more than 20 persons or a total size greater than 2,000 sq. ft.	X	X	X	X	X	X	X	C	C	C	C	C	C	C	C	C	C	C	X	X	X
Shelters, Emergency:																					
2 to 6 occupants	X	X	M	M	M	M	M	M	M	M	X	M	M	M	M	P	X	X	X	X	X
more than 6 occupants	X	X	C	C	C	C	C	C	C	C	X	C	C	C	M	P	X	X	X	X	X

19.395 - Schools See 19.149 - Airport Land Use Compatibility***

19.400 - Shelters - Emergency 19.740 Temporary Use Permit (Temporary Emergency Shelter with Assembly

19.395 - Schools See 19.149 - Airport Land Use Compatibility***

19.400 - Shelters - Emergency 19.740 Temporary Use Permit (Temporary Emergency Shelter with Assembly

																						es of People - Non - Entertain ment)
Shopping Center - Regional:																						
Up to 5 Acres	X	X	X	X	X	X	X	X	P	P	X	X	S P	S P	X	X	X	X	X	X	X	X
More than 5 Acres	X	X	X	X	X	X	X	X	S P	S P	SP	X	S P	S P	X	X	X	X	X	X	X	X
Showroom	X	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	P	P	P	X	X	P
Single- family Dwelling:																						Chapter 19.850 - Fair Housing and Reasona ble Accomm odations See 19.149 - Airport Land Use Compati bility*** Chapter 19.443 - Two- Unit Develop ments
Attached	X 7	X	P	P	P	P 3	P 3	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X
Detached	P	P	P	P	P	P 4	P 4	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X
Single Room Occupanc y (SRO)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	X	X	X	X	X	X	X
Smog Shop (Test Only)	X	X	X	X	X	X	X	X	M C	M C	M C	X	X	X	M C	P	X	M C	X	X	X	X

Sober Living Homes	P	P	P	P	P	P	P	X	X	X	X	P	P	P	X	X	X	X	X	X	X	X	X	For parking see Single Family Dwelling - 19.580
Student Housing, Including Fraternities, Sororities and Dormitories	X	X	X	X	X	C	C	X	C	C	X	X	C	C	X	X	X	X	X	X	X	X	X	See 19.149 - Airport Land Use Compatibility***
Subdivision Sales Trailer and/or Office During Construction																								See Temporary Uses Table
Supportive Housing																								
2 to 6 occupants	P	P	P	P	P	P	P	M	M	M	X	P	P	P	X	X	X	X	X	X	X	X	X	
more than 6 occupants	P	P	P	P	P	P	P	C	C	C	X	P	P	P	X	X	X	X	X	X	X	X	X	
Taxi Company with Vehicle Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X	X	X	X	X	
Tiny Home Community (Foundation)	X	X	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.100.070 - Additional regulations for the R-3 and R-4 Zones.

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New and Used (With Outdoor Display)																								
Vehicle Wash Facilities	X	X	X	X	X	X	X	X	C	C	C	X	X	X	X	X	X	X	X	X	X	X	19.425 - Vehicle Wash Facilities	
Vehicle Wholesale Business:																								
Indoor (less than 5,000 sq. ft.)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	X	X	X	X	X	19.427 - Vehicle Wholesale Business	
Outdoor & Indoor (In excess of 5,000 sq. ft.)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	X	X	X	X		
Veterinary Services:																								
Clinics and Small Animal Hospitals (short term boarding)	X	X	X	X	X	X	X	X	M C	M C	M C	X	C	C	M C	C	C	X	X	X	M C	19.430 - Veterinary Services		
Incidental to a Pet Shop	X	X	X	X	X	X	X	X	P	P	P	X	M C	M C	X	X	X	X	X	X	P			
Warehousing & Distribution Facilities:																						19.435 - Warehousing & Distribution Facilities		
a. 10,000 sq. ft. or less	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P/M C	P/M C	P/M C	P/M C	X	X	X			
b. Greater than 10,000 sq. ft. and less	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M C/C	M C/C	M C/C	M C/C	X	X	X			

X = Prohibited

¹ Commercial Storage Facilities are permitted in all zones with the Commercial Storage Overlay Zone (Chapter 19.190).

² Legal, existing duplexes built prior to the adoption of this ~~Title Zoning Code~~ are permitted in the R-1-7000 Zone see 19.100.060 D.

³ Allowed with a Planned Residential Development (PRD) Permit, Chapter 19.780.

⁴ One single-family detached dwelling allowed on one legal lot 0.25 acres in size or less in existence prior to January 1, 2018 subject to the development standards of the R-1-7000 Zone.

⁵ Permitted or conditionally permitted on sites that do not include a residential use.

⁶ For Clean Energy Uses and associated Outdoor Storage (Chapter 19.510) and/or Indoor Vehicle Repair (Chapter 19.420), permitted with a Minor Conditional Use Permit.

⁷ Allowed for Two-Unit Developments pursuant to Chapter 19.443.

⁸ Permitted by-right if located in an industrial or commercial zone and does not contain existing residential units, or if previously developed with a vehicle fuel station.

([url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank" web="yes">Ord. 7683, § 9\(Exh. F\), 2024; \[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank" web="yes">Ord. 7660, § 1\\(Exh. A\\), 2024; Ord. \\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank" web="yes">7652 § 3\\\(Exh. B\\\), 2023; Ord. \\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank" web="yes">7630 § 4\\\\(Exh. A\\\\), 2023; Ord. \\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank" web="yes">7592 § 4\\\\\(Exh. D\\\\\), 2022; Ord. \\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1160052&datasource=ordbank" web="yes">7587, § 2\\\\\\(Exh. A\\\\\\), 2022; Ord. \\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank" web="yes">7573 § 1\\\\\\\(Exh. A\\\\\\\), 2021; Ord. \\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">7552 § 7\\\\\\\\(Exh. C\\\\\\\\), 2021; Ord. \\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank" web="yes">7541, § 6\\\\\\\\\(Exh. C\\\\\\\\\), 2020; Ord. \\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank" web="yes">7528 § 1\\\\\\\\\\(Exh. A\\\\\\\\\\), 2020; Ord. \\\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank" web="yes">7520 § 1\\\\\\\\\\\(Exh. A\\\\\\\\\\\); Ord. \\\\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank" web="yes">7505 § 1\\\\\\\\\\\\(Exh. A\\\\\\\\\\\\), 2020; Ord. \\\\\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank" web="yes">7487 § 13\\\\\\\\\\\\\(Exh. D\\\\\\\\\\\\\), 11-5-2019; Ord. \\\\\\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank" web="yes">7462, § 2\\\\\\\\\\\\\\(Exh. A\\\\\\\\\\\\\\), 2019; Ord. \\\\\\\\\\\\\\[url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank" web="yes">7431 § 3\\\\\\\\\\\\\\\(Exh. A\\\\\\\\\\\\\\\), 2018\\\\\\\\\\\\\\\)\\\\\\\\\\\\\\]\\\\\\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank\\\\\\\\\\\\\\)\\\\\\\\\\\\\]\\\\\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank\\\\\\\\\\\\\)\\\\\\\\\\\\]\\\\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank\\\\\\\\\\\\)\\\\\\\\\\\]\\\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank\\\\\\\\\\\)\\\\\\\\\\]\\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank\\\\\\\\\\)\\\\\\\\\]\\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank\\\\\\\\\)\\\\\\\\]\\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank\\\\\\\\)\\\\\\\]\\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank\\\\\\\)\\\\\\]\\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank\\\\\\)\\\\\]\\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1160052&datasource=ordbank\\\\\)\\\\]\\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank\\\\)\\\]\\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank\\\)\\]\\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank\\)\]\(http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank\)](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank)

19.150.020.B Incidental Uses Table

This **T**able identifies uses which are generally only permitted as an incidental use to some other permitted use on the property.

Use	Zones																		Location of Required Standards in the Municipal Code			
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)					Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)		
	RC**	RA-5*	RR	RE	R-1	R-3	R-4	O	CR	CG	CR-C*	MUN	MU-V*	MU-U*	BMP	I	AI	AIR		PF	RWY	NC Overlay
Accessory Buildings & Structures	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	19.440 - Accessory Buildings & Structures
Cargo Containers	X	P	P	X	X	X	X	X	X	P	X	X	X	X	P	P	P	P	P	P	X	
Agricultural Field Office	C	C	MC	X	MC	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.445 - Agricultural Field Office
Accessory Dwelling Unit ¹ and Accessory Dwelling	P	P	P	P	P	P	P	X	X	X	X	P	P	P	X	X	X	X	X	X	X	19.442 - Accessory Dwelling Unit and Junior Access

[illegible]

[illegible]

Quarter s:																						ker Living Quarter s
Agricult ural	X	C	M C	X	M C	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Industri al Uses & Comme rcial Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M C	M C	M C	X	X	X		
Tempor ary During Constru ction	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	X	TU P			
Dwellin g Unit(s) with Assemb lies of people —non-entertai nment* **	X	X	C	C	C	C	X	C	C	C	C	C	C	C	X	X	X	X	X	X	19.255 Assem blies of People - Non - Enterta inment	
Entertai nment - Incident al																				5.80 - Enterta inment Permit		
Fuel Systems - Private (Above Ground Tanks)	X	X	X	X	X	X	X	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	P/ M C	X	19.480 - Fueling System s - Private (Above Ground Tanks) For vehicle fuel station	

																						s, see 19.410 - Vehicle Fuel Stations
Home Occupat ions	X	X	P	P	P	P	P	X	X	X	X	P	P	P	X	X	X	X	X	X	P	19.485 - Home Occupat ions
Junk Dealers/ Scrap Metal Recycle rs	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	M C	X	X	X	X	X	5.85 – Junk Dealer s and Scrap Metal Recycl ers
Mining/ Mineral Extracti on	X	X	C	C	C	C	C	X	C	C	X	X	X	X	X	C	X	X	X	X	X	19.490 - Mining /Miner al Extract ion
Monitor ed Electrifi ed Security Fence System	X	X	X	X	X	X	X	P/ M C	P/ M C	P/ M C	P/ M C	X	X	X	P/ M C	P/ M C	P/ M C	P/ M C	X	P/ M C	P/ M C	19.550. 025 - Monito red Electrif ied Securit y Fence System
Outdoor Dining (Perma nent)	X	X	X	X	X	X	X	P	P	P	P	P	P	P	P	X	X	P	X	X	P	19.495 - Outdoo r Dining and Food Prepara tion (Perma nent)

[illegible]

3 or 4	P	P	R R P	R R P	R R P	X	X	X	X	X	X	R R P	X	X	X	X	X	X	X	X	X	19.520 - Rental of Rooms 19.895 - Room Rental Permit
Tiny Home Communi- ty***	X	X	C	C	C	C	X	C	C	C	C	C	C	C	X	X	X	X	X	X	X	19.255 - Assem- blies of people —non- entertai- nment 19.100. 070 - Additio- nal regulati- ons for the R-3 and R-4 Zones. 19.910 - Definit- ions
Vehicle Repair - Persona l	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	19.527 - Vehicl e Repair - Person- al
Wareho using, storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	P	X				See Chapte- r 19.130 Industr ial Zones

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660 § 1(Exh. A), 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank> web="yes">7652 § 4(Exh. C), 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank> web="yes">7630 § 5(Exh. B), 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1191455&datasource=ordbank> web="yes">7617 § 1(Exh. A), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">7528 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 § 1(Exh. A); Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank> web="yes">7457 § 1(Exh. A), 2019; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank> web="yes">7431 § 3(Exh. A), 2018; Ord. 7408 § 1, 2018; Ord. 7331 § 11, 2016; Ord. 7316 § 4, 2016; Ord. 7273 § 1, 2015; Ord. 7222 § 3, 2013; Ord. 7110 §§ 2, 3, 4, 2011; 7064 § 9, 2010; Ord. 6966 § 1, 2007)

¹ Accessory Dwelling Units (ADU) are permitted when an existing or proposed primary single-family or multi-family residential dwelling is located on the same property, pursuant to Chapter 19.422.

² See exemptions noted in 19.450 - Alcohol Sales

³ Outdoor Sales and Display - Incidental are permitted on an intermittent basis with a TUP. See Section 19.740

⁴ Where play areas are proposed in conjunction with a new drive-thru restaurant, the play area can only be considered under the same conditional use permit required for the drive-thru business.

⁵ Non-domestic animal keeping in the RE and R-1 zones shall only permit chicken (poultry) keeping pursuant to Chapter 19.455 Animal Keeping.

* = For CRC, MU-U and MU-V Zones a Site Plan Review (Chapter 19.770) is required for any new or additions/changes.

** = For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (F) 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.

*** = Accessory to an Assemblies of People — Non-Entertainment and subject to the applicable standards identified in C

P = Permitted

C = Subject to the granting of a conditional use permit

RCP = Recycling Center Permit, Chapter 19.870.

TUP = Temporary Use Permit, Chapter 19.740

sq. ft. = Square Feet

PRD = Planned Residential Development Permit, Chapter 19.780

RRP = Room Rental Permit

This **T**able identifies uses that are temporary in nature.

Use	Zones																		Location of Required Standards in the Municipal Code			
	Residential Zones (Residential Conservation (RC), Residential Agricultural (RA-5), Rural Residential (RR), Residential Estate (RE), Single-Family Residential (R-1), Multiple Family Residential (R-3 and R-4))							Office & Commercial Zones (Office, Commercial Retail, Commercial General, Commercial Regional Center)				Mixed Use Zones (Neighborhood, Village, Urban)			Industrial Zones (Business Manufacturing Park, General Industrial, Airport Industrial, Airport)					Other Zones (Public Facilities, Railroad, Neighborhood Commercial Overlay)		
	RC*	RA-5*	RR	RE	R-1	R-3	R-4	O	C	G	CR	MU-N	MU-V*	MU-U*	BM	I	A	AI		P	R	NC Overlay
Car Show	X	X	TUP _I	TUP _I	TUP _I	TUP _I	TUP _I	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP		
Caretaker Living Quarters - Temporary During Construction	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	X		
Christmas Tree and Pumpkin Sales (Seasonal)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP		
Circus or Carnival (With	X	X	X	X	X	X	X	TUP	TUP	TUP	TUP	X	X	X	TUP	TUP	TUP	TUP	TUP	X		

or Without Tent)																				
Dwelling Unit (Motor Home, RV, Camper, etc.)	TUP	TUP	TUP	TUP	TUP	X	X	X	X	X	X	TUP	X	X	X	X	X	X	X	
Fair, Concert, Exhibit or Similar Uses	TUP ¹	TUP ¹	TUP ¹	TUP ¹	TUP ¹	TUP ¹	TUP ¹	TUP	TUP	TUP	TUP	X	TUP	TUP	TUP	TUP	TUP ¹	X		
Fruit Stand	X	X ₂	X	X	X	X	X	X	TUP	TUP	TUP	TUP	TUP	TUPX	X	X	X	X	X	
Mobile Medical Units for Humans	X	X	X	X	X	X	X	X	TUP	TUP	TUP	X	TUP	TUP	X	TUP	X	X		
Non-Commercial Tent Meetings	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP		
Outdoor Preparation of Food (Temporary)	X	X	X	X	X	X	X	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	X	X	X		19.495 - Out Dining and Food Preparation
Outdoor Sales Event in Conjunction with a Perman	X	X	X	X	X	X	X	X	TUP	TUP	TUP	TUP	TUP	TUP	X	X	X	X		

ent Land Use (Parkin g Lot Sale)																				
Outdoo r Sales event not in Conjun ction with a Perman ent Land Use (Swap Meet)	X	X	X	X	X	X	X	X	T U P	T U P	TU P	T U P	T U P	TU P	X	X	X	X	X	X
Special Events (Runni ng Events, Parade s, Block Parties etc.)																				Special Event Permits are adminis tered by the Arts and Cultura l Affairs pursuan t to 2.28
Subdiv ision Sales Trailer and/or Office During Constr uction	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	TU P	T U P	T U P	TU P	T U P	T U P	T U P	T U P	T U P	X
Tempo rary Emerg ency Shelter with	X	X	T U P	T U P	T U P	T U P	T U P	T U P	T U P	T U P	TU P	T U P	T U P	TU P	T U P	T U P	X	X	X	X
																				19.255 - Assemb lies of people —non-

*=Refer to Chapter 19.149 - Airport Land Use Compatibility, and applicable Airport Land Use Compatibility Plan for airport land use compatibility zones where use may be strictly prohibited.

¹ All sites having active minor conditional use permits or conditional use permits, private schools, assemblies of people, etc.

² For Exceptions, see Chapters 19.100.030 (A) - RA-5 Permitted Uses and 19.150.020.B Incidental Uses Table

* = For CRC, MU-U and MU-V Zones a Site Plan Review (Chapter 19.770) is required for any new or additions/changes.

** = For a more detailed listing of the permitted land uses in the RA-5 and RC Zones, refer to Sections 19.100.030.A (F) 19.100.030.A and 19.100.030.B exists, the provisions of Sections 19.100.030.A and 19.100.030.B shall apply.

*** = Accessory to an Assemblies of People — Non-Entertainment and shall meet all applicable standards identified in C

P = Permitted

C = Subject to the granting of a conditional use permit

RCP = Recycling Center Permit, Chapter 19.870.

TUP = Temporary Use Permit, Chapter 19.740

sq. ft. = Square Feet

PRD = Planned Residential Development Permit, Chapter 19.780

19.150.030 Special or unusual uses.

At the discretion of the Community & Economic Development Department Director, or his/her designee, a conditional use permit may be considered for a unique or unusual combination of uses or special facilities similar to and not more detrimental than other uses in a particular zone.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §9, 2021; Ord. 7331 §12, 2016; Ord. 7235 §6, 2013; Ord. 6966 §1, 2007)

ARTICLE VI OVERLAY ZONES

Chapter 19.170 - INNOVATION DISTRICT OVERLAY ZONE (ID)

Chapter 19.180 - BUILDING SETBACK OVERLAY ZONE (X)

Chapter 19.190 - COMMERCIAL STORAGE OVERLAY ZONE (CS)

Chapter 19.195 - CULTURAL RESOURCES OVERLAY ZONE (CR)

Chapter 19.200 - BUILDING STORIES OVERLAY ZONE (S)

Chapter 19.205 - RESERVED

Chapter 19.210 - MOBILE HOME PARK OVERLAY ZONE (MH)

Chapter 19.215 - NEIGHBORHOOD COMMERCIAL OVERLAY ZONE (NC)

Chapter 19.217 - RESIDENTIAL LIVESTOCK OVERLAY ZONE (RL)

Chapter 19.219 - RESIDENTIAL PROTECTION OVERLAY ZONE (RP)

Chapter 19.220 - SPECIFIC PLAN OVERLAY ZONE (SP)

Chapter 19.230 - WATER COURSE OVERLAY ZONE (WC)

Chapter 19.170 INNOVATION DISTRICT OVERLAY ZONE (ID)

19.170.010 Purpose.

19.170.020 Application.

19.170.030 Sub-districts.

19.170.040 Permitted uses.

19.170.050 Application Requirements and Processes.

19.170.060 Building intensity and location standards.

19.170.070 Sub-district development standards.

19.170.080 Additional standards.

19.170.090 Nonconformities.

19.170.010 Purpose.

The Innovation District (ID) Overlay Zone is established to:

- A. Implement the goals, policies, and principles of the General Plan.
- B. Enable and encourage new development in the ID Overlay Zone area.
- C. Support a mix of high-density residential, high-intensity employment/office, civic, entertainment, institutional and pedestrian-oriented retail uses.
- D. Encourage investment in public facilities through quality redevelopment and improvements.
- E. Ensure that new development and redevelopment are designed to minimize traffic, parking and impacts on surrounding residential neighborhoods, and create walkable environments.

If regulations or development standards are not included in this Chapter, refer to the standards in applicable [Chapter](#) of Title 19.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank>)
web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.020 Application.

A. *Application.* The Innovation District (ID) Overlay Zone may be applied to the area bounded to the west by the State Route 91, to the north by State Route 60/Interstate 215, and to the south by Third Street. The ID Overlay Zone may be applied in combination with any existing Base Zone.

B. *Relationship to ID Master Plan.* The ID Overlay implements the intent and guidelines in the ID Master Plan document.

C. *Permit requirements.*

- 1. In addition to any other permits required by [this Titlethe Zoning Code](#), new building or structure construction, sign or exterior alterations, enlargement of an existing building, structure, or signs shall, pursuant to Chapters 19.710 require Design Review.
- 2. Minor Conditional Use Permit may be required pursuant to [Chapterand](#) 19.730.

D. *Design Standards.*

- 1. All projects must comply with the standards listed in this Chapter and in effect at the time the development is submitted to the City.
- 2. Design Review processing and approval does not preclude compliance with all regulations and permitting requirements applicable to the proposed development.

3. When required by this [Chapter](#), street dedication and improvements for building permits, the public street or right-of-way must be dedicated and improved consistent with all applicable City standards.

E. *Existing and Entitled Industrial and Manufacturing Uses.* The ID Overlay Zone authorizes existing and entitled industrial and manufacturing land uses to continue and expand as legal, conforming land uses until such time as they are converted to uses permitted in the applicable ID Overlay Zone Sub-District as set forth in Section 19.170.040 (Permitted Uses).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.030 Sub-districts.

The ID Overlay Zone is divided into Sub-Districts as set forth in Table 19.240.030.

Table 19.170.030 - Innovation District Overlay Sub-District Descriptions	
Sub-District	Sub-District Description
IE - Industrial Emphasis	IE encourages a wide range of industrial, office, and commercial uses that may be integrated vertically and/or horizontally. While predominantly a mix of light industrial and office uses, other standalone uses, such as transportation services and energy-generation facilities, are encouraged. Clean & green industries, such as renewable energy, low-carbon, research and development, and public transportation infrastructure uses are encouraged in this Sub-District.
EE - Employment Emphasis	EE promotes high-intensity vertical mix of office, clean & green industrial, educational, and hospitality uses to be an employment center of regional importance with a limited mix of residential uses to compliment the employment focus. Clean & green industries, including renewable energy, low-carbon, education and training, and research and development are encouraged.
HE - Housing Emphasis	HE accommodates primarily residential housing development supported by ground-floor neighborhood-serving commercial uses and live work opportunities, with limited industrial functions.
ET - Eastside Transition	ET accommodates mid to low-rise buildings with a diverse array of uses, including residential, neighborhood-serving commercial, and limited office uses, that integrate more seamlessly with the neighboring Eastside Neighborhood.
CS - Civic Space	CS allows for greens, squares, and plazas with a variety of Civic Facilities.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.040 Permitted uses.

The following table establishes the permitted land uses and uses permitted subject to the approval of a minor conditional use permit (Chapter 19.730 - Minor Conditional Use Permit) in the ID Overlay Zone Sub-Districts. Table 19.240.040 also identifies those uses that are specifically prohibited. Uses not listed in the table are prohibited unless the Community & Economic Development Department Director, or his/her designee, pursuant to Chapter 19.060 (~~Interpretation of Code~~), determines that the use is similar and no more detrimental than a listed permitted or conditional use. Any use which is prohibited by state and/or federal law is also strictly prohibited.

Table 19.170.040 - Permitted Uses					
This ~~T~~ able identifies permitted uses and uses requiring approval of other permits by zoning designation.					
District	IE	EE	HE	ET	CS
Civic Facilities					
Community Center and Services	X	P	P	P	P
Emergency Shelters	MC	MC	MC	X	P
Outdoor Auditorium and Performances	X	MC	MC	X	P
Public Parking Areas and Structured Garages	P	P	MC	MC	P
Transit Mobility Services and Stations	P	P	P	P	P
Commercial Functions					
Alcohol Sales - On-Premises	P	P	P	MC	P
Assemblies of People - Entertainment (<500 people)	X	MC	MC	MC	MC
Assemblies of People - Non-Entertainment (<500 people)	X	MC	MC	MC	MC
Clean Energy Use	P	P	P	X	X
Day Care (child and senior)	MC	P	P	P	P
Education and Training Facilities	X	P	P	MC	MC
Home Occupations	X	P	P	P	X
Personal Services	P	P	P	P	X
Retail Sales	P	P	P	P	P
Restaurant (Full Service, Limit-Service, Small Shop, excluding drive-thru)	P	P	P	P	P
Shopkeeper Units (predominately work within a living space)	X	P	MC	P	
Vehicle Repair (indoor only)	P	MC	X	X	X
Veterinarian/Small Animal Clinic	P	P	P	MC	X
Hospitality Functions					
Convention Services	X	P	P	X	P
Hotel	X	P	P	X	X
Industrial Functions					
Clean Energy Use	P	P	P	X	X

Heavy-Industries	MC	MC	X	X	X
Light-Industries	P	P	MC	X	X
Outdoor Storage	P	MC	X	X	X
Research Laboratories (wet laboratories/OSHA regulated)	P	P	MC	MC	X
Transportation Facilities	P	MC	X	X	X
Warehousing and Distribution Facilities	P	X	X	X	X
Office Functions					
Administrative and Professional Facilities	P	P	P	MC	X
Medical Facilities	P	P	MC	MC	X
Research Laboratories (non-OSHA regulated)	P	P	MC	X	X
Residential Types					
Attached Multiple-Family Dwelling	X	P	P	P	X
Detached Single and Multiple Family Dwelling	X	X	X	P	X
Live/Work Units (predominately living within a workspace)	X	MC	P	MC	X
Single-Room Occupancy Unit (Co-Living)	X	P	P	MC	X
C = Subject to the granting of a conditional use permit (CUP), Chapter 19.760 SP = Site Plan Review Permit, Chapter 19.770 MC = Subject to the granting of Minor Conditional Use Permit (MCUP), Chapter 19.730 sq. ft. = Square Feet P = Permitted					

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19.170.050 Application Requirements and Processes.

All application requirements and processes identified in Article IX of this Title shall apply to this Chapter.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.060 Building intensity and location standards.

Table 19.170.060 - Building Intensity and Location

This **T**able coordinates specific **B**uilding **F**unctions, **I**ntensities, and **L**ocation within each **Z**oning **S**ub-**D**istrict.

Sub-District Function	IE	EE	HE	ET
Civic	Civic space edges shall be completely or predominately bounded by buildings mid-block or at street corners.	Civic spaces may be hybrids and directly with public streetscape elements located mid-block and/or at corners.	Civic space edges shall be completely or partially bounded by buildings and/or located mid-block and street corners.	Civic space edges may be partially bounded by buildings and shall be directly accessible to 3rd Street walkways.
Commercial	1st floor of the primary building on corner lots may be commercial.	Up to 60% of the primary and accessory buildings may be commercial.	Up to 40% of the primary and/or accessory buildings may be commercial.	On corner lots up to 20% of the primary buildings 1st floor shall be commercial.
Hospitality	Not allowed.	Up to 60% of the primary and/or accessory buildings may be hospitality uses.	Up to 80% of the primary buildings may be hotel uses.	Not allowed.
Industrial	Primary and accessory buildings may be industrial.	Up to 60% of the primary buildings may be light industrial and/or clean and green industry. Only 1st floors of accessory buildings may be light industrial and/or clean and green industries.	Only 1st floors of accessory buildings may be light industrial and/or clean and green industries.	Not allowed.
Office	Up to 40% of the primary and accessory buildings may be office.	Up to 100% of the primary buildings may be office.	Up to 40% of the area of the primary and accessory buildings may be office. Only floors 1-2 in the accessory buildings may be office	Floors 1 - 2 of the primary buildings may be office. Up to 100% of accessory buildings may be office.
Residential	Not allowed.	Up to 40% of the primary and/or accessory buildings shall be residential. Units are allowed to average >400 square feet.	Up to 100% of the primary buildings may be residential. Units are allowed to average >600 square feet	Up to 100% of the primary and accessory buildings may be residential, except corner lots.

				Units are allowed to average >800 square feet

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web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.070 Sub-district development standards.

The following diagram illustrates key terms used to define development areas on a lot for this Chapter:

Figure 19.170.070

[GRAPHIC]

Table 19.170.070 IE - Industrial Emphasis (IE) Sub-District Development Standards

[GRAPHIC]

IE Development Standards		Minimum	Maximum	#
Lot and Density				
Lot Width (ft.)		25	-	①
Floor Area Ratio (FAR)	Sites under 5 acres	1.0	2.0	
	Sites over 5 acres	0.40	N/A	
Residential Density (Lots - Dwelling Units per Acre)		N/A	N/A	
Building Form and Location				
Building Height - Primary Building (Floors)		N/A	75-feet	②
Building Height - Accessory Building (Floors)		-	3 floors	
Build-to Lines and Setbacks (ft.)				
Front (Principal Building) ¹	Kansas, Massachusetts, and Chicago Avenues	5	10 ²	③
	All Other Frontages	Same as I - General Industrial Zone	N/A	
Interior Side		5	-	⑥
Rear		10	-	⑦
Architectural Feature Projection Encroachment		-	5 feet	⑧

Rear Lot Layer Setback from Primary Frontage Line	25	-	↑
Parking			
Off-Street Parking	1 space per 500 sq ft or per <u>Title 19 zoning regulations</u> ~~Zoning Code~~ , whichever is less	5 spaces per 1000 sq ft	
"#"in the table corresponds with the numbers on the graphic ¹ Common ground floor open space may encroach into the setback area ² Eighty percent or more of the building façade shall comply			

Table 19.170.070 EE - Employment Emphasis Sub-District Development Standards

[GRAPHIC]

EE Development Standards	Minimum	Maximum	#
Lot and Density			
Lot Width (ft.)	25	300	①
Floor Area Ratio (FAR)	2.0	6.0	
Residential Density (Lots - Dwelling Units per Acre)	30	100	
Building Form and Location			
Building Height - Primary Building (Floors)	2 floors	12 floors/140-feet	②
Building Step-back	4th floor/+55 feet	6th floor/+75 feet	
Building Height - Accessory Building (Floors)	-	6 floors	
Build-to Lines and Setbacks (ft.)			
Front (Principal Building)	0	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	0	10	⑤
Rear Minimum	5	10	⑦
Front (Principal Building) Encroachment (%)	60%	80%	⑧
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨

Outdoor Storage and Loading Area (Accessory Building - Real Lot Layer)	10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line	20	-	↑
Parking			
Off-Street Parking	3 spaces per 1,000 sq. ft. for Nonresidential	1.5 space per Residential Housing Unit	
"#"in the table corresponds with the numbers on the graphic			

Table 19.170.070 HE - Housing Emphasis Sub-District Development Standards
[GRAPHIC]

HE Development Standards	Minimum	Maximum	#
Lot and Density			
Minimum Lot Width (ft.)	25	300	①
Maximum Floor Area Ratio (FAR)	2.0	5.0	
Residential Density (Lots - Dwelling Units per Acre)	30	150	
Building Form and Location			
Building Height - Primary Building (Floors)	2 floors	24 floors/240-feet	②
Building Step-back - Primary Building (Floors and approximate feet)	4 th floor/+55 feet	6 th floor/+75 feet	
Building Height - Accessory Building (Floors)	-	6 floors	
Build-to Lines and Setbacks (ft.)			
Front (Principal Building)	0	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	0	10	⑥
Rear Minimum	5	10	⑦
Front (Principal Building) Encroachment (%)	60%	80%	⑧
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨

Outdoor Storage and Loading Area (Accessory Building - Real Lot Layer)	10	-	⑩
Rear Lot Layer Setback from Primary Frontage Line	30	-	↑
Parking			
Off-Street Parking	2 spaces per 1,000 sq. ft. for Nonresidential	1.5 spaces per Residential Housing Unit	
"#" in the table corresponds with the numbers on the graphic			

Table 19.170.070 ET - Eastside Transition Sub-District Development Standards

[GRAPHIC]

D. ET Development Standards	Minimum	Maximum	#
Lot and Density			
Minimum Lot Width (ft.)	25	50	①
Maximum Floor Area Ratio (FAR)	0.5	1.5	
Residential Density (Lots - Dwelling Units per Acre)	15	60	
Building Form and Location			
Building Height - Primary Building (Floors)	1 floor	4 floors/55-feet	②
Building Height - Accessory Building (Floors)	1 floor	4 floors	
Build-to Lines and Setbacks (in Feet)			
Front (Principal Building)	5	10	③
Front (Principal Building) Street Side (Primary Street)	0	10	④
Street Side (Secondary) Minimum	5	10	⑤
Interior Side	10	10	⑥
Rear Minimum	5	15	⑥
Front (Principal Building) Encroachment (%)	0	60	⑦
Storage and Loading Area (Principal Building - Front Lot Layer)	5	-	⑨
Outdoor Storage and Loading Area (Accessory Building - Real Lot Layer)	10	-	⑩

Rear Lot Layer Setback from Primary Frontage Line	20	-	↑
Parking			
Off-Street Parking	2 spaces per 1,000 sq. ft. for Nonresidential	2 spaces per Residential Housing Unit	
"#"in the table corresponds with the numbers on the graphic			

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19.170.080 Additional standards.

In addition to the requirements outlined in Section 19.240.060, the following shall apply to building placement. The following diagram illustrates key terms used to define development areas on a lot:

A. Additional setback requirements.

1. Permitted encroachments into the front setback include the following private building frontage elements: stoops (exterior stairs), forecourt terraces (at grade space), light court terraces (below grade space and stairs), recessed arcades and walkways, outdoor dining, green walls, artistic expressions, parking access screening, and planter boxes.
2. Building setbacks.
 - a. For buildings fronting on two streets, the front setback shall apply on both frontages.
 - b. For buildings fronting on three or more streets, the front setback shall apply on at least two of the frontages.
3. Accessory buildings.
 - a. Accessory buildings in the rear setback shall be a minimum of 15 feet measured from the centerline of the rear alley easement.
 - b. In the absence of a rear alley, the rear setback for accessory buildings, the setback shall be a minimum of ten feet.
4. Exceptions
 - a. Outdoor eating areas - Where an outdoor eating area is installed, a portion of the building may be set back up to 12 feet from the frontage line, if at least 80 percent of the building facade is at the frontage line.

B. Façade width.

1. In the EE and HE Sub-Districts, the minimum façade width shall be 80 percent of the lot width.
2. In the IE and ET Sub-Districts, the minimum façade width shall be 60 percent of the lot width.

C. Building heights.

1. Heights do not apply to attics, parapets, belfries, clock towers, chimney flutes, water tanks, elevator bulkheads or towers.

2. Residential building floor to finished ceiling height must be a minimum of ten feet in HE, EE, and ET Sub-Districts, except for ground or first floor live-work uses which do not have a minimum.
3. For development projects in all ~~s~~Sub-~~d~~Districts that adjoin the ET Sub-District, the maximum building height shall be 65 feet within 20 feet of the ET Sub-~~D~~istrict.

D. Façade glazing and openings.

1. The ground floor façade of primary buildings with commercial and/or office uses shall be a minimum of 70 percent glazed area.
2. Ground floor openings shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are three feet deep or more.
3. Openings above the first floor shall not exceed 70 percent of the total building front wall, with each façade being calculated independently.
4. In the EE, HE and ET Sub-Districts, a continuous plane of any building façade shall not exceed 20 feet without an opening.
5. Exceptions to glazing.
 - a. In the IE Sub-District, multi-level parking facilities, where permitted, are not required to meet the ground-floor transparency requirement (refer to development standard, ~~D~~E1 above).
 - b. If buildings are in rear layer, and not visible from the adjacent public street, the building ground-floor transparency requirement shall not be required (refer to development standard, ~~D~~E1 above).

E. Windows and entryways

1. All new buildings shall have windows on all perimeter walls oriented towards streets and courtyards.
2. All new buildings shall have clearly identifiable entry doorways on Front façades.

F. Loading areas.

1. Truck docks, loading, storage yards, and service areas are permitted within the rear layer on rear alley and lanes.
2. Loading, storage yards, and service areas shall be located on the side or rear of buildings and shall not face a street.

G. Open space.

1. Common ground floor open space.
 - a. Common ground floor open space is to be used for enhanced landscaping and passive/active gathering areas. Common ground floor open space does not include land occupied by streets, driveways, parking areas, service areas, required landscape areas or required front and street side yards.
 - b. Common ground floor open space may be provided in lieu of providing individual open space for each unit within the first four floors above the ground floor.

- c. In the IE, EE and HE Sub-Districts, common ground floor open space, including, but not limited to terraces, courtyards, plazas, and patios, is required and must be directly accessible from within the primary building.
- d. In the IE Sub-district, common ground floor open space adjacent to the public right-of-way shall be screened with decorative wall compliant with the development standards below (Section L.3).
- e. Minimum dimensions.
 - i. Common ground floor open space shall be provided at a rate of 70 square feet per 1,000 square feet of building area or a minimum of 7,000 square feet, whichever is less.
 - ii. Each common ground floor open space area shall have a minimum dimension of 20 feet in width.

Common ground floor open space shall have a minimum horizontal dimension of 20 feet in width and shall be a minimum of 7,000 square feet.

2. Common upper floor open space—Mixed-use buildings.

- a. In the EE and HE Sub-Districts, common upper floor open space, including, but not limited to, balconies, decks, terraces, common open space, and rooftops, is required for every five floors above the first four floors and the on the rooftop.
- b. Common upper floor open space is required for every for every five floors above the first four floors and the on the rooftop, in addition the private open space required in this [Section](#).
- c. Common upper floor private open space shall have a minimum horizontal dimension of six feet in width and shall be a minimum of 2,000 square feet.

3. Private upper floor open space—Residential units.

- a. Private upper floor open space shall include a balcony, deck, patio, porch that is directly accessible by a doorway from a habitable room within the residential unit.
- b. For each residential unit located on the fifth floor or higher, a private upper floor open space shall be a minimum 24 square feet.

H. Outdoor retail sales and merchandise display.

- 1. All outdoor retail sales and merchandise displays shall be directly accessible to the primary business.
- 2. Outdoor retail sales and merchandise displays shall not obstruct ingress and egress to a building, hinder accessibility, obstruct fire lanes, interfere with vehicular circulation, or sight distance, or be in landscaped areas.
- 3. Outdoor retail sales and merchandise displays shall not exceed five percent of the total gross floor area of the business, or 200 square feet, whichever is less.
- 4. Display merchandise shall not exceed a height of six feet above finished grade.
- 5. The temporary use of a parking or undeveloped area for outdoor retail sales, merchandise displays, and entertainment is permitted with a temporary use permit as defined in [this Title the Zoning Code](#).

I. Outdoor storage.

1. For nonresidential uses, storage shall be located in the rear layer of the lot and not visible from streets.
2. Storage shall be located behind the rear most wall of the building, or 50 feet, whichever is less.
3. In the EE, HE and ET Sub-Districts, storage shall be a maximum ten percent of the gross floor area of the use or 600 square feet, whichever is less.
4. In the IE Sub-District, storage shall be a maximum 10 percent of the lot area.

J. Parking.

1. Screening.
 - a. For lots without a primary building, parking shall be fully screened using landscaping, opaque walls, or other rigid materials to screen any parking spaces located in the front layer.
 - b. Screening shall be a minimum 36-inches in height.
 - c. Screening shall be setback a minimum of two-feet from the property line.
2. Off-street parking shall be set back a minimum of 25 feet from the property line.
 - a. Parking may be setback a minimum of 10 feet from the street adjacent property lines, if a decorative wall compliant with the development standards below (Section L.3) is provided to screen the parking.

K. Pedestrian network connectivity.

1. An internal network of pedestrian walkways shall connect: 1) all buildings on a site; 2) on-site automobile and bicycle parking areas; 3) sidewalks; and 4) any on-site common open space or amenity.
2. Private, internal walkways shall be a minimum of six feet wide, hard surfaced/paved with concrete, stone, tile, brick, or comparable material.
3. When walkways cross driveways, parking areas, or loading areas, clearly identifiable markings shall be required and may include a raised crosswalk, a different paving material, or similar method.
4. Where a walkway is parallel and immediately adjacent to an drive aisle, clearly identifiable markings shall be required to separate the walkway from the auto travel lane using a raised curb, bollards, or other physical barriers.

L. Edge conditions.

1. Building pads sited along Massachusetts Avenue, between Kansas and Chicago Avenues, shall be equal to the grade of the public right-of-way.
2. All developments shall provide parkway adjacent sidewalks along Massachusetts Avenue.
3. Fences and walls facing public rights-of-way require a minimum setback of 5-feet from the property line.
 - a. Fences and walls are not permitted to be located between the building and the public right-of-way.
 - b. Height of fences and walls facing public rights-of-way may be a maximum of 6-feet in height. Provided that the bottom 2/3s of the wall is solid, and the upper 1/3 of the wall is openwork.

c. Fences and walls facing public rights-of-way shall be constructed of a minimum of two decorative materials.

4. Site Plan shall be designed to prevent the queuing of trucks on streets or elsewhere outside of facility.

M. Temporary mixed-use areas.

1. A temporary use may be allowed on vacant lots in EE and/or HE Sub-Districts to activate the site if it meets the Sub-District's general intent.

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web="yes">Ord. 7573 § 1(Exh. A), 2021)

19.170.090 Nonconformities.

A. Land uses and structures legally established that do not conform to this [Chapter](#) may continue to exist and operate as legal, conforming uses.

B. Expansion of such uses and structures shall be limited as follows:

1. The gross floor area may be expanded up to ten percent of the existing gross floor area of structures on the premises through a design review.
2. The gross floor area of previously conforming uses and structures may be expanded up to 50 percent of the existing gross floor area of structures on the premises through a minor condition use permit.
3. Within the HE Sub-district, existing conforming nonresidential uses may be replaced with other conforming, nonresidential uses without complying with the 80 percent residential land use requirement for new development.

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web="yes">Ord. 7573 § 1(Exh. A), 2021)

Chapter 19.180 BUILDING SETBACK OVERLAY ZONE (X)

19.180.010 Purpose.

19.180.020 Application of setbacks.

19.180.030 Structures or improvements in special setbacks.

19.180.040 Setback variances permitted.

19.180.010 Purpose.

The Building Setback Overlay Zone (X) is established to preserve and promote the health, safety, and general welfare of the community and to promote quality design consistent with General Plan policies by allowing for modifications to the setback standards established in a base zone. A building setback standard may be increased or reduced for the purpose of achieving design or public safety goals, or for avoiding possible detrimental impacts of building height or mass on neighboring properties or public

rights-of-way. The Building Setback Overlay Zone may be applied to any zone and may be applied in conjunction with other overlay zones.

(Ord. 7331 §14, 2016; Ord. 6966 §1, 2007)

19.180.020 Application of setbacks.

Whenever the Building Setback Overlay Zone is established, no building shall be constructed on the property closer to any property line than the number of feet specified by the Overlay Zone, and the number of feet so specified shall take precedence over the setback requirement established by the underlying zone. For example, CG-X-50 indicates that the base zone of the property is CG (General Commercial), but the property is also within the Building Setback Overlay Zone (X), that designates the setback of the construction of a building on the property no closer than 50 feet to any property line. The distance may also be specified to apply to any particular property line.

(Ord. 7331 §14, 2016; Ord. 6966 §1, 2007)

19.180.030 Structures or improvements in special setbacks.

Notwithstanding any provisions of this ~~C~~chapter to the contrary, the following structures or improvements may be erected, constructed, or established within the special setbacks established in this ~~C~~chapter, unless otherwise noted:

- A. Pedestrian access walkways.
- B. Vehicular access driveways.
- C. Fences or walls not exceeding three feet in height in yards adjacent to streets, or six feet up to the maximum otherwise permitted in all other yards.
- D. Off-street parking areas within the rear or interior side yard setbacks only, including parking spaces, drives, aisles, turning and maneuvering areas, bumper stops or wheel stops, pursuant to the standards of Chapter 19.580 (Parking and Loading).
- E. Lights to illuminate off-street parking areas, pedestrian walkways, vehicular access driveways, landscaped areas or buildings.
- F. Structures or improvements permitted within yard areas by and in conformance with the provisions of Chapter 19.630 (Yard Requirements and Exceptions). For the purpose of this ~~S~~subsection, the special setback requirement shall be considered a yard.
- G. Signs as permitted by Chapter 19.620 (Signs).
- H. Landscaped areas.

(Ord. 7331 §14, 2016; Ord. 6966 §1, 2007)

Chapter 19.190 COMMERCIAL STORAGE OVERLAY ZONE (CS)

19.190.010 Purpose.

19.190.020 Development and use standards.

19.190.030 Concurrent site plan and design review required.

19.190.010 Purpose.

The Commercial Storage Overlay Zone (CS) is established to permit storage uses in areas that are particularly difficult to use due to parcel shape, access, adverse environmental conditions, or in areas where parcels are needed to form a buffer between incompatible uses. It is intended that the CS Overlay Zone be applied where typical development permitted by the base zone is not a practical use of the property. In particular, the CS Overlay Zone is not intended to be applied to valuable commercial or industrial, job producing properties except in unusual circumstances. The Commercial Storage (as defined in Article X - Definitions) Overlay Zone may be applied to any zone except the RC, RA-5, R-3, R-4, CRC, any MU, RWY and PF Zones and may be applied in conjunction with other overlay zones.

(Ord. 7331 §15, 2016; Ord. 6966 §1, 2007)

19.190.020 Development and use standards.

In addition to the development use standards applicable to the base zone, the following standards shall apply. Where conflict exists, the more restrictive standards shall apply.

A. Use limitations, including storage prohibitions.

1. Storage spaces shall not be used for manufacturing, retail or wholesale selling, office, other business or service use or human habitation.
2. No outdoor storage shall be permitted other than for storage of recreational vehicles.
3. Bulk storage of flammable or explosive matter or material as defined by the Uniform Fire Code is prohibited.
4. Storage of any matter or materials that creates obnoxious dust, odor or fumes is prohibited.

B. Use of shipping containers prohibited. The use of prefabricated shipping containers shall not be permitted.*C. Site development standards.*

Development Standards	Requirement
Lot Area (Net) - Minimum	1 acre
Frontage Required on an Arterial or Collector Street - Minimum	100 ft.
Building Height - Maximum	20 ft. ⁴
Building setback from any street or any property zoned for residential use - Minimum	20 ft. ^{1, 2, 3}
Notes: 1. Except when setbacks along major streets may require a greater setback. 2. Use of Open Area. Notwithstanding any other provision of this ~~S~~ ection, open areas, including required setbacks from interior property lines, may be used for driveways, parking, screened outdoor storage, or landscaping. 3. See Section 19.190.020(I) - Commercial Storage Buildings as Perimeter Walls. 4. Buildings are limited to one story, up to 20 feet in height except that a caretaker's living quarter may be on the second floor of a two-story building up to 30 feet in height.	

D. *Screening of outdoor storage and doors.*

1. Where permitted, outdoor storage shall be screened in compliance with regulations set forth in Chapter 19.510 (Outdoor Storage). The height of perimeter walls and buildings shall be sufficient to completely screen recreational vehicle storage from public view.
2. Access doors to individual storage units shall be located within a building or shall be screened from adjacent property or public rights-of-way.

E. *Building and roof design.* All buildings shall be designed so as to resemble the predominant surrounding development, especially nearby residential uses. In particular design elements shall be included that break up long, monotonous building or roof lines.

F. *Street facades.* The design and layout of the street side of the site shall provide a varied and interesting facade. Considerations include the use of setbacks, building placement, roof design, variations in building walls, fencing, other structural elements, and landscaping.

G. *Landscaping.* Landscaping on the site shall be abundant and provide an appropriate transition from public to private spaces, separate and buffer the buildings from other uses especially abutting residential uses and provide visual relief from stark, linear building walls. In addition to any landscaping required for the base zone, all street setbacks must be fully landscaped.

H. *Walls.* All walls shall be designed to be compatible with the desired character of the area and shall be particularly sensitive to abutting residential uses. Use of rolled razor wire, barbed wire and the like, visible to public view, shall be prohibited. The entire property shall be surrounded by a wall of six-foot minimum height.

I. *Commercial storage buildings as perimeter wall.* Commercial storage buildings can be used as the perimeter wall requiring no setbacks if there are no openings on the sides of the building, provided all construction complies with the provisions of the Uniform Building Code and Uniform Fire Code.

J. *Lighting.* Exterior lighting shall be oriented and shielded to avoid spillage onto any surrounding properties. The provisions of Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Lighting) relating to lighting shall also apply.

K. *Noise.* For the purposes of minimizing noise impacts, the hours of operation and access to the storage units shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturday, Sunday, and Federal holidays. To further limit noise impacts, metal roll-up doors shall be lubricated and maintained on a regular basis. The provisions of Chapter 19.590 (Performance Standards) relating to noise as well as the provisions of Title 7 (Noise) shall also apply.

L. *Parking and loading.* Adequate loading and unloading areas shall be provided outside of any required fire lanes. Parking and loading shall be provided pursuant to Chapter 19.580 (Parking and Loading).

M. *Caretaker's unit permitted.* One caretaker's unit is permitted per each such development. The caretaker's unit may be located on a second story of a two-story building up to 30 feet in height.

N. *Screening of mechanical equipment.* All roof-supported or ground-supported mechanical equipment shall comply with the regulations set forth in Chapter 19.555 (Outdoor Equipment Screening).

O. *Trash receptacles and enclosures.*

1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.
2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

(Ord. 7331 §15, 2016; Ord. 6966 §1, 2007)

19.190.030 Concurrent site plan and design review required.

No new building, structure, sign, exterior alteration or enlargement of an existing building shall be commenced in the CS Overlay Zone until Site Plan and design review approval have been granted pursuant to Chapters 19.770 (Site Plan Review Permit) and 19.710 (Design Review).

(Ord. 7331 §15, 2016; Ord. 6966 §1, 2007)

Chapter 19.195 CULTURAL RESOURCES OVERLAY ZONE (CR)

19.195.010 Purpose.

19.195.020 Development and use standards of base zone not affected.

19.195.010 Purpose.

The Cultural Resources Overlay Zone (CR) is established to assist in implementation of the requirements of Title 20, Cultural Resources Code. It is intended that the CR Overlay Zone is to be applied to all properties designated as Cultural Resources, including properties within Historic Districts and Neighborhood Conservation Areas, and all individually designated Historic Landmarks and Structures of Merit. The CR Overlay Zone may not be applied to any property which is not a designated Cultural Resource pursuant to Title 20. The CR Overlay Zone is strictly an informational designation which serves to advise property owners, City staff, and the general public that a property is a designated Cultural Resource and, as such, is subject to all the requirements of Title 20.

(Ord. 7331 §16, 2016; Ord. 7022 §2, 2009)

19.195.020 Development and use standards of base zone not affected.

The CR Overlay Zone does not change the use and development standards of the underlying base zone. For information, Title 20 requires that a Certificate of Appropriateness be approved to restore, rehabilitate, alter, develop, construct, demolish, remove or change the appearance of any cultural resource.

(Ord. 7331 §16, 2016; Ord. 7022 §2, 2009)

Chapter 19.200 BUILDING STORIES OVERLAY ZONE (S)

19.200.010 Purpose.

19.200.020 Application of Building Stories Overlay Zone.

19.200.030 Building height limit.

19.200.040 Stories variances prohibited.

19.200.010 Purpose.

The Building Stories Overlay (S) Zone is established to preserve and promote the health, safety and general welfare of the community, and to promote quality design consistent with General Plan policies by allowing for modifications to the building height standards established in a base zone. A building height standard may be reduced for the purpose of achieving design or public safety goals, or for avoiding possible detrimental impacts of building height or mass on neighboring properties or public rights-of-way. Building height standards may also be increased to provide an incentive for mixed-use projects or to facilitate a more efficient and desirable use of land. The Building Height Overlay Zone may be applied to any zone, except the RA-5 and RC Zones, and may be applied in conjunction with other overlay zones.

(Ord. 7331 §17, 2016; Ord. 6966 §1, 2007)

19.200.020 Application of Building Stories Overlay Zone.

Whenever the Building Stories Overlay Zone is established on any property, no building or structure shall be constructed on said property higher than the number of stories specified after the S on the Zoning Map of the City, and said number of stories shall take precedence over the height requirement permitted by the underlying zone. For example, BMP-S-3 indicates that the base zone of the property is BMP (Business and Manufacturing Park Zone) and the property is within the Building Stories Overlay Zone (S) and the maximum number of permitted stories is three.

(Ord. 7331 §17, 2016; Ord. 6966 §1, 2007)

19.200.030 Building height limit.

The maximum overall building height limit in the Building Stories Overlay Zone shall be 20 feet for the first story permitted and ten feet for each additional story permitted with overall building height measured between the average level of the highest and lowest elevations of the land covered by the structure and the highest point of the roof or parapet wall covering that structure (See Article X-Definitions).

(Ord. 7331 §17, 2016; Ord. 6966 §1, 2007)

*Chapter 19.205 RESERVED **

***Editor's note**— <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>

[url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank"](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank)
web="yes">Ord. 7552 §10, adopted April 20, 2021, repealed Ch. 19.205, §§19.205.010 and 19.205.040, which pertained to the Emergency Shelter Overlay Zone (ES) and derived from Ord. 7408 §1, adopted in 2018; Ord. 7331 §18, adopted in 2016; and Ord. 7082 §2, adopted in 2010.

Chapter 19.210 MOBILE HOME PARK OVERLAY ZONE (MH)

19.210.010 Purpose.

19.210.020 Applicability.

19.210.030 Permitted uses.

19.210.040 Development standards.

19.210.050 Additional development standards.

19.210.010 Purpose.

The Mobile Home Park (MH) Overlay Zone is established to set forth standards to be applied to the development of new mobile home parks. The standards herein are intended to ensure a suitable living environment for those persons residing within a mobile home park and to ensure compatibility of such park with the surrounding area.

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

19.210.020 Applicability.

- A. This Mobile Home Park Overlay Zone (MH) may only be applied in combination with a base zone as set forth in Table 19.100.020 A.
- B. The MH Overlay Zone may also be applied in combination with other overlay zones.
- C. Unless otherwise specified, the provisions of California Code of Regulations Title 25, Division 1, Chapter 2, Mobile Home Parks Act, shall apply.

([Ord. 7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) §1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank) §1(Exh. A), 2020; Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

19.210.030 Permitted uses.

Mobile home parks may be established within a Mobile Home Park Overlay Zone subject to the granting of a conditional use permit processed pursuant to Chapter 19.760 (Conditional Use Permit) and to the provisions of this Chapter (Refer to the provisions of California Code of Regulations Title 25, Division 1, Chapter 2, Mobile Home Parks Act).

(Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

19.210.040 Development standards.

Table 19.210.040 (MH Overlay Zone Development Standards) sets forth the minimum development standards required for all new mobile home parks. In the event of conflict between these standards and those required for the underlying base zone, the standards set forth in Table 19.210.040 (MH Overlay Zone Development Standards) shall prevail.

([Ord. 7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) §1(Exh. A), 2020; Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

Table 19.210.040

MH Overlay Zone Development Standards

Development Standard	MH

Density of a Mobile Home Park - Maximum	10 units/acre
Density of a Tiny Home (chassis) Community - Maximum	20 units/acre ¹
Unit Size of a Tiny Home (chassis) Community	Up to 400 square feet
Site Area - Minimum a. Mobile Home Park (gross area) b. Individual Mobile Home Space c. Tiny Home (chassis) Community	a. 10 acres b. Minimum space area shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations. c. Per underlying Zone.
Frontage on a public street for mobile home park site - Minimum	250 ft.
Dimensions for individual mobile home sites - Minimum a. Lot width b. Lot depth	Minimum lot width and depth shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.
Building Height - Maximum a. Mobile Home Units within a Park b. Mobile Home Park: - Permanent Structures	Building height shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations. 35 ft.
Lot Coverage: Individual Mobile Home Space - Maximum	Maximum lot coverage shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.
Setbacks for an Individual Mobile Home Space - Minimum	Front, sides and rear yard setbacks for each individual mobile home space shall be established and maintained in accordance with Title 25 (Housing and Community Development) of the California Code of Regulations.
Setbacks for Mobile Home Park: - Minimum (Applies to the perimeter setbacks of the park) Front ^{2, 3} Street side ^{2, 3, 4} Interior side ^{3, 4} Rear ^{3, 4}	20 ft. 20 ft. 10 ft. 10 ft.

Building Separation Between Mobile Home Units; and Between Mobile Home Units and Accessory Structures	Building separation shall conform with Title 25 (Housing and Community Development) of the California Code of Regulations.
Notes: 1. Subject to maximum land use intensity criteria pursuant to an applicable Airport Land Use Compatibility Plan. 2. Except where the average setback of existing dwellings on the same block exceeds the minimum required front and/or street side setback, the setback of the mobile home park shall conform to that average depth. 3. All required setbacks shall be suitably landscaped and maintained pursuant to Chapter 19.570 (Water Efficient Landscaping and Irrigation) of ~~this Title the Zoning Code~~. 4. The park side yard setback shall not be a substitute for the required mobile home space yards.	

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. <http://newwords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020)

19.210.050 Additional development standards.

The following additional standards shall apply to all new mobile home parks.

- A. *Management*. Every mobile home park community shall be properly managed to ensure maintenance of common facilities and to ensure individual home sites are developed and maintained in accordance with recorded rules and regulations for the park. A Management Plan shall be included in the conditional use permit application submittal.
- B. *Site use and improvements*. Each mobile home shall be located on an approved mobile home site, and all mobile home sites shall be designed to accommodate independent mobile homes. No mobile home site shall be used as the location for more than one mobile home or trailer. Each mobile home shall be skirted with material compatible in color and material with the mobile home.
- C. *Roadways*. Access to the mobile home park shall be provided from a public roadway and shall include an internal circulation system that would allow access to each individual mobile home space in accordance with Title 25 (Housing and Community Development) of the California Code of Regulations.
- D. *Fences and walls (excluding Tiny Home (chassis) Communities)*. A minimum six-foot-high decorative solid masonry wall shall be constructed to enclose the park and serve as a visual screen and buffer between uses. The wall shall be located no closer than the front and street side setback along all streets and for the remainder perimeter of the park, it shall be located at the property line. All outdoor storage areas for the Park shall be enclosed by a minimum six-foot-high masonry wall. Fencing for each individual mobile home space shall comply with Title 25 (Housing and Community Development) of the California Code of Regulations.

- E. *Landscape buffer*. When a mobile home park shares a common boundary with a residential use, a ten-foot landscape setback shall be provided along the common property line.
- F. *Landscaping*. All required minimum setback areas around the perimeter of the park shall be permanently landscaped and maintained with ground cover, trees, and shrubs, pursuant to Chapter 19.570 (Water Efficient Landscaping and Irrigation).
- G. *Accessory structures (storage building, garage, carport, awning, cabana, greenhouse, etc.)*. Accessory structures shall be subject to the minimum requirements for setbacks, building separation and height, location, size, construction materials and lot coverage established for Mobile Home Accessory Buildings and Structures in Title 25 (Housing and Community Development) of the California Code of Regulations.
- H. *Common open space*. A recreation area, exclusive of any mobile home space, shall be provided and maintained on site at a rate of 275 square feet for each mobile home unit within the park. Recreation areas may include, but not be limited to, recreation rooms, community indoor and outdoor facilities, playgrounds, and other similar amenities.
- I. *Utilities*. Unless otherwise specifically authorized by the designated approving or appeal authority, all utilities providing service to the park shall be placed underground. Equipment appurtenant to the underground facilities (e.g., transformers, meter cabinets) may be placed above ground. All utilities shall be installed to the specifications of the Public Utilities and Fire Departments. Master metering shall be required, with sub-metering at the option of the park owner.
- J. *Parking*. Parking shall be provided and improved in accordance with Chapter 19.580 (Parking and Loading) of [this Titlethe Zoning Code](#). However, where two parking spaces are provided on a mobile home space, one may be located behind the other (in tandem) and need not have independent vehicular access.
- K. *Lighting*. Lighting for signs, structures, landscaping, parking areas, loading areas and the like, shall comply with the regulations set forth in Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Lighting).
- L. *Trash receptacles and enclosures*.
1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.
 2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank" web="yes">Ord. 7660</ulink>, § 3, 2024; <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank" web="yes">Ord. 7528</ulink> §1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank" web="yes">7520</ulink> §1(Exh. A), 2020; Ord. 7331 §19, 2016; Ord. 6966 §1, 2007)

Chapter 19.215 NEIGHBORHOOD COMMERCIAL OVERLAY ZONE (NC)

19.215.010 Purpose.

19.215.020 Application and permit requirements.

19.215.030 Uses permitted and prohibited.

19.215.040 Additional development standards.

19.215.010 Purpose.

The Neighborhood Commercial Overlay Zone (NC) is established to:

- A. Provide nearby neighborhoods with commercial centers that encourage and allow residents to safely walk to a neighborhood center and promotes social interaction through the types of uses allowed. For instance, sit down restaurants are encouraged, while drive thru fast food restaurants are prohibited.
- B. Provide supplemental project review, limitations on uses, and additional development standards to address potential incompatibilities and adverse effects of commercial development that is adjacent or in proximity to residential neighborhoods.

(Ord. 7331 §20, 2016; Ord. 6966 §1, 2007)

19.215.020 Application and permit requirements.

- A. *Application.* The Neighborhood Commercial Overlay Zone may be applied to the Commercial General (CG) or Commercial Retail (CR) Zone and in combination with other overlay zones as appropriate. The Neighborhood Commercial Overlay Zone shall be applied pursuant to the procedures of Chapter 19.810 (Zoning Code Text/Map Amendment).
- B. *Permit requirements.* In addition to any other permits required by ~~this Title~~ ~~the Zoning Code~~, no new building, structure or sign exterior alteration or enlargement of an existing building, structure, or sign shall be commenced in the Neighborhood Commercial Overlay Zone until Design Review and Site Plan Review Permit approval have been granted pursuant to Chapters 19.710 and 19.770, respectively.

(Ord. 7331 §20, 2016; Ord. 6966 §1, 2007)

19.215.030 Uses permitted and prohibited.

- A. Notwithstanding the use regulations applicable to the underlying base zone, the use regulations set forth in Tables 19.150.020.A (Permitted Uses Table), 19.150.202.B (Incidental Use Table) and 19.740.020 (Temporary Use Permit) shall apply. The tables identify permitted uses, uses that are subject to the approval of a minor or regular conditional use permit, or uses requiring other permits. Uses not listed in the tables are prohibited unless the Community & Economic Development Director or his/her designee, pursuant to the provisions of Chapter 19.060 (Interpretation ~~of Code~~) determines that the use is similar to and will have no greater impact than a permitted or conditional use listed in the tables.
- B. Where in conflict, the provisions of the Neighborhood Commercial Overlay Zone shall supersede the provisions of the underlying base zone. Where the provisions of a Neighborhood Commercial Overlay Zone are in conflict with any applicable Specific Plan (SP), the more restrictive provisions shall apply.

(Ord. 7331 §20, 2016; Ord. 6966 §1, 2007)

19.215.040 Additional development standards.

The Planning Commission, through the site plan review permit or other required discretionary permit review process, may establish development standards different from those of the underlying base zoning district on a case-by-case basis to ensure compatibility with adjacent residential neighborhoods and to minimize any potential adverse effects of the commercial development.

(Ord. 7331 §20, 2016; Ord. 6966 §1, 2007)

Chapter 19.217 RESIDENTIAL LIVESTOCK OVERLAY ZONE (RL)

19.217.010 Purpose.

19.217.020 Application.

19.217.030 Development and use standards.

19.217.010 Purpose.

The Residential Livestock Overlay Zone (RL) is established to permit greater flexibility in certain requirements pertaining to the keeping of farm animals such as horses, ponies, mules, cows, goats and sheep, pigs and swine under Future Farmers of America-supervised and 4-H-supervised projects, in those areas of the City where the keeping of such animals is already prevalent. It is also the intent of the RL Zone to provide opportunities for those whose lifestyle includes the keeping of such animals to locate in such neighborhoods in order to separate such activities from areas occupied by those who do not share such a lifestyle.

(Ord. 7331 §21, 2016; Ord. 6966 §1, 2007)

19.217.020 Application.

The Residential Livestock Overlay Zone may be combined with any single-family residential zone for both existing and new residences.

(Ord. 7331 §21, 2016; Ord. 6966 §1, 2007)

19.217.030 Development and use standards.

Permitted uses in the Residential Livestock Overlay Zone shall be any use permitted in the single-family residential zone with which said zone is combined; provided, however, that the following regulations shall prevail notwithstanding any contrary requirements in the underlying single-family residential zone:

- A. Not more than a total of two horses, ponies, mules, cows, goats and sheep, and swine and pigs subject to the provisions of ~~S~~ubsection B of this ~~S~~ection, or a total of two of any combination thereof shall be kept on any lot; provided that said lot has a minimum area of 20,000 square feet; and further provided that one additional such animal may be kept for each additional 10,000 square feet over the minimum area requirement;
- B. Swine or pigs shall be permitted in the Residential Livestock Overlay Zone only upon the condition that said animals are kept and maintained as a duly authorized Future Farmers of America or 4-H project;
- C. Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:
 1. Cattle, 24 months;
 2. Horses, 18 months;
 3. Ponies, 18 months;
 4. Mules, 18 months;

5. Sheep, 12 months;

6. Goats, 12 months;

7. Pigs, 60 days;

8. Swine, 60 days;

D. All animals permitted pursuant to this ~~S~~ection shall be housed, penned or pastured at least 60 feet from any residence, excluding the residence on the lot where the animals are kept;

E. The premises where such animals are kept shall be maintained in a clean, neat and sanitary condition at all times in order to insure the public health, safety, comfort, convenience and general welfare. Unless all animal manure on the premises is removed from the premises daily, said manure accumulated each day shall be placed in boxes or receptacles of a design and construction acceptable to the Riverside County Health Officer, and the boxes or containers maintained to prevent access to the contents thereof by flies and to prevent offensive odors. All watering troughs shall be maintained so as to prevent the breeding of mosquitoes. Said premises shall be maintained in accordance with all applicable ordinances, laws, rules, and regulations pertaining to the care of animal habitation, manure removal, fly-producing conditions, and mosquitoes.

(Ord. 7331 §21, 2016; Ord. 6966 §1, 2007)

Chapter 19.219 RESIDENTIAL PROTECTION OVERLAY ZONE (RP)

19.219.010 Purpose.

19.219.020 Application.

19.219.030 Development standards.

19.219.040 Nonconforming structures.

19.219.010 Purpose.

The Residential Protection Overlay Zone (RP) is established to preserve the character of single-family residential neighborhoods where the physical conversion of single-family dwellings to higher occupancy rental housing units has the potential to increase densities beyond those intended for single-family zoned neighborhoods. Modifications that essentially transform single-family dwellings into multiple-family dwellings or boardinghouses, both of which are prohibited within single-family zones, has a negative cumulative effect on the public's health, safety and welfare. These conversions can lead to overcrowding, excessive on-street parking, neighborhood disturbances, and other undesirable impacts.

The specific purpose of the Residential Protection Overlay Zone is to:

- A. Establish development standards for affected properties to ensure the development review process provides for consideration of the impacts of new construction, alterations, and changes in use that have the potential to increase the intensity of single-family properties beyond that anticipated by the established zoning or the City's General Plan.
- B. Ensure the design of dwellings and on-site parking is appropriate for the area's character, and is appropriate for the area's capacity to accommodate increases in densities, which may be limited due to infrastructure, such as sewer, traffic control, on- and off-street parking, safety services, parkland, etc.

(Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 4(Exh. E), 2022; Ord. 7331 § 22, 2016; Ord. 7302 § 2, 2015)

19.219.020 Application.

- A. The Residential Protection Overlay Zone shall require the provisions of this [Chapter](#) to apply to any construction that results in a new habitable structure, the addition to an existing habitable structure, or modifications to the configuration (i.e., floor plan, layout, etc.) of an existing habitable structure.
- B. The provisions of this [Chapter](#) shall not apply to any new construction, additions or modifications that result in 1,000 square feet or less of total dwelling area on a lot.
- C. For any lot developed with more than one dwelling unit, including Accessory and Junior Accessory Dwelling Units pursuant to Chapter 19.442 and Two-Unit Developments pursuant to 19.443, the provisions of this Chapter shall apply individually to each dwelling unit on the lot.

(Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 4(Exh. E), 2022; Ord. 7331 § 22, 2016; Ord. 7302 § 2, 2015)

19.219.030 Development standards.

The following development standards shall apply to the dwelling area of single-family residential structures (exclusive of garages, unconditioned patios, porches, and other such accessory structures).

- A. *Bedrooms.* The total area of all bedrooms shall not exceed 50 percent of the total dwelling area of the structure, as defined by Article X of [this Titlethe Zoning Code](#). The calculation of bedroom area shall not include closets or bathrooms, and measurements shall be from the centerline of interior walls, and the exterior of exterior walls.

[GRAPHIC]

- B. *Common living area.* The total combined common living area as defined by Article X of [this Titlethe Zoning Code](#) shall be equal to or greater than the total combined area of all bedrooms. The calculation of common living area and bedroom area shall not include closets, bathrooms or hallways, and shall be measured from the centerline of interior walls, and the exterior of exterior walls.

[GRAPHIC]

- C. *Parking.* In addition to the minimum parking requirements of Chapter 19.580 - Parking and Loading, any new construction, or modification to an existing dwelling, which results in a dwelling with five or more bedrooms, shall comply with the following:

1. When the number of bedrooms in a dwelling equals or exceeds five, an additional open parking space shall be provided in a location that does not block access to other required parking spaces. The additional open parking space shall be in a location that complies with 19.580.070.A.2, except an existing driveway in front of a garage converted to a habitable space may remain and be counted toward the additional required open space, provided the driveway space meets the minimum parking space dimensions specified in this [Chapter](#).
2. This provision shall not apply to units developed pursuant to Chapter 19.443 (Two-Unit Developments).

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 4 (Exh. E), 2022; Ord. 7331 § 22, 2016; Ord. 7302 § 2, 2015)

19.219.040 Nonconforming structures.

Notwithstanding other provisions of ~~this Title~~the Zoning Code to the contrary, a nonconforming structure shall not be expanded or modified, unless such modifications bring the structure into compliance with the requirements of the Residential Protection Overlay Zone, or return the structure to the original single-family residential floor plan, subject to granting of the necessary building permits and other applicable permits.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 4 (Exh. E), 2022; Ord. 7331 § 22, 2016; Ord. 7302 § 2, 2015)

Chapter 19.220 SPECIFIC PLAN OVERLAY ZONE (SP)

19.220.010 Purpose.

19.220.020 Permitted land uses and development standards.

19.220.010 Purpose.

The Specific Plan Overlay Zone (SP) is established to implement Sections 65450 through 65457 of the State Government Code. The Specific Plan Overlay Zone may be applied to all properties within the City lying within the bounds of an adopted specific plan, except those properties within the Downtown Specific Plan or the Northside Specific Plan. The area within the Downtown Specific Plan boundaries is within the Downtown Specific Plan Zone that establishes the zoning for that area and is not an overlay zone. The area within the Northside Specific Plan boundaries is within the Northside Specific Plan Zone that establishes the zoning for that area and is not an overlay zone. The Specific Plan Overlay Zone may be applied to any underlying base zone and may be applied in conjunction with other overlay zones.

(Ord. [7542](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055984&datasource=ordbank), § 2, 2020; Ord. 7331 §23, 2016; Ord. 6966 §1, 2007)

19.220.020 Permitted land uses and development standards.

For those properties where the Specific Plan Overlay Zone is applied, all permitted use restrictions, development standards, and other applicable standards or regulations governing development as contained within the adopted specific plan shall apply. To the extent that the specific plan does not enumerate use restrictions, development standards, or other applicable regulations, the standards associated with the underlying base zone shall apply. In the event that provisions of the adopted specific plan conflict with or do not correspond with the provisions of the underlying base zone, the provisions as contained in the adopted specific plan shall apply and supersede the underlying base zone requirements. Specific plans shall be prepared and processed to Chapter 19.820 (Specific Plan/Specific Plan Amendments).

(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 6, 2023; Ord. [7630](#))

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank"
web="yes">7431</ulink> § 4, 2018; Ord. 7331 §23, 2016; Ord. 6966 §1, 2007)

Chapter 19.230 WATER COURSE OVERLAY ZONE (WC)

19.230.010 Purpose.

19.230.020 Permitted land uses.

19.230.030 Nonconforming uses and structures.

19.230.010 Purpose.

The Water Course Overlay Zone (WC) is established to clearly identify and designate areas of the City as floodways, stream channels and areas that are subject to periodic flooding and accompanying hazards, and that should be kept free from particular structures or improvements that may endanger life or property or significantly restrict the carrying capacity of the designated floodway or stream channel. The Water Course Overlay Zone may be applied to any underlying base zone and may be applied in conjunction with other overlay zones.

(Ord. 7331 §24, 2016; Ord. 6966 §1, 2007)

19.230.020 Permitted land uses.

- A. Table 19.230.020 (Permitted land uses in the Water Course Overlay Zone) identifies permitted uses and uses that are subject to the granting of a conditional use permit. These land use regulations shall supersede the regulations of the underlying base zone. Uses and structures that were permitted or conditionally permitted prior to the addition of the WC Overlay Zone shall be subject to the additional provisions of Table 19.230.020 (Permitted land uses in the Water Course Overlay Zone).
- B. Uses not listed in Table 19.230.020 (Permitted land uses in the Water Course Overlay Zone) shall be prohibited unless the Community & Economic Development Director or his/her designee, pursuant to the provisions of Chapter 19.060 (Interpretation ~~of Code~~) determines that the use is similar to and will have no greater impact than a permitted or conditional use listed in Table 19.230.020 (Permitted land uses in the Water Course Overlay Zone).
- C. No grading is permitted except as may be authorized for a permitted or conditionally permitted use.

(Ord. 7331 §24, 2016; Ord. 6966 §1, 2007)

Table 19.230.020

Permitted Land Uses in the Water Course Overlay Zone

Use		Notes, Exceptions and Special Provisions
Accessory Structures	C	As permitted by underlying zone and not significantly affecting the carrying capacity of the particular flood way, subject to approval of the City Engineer.
Agriculture	P	Restricted to field crops and vine crops. Tree crops are prohibited.
Animal Keeping	P	Restricted to grazing animals and subject to Section 19.270.030(G)
Flood control facilities	P	Approved by the Riverside County Flood Control and Water Conservation District

Mining and excavation	C	
Recreation (public or private)	C	Restricted to field sports, lakes and ponds. No structures permitted.

19.230.030 Nonconforming uses and structures.

Notwithstanding other provisions of ~~this Title~~the Zoning Code to the contrary, a nonconforming use shall not be expanded but may be modified, altered or repaired to incorporate flood-proofing measures, provided such measures do not raise the level of the design flood.

(Ord. 7331 §24, 2016; Ord. 6966 §1, 2007)

ARTICLE VII. SPECIFIC LAND USE PROVISIONS

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Chapter 19.245 - ARCADES AND INTERNET/CYBER CAFÉS

Chapter 19.250 - ASSEMBLIES OF PEOPLE—ENTERTAINMENT

Chapter 19.255 - ASSEMBLIES OF PEOPLE—NON-ENTERTAINMENT

Chapter 19.260 - ASSISTED LIVING FACILITIES

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Chapter 19.375 - RECYCLING CENTER—PAPER, GLASS, PLASTIC, ALUMINUM AND OTHER NONFERROUS METALS

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Chapter 19.427 - VEHICLE WHOLESALE BUSINESS

Chapter 19.430 - VETERINARY SERVICES

Chapter 19.435 - WAREHOUSING AND DISTRIBUTION FACILITIES

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Division I. SPECIFIC PERMITTED LAND USES

Chapter 19.240 ADULT-ORIENTED BUSINESSES

19.240.010 Purpose.

19.240.020 Definitions.

19.240.030 Permit requirements.

19.240.040 Minimum proximity requirements.

19.240.010 Purpose.

- A. The purpose of this Cchapter is to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods that can be brought about by the concentration of adult-oriented businesses, as defined in Section 9.40.020 of this the Riverside Municipal Code, in close proximity to each other or proximity to other incompatible uses such as schools for minors, assemblies of people—non-entertainment and residentially zoned properties or uses.
- B. The City Council finds that it has been demonstrated in various communities that the concentration of adult-oriented businesses causes an increase in the number of transients in the area and an increase in crime, in addition to the effects described above, and can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of this Cchapter to establish reasonable and uniform regulations to prevent the concentration of adult-oriented businesses or their close proximity to incompatible uses, while permitting the location of adult-oriented businesses in certain areas.

(Ord. 7331 §25, 2016; Ord. 6966 §1, 2007)

19.240.020 Definitions.

- A. *Establishment of an adult-oriented business.* As used herein, to "establish" an adult-oriented business shall mean and include any of the following:
1. The opening or commencement of any adult-oriented business as a new business;
 2. The conversion of an existing business, whether or not an adult-oriented business, to any adult-oriented business defined herein;
 3. The addition of any of the adult-oriented businesses defined herein to any other existing adult-oriented business; or
 4. The relocation of any such adult-oriented business.
- B. All other terms relative to adult-oriented business are contained in Section 9.40.020 of ~~this the Riverside Municipal~~ Code and are incorporated into this ~~C~~chapter by reference.

(Ord. 7331 §25, 2016; Ord. 6966 §1, 2007)

19.240.030 Permit requirements.

- A. Every person who proposes to maintain, operate or conduct an adult-oriented business in the City of Riverside shall file an application with the Police Chief upon a form provided by the City of Riverside and shall pay a filing fee, as established by resolution adopted by the City Council from time to time, that shall not be refundable.
- B. It shall be unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises in the City of Riverside, the operation of an adult-oriented business unless the person first obtains and continues to maintain in full force and effect a permit from the City of Riverside as herein required.
- C. It shall be unlawful for any persons to engage in or participate in any live performance depicting specified anatomical areas or involving specified sexual activities in an adult-oriented business unless the person first obtains and continues in full force and effect a permit from the City of Riverside as herein required.
- D. Adult-oriented businesses are regulated by Chapter 9.40 of ~~this the Riverside Municipal~~ Code and subject to the minimum proximity requirements contained in Section 19.250.040.

(Ord. 7331 §25, 2016; Ord. 6966 §1, 2007)

19.240.040 Minimum proximity requirements.

- A. Adult-oriented businesses shall only be established, located, or operated in the I (Industrial) Zone and only when within the ascribed distances of the certain specified land uses or zones set forth here. These distances shall be measured from the closest point upon the outside walls of the building or building lease space containing the adult-oriented business to the nearest point upon the outside walls or property lines of the building or property of concern.
1. The business shall not be located within 600 feet of any other adult-oriented business.
 2. The business shall not be located within 1,000 feet of a historic district.
 3. The business shall not be located within 600 feet of any residential dwelling unit, residential zone or homeless shelter.

4. The business shall not be located within 1,000 feet of any school, religious assembly, family day care home or day care center.
5. The business shall not be located within 600 feet of any park.
6. The business shall not be located within 600 feet of a freeway corridor.
7. The business shall not be located within a ½ mile (2,640 feet) of the Santa Ana River Trail.
8. The business shall not be located within 100 feet of a railway corridor.

B. No variances shall be granted from these location requirements.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §25, 2016; Ord. 6966 §1, 2007)

Chapter 19.245 ARCADES AND INTERNET/CYBER CAFÉS

19.245.010 Purpose.

19.245.020 Applicability and permit requirements.

19.245.030 Site location, operation and development standards.

19.245.040 Modifications.

19.245.010 Purpose.

The purpose of regulating arcades, internet cafés and similar establishments is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §26, 2016; Ord. 6966 §1, 2007)

19.245.020 Applicability and permit requirements.

Arcades and internet/cyber cafés, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §26, 2016; Ord. 6966 §1, 2007)

19.245.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all arcades, internet cafés and similar establishments, unless otherwise specified here.

A. Site location standards.

1. Any arcade or internet café shall only be established, located or operated where permitted pursuant to Article V, Base Zones and Related Use and Development Provisions, and only when within the ascribed distances of the certain specified land uses or zones set forth here. These distances shall be measured from the closest point upon the outside walls of the

building or building lease space containing the arcade or internet café to the nearest property line of the property of concern.

- a. The business shall not be located within 600 feet of any school, assemblies of people—non-entertainment, park or hospital.
- b. The business shall not be located within 100 feet of any residential dwelling unit or residential zone.

B. Operation and development standards.

1. At all times, each arcade or internet café operator shall maintain an adult attendant on the premises. If there are more than 40 arcade and game machines or computers, two or more adult attendants shall be present.
2. The hours of operation shall be limited to between 8:00 a.m. and 2:00 a.m. daily.
3. If there are more than ten arcade and game machines or computers, an adult attendant shall be located on a raised dais, positioned so as to readily observe all machines and all areas of business. The floor plan shall be submitted for the Planning and Building Divisions' review.
4. Patrons under the age of 18 shall not be permitted without a legal guardian during the hours of 9:00 a.m. and 3:00 p.m. weekdays and after 10:00 p.m. on any day of the week. Notice of these hours shall be posted at the entrance of the business in lettering of at least two inches in size. This prohibition will exclude days that are either legal holidays or when the under 18 patron's school is off-track. Each under 18 patron will be required to show proper school identification upon entering the premises for purpose of playing. Store management will check the patron's identified school against published school schedules ensuring that the patron is attending on a non-school day prior to allowing the patron to proceed.
5. A minimum of 30 square feet of gross floor area shall be provided for each arcade or game machines or computers.
6. Any and all forms of gambling are prohibited.
7. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.
8. A security plan shall be provided to the Riverside Police Department and Planning Division for review and approval.
9. The business shall provide a security officer in the business that is bonded and licensed by the State of California during the peak hours of 6:00 p.m. and 2:00 a.m., unless otherwise waived by the Police Department.
10. A sign shall be posted in the front of the business indicating that no loitering is permitted per ~~this the Riverside Municipal~~ Code. In addition, a waiting area inside the business shall be provided for customers waiting to use a station. No outside waiting or seating is permitted.
11. Prior to occupancy of the business, the business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
12. No intoxicated person shall be permitted to remain on premises, nor shall there be consumption of alcohol on the premises.
13. All persons in the business shall be required to sign a log and provide a valid California, government or school identification with a photograph and age of the individual to the staff.
14. No pay phones shall be permitted on any such premises.

15. Bicycle parking facilities shall be provided in an area convenient to the main entrance, and out of the path of vehicular or pedestrian travel.

(Ord. 7331 §26, 2016; Ord. 6966 §1, 2007)

19.245.040 Modifications.

Modifications to the above site location, operation or development standards may be considered in conjunction with a conditional use permit at a noticed public hearing pursuant to Chapter 19.760.

(Ord. 7331 §26, 2016; Ord. 6966 §1, 2007)

Chapter 19.250 ASSEMBLIES OF PEOPLE—ENTERTAINMENT

19.250.010 Purpose.

19.250.020 Applicability and permit requirements.

19.250.025 Entertainment permit.

19.250.030 Site location, development and operational standards.

19.250.040 Modifications.

19.250.010 Purpose.

The intent and purpose of regulating assemblies of people principally for entertainment purposes (theaters, clubs, lodges, banquet halls, auditoriums, stadiums, etc.) is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §27, 2016; Ord. 6966 §1, 2007)

19.250.020 Applicability and permit requirements.

Assemblies of people for entertainment purposes, as defined in Article X (Definitions), excluding adult entertainment that is regulated by Chapter 19.240, are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7331 §27, 2016; Ord. 6966 §1, 2007)

19.250.025 Entertainment permit.

Entertainment activities associated with any primary permitted land use are subject to the provisions of Chapter 5.80 (Entertainment Permit).

(Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020)

19.250.030 Site location, development and operational standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to assemblies of people principally for entertainment purposes unless otherwise specified here. Moreover, such assemblies shall comply with all applicable laws, ordinances, policies and regulations.

A. Site location standards.

1. The site shall have adequate access to a public street.
2. The site shall be adequate in size and shape to accommodate the use and all yards, walls, parking, landscaping and other required improvements.
3. The business shall not be located within 600 feet of a hospital, public or private school (kindergarten through twelfth grade), church or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, church or park site, except in the Downtown arts and Entertainment District, as defined in Article X, where the 600 foot distance restriction does not apply. However, in said Downtown Arts and Entertainment District, the Community & Economic Development Director or his/her designee shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.
4. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a discretionary permit.
5. The site shall not be in such proximity to other uses designed for human habitation, including extended care facilities, motels and hotels that disturbances are likely to be caused by traffic, parking, noise or lighting.
6. Adequate provisions shall be made for vehicular and pedestrian access to the facility at peak business hours.

B. Development and operational standards.

1. The use shall not substantially increase vehicular traffic on streets in a residential zone.
2. The use shall not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.
3. The use shall not substantially increase traffic hazards to pedestrians.
4. The use shall not cause a substantial adverse affect to health, safety or the general welfare of the neighborhood from light, glare or noise.
5. Soundproofing shall be sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings as determined by an acoustical analysis prepared by a qualified design professional or acoustical engineer. An acoustical analysis may be required based on neighborhood compatibility and may require additional soundproofing as determined through the MCUP or CUP process.
6. A security plan shall be provided for the approval of the Police Department demonstrating and committing to the provision of adequate on-site security.

7. Lighting, as certified by a qualified lighting engineer, shall be provided pursuant to Chapter 19.556 throughout private parking lots and access areas serving the business.
8. The submitted site plan shall demonstrate adequate accommodations for the queuing of patrons so as not to obstruct walkways, driveways or parking areas and so as not to create noise related disturbances to adjacent properties.
9. The submitted site plan shall demonstrate the availability of adequate parking, maneuvering, ingress and egress to accommodate patrons during peak business hours.

(Ord. 7331 §27, 2016; Ord. 6966 §1, 2007)

19.250.040 Modifications.

Modifications to the above site location, operation or development standards shall be considered in conjunction with the required conditional use permit or minor conditional use permit, as applicable.

(Ord. 7331 §27, 2016; Ord. 6966 §1, 2007)

Chapter 19.255 ASSEMBLIES OF PEOPLE—NON-ENTERTAINMENT

19.255.010 Purpose.

19.255.020 Applicability and permit requirements.

19.255.030 Site location, operation and development standards.

19.255.040 Modifications.

19.255.010 Purpose.

The purpose of regulating assemblies of people for non-entertainment (places of worship, fraternal and service organizations conference facilities, etc.), is to ensure compatibility with surrounding uses and properties and to avoid impacts associated with such uses.

(Ord. 7331 §28, 2016; Ord. 6966 §1, 2007)

19.255.020 Applicability and permit requirements.

- A. Assemblies of people—Non-entertainment and assemblies of people non-entertainment—Storefront, as defined in Article X (Definitions), as a stand alone use are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.
- B. Assemblies of people—Non-entertainment—Storefront shall not exceed 4,000 square feet. Any facility larger than 4,000 square feet shall not be considered a "Storefront".
- C. Dwelling units are not permitted in any industrial zones, or in conjunction with assemblies of people—non-entertainment—storefront.

(Ord. 7408 §1, 2018; Ord. 7331 §28, 2016; Ord. 6966 §1, 2007)

19.255.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to assemblies of people—non-entertainment uses unless otherwise specified here.

A. General requirements.

1. Parking.

- a. Parking shall be provided in accordance with Chapter 19.580 (Parking and Loading). In determining the adequacy of parking to serve an assemblies of people—non-entertainment use, the ~~Staff Application Review Team Development Review Committee~~ or Planning Commission, as applicable, shall take into account such factors as off-peak hours of operation of the use relative to other uses within the complex. The ~~Staff Application Review Team Development Review Committee~~ or Planning Commission, as applicable, may impose such conditions as necessary on the operating hours and characteristics of the operations to provide for adequate parking at all times.
- b. Parking for places of worship affiliated with a housing development project shall be provided in accordance with Government Code Section 65913.6.
- c. Setbacks shall be at least 20 feet from every property line and shall not be located within any front yard required in such zone; provided, however, that any interior side or rear yard may be used for off-street parking purposes.

2. Setbacks shall be at least 20 feet from every property line and shall not be located within any front yard required in such zone; provided, however, that any interior side or rear yard may be used for off-street parking purposes.

B. Additional requirements or special conditions applicable to dwelling unit(s) incidental to assemblies of people—non-entertainment.

1. Parking shall be provided in accordance with Chapter 19.565.060 (Parking Standards Incentive). A parking analysis may be provided to justify modifications from those standards. The parking analysis shall identify the parking needs to address the operating hours and characteristics of the operations to provide for adequate parking at all times.
2. Maximum height of any dwelling units shall be 35 feet.
3. A written management, maintenance and security plan shall be provided for review and approval by the Community & Economic Development Director or his/her designee.

C. Additional requirements for assemblies of people—Non-entertainment—Storefront.

1. Operation and development standards:

- a. Facilities shall be limited to assemblies of people—non-entertainment uses (e.g., including worship services, prayer meetings, church socials, Sunday school and incidental office uses). No other activities are permitted including use as a residence, community social and recreational programs or activities;
- b. Normal operations of the facilities shall be restricted to indoor uses;
- c. No substantial adverse impacts on adjoining uses will result.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank>)
 web="yes">Ord. 7660, § 4, 2024; Ord. [http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank](#))
 web="yes">Ord. 7660, § 4, 2024; Ord. [http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank](#))

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank"
web="yes">7652</ulink> § 5, 2023)

19.255.040 Modifications.

Modifications to site location, operation and development standard may be considered in conjunction with the required conditional use permit or minor conditional use permit, as applicable pursuant to Chapter's 19.730 and 19.760.

(Ord. 7408 §1, 2018; Ord. 7331 §28, 2016)

Chapter 19.260 ASSISTED LIVING FACILITIES

19.260.010 Purpose.

19.260.020 Applicability and permit requirements.

19.260.030 Special application requirements.

19.260.040 Site location, operation and development standards.

19.260.010 Purpose.

The purpose of regulating assisted living facilities, including professional care facilities, residential care facilities and similar uses is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §29, 2016; Ord. 6966 §1, 2007)

19.260.020 Applicability and permit requirements.

Assisted living facilities, including professional care facilities, residential care facilities and similar uses, as defined in Article X (Definitions), but specifically excluding emergency shelters and probationer/parolee housing, are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

(Ord. 7331 §29, 2016; Ord. 6966 §1, 2007)

19.260.030 Special application requirements.

In addition to the applicable discretionary permit application requirements, the application for an assisted living project shall include the following information:

- A. Client profile (the subgroup of the population the facility is intended to serve, such as elderly, minor children, developmentally disabled, etc.)
- B. The maximum number of occupants and hours of facility operation
- C. Term of client stay
- D. Support services to be provided on-site and projected staffing levels
- E. Rules of conduct and/or management plan

(Ord. 7331 §29, 2016; Ord. 6966 §1, 2007)

19.260.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all assisted living (residential care), unless otherwise specified here.

A. Site location standards.

1. No substantial adverse impacts on adjoining properties or land uses will result.
2. Adjacent development will not constitute a hazard to occupants.
3. Establishment of the facility will not result in harm to the health, safety or general welfare of the surrounding neighborhood.
4. The facility shall be located along or near a major arterial with ready access to public transportation.
5. The facility shall be accessible to necessary support services.
6. To avoid over-concentration of facilities, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between the subject assisted living facility and any other assisted living facility or group housing.

B. Operation and development standards.

1. The design of the facility and layout shall be compatible with the character of the surrounding neighborhood.
2. On-site parking shall be provided pursuant to the requirements of Chapter 19.580 and as may otherwise be required through the discretionary permit process.
3. Both indoor and outdoor common open areas should be provided on site.
4. All lighting fixtures shall be directed away from adjacent properties and public [right-of-ways](#). The height of light poles shall be determined through the discretionary permit process.
5. The facility, when located in any residential or office zone, shall be set back at least 20 feet from every property line and shall not be located within any front yard required in such zone.
6. The Planning Commission or the City Council, on appeal, may modify any of the above standards if a finding is made that such modifications will not be detrimental to the health and safety of the residents.

(Ord. 7331 §29, 2016; Ord. 7158 §4, 2012; Ord. 6966 §1, 2007)

Chapter 19.265 BAIL BONDS ESTABLISHMENTS

19.265.010 Purpose.

19.265.020 Applicability and permit requirements.

19.265.030 Site location, operation and development standards.

19.265.040 Modifications.

19.265.010 Purpose.

The purpose of regulating bail bonds establishments is to ensure security and compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §30, 2016; Ord. 6966 §1, 2007)

19.265.020 Applicability and permit requirements.

Bail bonds establishments, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §30, 2016; Ord. 6966 §1, 2007)

19.265.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to bail bonds establishments unless otherwise specified here.

A. Site location standards.

1. The business shall not be located within 600 feet of a public or private school (kindergarten through twelfth grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, assemblies of people—non-entertainment or park site.
2. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
3. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, or emergency shelter, or businesses licensed by the State of California for off- or on-sale of alcoholic beverages as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing parolee/probationer home, emergency shelter or off- or on-sale alcoholic beverage business.
4. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.

B. Operation and development standards.

1. The business shall have lighting to provide illumination for security and safety of parking and access areas. On-site lighting plans shall be submitted for review and approval.
2. A security plan shall be provided to the Riverside Police Department and Planning Division for review and approval.
3. The business window shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the lease space shall remain at adequate levels to clearly see into the business from the exterior of the business.

4. A sign shall be posted in the front of the business indicating that no loitering is permitted per ~~this the Riverside Municipal~~ Code.
5. Prior to occupancy of the business, the business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
6. No outdoor pay phones shall be permitted on any such premises.

(Ord. 7331 §30, 2016; Ord. 7158 §5, 2012; Ord. 6966 §1, 2007)

19.265.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required minor conditional use permit.

(Ord. 7331 §30, 2016)

*Chapter 19.270 COMMERCIAL KENNELS AND CATTERIES **

***Editor's note**— Ord. [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank" web="yes">7462, § 2(Exh. A), adopted April 9, 2019, amended Ch. 2.70 and changed the title of said chapter from "Boarding of Cats and Dogs/Kennels" to "Commercial Kennels and Catteries," as set out herein.

19.270.010 Purpose.

19.270.020 Applicability and permit requirements.

19.270.030 Site location, operation and development standards.

19.270.010 Purpose.

The purpose of regulating kennels and catteries is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank" web="yes">7462, § 2(Exh. A), 2019; Ord. 7331 §31, 2016; Ord. 6966 §1, 2007)

19.270.020 Applicability and permit requirements.

Kennels and catteries, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank" web="yes">7462, § 2(Exh. A), 2019; Ord. 7331 §31, 2016; Ord. 6966 §1, 2007)

19.270.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to commercial kennels and catteries unless otherwise specified here. Moreover, the commercial kennels and catteries shall comply with all applicable laws, ordinances, policies and regulations.

- A. The site shall be adequate in size and shape to accommodate the type of boarding cats or dogs/kennels proposed and all yards, walls, parking, landscaping and other required improvements.
- B. The use shall not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.
- C. Noise produced by the proposed use shall be in compliance with Chapter 8.10 of ~~this the Municipal~~ Code. When the animals are proposed for indoor accommodations, soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or buildings as determined by an acoustical analysis prepared by a qualified design professional or acoustical engineer.
- D. All commercial kennels and catteries shall be designed and maintained in compliance with Chapter 8.18 of ~~this the Municipal~~ Code.
- E. The property shall be maintained in such a way so as not to cause fly producing conditions as set forth in Chapter 6.16 of ~~this the Municipal~~ Code.
- F. The number of dogs or cats permitted for boarding or kenneling shall be as determined through the discretionary permit process, based upon site size, design and compatibility with surrounding uses.
- G. The area where the dogs or cats are penned shall be screened with a block wall and a secure gate.

(Ord. [7462](http://newords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank), § 2(Exh. A), 2019; Ord. 7331 §31, 2016; Ord. 6966 §1, 2007)

Chapter 19.272 BREWERIES, MICROBREWERIES, WINERIES, BREWPUBS, BREW-ON-PREMISES AND DISTILLERIES

19.272.010 Purpose.

19.272.020 Applicability and permit requirements.

19.272.030 Site location, operation and development standards.

19.272.040 Other applicable regulations.

19.272.050 Modifications.

19.272.010 Purpose.

The purpose of regulating breweries, microbreweries, wineries, brewpubs and brew-on-premises establishments is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §32, 2016; Ord. 7185 §3, 2007)

19.272.020 Applicability and permit requirements.

Breweries, microbreweries, wineries, brewpubs, brew-on-premises and distilleries establishments, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

Brewpubs shall comply with the permit requirements established in Table 19.150.020(A) (Permitted Uses Table) in all zones where permitted; However, a brewpub that complies with all development standards established by Section 19.450.020 B.1 a—d and f—h (Alcohol Sales - Exemption from Minor Conditional Use Permit) shall be exempt from the Minor Conditional Use Permit requirement in the CR, CG, CRC, and Mixed-Use Zones.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §11, 2021; Ord. 7331 §32, 2016; Ord. 7185 §3, 2007)

19.272.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all establishments selling alcohol, unless otherwise specified here.

A. *Breweries, microbreweries, wineries, and distilleries manufacturing and wholesale only (no on-site retail sales or on-site tasting).*

1. All setback, landscaping, and other development standards of the underlying zone shall be met.
2. The establishment shall comply with all applicable provisions of Chapter 19.510 (Outdoor Storage) where permitted by the underlying zone.
3. The establishment shall comply with all applicable provisions of Chapter 19.580 (Parking and Loading). For the purposes of calculating required on-site parking, the brewing areas shall be considered manufacturing, the tasting rooms shall be considered restaurant, and the cold and warm storage shall be considered warehousing.

B. *Breweries, microbreweries, wineries, and distilleries with off-sale retail and/or on-site tasting.*

1. All standards listed under 19.272.030 A shall apply.
2. The establishments shall comply with all location, operation and development standards established by Chapter 19.450 (Alcohol Sales).
3. In any Industrial Zone, retail sales shall not exceed 15% of the gross floor area of the lease space.
4. A maximum of one pint (16 oz.) of beer, six ounces of wine, and one ounce of distilled spirits may be sold or dispensed, for a fee or no fee, to each customer for on-site tasting per day. This may be divided into a single serving or small tastings.
5. Retail sales of alcoholic beverages shall be limited to alcoholic beverages manufactured on-site.
6. The business shall have lighting in accordance with Chapter 19.556 (Outdoor Lighting). On-site lighting plans shall be submitted for review and approval.
7. The retail and tasting hours of operation shall be evaluated on a case-by-case basis.
8. No person under 21 shall be permitted within the tasting area(s).

9. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of ~~this the Municipal~~ Code.
10. The management at each location of off-sale of alcoholic beverages pursuant to this ~~S~~section shall be responsible for educating the public regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.
11. Entertainment activities shall be subject to the requirements of Chapter 5.80 (Entertainment Permit).
12. Additional conditions may be applied based on feedback from the Riverside Police Department during the entitlement process.

C. Additional standards for brew-on-premises.

1. All standards listed under ~~S~~section 19.272.030 A and B shall apply.
2. Minors shall be permitted provided that there is not tasting/sampling of alcoholic beverages.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §12, 2021; Ord. 7331 §32, 2016; Ord. 7185 §3, 2007)

19.272.040 Other applicable regulations.

Where the Department of Alcoholic Beverage Control (ABC) determines that an area has an over-concentration of alcoholic beverage licenses and/or a higher than average crime rate, ABC may deny an application for alcohol sales unless the Community & Economic Development Department Director, his/her designee or City Planning Commission makes a determination that public convenience or necessity will be served by the proposed project.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §13, 2021; Ord. 7331 §32, 2016; Ord. 7185 §3, 2007)

19.272.050 Modifications.

Modifications to the above Site location, operation and development standards 19.272.030 A (1 and 3) and B (2, 3, 4, and 5) may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable. Modifications to all other site location, operation and development standards are not permitted.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §14, 2021; Ord. 7331 §32, 2016; Ord. 7185 §3, 2007)

Chapter 19.273 BUILDING MATERIALS SUPPLY STORES (WHOLESALE WITH ANCILLARY RETAIL SALES)

19.270.010 Purpose.

19.273.020 Applicability and permit requirements.

19.273.030 Site location, development and operational standards.

19.273.040 Modifications.

19.270.010 Purpose.

The intent and purpose of regulating building materials supply stores (wholesale with ancillary retail sales) is to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §33, 2016; Ord. 7071 §2, 2010)

19.273.020 Applicability and permit requirements.

Building materials supply stores (wholesale with ancillary retail sales), as defined in Article X (Definitions) are permitted subject to the granting of a Minor Conditional Use Permit in the BMP - Business and Manufacturing Park Zone subject to the requirements contained in this Cchapter.

(Ord. 7331 §33, 2016; Ord. 7071 §2, 2010)

~~Editor's note — Home improvement sales and service stores — retail, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones.~~

19.273.030 Site location, development and operational standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to building materials supply stores (wholesale with ancillary retail sales) where conditionally permitted. Moreover, building materials supply stores (wholesale with ancillary retail sales) shall comply with all applicable laws, ordinances, policies and regulations and the following site location, development and operational standards where permitted within the BMP - Business and Manufacturing Park Zone:

A. Site location standards.

1. The site shall be served by streets and highways capable of carrying the quantity and type of traffic generated by such use, with frontage on a Major (120-foot wide, six-lane) Arterial Roadway as shown on the City of Riverside General Plan Master Plan of Roadways and direct vehicular access from an Arterial Roadway as shown on the City of Riverside General Plan Master Plan of Roadways.
2. The site shall be located as to not cause a substantial increase in vehicular traffic on streets adjacent to properties in a residential zone.
3. The site shall be less than five acres in area and shall be adequate in size and shape to accommodate the use and all yards, walls, parking, landscaping and other required improvements.
4. The site shall be a minimum of 300 feet from any residentially zoned or developed properties.

B. Development and operational standards.

1. The total building area shall not exceed 40,000 square feet, and the retail area shall not exceed 50 percent of total floor area of the primary building or 20,000 square feet, whichever is less.

2. Any outdoor storage yard associated with the facility shall be completely screened from view, as regulated pursuant to Chapter 19.510 of ~~this Title the Zoning Code~~ (Outdoor Display and Sales). Any outdoor storage of material shall be completely screened from view through the use of architecturally integrated screen walls of six feet or greater and all materials shall be stored below the level of the walls.
3. Any exterior auxiliary equipment and required screen walls associated with the facility shall be subject to Chapter 19.710 of ~~this the Municipal Code~~ (Design Review).
4. The site shall be fully landscaped on the interior and additional perimeter landscape screening may be required by the Community & Economic Development Director or his/her designee through the Design Review process to adequately screen the operation. Any additional landscaping required to screen operations will be subject to Chapter 19.710 of ~~this the Municipal Code~~ (Design Review) and Chapter 19.570 of ~~this the Municipal Code~~ (Water Efficient Landscaping and Irrigation);
5. A site maintenance and operations plan for ongoing and continuous property cleaning, noise control, and odor, dust and litter control, shall be submitted for review and approval of the Planning Division prior to the commencement of operations.
6. Any outdoor display of incidental plant materials shall be in conformance with Chapter 19.500 of ~~this Title the Zoning Code~~ (Outdoor Display of Incidental Plant Materials). Any other outdoor display and sales activities shall be prohibited, unless otherwise approved pursuant to Chapter 19.740 of ~~this Title the Zoning Code~~ (Temporary Use Permit).
7. Lumber cutting and other similar equipment shall be located within a completely enclosed building or underneath a covered structure within a completely screen outdoor storage yard area.
8. Deliveries shall be limited to off-peak hours of traffic, and not to exceed a maximum of ten delivery trucks per day.
9. The use shall not substantially lessen the usability or suitability of adjacent or nearby properties for planned or zoned uses.
10. The use shall not substantially increase traffic hazards to pedestrians.
11. The use shall not cause a substantial adverse affect to health, safety or the general welfare of the neighborhood from light, glare or noise.
12. The submitted site plan shall demonstrate the availability of adequate parking, maneuvering, ingress and egress to accommodate patrons during peak business hours.
13. All standards of Chapter 19.130 of ~~this the Municipal Code~~ (BMP Zone) shall apply, unless superseded by the above standards.

(Ord. 7331 §33, 2016; Ord. 7071 §2, 2010)

19.273.040 Modifications.

Modifications to the above site location, operation and development standards 19.273.030.A (1, 3 and 4) and B (1 and 8) may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §33, 2016; Ord. 7071 §2, 2010)

Chapter 19.275 BUS TERMINALS

19.275.010 Purpose.

19.275.020 Applicability and permit requirements.

19.275.030 Site location, operation and development standards.

19.275.040 Security regulations.

19.275.050 Additional findings to approve a Discretionary Permit.

19.275.060 Modifications.

19.275.010 Purpose.

The purpose of regulating bus terminals is to safeguard the health, safety and general welfare of those who use the bus terminals, and to ensure compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §34, 2016; Ord. 6966 §1, 2007)

19.275.020 Applicability and permit requirements.

Bus terminals, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

(Ord. 7331 §34, 2016; Ord. 6966 §1, 2007)

19.275.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to bus terminals unless otherwise specified here.

A. *Site location standards.* Any bus terminal shall only be established, located, or operated where permitted pursuant to article v, base zones and related use and development provisions, and only when within the ascribed distances of the certain specified land uses or zones set forth here. These distances shall be measured from the closest property line of the bus terminal to the nearest property line of the use of concern.

1. The bus terminal business shall not be located within 600 feet of any hospital, school (kindergarten through grade 12), assemblies of people—non-entertainment, or park.
2. The bus terminal shall not be located within 100 feet of any residential dwelling unit or any residential zone.
3. The bus terminal site shall not be within 100 feet of any assisted living facility, motel, hotel, and similar sensitive use where disturbances are likely to be caused by traffic, parking, noise, and/or lighting.

B. *Operation and development standards.*

1. All operations, except passenger/cargo loading and unloading, shall be conducted inside the bus terminal building. However, automated ticketing facilities and passenger waiting areas may be permitted outdoors.

2. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles in service for customers, vehicles of employees, and other service vehicles used in the operation of the bus terminal.
3. Maintenance or fueling operations are prohibited at a bus terminal site.
4. Direct access to bus terminals shall be from at least one and preferably two four-lane arterial streets. Bus terminal sites shall not have direct access from local or residential streets.
5. Setbacks for terminal buildings shall conform to the requirements of the underlying zone. Setbacks along arterial streets may be required to be increased through the discretionary permit process.
6. Parking, temporary bus waiting areas and passenger waiting and loading areas shall be set back at least 20 feet from all property lines.
7. The bus terminal site shall have a designated passenger waiting area that may either be indoors or outdoors. The designated outdoor waiting area shall include areas covered by shade structures or other method of cover.
8. A minimum six-foot-high masonry wall shall be erected and maintained along all common interior side and rear property lines; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line.
9. At a minimum, parking areas shall be provided in accordance with Chapter 19.580; however, additional parking may be required as a condition of discretionary permit approval based on a case-by-case basis related to property specific considerations.

(Ord. 7331 §34, 2016; Ord. 6966 §1, 2007)

19.275.040 Security regulations.

A security plan shall be submitted for review and approval as a part of the discretionary permit application demonstrating and committing to the provision of adequate on-site security, including but not limited to security cameras, lighting, and security personnel.

(Ord. 7331 §34, 2016; Ord. 6966 §1, 2007)

19.275.050 Additional findings to approve a Discretionary Permit.

In addition to any findings required to be made in the granting of the applicable discretionary permit, the following findings are required to be made by the Approving or Appeal Authority in order to approve a discretionary permit for a bus terminal:

- A. That the bus terminal will not substantially increase vehicular traffic on streets in a residential zone.
- B. That the bus terminal will not substantially lessen the usability of adjacent or nearby commercially-zoned property for commercial use by interfering with pedestrian traffic.
- C. That the bus terminal will not create increased traffic hazards to pedestrians.
- D. That the bus terminal site is adequate in size and shape to accommodate said use, and to accommodate all carrier lines, walls, parking, landscaping and other required improvements.

(Ord. 7331 §34, 2016; Ord. 6966 §1, 2007)

19.275.060 Modifications.

Modifications to the above site location, operation and development standards 19.275.030.A and B (5, 6 and 9) may be considered in conjunction with the required Conditional Use Permit. No modifications to all other site location, operation and development standards will be permitted.

(Ord. 7331 §34, 2016)

Chapter 19.280 CHECK CASHING ESTABLISHMENTS

19.280.010 Purpose.

19.280.020 Applicability and permit requirements.

19.280.030 Site location, operation and development standards.

19.280.040 Modifications.

19.280.010 Purpose.

The purpose of regulating check cashing establishments is to ensure security and compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §35, 2016; Ord. 6966 §1, 2007)

19.280.020 Applicability and permit requirements.

Check cashing establishments, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

(Ord. 7331 §35, 2016; Ord. 6966 §1, 2007)

19.280.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to check cashing establishments unless otherwise specified here.

A. Site location standards.

1. The business shall not be located within 600 feet of a public or private school (kindergarten through twelfth grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, assemblies of people—non-entertainment or park site.
2. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
3. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter, or businesses licensed by the State of

California for off- or on-sale of alcoholic beverages as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing off-sale or on-sale alcoholic beverage business.

4. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.

B. Operation and development standards.

1. The business shall have lighting to provide illumination for security and safety of parking and access areas and in compliance with Chapter 19.556 of ~~this Title~~the Zoning Code. On-site lighting plans shall be submitted for review and approval.
2. A security plan shall be provided to the Riverside Police Department and Planning Division for review and approval.
3. The business window shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the lease space shall remain at adequate levels to clearly see into the business from the exterior of the business.
4. A sign shall be posted in the front of the business indicating that no loitering is permitted per ~~this~~the Municipal Code.
5. Prior to occupancy of the business, the business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
6. No outdoor pay phones shall be permitted on any such premises.
7. The hours of operation shall be limited to between 8:00 a.m. and 9:00 p.m. daily.

(Ord. 7331 §35, 2016; Ord. 7158 §6, 2012; Ord. 6966 §1, 2007)

19.280.040 Modifications.

Modifications to the above site location standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §35, 2016)

Chapter 19.285 OUTDOOR STORAGE YARD

19.285.010 Purpose.

19.285.020 Applicability and permit requirements.

19.285.030 Site location, operation and development standards.

19.285.040 Screening of outdoor storage.

19.285.050 Modifications.

19.285.010 Purpose.

The purpose of regulating outdoor storage yards is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §36, 2016; Ord. 6966 §1, 2007)

19.285.020 Applicability and permit requirements.

Contractor storage yards, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §36, 2016; Ord. 6966 §1, 2007)

19.285.030 Site location, operation and development standards.

A. Vehicles, equipment and other items customarily stored in outdoor areas.

1. The storage area and drive aisles shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, except for any required landscape setback areas as stipulated in item 5 below.
2. All such areas shall be graded and drained so as to dispose of all surface water in a manner consistent with water quality control standards enforced by the Public Works Department.
3. All such areas shall be maintained in good repair, in a clean, neat and orderly condition.
4. All such areas shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Division and Public Works Department.
5. All such areas shall have a landscaped area not less than ten feet in depth, the depth of the required yard area or the depth as required for specific uses, whichever is the greatest, maintained along the street side of the lot.

(Ord. 7331 §36, 2016; Ord. 6966 §1, 2007)

19.285.040 Screening of outdoor storage.

Screening of outdoor storage shall comply with the following:

- A. Storage shall be visually screened from all adjacent building sites and public streets and alleys by a solid masonry wall of a height sufficient to screen all materials stored outdoors or by a building. Such walls shall be limited in height to three feet within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be limited in height to three feet within ten feet of the street property line. Alternative screening methods including, but not limited to, fences, landscaping, earthen berms or some combination thereof may be approved by the Community & Economic Development Director or his/her designee provided that the required visual screening is achieved.
- B. The screening herein required shall be established at or before the time any area is used for outdoor storage.
- C. Where topographical conditions or existing structures are such that strict compliance with the requirements of this Ssection would not be necessary to accomplish the purposes of this Ssection, the Approving Authority may waive compliance with all or part of such requirements.

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 7, 2020; Ord. 7331 §36, 2016)

19.285.050 Modifications.

Modifications to the above site location, operation and development standards and screening requirements may be considered in conjunction with a Minor Conditional Use Permit or Conditional Use Permit, as applicable.

(Ord. 7331 §36, 2016)

Chapter 19.290 DAY CARE CENTERS

19.290.010 Purpose.

19.290.020 Applicability and permit requirements.

19.290.030 Site location, operation and development standards.

19.290.040 Modifications.

19.290.010 Purpose.

The purpose of establishing day care center regulations is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §37, 2016; Ord. 6966 §1, 2007)

19.290.020 Applicability and permit requirements.

Day care centers, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §37, 2016; Ord. 6966 §1, 2007)

19.290.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to day care centers unless otherwise specified here.

A. Site location standards.

1. All such facilities shall have direct access to a public street with adequate access to a collector or arterial street system.
2. All such facilities shall be located at least 600 feet away from an existing day care center, as measured from the nearest building wall containing the day care center use to the property line of the property containing the same use.

B. Operation and development standards.

1. The applicant has or will obtain all licenses and permits required by State law for operation of the facility. The applicant shall keep all State licenses or permits valid and current.

2. As applicable, indoor and outdoor play areas that satisfy the requirements of the State daycare licensing agency shall be provided. Any outdoor play area shall be adjacent to the center and accessible through the center itself. The outdoor play area shall be enclosed by a natural barrier, wall or fence a minimum of five feet in height. If located adjacent to residentially zoned property, the separating barrier, wall, or fence shall be of solid construction. Said outdoor play area shall not be allowed in any required front, side or rear yard setbacks and shall be located and designed so as to reduce noise impacts on adjacent properties.
3. Parking shall not be located in any required front yard setback. An adequate on-site loading/unloading area shall be provided that can be easily accessed from the child day care center without crossing any driveways or streets. This area may be counted toward the required parking. Clearly designated pedestrian walkways shall be provided.
4. All such facilities shall have screened and buffered outdoor play and activity areas from adjacent uses and shall comply with the City's noise regulations, as set forth in Chapter 19.590 (Performance Standards) and Title 7 of ~~this the Municipal~~ Code to minimize noise impacts.
5. The pick-up and drop-off of children from vehicles shall only be permitted on the site's driveway or parking area. A facility with access from an arterial street, as designated by the General Plan, must provide a paved drop-off/pick-up area designed with on-site parking and maneuvering to allow vehicles to pick-up/drop-off children and exit the site without backing out onto the arterial street.
6. Any additional conditions regarding safety and access deemed necessary or desirable by the Staff Application Review Team ~~Development Review Committee~~.

(Ord. 7331 §37, 2016; Ord. 6966 §1, 2007)

19.290.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §37, 2016)

Chapter 19.300 EQUIPMENT (LARGE) SALES AND RENTAL

19.300.010 Purpose.

19.300.020 Applicability and permit requirements.

19.300.030 Site location, operation and development standards.

19.300.040 Modifications.

19.300.010 Purpose.

The purpose of regulating outdoor sales and rental of large, construction-related equipment such as earthmoving equipment, including but not limited to backhoes, tractors, graders, cranes and other similar equipment and incidental rental, repair and retail sales of parts and accessories is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §38, 2016; Ord. 6966 §1, 2007)

19.300.020 Applicability and permit requirements.

Equipment (large) sales and rental, and the incidental repair of such equipment sold or rented, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §38, 2016; Ord. 6966 §1, 2007)

19.300.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to equipment (large) sales and rental and repair unless otherwise specified here.

A. Site location standards.

1. The site shall be served by streets of adequate width and pavement type to accommodate the volume and type of traffic generated by the proposed use.
2. No part of the use shall be located within 100 feet of a residential zone.
3. The use shall have a compatible physical relationship with the surrounding neighborhood.

B. Operation and development standards.

1. The site shall be developed with permanent, related buildings. No trailers or temporary modular units are permitted.
2. All incidental repair work shall be done within a completely enclosed building.
3. Any portion of the site, including vehicle and equipment storage, not within a completely enclosed building shall be enclosed by a solid masonry wall not less than six feet in height.
4. The expandable features of any equipment on-site shall be in the lowest possible position.
5. On- and off-site improvements shall be in conformance with the development standards of this Title.
6. A minimum site area of one acre shall be required.

(Ord. 7331 §38, 2016; Ord. 6966 §1, 2007)

19.300.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

(Ord. 7331 §38, 2016)

*Chapter 19.305 FARMERS' MARKETS—CERTIFIED***19.305.010 Purpose.****19.305.020 Applicability and permit requirements.****19.305.030 Small certified farmers' markets—site location, operation and development standards****19.305.040 Site location, operation and development standards applicable to all farmers' markets—Certified.**

19.305.040 Modifications.

19.305.010 Purpose.

The purpose of regulating farmers' markets is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §39, 2016; Ord. 6966 §1, 2007)

19.305.020 Applicability and permit requirements.

Small certified farmers' markets, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §39, 2016; Ord. 6966 §1, 2007)

19.305.030 Small certified farmers' markets—site location, operation and development standards

No event permit or discretionary permit shall be required for a small certified farmers' market that meets all of the following criteria:

- A. The certified farmers' market comprises 15 or fewer certified producers or producers of agricultural products allowed to be sold or offered for sale at a certified farmers' market pursuant to state and local laws and regulations, as the same may be amended from time to time.
- B. The certified farmers' market does not occupy an area greater than 10,000 square feet.
- C. The certified farmers' market does not include more than one vendor of non-agricultural products for every five certified producers or producers of agricultural products at the Small Certified Farmers' Market.
- D. The certified farmers' market does not operate for more than two days per week for a maximum of six hours per day between the hours of 8:00 a.m. and 9:00 p.m.
- E. The certified farmers' market meets all of the requirements of Section 19.305.040 below unless superseded by the requirements in this Ssection above.

(Ord. 7331 §39, 2016)

19.305.040 Site location, operation and development standards applicable to all farmers' markets—Certified.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all certified farmers' markets, unless otherwise specified here.

- A. The sales area shall be located in an area that will not disrupt parking or the flow of traffic onto and off of the site.
- B. Parking facilities will be evaluated to ensure that adequate parking is available during the approved operating hours.

- C. The market may not operate on vacant or unimproved land.
- D. The market must include access to trash and recycling bins.
- E. All activities and the duration of those activities shall first have been approved and authorized by the owner of the real property on which those activities are planned to occur.
- F. All operations shall fully comply with all federal, state and local laws, regulations and guidelines, including without limitation those applicable to the certified farmers' market operations, including the limitation the California Health and Safety Code, the California Food and Agricultural Code, and all regulations and guidelines promulgated by the State of California and the County of Riverside thereunder, as the same may be amended from time to time.
- G. The market shall be limited in the days and hours of operation as specified in the discretionary permit to minimize interference with the surrounding properties.
- H. The market shall completely remove all equipment, merchandise, waste and other materials from the site upon the conclusion of their operations on each day of operation.

(Ord. 7331 §39, 2016; Ord. 6966 §1, 2007))

19.305.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §39, 2016)

Chapter 19.310 FLORIST SHOPS

19.310.010 Purpose.

19.310.020 Applicability and permit requirements.

19.310.030 Site location, operation and development standards.

19.310.040 Modifications.

19.310.010 Purpose.

The purpose of regulating florist shops is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §40, 2016; Ord. 6966 §1, 2007)

19.310.020 Applicability and permit requirements.

Florist shops, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §40, 2016; Ord. 6966 §1, 2007)

19.310.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to florist shops, unless otherwise specified here.

A. Site location, operation and development standards.

1. The hours of operation shall be determined by the Community & Economic Development Director, their designee or the Staff Application Review Team—Development Review Committee, as applicable, in consideration of the prevailing hours of businesses in the area and the type of surrounding uses.
2. The primary purpose of the business shall be the sale of floral products (i.e., flowers and ornamental plants). No more than 20 percent of the gross floor area of the business may be devoted to sale of gifts and greeting cards.
3. No substantial adverse impacts on adjoining uses shall result due to the design of the shop.

(Ord. 7331 §40, 2016; Ord. 6966 §1, 2007)

19.310.040 Modifications.

Modifications to the above site location, operation and development standards or for the incidental sales of alcoholic beverages will require consideration of a Minor Conditional Use Permit.

(Ord. 7331 §40, 2016)

*Chapter 19.315 GROUP HOUSING—SEVEN OR MORE OCCUPANTS***19.315.010 Purpose.****19.315.020 Applicability and permit requirements.****19.315.030 Additional application filing requirements.****19.315.040 Site location, operation and development standards.****19.315.050 Modifications.****19.315.010 Purpose.**

The intent and purpose of regulating group housing is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §41, 2016; Ord. 6966 §1, 2007)

19.315.020 Applicability and permit requirements.

Group housing, as defined in Article X (Definitions), is permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §41, 2016; Ord. 6966 §1, 2007)

19.315.030 Additional application filing requirements.

The application for group housing shall include the following additional information:

- A. Client profile (the subgroup of the population of the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);
- B. Maximum number of occupants and hours of facility operation;
- C. Term of client stay;
- D. Support services to be provided on-site and projected staffing levels; and
- E. Rules of conduct and/or management plan.

(Ord. 7331 §41, 2016; Ord. 6966 §1, 2007)

19.315.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to group housing unless otherwise specified here.

A. Site location standards.

- 1. To avoid over-concentration of facilities, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between the subject group housing and any property line containing other group housing or assisted living facility, or emergency shelter except that the separation requirement shall be increased to 1,000 feet as measured from the nearest property line where the other use is a parolee/probationer home.

B. Operation and development standards.

- 1. The use shall not have any substantial adverse impacts on adjoining properties or land uses.
- 2. Group housing shall not be located such that adjacent development would constitute a hazard to the occupants of the group housing.
- 3. Establishment of the facility shall not result in harm to health, safety or general welfare of the surrounding neighborhood.
- 4. The facility shall be located along or near an arterial with ready access to public transportation.
- 5. The facility shall be accessible to necessary support services.
- 6. The facility should be compatible with the character of the surrounding neighborhood.
- 7. Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based on the operating characteristics of a specific proposal.
- 8. Both indoor and outdoor open areas should be provided on site.
- 9. All setback, landscaping, and other development standards of the underlying zone shall be met.
- 10. The facility shall provide no more than 40 beds and shall serve no more than 40 persons at any one time.
- 11. The facility may provide one or more of the following common facilities for the exclusive use by residents:
 - a. Central cooking and dining area(s)

- b. Recreation room
- c. Laundry facilities

(Ord. 7331 §41, 2016; Ord. 7158 §7, 2012; Ord. 6966 §1, 2007)

19.315.050 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §41, 2016)

Chapter 19.320 HELIPORTS AND HELISTOPS

19.320.010 Purpose.

19.320.020 Applicability and permit requirements.

19.320.030 Exemptions.

19.320.040 Site location, operation and development standards.

19.320.050 Additional permits.

19.320.060 Modifications.

19.320.010 Purpose.

The purpose of regulating heliports and helistops is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §42, 2016; Ord. 6966 §1, 2007)

19.320.020 Applicability and permit requirements.

Heliports and/or helistops, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §42, 2016; Ord. 6966 §1, 2007)

19.320.030 Exemptions.

Temporary landing sites for helicopters shall be exempt from any discretionary permit requirement and instead shall be subject to the approval of the Airport Director.

(Ord. 7331 §42, 2016; Ord. 6966 §1, 2007)

19.320.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to heliports and helistops unless otherwise specified here.

A. Site location standards.

1. Ground level sites.

- a. The proposed use shall be located on a site that ensures that such use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.
- b. The site shall be so located to insure that, as much as possible, the approach-departure paths leading to and from the heliport are over terrain that affords emergency landing areas such as open parks, golf courses, industrial areas, highways, freeways and open land to provide adequate emergency landing spots in case of propulsion failure. Approach-departure paths over residential developments, schools and playgrounds or highly populated areas shall be avoided.
- c. The size and shape of the site proposed for use should be adequate to allow full development of the proposed use in accordance with FAA standards and in a manner not detrimental to the particular area nor to its peace, health, safety and general welfare.
- d. The site shall be served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by this use.

2. Elevated sites.

- a. The proposed use shall be located on a site that ensures that such use will not adversely affect the adjoining land uses and the growth and development of the area in which it is proposed to be located.
- b. The site shall be so located to insure that, as much as possible, the approach-departure paths leading to and from the heliport are over terrain that affords emergency landing areas such as open parks, golf courses, industrial areas, highways, freeways and open land to provide adequate emergency landing spots in case of propulsion failure. Approach-departure paths over residential developments, schools and playgrounds or highly populated areas shall be avoided.
- c. The size and shape of the site proposed for use should be adequate to allow full development of the proposed use in accordance with Federal Aviation Administration standards and in a manner not detrimental to the particular area nor to its peace, health, safety and general welfare.
- d. The site shall be served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by this use.
- e. All provisions of the City Building Code pertaining to structural requirements of a building to support an elevated helistop shall be met.

3. Temporary sites.

- a. Location of temporary sites shall be subject to California Division of Aeronautics criteria.
- b. Locations shall be at ground level only.

B. Operation and development standards.

1. *All sites.*

- a. Hours of operation shall be limited to the periods between sunup and sundown daily unless properly lighted and specifically approved for night operation.
- b. Emergency fire-fighting equipment shall be provided as deemed necessary and adequate by the City Fire Marshal and the California Division of Aeronautics.
- c. Emergency communications shall be available between the heliport or helistop and the Fire Department communication center. These facilities may consist of a standard fire alarm or a direct line to a telephone staffed 24 hours per day.
- d. Fueling and maintenance facilities shall be subject to City Fire Marshal approval.
- e. All trash receptacle areas in the vicinity of heliports shall be enclosed by masonry walls at least six feet in height and a solid wooden gate of equal height. Trash bins and receptacles shall have lids to prevent blowing of litter and debris.
- f. A wind-indicating device shall be provided and maintained on site at all times in a workable condition.
- g. Any helicopter take-offs or landings within three miles of the Riverside Municipal Airport shall maintain two-way radio contact with the airport's air traffic control tower.
- h. The requirements of these regulations shall not apply to the operation of helicopters in emergency situations when a landing and take-off is necessary to protect life or property. Such operations shall be carried out in a prudent manner with due regard for safety.

2. *Ground level sites.*

- a. The minimum take-off and landing area length and width shall measure one and five tenths times the overall length of the largest helicopter proposed for use on the site.
- b. Obstruction clearance surfaces shall be as recommended by the Federal Aviation Administration standards.
- c. Each take-off and landing area shall have two obstruction clearance surfaces at least 90 degrees apart, one of which shall be into the prevailing wind.
- d. The take-off and landing area shall be provided with adequate lighting if used for night or all-weather conditions. All lighting shall be in compliance with Chapter 19.556 of [this Titlethe Zoning Code](#) and be directed away from adjacent properties or public rights-of-way.
- e. The helicopter landing facilities shall be marked as recommended by the Federal Aviation Administration.
- f. Surfacing of the landing facility shall be so as to minimize the blowing of any dust, dirt or other objectionable material onto neighboring property.
- g. Take-off and landing areas shall be no closer than 50 feet from any property line. Any administrative or operations building erected on a heliport site shall be located not closer than 15 feet from any property line. Helicopter maintenance buildings and hangars shall be located not closer than 25 feet from any property lines. Location and setbacks for buildings storing combustibles shall be approved by the City Fire Marshal.
- h. A ten-foot-wide landscaped setback shall be provided along the perimeter of the heliport with thick, fast-growing shrubs and ground cover to be planted along interior property lines.

- i. A peripheral area surrounding the landing and take-off area with a minimum width of 15 feet for use as an obstruction-free safety zone shall be provided.
- j. The exterior edge of the peripheral area shall be fenced or otherwise protected to keep unauthorized persons out of these areas. Fences shall be a minimum of three feet in height.

3. *Elevated sites.*

- a. The dimensions of the take-off and landing areas for elevated helistops shall be the same as for ground level sites.
- b. The roof shall be provided with a parapet a minimum of 36 inches high; if no parapet is provided, a fence a minimum of 36 inches high shall surround the periphery of the building. Where openings pierce the roof, they shall be provided with a six-inch-high curb and fire protected as required for vertical shafts. No openings in the roof shall be permitted within 25 feet of the landing area boundaries.
- c. Building exits shall be located away from the take-off or landing pattern.
- d. No fueling or repairing of helicopters shall be permitted, except of an emergency nature when approved by the City Fire Marshal.
- e. Separator or clarifying tanks for collecting spilled fuel shall be installed under approval and supervision of the Fire Department.
- f. "No Smoking" signs shall be conspicuously located around the landing pad. Letters on the signs shall be not less than four inches high on a background of contrasting color.
- g. Mechanical, air handling and air conditioning equipment or penthouses shall be:
 - (1) A minimum of 25 feet from the landing pad,
 - (2) Located outside the landing and take-off pattern, and
 - (3) Protected by a substantial incombustible barrier on the side toward the landing pad.
- h. Two or more wet standpipes, each equipped with a one and one-half inch valve and one and one-half inch rubber lined fire hose not over 100 feet in length, shall be provided to reach all parts of the roof. Each hose line shall be equipped with an approved variable fog nozzle and shall be supplied with sufficient pressure to provide a good fog pattern. Hose cabinets shall be located near the roof exits and elsewhere as necessary to comply.
- i. Emergency communications shall be available between the helistop and the Fire Department communication center. These facilities shall consist of a standard fire alarm box or a direct line to a telephone manned 24 hours per day.
- j. Helistop landing facilities shall be marked as recommended by the FAA.

4. *Temporary sites.*

- a. Development standards for temporary sites shall conform to California Division of Aeronautics requirements and other conditions deemed appropriate by the Airport Director or City Council.

(Ord. 7331 §42, 2016; Ord. 6966 §1, 2007)

19.320.050 Additional permits.

- A. Federal Aviation Administration California Division of Aeronautics and Airport Land Use Commission approval are required.
- B. No heliport or helistop for which a discretionary permit has been approved shall operate prior to the subsequent approval of the plans by the California Department of Aeronautics, and an airspace review by the Federal Aviation Administration has determined that no air traffic hazard exists.
- C. Revocation of a permit to operate a heliport or a helistop by the California Department of Aeronautics shall be a cause for the revocation of any discretionary permit by the City.
- D. The rules and regulations duly enacted by an appropriate agency of the State and presently in effect and all duly enacted additions or amendments thereto, and that govern the establishment or operation of heliports or helistops, are hereby referred to, adopted and made a part of this Section as fully in all respects as if particularly set forth herein.

(Ord. 7331 §42, 2016; Ord. 6966 §1, 2007)

19.320.060 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §42, 2016)

Chapter 19.325 HISTORIC RESIDENCE USED FOR RETAIL BUSINESS, OFFICE OR BED AND BREAKFAST INN

19.325.010 Purpose.

19.325.020 Applicability and permit requirements.

19.325.030 Site location, operation and development standards.

19.325.040 Modifications.

19.325.010 Purpose.

The purpose of regulating the use of historic residences for a retail business, office or bed and breakfast inn uses is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses and to encourage preservation of historic buildings through adaptive reuse.

(Ord. 7331 §43, 2016; Ord. 6966 §1, 2007)

19.325.020 Applicability and permit requirements.

- A. Any individually designated historic residence proposed for use as a retail business, office or bed and breakfast inn, as defined in Article X (Definitions), shall be subject to the use regulations set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

B. In addition to consideration of any required discretionary permit, a Certificate of Appropriateness shall be reviewed in accordance with the provisions of Title 20.

(Ord. 7331 §43, 2016; Ord. 6966 §1, 2007)

19.325.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply unless otherwise specified here.

A. Site location standards.

1. The site and historic structures shall have one or more of the following individual designations.
 - a. A National Historic Landmark
 - b. Listed in the National Register of Historic Places
 - c. A State Historic Landmark
 - d. A City Landmark
 - e. A City Structure of Merit
2. Retail and office uses shall not be located in any area where such a use would adversely impact a residential neighborhood.
3. Bed and breakfast uses shall have access to any public street system sufficiently improved to allow adequate access and circulation.

B. Operation and development standards.

1. General requirements for all uses:
 - a. The site shall be of sufficient size and dimension to accommodate the use with its additional zoning requirements.
 - b. Parking shall be required pursuant to Chapter 19.580 (Parking and Loading), and the spaces shall be located within the rear yard or interior side yard areas.
 - c. The use shall be developed and maintained to substantially preserve the significant historic characteristics of the structure and its site and to be compatible with the surrounding neighborhood.
 - d. All uses associated shall be conducted entirely within enclosed structures.
 - e. Front yard areas shall be landscaped and have a residential appearance in keeping with the historic period of the structure.
 - f. Signs shall be in accordance with the standards for a single family dwelling in Chapter 19.100 (Residential Zones) of ~~this Title~~ the Zoning Code.
2. Additional requirements for bed and breakfast inns:
 - a. The inn shall be managed and occupied by an owner of the property.
 - b. Meals made within the inn shall only be served to the establishment's paying guests, employees, and owner's family.
 - c. The inn shall have no more than six guest rooms.

(Ord. 7331 §43, 2016; Ord. 6966 §1, 2007)

19.325.040 Modifications.

Modifications to the above site location, operation and development standards will require consideration of a Minor Conditional Use Permit or will be considered in conjunction with the required Minor Conditional Use Permit, as applicable.

(Ord. 7331 §43, 2016)

Chapter 19.330 HOTEL/MOTEL, LONG-TERM STAY

19.330.010 Purpose.

19.330.020 Applicability and permit requirements.

19.330.030 Site location, operation and development standards.

19.330.030 Modifications.

19.330.010 Purpose.

The purpose of regulating hotel/motel, long-term is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §44, 2016; Ord. 6966 §1, 2007)

19.330.020 Applicability and permit requirements.

Hotels/motels, long-term stay uses, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §44, 2016; Ord. 6966 §1, 2007)

19.330.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to hotels/motels, long-term stay uses unless otherwise specified here.

A. Site location standards.

1. The development shall take direct access from a major arterial street.
2. The development shall have access to public transportation.

B. Operation and development standards.

1. The development shall result in no harm to the health, safety, or general welfare of the neighborhood from light, glare or noise.
2. Each unit intended for long term stays shall contain a minimum of 220 square feet of gross floor area, with an additional 100 square feet of floor area for each occupant in excess of two.

3. Each unit intended for long term stays shall have a kitchen including a sink, a microwave, refrigerator, dry food and utensil storage, and a food preparation area having a clear working space not less than 30 inches wide.
4. The development shall have light and ventilation conforming to the adopted Building Code.
5. Each unit shall have a separate closet area.
6. Each unit shall have on-site access to an on-site laundry facility with at least one washer and one dryer for each 20 long-term stay units.
7. Each unit shall have telephone service.
8. Common open space shall be provided as follows: a minimum total of 400 square feet for the first 20 guest rooms, then 25 square feet for each room in excess of 20. Such common open space shall be located on site to be easily accessible to all guests. Such open space shall be exclusive of required building and landscaped setbacks and required parking area or parking lot landscaping. Up to one-half of the common usable open space area may be located indoors in the form of an exercise room, recreation room, or similar common facility.
9. The maximum number of units occupied by long-term stay guests cannot exceed 25 percent of the total number of units within the hotel or motel.
10. An on-site manager on duty within an office that is open on a 24-hour basis.
11. The minimum period of occupancy shall be 30 days.
12. The maximum period of occupancy shall not exceed 180 days per calendar year.
13. All applicable standards contained in Chapter 5.32 (Transient Occupancy Tax) and Chapter 9.55 (Limitation on Continuous and Cumulative Occupancy of Transient Hotels and Motels) shall apply to this use.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank" web="yes">Ord. 7660</ulink>, § 5, 2024; Ord. 7331 §44, 2016; Ord. 6966 §1, 2007)

19.330.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §44, 2016)

Chapter 19.335 LIVE/WORK UNITS

19.335.010 Purpose.

19.335.020 Applicability and permit requirements.

19.335.030 Site location, operation and development standards.

19.335.040 Modifications.

19.335.010 Purpose.

The purpose of regulating live/work units is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §45, 2016; Ord. 6966 §1, 2007)

19.335.020 Applicability and permit requirements.

Live/Work units, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions and the Downtown Specific Plan subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §45, 2016; Ord. 6966 §1, 2007)

19.335.030 Site location, operation and development standards.

- A. All living space within the live/work unit needs to be contiguous with, and an integral part of, the working space, with direct and internal access between the two areas.
- B. Access to individual units shall be from common access areas, corridor or hallways. In locations where more than one unit is proposed within a single building, each live/work unit needs to be separated from the other units in the building.
- C. At least one of the full-time workers of the live/work unit needs to reside in the unit. The residential area shall not be rented separately from the working space. The business activity occupying the live/work unit may utilize employees in addition to residents as necessary.
- D. Parking shall be based on the requirements for the residential component of the live work unit, as specified in Chapter 19.580 of ~~this Title~~the Zoning Code.

(Ord. 7331 §45, 2016; Ord. 6966 §1, 2007)

19.335.040 Modifications.

Modifications to the above site location, operation and development standards require consideration of a Minor Conditional Use Permit or will be considered in conjunction with the required Minor Conditional Use Permit, as applicable.

(Ord. 7331 §45, 2016)

*Chapter 19.340 MANUFACTURED DWELLINGS***19.340.010 Purpose.****19.340.020 Applicability and permit requirements.****19.340.030 Development standards.****19.340.040 Site, location, operation and development standards for the sales of manufactured dwellings.****19.340.050 Modifications.**

19.340.010 Purpose.

The purpose of regulating manufactured dwellings is to ensure compatibility of such dwellings with surrounding uses and properties and to avoid any impacts associated with such dwellings.

(Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

19.340.020 Applicability and permit requirements.

Manufactured dwellings, as defined in Article X (Definitions), are permitted in any zone where a single-family residence is permitted pursuant to Government Code 65852.3 - Local Manufactured Homes Zoning and in any Multi-Family zone as part of a tiny home (foundation) Community. The manufactured dwelling must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Secs. 5401 et. seq.) and placed on a foundation system.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. (<http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

19.340.030 Development standards.

In addition to the standards set forth in Article V, Base Zones and Related Use and Development Provisions that shall apply, building elevations shall be submitted for review and approval by the Community & Economic Development Director showing the roof overhang, roofing material and siding material.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. (<http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §46, 2016; Ord. 6966 §1, 2007)

19.340.040 Site, location, operation and development standards for the sales of manufactured dwellings.

- A. The site shall be located on and have access to an arterial street as identified on the City's Master Plan of Roadways in the General Plan.
- B. All buildings shall be located at least 20 feet from any property line.
- C. A dedicated model home sales office shall be provided on the property.
- D. Parking for the office component shall be provided in accordance with Chapter 19.580 of ~~this Chapter~~ Zoning Code.
- E. Exterior lighting shall be provided in accordance with Chapter 19.556 of ~~this Chapter~~ Zoning Code.
- F. All provisions contained in Chapter 19.505 (Outdoor Display and Sales) shall apply to the sales of Manufactured Dwellings.

G. No outdoor telephone bell or paging system shall be used.

(Ord. [7520](http://newwords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank) §1(Exh. A), 2020; Ord. 7331 §46, 2016)

19.340.050 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §46, 2016)

Chapter 19.342 CANNABIS PERSONAL USE

***Editor's note**— Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank), § 7, adopted March 14, 2023, changed the title of Chapter 19.342 from "Marijuana uses and activities" to "Cannabis personal use." Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank), § 5, adopted July 24, 2018, repealed Ch. 19.342, §§ 19.342.010—19.342.080, and reenacted a new chapter as set out herein. Former Ch. 19.342 pertained to marijuana cultivation and derived from Ord. 7331, § 47, adopted in 2016 and Ord. 7316, § 2, adopted in 2016.

19.342.010 Purpose.

19.342.020 Cultivation.

19.342.030 Personal use.

19.342.040 Medical use.

19.342.050 Public nuisance.

19.342.060 Penalties.

~~19.342.070 Severability.~~

19.342.010 Purpose.

The purpose of this ~~C~~chapter is to provide regulations related to personal use pursuant to California Health and Safety Code ~~S~~sections 11362.1 and 11362.2.

(Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 7, 2023; Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 5, 2018)

19.342.020 Cultivation.

A. *Outdoor*. No individual or entity may plant, cultivate, harvest, dry, or process marijuana plants outdoors in any zone or specific plan area of the City. No use permit, building permit, variance, or any other

permit or entitlement, whether administrative or discretionary, shall be approved or issued for any such use or activity.

- B. *Indoor*. No individual or entity may plant, cultivate, harvest, dry, or process marijuana plants inside a private residence, or inside an accessory structure to a private residence located upon the grounds of a private residence, in excess of the limitations imposed by California Health and Safety Code Section 11362.2. No individual or entity may plant, cultivate, harvest, dry, or process marijuana plants inside any enclosed structure within any zone or specific plan area of the City which is not either a private residence or an accessory structure to a private residence located upon the grounds of a private residence.

(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 7, 2023; Ord. [7431](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 5, 2018)

Editor's note— Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank), § 7, adopted March 14, 2023, repealed the former Section 19.342.020, which pertained to prohibition and derived from Ord. No. [7431](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank), § 5, adopted in 2018. Subsequently, Ord. No. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) redesignated the former Sections 19.342.030—19.342.080 as Sections 19.342.020—19.342.070. The historical notation has been preserved for reference purposes.

19.342.030 Personal use.

An individual may cultivate cannabis for personal use only within a residential structure or other fully enclosed and locked accessory structure located entirely on residential property owned or legally possessed by him or her, pursuant to the following regulations:

- A. The cultivation of cannabis may take place only inside a lawfully existing and fully enclosed and secure private residence, or inside a lawfully existing and fully enclosed and secure accessory structure to a private residence that is located on the same parcel as the private residence. No cultivation shall occur outside of a fully enclosed structure.
- B. The primary use of the property shall be for a residence and cultivation is to be considered an incidental use.
- C. All areas used for cultivation of cannabis shall comply with all Buildings Codes and Regulations of ~~this the Riverside Municipal~~ Code and the State of California, as well as all other applicable laws.
- D. Indoor grow lights are not allowed in any structure used for human habitation. Indoor grow lights in any other structure shall not exceed 1,000 watts per light, and shall comply with the California Building, Electrical and Fire Codes as adopted by the City.
- E. The use of gas products or volatile solvents, or dangerous poisons, toxins or carcinogens (including but not limited to CO₂, butane, propane, natural gas, xylene, styrene, gasoline, kerosene, O₂ H₂,

methanol, isopropyl alcohol, methylene chloride, acetone, benzene, toluene, and trichloroethylene,) or generators for cultivation of cannabis is prohibited.

- F. Any structure used for the cultivation of cannabis must have a ventilation and filtration system installed that shall prevent cannabis plant odors from exiting the interior of the structure and designed to prevent mold and moisture and otherwise protect the health and safety of persons residing in the residence and cultivating the cannabis. This ventilation shall at a minimum consist of a system meeting the requirements of the current, adopted edition of the California Building Code Section 1203.4 (Natural Ventilation) or Section 402.3 (Mechanical Ventilation), or their equivalent(s).
- G. Any accessory structure used for the cultivation of cannabis shall be located in the rear yard area of the parcel or premises and must maintain a minimum setback equal to the greater of (1) the setback imposed pursuant to the applicable zoning provisions of this Code, or (2) ten-feet from any property line. The yard where the structure is maintained must be enclosed by a solid fence at least six feet in height.
- H. Adequate mechanical locking or electronic security systems must be installed as part of the structure prior to the commencement of cultivation.
- I. Cannabis cultivation shall be limited to six cannabis plants per private residence, regardless of whether the cannabis is cultivated inside the residence or in an accessory structure. The limit of six plants per private residence shall apply regardless of how many individuals reside at the private residence.
- J. The residential structure shall remain at all times a residence, with legal and functioning cooking, sleeping and sanitation facilities with proper ingress and egress. No room used for cooking of meals, sleeping or bathing shall be used for cultivation.
- K. Cultivation of cannabis shall take place only on impervious surfaces.
- L. There shall be no exterior evidence of cannabis cultivation occurring on the parcel.
- M. No more than one room in any structure may be used for cultivation.
- N. The cannabis cultivation area shall not exceed 32 square feet and not exceed ten feet in height per residence. This limit applies regardless of the number of individuals residing in the residence.
- O. No room or area in a structure that is used for cultivation shall be accessible to persons under 21 years of age.
- P. Written consent of the property owner to cultivate cannabis within the residential structure shall be obtained and shall be kept on the premises, and available for inspection by agents of the City.
- Q. A portable fire extinguisher, that complies with the regulations and standards adopted by the State Fire Marshal and applicable law, shall be kept in any room used for cultivation of cannabis .
- R. No one other than a full-time resident of the residence shall be involved or take part in the cultivation and said full-time resident may not participate in cultivation in any other location within the City.
- S. No chemical fertilizers, pesticides, or other chemical agents shall be used for cannabis cultivation.
- T. The cannabis cultivation area shall not adversely affect the health or safety of the nearby residents by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts; and shall not be conducted in a manner that is hazardous due to the use or storage of materials, processes, products or wastes, or from other actions related to the cultivation.
- U. For the protection of local groundwater resources and indoor air quality, and to avoid disposal of harmful substances into sewers or septic systems, no chemical shall be used for cannabis

cultivation that contains any substance on the list prepared pursuant to California Health and Safety Code Section 25249.8; provided, that any chemical specifically approved by the California Department of Pesticide Regulation for indoor use on cannabis may be used in amounts prescribed by the Department. No chemical used for cannabis cultivation shall be stored in a manner visible from neighboring residences or to individuals located outside the property line or in the public right-of-way.

V. Cultivation shall be limited exclusively for the personal use of lawful residents of the property on which the cultivation is occurring.

(Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) [§ 7, 2023](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank); Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) [§ 5, 2018](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank))

Note— See editor's note at Section 19.342.020.

19.342.040 Medical use.

The outdoor cultivation of medical marijuana, the establishment or operation of any medical marijuana collective, cooperative, dispensary, delivery service, operator, establishment, or provider shall be considered a prohibited use in all zones and specific plan areas of the City. No use permit, variance, building permit, or any other entitlement or permit, whether administrative or discretionary, shall be approved or issued for the cultivation of medical marijuana or the establishment of any collective, cooperative, dispensary, delivery service, operator, establishment, or provider in any zone or specific plan area of the City, and no person shall otherwise establish such businesses or operations in any zone or specific plan area of the City.

(Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) [§ 7, 2023](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank); Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) [§ 5, 2018](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank))

~~**Note**— See editor's note at Section 19.342.020.~~

19.342.050 Public nuisance.

Any use or condition caused, or permitted to exist in violation of this Chapter, and each and every violation of the provisions of this Chapter shall be and are hereby declared to be deemed unlawful and a public nuisance and may be summarily abated by the City.

(Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) [§ 7, 2023](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank); Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) [§ 5, 2018](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank))

Note— See editor's note at Section 19.342.020.

19.342.060 Penalties.

In addition to any other enforcement permitted by State law, a civil action for injunctive relief and civil penalties pursuant to Chapter 1.17 of this Code may be brought against any person or entity that violates this Cchapter. In any civil action brought pursuant to this Cchapter, a court of competent jurisdiction may award reasonable attorney's fees and costs to the prevailing party.

(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 7, 2023; Ord. [7431](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 5, 2018)

~~Note—See editor's note at Section 19.342.020.~~

~~19.342.070 Severability.²⁹~~

~~If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.~~

~~(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 7, 2023; Ord. [7431](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 5, 2018)~~

~~Note—See editor's note at Section 19.342.020.~~

Chapter 19.345 MODEL HOMES

19.345.010 Purpose.

19.345.020 Applicability and permit requirements.

19.345.030 Site location, operation and development standards.

19.345.040 Modifications.

19.345.010 Purpose.

The purpose of establishing regulations for model homes is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §48, 2016; Ord. 6966 §1, 2007)

²⁹ **Sec. 19.342.070. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.
(FOOTNOTE 339 IN EXHIBIT 2)

19.345.020 Applicability and permit requirements.

Model homes, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §48, 2016; Ord. 6966 §1, 2007)

19.345.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all model homes unless otherwise specified here.

A. Site location standards.

1. Each model home must be located on an individual and approved lot.

B. Operation and development standards.

1. Access must meet the requirements of the Americans with Disabilities Act.
2. Any "trap" fencing shall be located on private property.
3. Any garage used as an office must be converted back to a garage prior to occupancy.
4. A four or greater model complex shall develop and improve a separate lot to accommodate parking.
5. Parking shall comply with the standards contained in Chapter 19.580 (Parking and Loading).
6. In each subdivision consisting of eight or more homes, at least one model home that is landscaped shall demonstrate via installed landscape and irrigation, the principles of water-efficient landscaping and irrigation consistent with Chapter 19.570 (Water Efficient Landscaping and Irrigation).
7. The developer of model homes constructed prior to the recordation of a final map for the subdivision containing the model home(s) shall enter into a model home agreement with the City in a form satisfactory to the City Attorney to ensure that the model home(s) will not be sold prior to final map and that the model home(s) will be demolished and removed should the final map not record in a time that is acceptable to the City.

(Ord. 7331 §48, 2016; Ord. 6966 §1, 2007)

19.345.040 Modifications.

No modifications to the above site location, operations and development standards are permitted.

(Ord. 7331 §48, 2016)

Chapter 19.350 PAROLEE/PROBATIONER HOME

19.350.010 Purpose.

19.350.020 Applicability and permit requirements.

19.350.030 Additional application requirements.

19.350.040 Site location, operation and development standards.

19.350.050 Special noticing requirements.

19.350.060 Existing facilities require a permit.

19.350.070 Change in operating conditions.

19.350.080 Abandonment of use.

19.350.090 Modifications.

19.350.010 Purpose.

The purpose of regulating parolee/probationer homes is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.020 Applicability and permit requirements.

Parolee/probationer homes, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.030 Additional application requirements.

The application for a discretionary permit for a parolee/probationer home shall include the following additional information:

- A. Client profile (the subgroup of the population of the facility is intended to serve such as single men, families, etc.);
- B. Maximum number of occupants and hours of facility operation;
- C. Term of client stay;
- D. Support services to be provided on-site and projected staffing levels; and
- E. Rules of conduct and/or management plan.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions shall apply unless otherwise specified here.

A. Site location standards.

- 1. The use shall be compatible with neighboring uses.
- 2. Establishment of the facility shall not result in harm to the health, safety or general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining properties or land uses will not result.

3. The facility shall be located along or near a major arterial with ready access to public transportation.
4. The facility shall be accessible to necessary support services.
5. To avoid over-concentration of parolee/probationer, there shall be a 5,000-foot separation requirement between parolee/probationer homes as measured from the nearest outside building walls between the subject use and the nearest property line of any other parolee/probationer housing site.
6. A parolee/probationer home shall not be located within 1,000 feet of any other group housing, assisted living facility, a public or private school (kindergarten through twelfth grade), university, college, student housing, senior housing, family day care home, day care center, public park, library, business licensed for on- or off- sales of alcoholic beverages, or emergency shelter as defined in Article X (Definitions) and as measured from any point on the outside walls of the parolee/probationer home to the nearest property line of the noted use.
7. The facility should be compatible with the character of the surrounding neighborhood.

B. Operation and development standards.

1. Sufficient on-site parking shall be provided in accordance with Chapter 19.580. The precise number of parking spaces required will be determined based on the operating characteristics of the specific proposal.
2. Both indoor and outdoor common areas shall be provided on site.
3. All setback standards of the underlying zone shall be met.
4. On-site staff supervision shall be required during all hours of facility operation.
5. Individual client stays shall not exceed 180 days.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 6, 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §49, 2016; Ord. 7158 §8, 2012; Ord. 6966 §1, 2007)

19.350.050 Special noticing requirements.

All property owners within 1,000 feet of the proposed facility, as measured from the subject property lines, shall be notified of the proposed discretionary permit.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.060 Existing facilities require a permit.

- A. Any existing parolee/probationer housing that has not complied with these requirements is in violation of this [Title](#) and is subject to appropriate Code enforcement action.

B. An existing parolee/probationer home in good standing may file a written request for an extension of time of up to one year in which to file for the required discretionary permit. The written request shall include the reason for the request, including budgeting and/or securing filing fees, subject to confirmation and approval by the Planning Division. A filing extension may be granted by the Planning Division when it is verified that good faith efforts to budget and/or secure funds are made, financial hardship exists and a favorable recommendation is obtained from the Police Department. The Police Department recommendation is based upon a review of calls for service and criminal history at the parolee/probationer home for the previous 12 months. This ~~S~~subsection shall sunset and no longer be effective after June 8, 2006.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.070 Change in operating conditions.

Any change in operating conditions from what was originally approved and imposed by the City, including, but not limited to, number of occupants or parolees/probationers or any modifications to the conditions of approval pursuant to the required discretionary permit shall require the immediate submittal of a request for revision of the required discretionary permit.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.080 Abandonment of use.

An existing parolee/probationer home established pursuant to any permit discontinued for any period of time is deemed abandoned. Any subsequent establishment of a parolee/probationer home shall be required to first obtain a new discretionary permit.

(Ord. 7331 §49, 2016; Ord. 6966 §1, 2007)

19.350.090 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

(Ord. 7331 §49, 2016)

Chapter 19.355 PAWN SHOP

19.355.010 Purpose.

19.355.020 Applicability and permit requirements.

19.355.030 Site location, operation and development standards.

19.355.040 Modifications.

19.355.010 Purpose.

The purpose of regulating pawn shop establishments is to ensure security and compatibility with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §50, 2016; Ord. 6966 §1, 2007)

19.355.020 Applicability and permit requirements.

Pawn shop establishments, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §50, 2016; Ord. 6966 §1, 2007)

19.355.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to pawn shop establishments unless otherwise specified here.

A. Site location standards.

1. The business shall not be located within 600 feet of a public or private school (kindergarten through twelfth grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, assemblies of people—non-entertainment or park site.
2. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
3. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter or business licensed by the State of California for off- or on-sale of alcoholic beverages as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing parolee/probationer home, emergency shelter, supportive housing, transitional housing and transitional housing development or business licensed by the State of California for off- or on-sale of alcoholic beverages.
4. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.

B. Operation and development standards.

1. The business shall have lighting to provide illumination for security and safety of parking and access areas in accordance with Chapter 19.556 of ~~this Title~~the Zoning Code.
2. A security plan shall be provided to the Riverside Police Department and Planning Division for review and approval.
3. The business window shall not be tinted or obscured in any way, including by temporary or painted window signs, and the interior lighting of the business shall remain at adequate levels to clearly see into the business from the exterior of the business.
4. A sign shall be posted in the front of the business indicating that no loitering is permitted per ~~this~~the Riverside Municipal Code.

5. Prior to occupancy of the business, the business owner shall sign a trespass authority letter authorizing the Riverside Police Department to enforce trespass law. A copy of this letter shall be provided to the Planning Division.
6. No outdoor pay phones shall be permitted on any such premises.

(Ord. 7331 §50, 2016; Ord. 7158 §9, 2012; Ord. 6966 §1, 2007)

19.355.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §50, 2016)

Chapter 19.360 PLANT NURSERIES—RETAIL

19.360.010 Purpose.

19.360.020 Applicability and permit requirements.

19.360.030 Site location, operation and development standards.

19.360.040 Modifications.

19.360.010 Purpose.

The purpose of establishing regulations for plant nurseries - retail is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §51, 2016; Ord. 6966 §1, 2007)

19.360.020 Applicability and permit requirements.

The growing of nursery plants with associated retail sales, as defined in Article X (Definitions), is allowed as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

For the purposes of this Chapter and Title, two types of plant nurseries are established as regulated uses:

- A. Plant nurseries in the R-1 and R-3 zones
- B. Plant nurseries that may be permitted in zones other than R-1 and R-3

(Ord. 7331 §51, 2016; Ord. 6966 §1, 2007)

19.360.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions shall apply to plant nurseries-retail located in the R-1 and R-3 zones unless otherwise specified here.

- A. *Plant nurseries in the R-1 and R-3 Zones.*

1. Site location standards.

- a. The site shall have a minimum lot area of one acre.
- b. The facility shall be located on an arterial or collector street as designated on the Master Plan of Roadways (Figure CCM-4) in the General Plan.

2. Operation and development standards.

- a. All buildings, structures or improvements shall be located at least 20 feet from any property line.
- b. All buildings and structures shall not exceed 20 feet in height.
- c. All storage of non-plant material shall be in a completely enclosed building or within a masonry wall enclosure at least six feet in height.
- d. No outdoor telephone bell or paging system shall be used.

B. Plant nurseries in zones other than R-1 and R-3.

1. Operation and development standards.

- a. All storage of non-plant material shall be in a completely enclosed building or within a masonry wall enclosure at least six feet in height.
- b. No outdoor telephone bell or paging system shall be used.

(Ord. 7331 §51, 2016; Ord. 6966 §1, 2007)

19.360.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §51, 2016)

Chapter 19.370 RECREATIONAL FACILITIES—COMMERCIAL (BILLIARD PARLORS AND POOL HALLS)

19.370.010 Purpose.

19.370.020 Applicability and permit requirements.

19.370.030 Site location, operation and development standards.

19.370.040 Modifications.

19.370.010 Purpose.

The purpose of regulating billiard parlors and pool halls is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §53, 2016; Ord. 6966 §1, 2007)

19.370.020 Applicability and permit requirements.

Recreational facilities, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions, subject to the requirements contained in this ~~C~~chapter and shall comply with all provisions of Chapter 5.28, Poolrooms, of ~~this the Riverside~~ ~~Municipal~~ Code.

(Ord. 7331 §53, 2016; Ord. 6966 §1, 2007)

19.370.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to billiard parlors and pool halls, unless otherwise specified here.

- A. Any billiard parlor or pool hall shall only be established, located, or operated where permitted only within the ascribed distances of the certain specified land uses or zones set forth here. These distances shall be measured from the closest point upon the outside walls of the building containing the billiard parlor or pool hall to the nearest point upon the outside walls or property lines of the building or property of concern.
 1. The business shall not be located within 600 feet of any school (kindergarten through twelfth grade), assemblies of people—non-entertainment, or park, as measured from the building walls of the billiard/pool hall to the nearest property line of the uses listed above, except in the Downtown Arts and Entertainment District, as defined in Article X (Definitions), where the 600-foot distance restriction does not apply. However, in the Downtown Arts and Entertainment District, the Community & Economic Development Director or his/her designee shall consider distances from the above-listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.
 2. The business shall not be located within 100 feet of any residential dwelling unit or residential zone, as measured from the building walls of the billiard/pool hall to the nearest property line of the uses listed above. This provision shall not be mandatory with regard to residential uses that are a part of a mixed-use zone or mixed-use project.
- B. At all times, each billiard parlor or pool hall operator shall maintain adult attendants on the premises, the number of which shall be set forth in the approved discretionary permit.
- C. Each billiard parlor or pool hall shall prohibit persons 17 years of age and under from using any of the facilities prior to 8:00 a.m. or after 10:00 p.m.
- D. Hours of operation shall be determined based upon the sensitivity of the area surrounding the proposed billiard parlor during the approval of the discretionary permit.
- E. Signage informing the public of the prohibition on the use of drugs, smoking, loud conduct, age restrictions, and the hours of operation shall be posted and plainly visible to customers within the establishment in at least two locations.
- F. Billiard parlors and pool halls that have been authorized to serve alcoholic beverages shall enforce a customer dress Code, which at a minimum shall prohibit gang-related attire. The dress Code shall be posted at all public entrances.
- G. Any and all forms of gambling are prohibited.
- H. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease spaces.

- I. A security plan shall be submitted for review and approval by the Police Department as a part of the discretionary permit application demonstrating and committing to the provision of adequate on-site security.

(Ord. 7331 §53, 2016; Ord. 6966 §1, 2007)

19.370.040 Modifications.

Modifications to the above site location, development and operation standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. 7331 §53, 2016; Ord. 6966 §1, 2007)

Chapter 19.375 RECYCLING CENTER—PAPER, GLASS, PLASTIC, ALUMINUM AND OTHER NONFERROUS METALS

19.375.010 Purpose.

19.375.020 Applicability and permit requirements.

19.375.030 Site location, operation and development standards.

19.375.040 Modifications.

19.375.010 Purpose.

The purpose of regulating recycling centers, also known as collection and processing centers, for paper, glass, plastic, aluminum and other nonferrous metals is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §54, 2016; Ord. 6966 §1, 2007)

19.375.020 Applicability and permit requirements.

Recycling collection and processing centers for paper, glass, plastic, aluminum and other nonferrous metals, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §54, 2016; Ord. 6966 §1, 2007)

19.375.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all recycling collection and processing centers unless otherwise specified here.

- A. Any portion of the site not within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height and all materials shall be stored below the level of the wall.
- B. All materials stored out-of-doors shall be kept within completely enclosed storage bins.
- C. All dismantling of assembled materials shall be done within a completely enclosed building.

- D. Baling, shearing and compacting equipment shall be located within a completely enclosed building.
- E. The site shall be fully landscaped on the interior and additional perimeter landscape screening may be required by the Staff Application Review Team ~~Development Review Committee~~ to adequately screen the operation.
- F. The facility shall not substantially increase vehicular traffic on streets in a residential zone.
- G. The site shall be served by streets and highways capable of carrying the quantity and type of traffic generated by such use.
- H. The facility shall be a minimum of 300 feet from any residentially zoned property or from any school (kindergarten through twelfth grade), assemblies of people—non-entertainment, hospital, or similar use involving a large assemblage of people.
- I. Receiving or processing scrap steel or junked cars shall be prohibited.
- J. Plans for a continuing cleaning and maintenance program, as well as the control of noise, odor, dust, litter, and the like, shall be submitted for review and approval.

(Ord. 7331 §54, 2016; Ord. 6966 §1, 2007)

19.375.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §54, 2016)

Chapter 19.380 RECYCLING CENTER—SOLID WASTE TRANSFER STATIONS AND MATERIAL RECOVERY FACILITIES (MRF)

19.380.010 Purpose.

19.380.020 Applicability and permit requirement.

19.380.030 Environmental Impact Report (EIR) required.

19.380.040 Site location, operation and development standards.

19.380.050 Modifications.

19.380.010 Purpose.

The purpose of regulating recycling center - solid waste transfer stations and material recovery facilities (MRFs) is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §55, 2016; Ord. 6966 §1, 2007)

19.380.020 Applicability and permit requirement.

Recycling facility - solid waste transfer stations and material recovery facilities (MRF) are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §55, 2016; Ord. 6966 §1, 2007)

19.380.030 Environmental Impact Report (EIR) required.

An environmental impact report (EIR), prepared by a consultant selected under the terms of the City's California Environmental Quality Act guidelines, shall be required. Prior to commencement of the preparation of the EIR, a preliminary conference with the applicant and the Planning Division shall be held. Issues addressed by the EIR shall include, but not be limited to, the following: land use; traffic, noise, aesthetics, including screening and landscaping; odor; dust; litter control and ongoing maintenance; groundwater protection; prevailing wind direction; and release of hazardous substances.

(Ord. 7331 §55, 2016; Ord. 6966 §1, 2007)

19.380.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply recycling centers - solid waste transfer stations and material recovery facilities (MRFs), unless otherwise specified here.

A. *Site location criteria.* The solid waste transfer station and/or MRF shall meet the following location criteria:

1. The facility will not substantially increase vehicular traffic on streets in a residential zone.
2. The facility will not substantially lessen the usability and suitability of adjacent or nearby properties.
3. The site is served by an improved arterial street, adequate in width and pavement type to carry the quantity and type of traffic generated by the use.
4. The site is adequate in size and shape to accommodate the use and to accommodate all yards, walls, vehicular stacking, parking, landscaping and other required improvements.
5. No transfer station or MRF shall be closer than 600 feet to any property in a residential or commercial zone or from any school (kindergarten through twelfth grade), assemblies of people—non-entertainment, hospital or similar use involving a large assemblage of people, as measured between property lines.
6. In the siting of new buildings for construction, consideration shall be given to prevailing wind direction and location of large vehicle doors in order to minimize odors.

B. *Operation and development standards.* In addition to the provisions of the underlying base zone and any applicable overlay zone(s), the solid waste transfer station and/or MRF shall meet the following operation and development standards:

1. The gross land area shall not be less than five acres with a minimum street frontage of 140 feet.
2. Except as setbacks along arterial streets may require additional dimensions, all buildings, structures or improvements shall meet the setbacks as required in the applicable zone. The setbacks specified in this ~~P~~paragraph may be used only for the following purposes:
 - a. Passage or temporary standing of automobiles
 - b. Landscape areas
 - c. Light poles and standards

3. All equipment and activities associated with this use shall be contained within an enclosed building with only sufficient openings for ingress/egress of vehicles.
4. On-site truck stacking and maneuvering area shall be provided as necessary to accommodate the anticipated vehicular usage of the transfer station/MRF, depending on the size and nature of the facility, and shall be completely screened by solid masonry walls not less than six feet in height with appropriate landscaping and irrigation. No truck stacking and maneuvering area shall be permitted within the required front and street side yard setback.
5. Any water flow resulting from the use of wash facilities shall be contained on site and disposed of through an on-site drainage system, in conformance with City regulations to enforce the requirements of the National Pollutant Discharge Elimination Systems (NPDES) permit.
6. The noise, dust and odor levels generated by the facility shall conform to Chapter 19.590 of ~~this Title~~the Zoning Code and Title 7 - Noise Control of ~~this the Municipal~~ Code.
7. All materials stored outside shall be kept within storage bins or bales screened from view from adjacent properties and streets.
8. Material recovery facilities shall be permitted in conjunction with a solid waste transfer station. A covenant as approved by the Planning Division, Building Division and City Attorney's Office restricting recyclable material to paper, cardboard, glass, plastic, household hazardous waste, aluminum and other metals shall be recorded against the property. The covenant may also restrict the nature and quantities of household hazardous waste. The receiving or processing of scrap steel and junked cars shall be specifically prohibited.
9. Hours of operation shall be limited to 6:00 a.m. to 6:00 p.m. Monday through Saturday and 8:00 a.m. to 4:00 p.m. on Sundays.
10. All transfer stations and MRFs shall be staffed during business hours.
11. No trash shall be stored overnight. Recyclables may be stored overnight within appropriate storage containers or bales screened from view from adjacent properties and streets.
12. All open areas, other than landscaped planter beds shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department, shall be graded and drained so as to adequately dispose of all surface water and shall be maintained in good repair.
13. Any portion of the site not entirely within a completely enclosed building shall be surrounded by a solid masonry wall not less than six feet in height with appropriate landscaping and irrigation.
14. A daily cleaning and ongoing maintenance program as approved by the Planning Commission as part of the discretionary permit shall be established.
15. All incoming or outgoing trucks shall be completely enclosed or equipped with an impermeable cover.

(Ord. 7331 §55, 2016; Ord. 6966 §1, 2007)

19.380.050 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §55, 2016)

Chapter 19.385 RECYCLING FACILITIES

19.385.010 Purpose.

19.385.020 Applicability and permit requirements.

19.385.030 Site location, operation and development standards.

19.385.040 Modifications.

19.385.010 Purpose.

The purpose of regulating recycling facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.020 Applicability and permit requirements.

Beverage container recycling facilities, mobile recycling units, indoor collection centers, reverse vending machines, bulk reverse vending machines and donation collection bins, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.030 Site location, operation and development standards.

A. *Mobile recycling units.* Mobile recycling units shall comply with the following regulations.

1. The unit shall be staffed at all times during operating hours.
2. The unit shall operate a minimum of 30 hours per week but shall be limited to the hours between 9:00 a.m. to 7:00 p.m.
3. The unit shall be located on a site occupied by commercial or industrial businesses.
4. All beverage containers shall be stored in opaque enclosures so as not to be readily visible.
5. The unit shall be compatible with the building architecture of the site.
6. The unit shall be located at least 150 feet from any street or residentially zoned or occupied property. An additional setback may be required to reduce exposure of the unit to the street or adjacent property.
7. The total area occupied by the unit shall not exceed 500 square feet.
8. Exterior signage shall be limited to one unlighted identification sign and one hours-of-operation sign, each not to exceed 16 square feet per mobile recycling unit.
9. The unit shall not interfere with pedestrian or vehicular circulation and shall not displace any required parking spaces.
10. The unit shall be screened from adjacent properties and streets by landscaping or other screening.

11. The unit and surrounding area shall be maintained in a clean, litter-free condition and shall be swept or pressure washed daily. Shopping carts and trash left within 100 feet of the recycling unit shall be removed at the end of the daily operating hours.

B. *Reverse vending machines.* Reverse vending machines shall comply with the following regulations.

1. Signage shall be limited to the surface area of the machines.
2. The machines shall be located within 30 feet of a building entry and shall abut such building.
3. The machines shall be situated at least 150 feet from any residentially zoned or occupied property.
4. The machines shall not interfere with pedestrian or vehicular circulation or parking.
5. Only one machine or group of machines shall be allowed per commercial or industrial property or complex.
6. Such machine(s) shall not meet the definition of Reverse Vending Machine-Bulk Type as defined in Article X (Definitions).
7. The machines shall not exceed reasonable noise limits pursuant to Title 7.

C. *Indoor collection centers.* Indoor collection centers shall comply with the following site location and operational regulations.

1. Exterior signage shall be limited to one unlighted identification sign and one hours-of-operation sign, each not-to-exceed six square feet.
2. Indoor collection centers shall not be located within 150 feet of a residential zone or use, as measured from property line to property line.

D. *Reverse vending machine, bulk type.* Bulk reverse vending machines shall comply with the following standards.

1. The machines shall be situated at least 150 feet from any residentially zoned or occupied property.
2. The machine(s) shall not interfere with pedestrian or vehicular circulation or parking.
3. The machines shall not exceed reasonable noise limits pursuant to Title 7.
4. Only one machine or group of machines shall be allowed per commercial or industrial property or complex.

E. *Donation collection bins.* Donation collection bins shall comply with the following standards:

1. Only one unattended donation collection bin shall be allowed on each parcel or real property.
2. Any unattended donation collection bin shall not be any closer than 2,000 feet from any other unattended donation collection bin, as measured from the subject unattended donation collection bin to the nearest property line containing another unattended donation collection bin.
3. Unattended donation collection bins shall be located on a parcel of two and one-half acres in area or larger.
4. No unattended donation collection bin shall be allowed in an area required for vehicle parking, circulation, pedestrian path of travel or required landscaped area.
5. The unattended donation collection bin shall be located at least 150 feet from any street or residentially zoned or occupied property. An additional setback may be required to reduce exposure of the unit to the street or adjacent property.
6. The unattended donation collection bin shall be no more than 84 inches high, 72 inches wide and 60 inches deep.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §15, 2021; Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 §28, 11-5-2019; Ord. 7331 §56, 2016; Ord. 6966 §1, 2007)

19.385.040 Modifications.

No modifications to the above site location, operations and development standards are permitted.

(Ord. 7331 §56, 2016)

Chapter 19.390 RETAIL SALES ANCILLARY TO A MANUFACTURING USE ON-SITE

19.390.010 Purpose.

19.390.020 Applicability.

19.390.030 Site location, operation and development standards.

19.390.040 Modifications.

19.390.010 Purpose.

The purpose of regulating ancillary retail sales to a manufacturing use on-site is to ensure that the retail sales remain ancillary to the primary manufacturing use and operation of the facility.

(Ord. 7331 §57, 2016; Ord. 6966 §1, 2007)

19.390.020 Applicability.

Ancillary retail sales to a manufacturing use are limited to the sale of products manufactured, assembled, fabricated or processed in whole or major part on premises.

(Ord. 7331 §57, 2016; Ord. 6966 §1, 2007)

19.390.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to ancillary retail sales to a manufacturing use unless otherwise specified here.

- A. The floor area allocated for retail sales shall not exceed more than 15 percent of the total building(s) gross floor area.
- B. Off-street parking requirements for commercial uses shall be applied to the portion of the facility dedicated for on-site retail sales.

(Ord. 7331 §57, 2016; Ord. 6966 §1, 2007)

19.390.040 Modifications.

No modifications to the above site location, operation and development standards are permitted.

(Ord. 7331 §57, 2016)

Chapter 19.395 SCHOOLS

19.395.010 Purpose.

19.395.020 Applicability and permit requirements.

19.395.030 Site location, operation and development standards.

19.395.040 Modifications.

19.395.010 Purpose.

The purpose of requiring special setbacks for schools, in residential and office zones is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §58, 2016; Ord. 6966 §1, 2007)

19.395.020 Applicability and permit requirements.

Schools, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions to the requirements contained in this [Chapter](#).

(Ord. 6966 §1, 2007)

19.395.030 Site location, operation and development standards.

The development standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all schools unless otherwise specified here.

- A. Schools, institutions, or other similar uses and appurtenant off-street parking located in any residential zone, Office (O) or Public Facilities Zone shall be set back at least 20 feet from every property line and shall not be located within any front yard required in such zone; provided, however, that any interior side or rear yard may be used for off-street parking purposes.
- B. In all other zones, schools and appurtenant off-street parking shall comply with the setback requirements of the underlying zone or any applicable overlay zone or specific plan, whichever is most restrictive.

(Ord. 7331 §58, 2016; Ord. 6966 §1, 2007)

19.395.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit or Minor Conditional Use Permit, as applicable.

(Ord. 7331 §58, 2016)

Chapter 19.400 SHELTERS—EMERGENCY

19.400.010 Purpose.

19.400.020 Applicability and permit requirements.

19.400.030 Additional application requirements.

19.400.040 Site location, operation, and development standards.

19.400.050 Special noticing requirements.

~~19.400.060 Reserved.~~

19.400.070 Change in operating conditions.

19.400.080 Abandonment of use.

19.400.081 Modifications.

19.400.010 Purpose.

The purpose of regulating emergency shelters is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7408 §1, 2018; Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.020 Applicability and permit requirements.

Except as provided in ~~P~~paragraph B, emergency shelters, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(~~u~~link class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</del>link> §16, 2021; (Ord. 7408 §1, 2018; Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.030 Additional application requirements.

The application for a discretionary permit for emergency shelters shall include the following additional information:

- A. Client profile (the subgroup of the population of the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);
- B. Maximum number of occupants and hours of facility operation;
- C. Term of client stay;
- D. Support services to be provided on-site and projected staffing levels;
- E. Rules of conduct and/or management plan; and
- F. Security plan.

(~~u~~link class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</del>link> §17, 2021; Ord. 7408 §1, 2018; Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.040 Site location, operation, and development standards.

In addition to the standards for emergency shelters set forth in Article V, Base Zones and Related Use and Development Provisions, the following findings shall be made:

- A. To avoid over-concentration of emergency shelters, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between the subject use and the nearest property line of any other emergency shelter as defined in Article X (Definitions).
- B. On-site waiting and client intake areas.
 - 1. An adequately sized indoor client intake area shall be provided.
 - 2. Any queuing areas shall be on-site, in covered areas and away from public sidewalks and avoid spilling into parking and landscape areas.
- C. Both indoor and outdoor open areas shall be provided on site.
- D. All setback standards of the underlying zone shall be met.
- E. On-site parking shall be provided in accordance with Chapter 19.580 (Parking and Loading). The precise number of parking spaces required will be determined based on the operating characteristics of the specific proposal; however, the required parking shall not be more than for other residential or commercial uses within the same zone.
- F. On-site staff supervision shall be required during all hours of facility operation.
- G. Individual client stays shall not exceed 180 consecutive days.
- H. The facility, in any Zoning District, shall be consistent with any applicable Riverside County Airport Land Use Compatibility Plan compatibility criteria.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 7, 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §18, 2021; Ord. 7408 §1, 2018; Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.050 Special noticing requirements.

All property owners within 1,000 feet of the proposed facility, as measured from the subject property lines, shall be notified of the proposed discretionary permit.

(Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

~~19.400.060 Reserved.~~

Editor's note — <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §19, adopted in 2021, repealed §19.400.060, which pertained to existing

~~facilities requiring a permit and derived from Ord. 7331 §60, adopted in 2016; Ord. 7158 §10, adopted in 2012; and Ord. 6966 §1, adopted in 2007.~~

19.400.0670 Change in operating conditions.

Any change in operating conditions from what was originally approved and imposed by the City, including, but not limited to, number of occupants or clients or any modifications to the conditions of approval pursuant to the required discretionary permit shall require the immediate submittal of a request for revision of the required discretionary permit.

(Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.0780 Abandonment of use.

An existing facility, established pursuant to any discretionary permit discontinued for any period of time, excluding a maximum 30-day closure required to perform necessary repairs or restoration that does not increase the square footage of the residence, is deemed abandoned and any subsequent establishment of a facility shall be required to first obtain a new discretionary permit, as appropriate.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §20, 2021; Ord. 7331 §60, 2016; Ord. 7158 §10, 2012; Ord. 6966 §1, 2007)

19.400.0781 Modifications.

Modifications to the above site location, operation and development standards may be considered under the required Minor Conditional Use Permit or Conditional Use Permit.

(Ord. 7331 §60, 2016)

Chapter 19.401 SINGLE ROOM OCCUPANCIES (SRO's)

19.401.010 Purpose.

19.401.020 Applicability and permit requirements.

19.401.030 Site location, operation and development standards.

19.401.010 Purpose.

The purpose is to allow for single room occupancies (SRO's) consistent with State Law, Government Code Section 65583(c)(2) to appropriately regulate SRO's to ensure compatibility with surrounding uses and properties, and to minimize impacts associated with such uses.

(Ord. 7408 §1, 2018)

19.401.020 Applicability and permit requirements.

Single room occupancies (SRO's) as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7408 §1, 2018)

19.401.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to SRO development, unless otherwise specified here.

- A. To avoid over-concentration of SRO's, there shall be a 300-foot separation requirement as measured from the nearest outside building walls between a proposed SRO and any other SRO.
- B. The design of the facility shall be compatible with character of the surrounding neighborhood and consistent with the Citywide Sign and Design Guidelines.
- C. *Parking*. On-site parking shall be provided as required for SRO's pursuant to the requirements of Chapter 19.580.
- D. *Common space*. A minimum of ten square feet per unit, or 250 square feet, whichever is greater, shall be provided for interior common space. Dining rooms, meeting rooms, recreational rooms and other similar areas may be considered common areas. Shared bathrooms, kitchens, storage, laundry facilities and common hallways shall not be considered common areas.
- E. *Floor area*. An SRO living unit shall be a minimum of 150 square feet in floor area and up to a maximum of 400 square feet in floor area, including bathroom and/or kitchen facilities.
- F. *Laundry facilities*. Laundry facilities shall be provided in a separate room at the ratio of one washer and one dryer for every 20 units or fractional number thereof.
- G. *Kitchen facilities*. Each unit shall be provided a kitchen sink serviced with hot and cold water with a garbage disposal and a counter top measuring a minimum of 18 inches wide by 24 inches deep. A complete kitchen facility available for residents shall be provided on each floor of the structure, if each individual unit is not provided with a minimum of a refrigerator and a microwave oven.
- H. *Bathroom facilities*. For each unit, a private toilet shall be provided in an enclosed room having a minimum of 15 square feet in area and a door. If private bathing facilities are not provided for each unit, shared shower or bathtub facilities shall be provided at a ratio of one for every seven units or fraction thereof. The shared shower or bathtub facility shall be on the same floor as the units it is intended to serve and shall be accessible from a common area or hallway. Each shared shower or bathtub facility shall be provided with an interior lockable door.
- I. *Management plan*. The SRO living unit facility shall have a management plan approved by the City.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 8, 2024; Ord. 7408 §1, 2018)

~~Chapter 19.405 RESERVED *~~

~~*Editor's note — Ord. No. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank>~~

~~web="yes">7652</ulink>, § 6, adopted November 7, 2023, repealed the former Chapter 19.405, §§ 19.405.010—19.405.040 in its entirety, which pertained to tattoo and body piercing parlors, and derived from Ord. 6966 § 1, adopted in 2007; Ord. 7158 § 11, adopted in 2012; Ord. 7331 § 61, adopted in 2016; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank" web="yes">7520</ulink> § 1(Exh. A), adopted in 2020, and Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank" web="yes">7528</ulink> § 1(Exh. A), adopted in 2020.~~

Chapter 19.410 VEHICLE FUEL STATIONS

19.410.010 Purpose.

19.410.020 Applicability and permit requirements.

19.410.030 Additional findings required.

19.410.040 Site location, operation and development standards.

19.410.050 Other applicable regulations.

19.410.060 Modifications.

19.410.010 Purpose.

The purpose of regulating vehicle fuel stations is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §62, 2016; Ord. 6966 §1, 2007)

19.410.020 Applicability and permit requirements.

Vehicle fuel stations, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zone and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §62, 2016; Ord. 6966 §1, 2007)

19.410.030 Additional findings required.

In addition to any findings required for the granting of a discretionary permit for a vehicle fuel station, the Approving or Appeal Authority shall be required to make the additional findings:

- A. That the vehicle fuel station will not substantially increase vehicular traffic on streets in a residential zone, and that the vehicle fuel station will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.
- B. That the vehicle fuel station will not substantially lessen the usability of adjacent or nearby commercially-zoned property for commercial use by interfering with pedestrian traffic.
- C. That the vehicle fuel station will not create increased traffic hazards to pedestrians when located near a school, assemblies of people—non-entertainment or assemblies of people—entertainment.

- D. That the vehicle fuel station site is served by streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by such service station use.
- E. That the vehicle fuel station site is adequate in size and shape to accommodate said use, and to accommodate all yards, walls, parking, landscaping and other required improvements.

(Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7331 §62, 2016; Ord. 6966 §1, 2007)

19.410.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to vehicle fuel stations unless otherwise specified here.

- A. The gross land area shall be not less than one acre.
- B. The site shall be located on an arterial street, as identified on the General Plan—Master Plan of Roadways.
- C. Except as setbacks along arterial streets may require additional setbacks, all buildings, structures or improvements shall meet the following setbacks:
 - 1. Gasoline and hydrogen fuel pumps or dispensers and canopies shall be located no closer than 20 feet from any property line.
 - 2. The setbacks specified in this subsection C may be used only for the following purposes:
 - a. Passage or temporary standing of automobiles
 - b. Landscaping
 - c. Light poles and standards
 - 3. A minimum ten-foot landscaped setback shall be provided adjacent to any public street.
- D. Buildings shall not exceed a height of 35 feet, except as otherwise provided in Article V.
- E. When a vehicle fuel station adjoins any lot in a residential, mixed use, or Office (O) Zone, a minimum six-foot-high masonry wall shall be erected and maintained along such property line; provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line.
- F. Screening of pump islands and storage/production tanks for hydrogen fuel stations is encouraged by orienting on-site buildings closer to perimeter street frontages.
- G. Screening of hydrogen fuel storage/production tanks shall be accomplished by orienting the tanks behind on-site buildings and within a solid masonry wall enclosure that blends with the building. If this cannot be accomplished, screening shall consist of landscaping and/or artwork, or alternative methods at the discretion of the approving authority. Use of chain-link or similar fencing materials is not permitted.
- H. Notwithstanding other provisions to the contrary, the following site operation standards shall apply to vehicle stations:
 - 1. Operations outside the vehicle fuel station building shall be limited to the dispensing of gasoline, oil, air and water.
 - 2. All storage and display of merchandise and supplies must be conducted within the service station building.

3. No vehicles shall be parked on the premises other than those of persons attending to business on the site, vehicles being serviced for customers, vehicles of employees, and other service vehicles used in the operation of the station. No vehicle may be parked on the premises and offered for sale.
4. Any tank or display provided for the incidental sale of propane or similar material shall be fully screened from view from any public right-of-way.
5. Hydrogen fuel pumps shall be oriented to provide adequate circulation throughout the site.

I. Hydrogen fuel stations shall comply with the following:

1. Safety and performance standards established by the Society of Automotive Engineers and accredited nationally recognized testing laboratories;
2. Any rules established by the state Air Resources Board, Energy Commission, or Department of Food and Agriculture regarding safety, reliability, weights, and measures; and
3. All other applicable rules and regulations.

(Ord. 7331 §62, 2016; Ord. 6966 §1, 2007)

19.410.050 Other applicable regulations.

When uses are combined the more restrictive standards of a subject use will apply.

- A. Vehicle repair activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle repair activities shall be conducted in accordance with the provisions of Chapter 19.420 (Vehicle Repair Facilities) of ~~this Title~~ the Zoning Code.
- B. Vehicle wash facilities and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle wash facilities shall be conducted in accordance with the provisions of Chapter 19.425 (Vehicle Wash Facilities) of ~~this Title~~ the Zoning Code.
- C. Drive-thru businesses and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, drive thru businesses shall be conducted in accordance with the provisions of Chapter 19.475 (Drive thru Businesses) of ~~this Title~~ the Zoning Code.

(Ord. 7331 §62, 2016; Ord. 6966 §1, 2007)

19.410.060 Modifications.

Any modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §62, 2016)

Chapter 19.415 VEHICLE IMPOUND AND TOW YARDS

19.415.010 Purpose.

19.415.020 Applicability and permit requirements.

19.415.030 Site location, operation and development standards.

19.415.040 Modifications.

19.415.010 Purpose.

The purpose of regulating vehicle impound and tow yards is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §63, 2016; Ord. 6966 §1, 2007)

19.415.020 Applicability and permit requirements.

Vehicle impound and tow yards, as defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §63, 2016; Ord. 6966 §1, 2007)

19.415.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to vehicle impound yards, unless otherwise specified here.

- A. No automobile impound or tow yard shall be closer than 300 feet to any property in a residential, mixed use, office, commercial, air, public facilities, or an agricultural zone, as measured from property line to property line.
- B. The impound or tow storage yard shall be entirely enclosed by an eight-foot-high decorative masonry wall.
- C. A minimum 20-foot landscaped setback shall be provided along all street frontages.
- D. All vehicles within the impound yard shall have ground contact of all wheels. No stacking of vehicles shall be permitted.
- E. The surface of the storage yard shall be covered with slate, slag or alternate dust-, weed- and mud-retardant material acceptable to the Approving or Appeal Authority. Any stormwater or other runoff from the site shall be contained on the site and disposed of through an on-site drainage system, in conformance with City regulations to enforce the requirements of the National Pollutant Discharge Elimination Systems (NPDES) permit.
- F. All other applicable requirements of the underlying zone, and any applicable overlay zone or specific plan, whichever is most restrictive, shall prevail and other requirements as may be imposed by the Approving or Appeal Authority pursuant to the discretionary permit process.
- G. The business shall be operated in compliance with the provisions of Noise Control (Title 7 of ~~this the Riverside Municipal~~ Code).
- H. Lighting shall be provided in accordance with Chapter 19.556 of ~~this Title~~the Zoning Code.
- I. All areas utilized for storage shall be graded and drained so as to dispose of all surface water in a manner consistent with water quality control standards enforced by the Public Works Department.
- J. All such areas shall be maintained in good repair, in a clean, neat and orderly condition.

K. All such areas shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Division and Public Works Department.

(Ord. 7331 §63, 2016; Ord. 6966 §1, 2007)

19.415.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §63, 2016)

Chapter 19.420 VEHICLE REPAIR FACILITIES

19.420.010 Purpose.

19.420.020 Applicability and permit requirements.

19.420.030 Site location, operation and development standards.

19.420.040 Other applicable regulations.

19.420.050 Modifications.

19.420.010 Purpose.

The purpose of regulating vehicle repair facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §64, 2016; Ord. 6966 §1, 2007)

19.420.020 Applicability and permit requirements.

Vehicle repair facilities, both "major" and "minor," as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §64, 2016; Ord. 6966 §1, 2007)

19.420.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to vehicle repair facilities, unless otherwise specified here.

A. The minimum site area shall be one-half acre (net).

B. The facility shall have direct access to an existing or planned arterial or collector street, as designated on the General Plan - Master Plan of Roadways (Figure CCM-4).

C. Service bays shall be oriented to minimize their visibility from public rights-of-way and residential areas.

- D. A minimum six-foot-high decorative masonry wall shall be erected along all property lines adjacent to any property zoned for residential use or the Office (O) Zone, except that the wall shall be reduced to three feet adjacent to residential front yard setbacks and as may be required to meet corner cut-off requirements at street intersections.
- E. Any setback adjacent to a public street shall be fully landscaped.
- F. Buildings located adjacent to property zoned for residential use shall be constructed to meet exterior sound level limits required by Title 7 of ~~this~~the Municipal Code.
- G. All repair work shall be conducted within an enclosed building or shall be fully screened by a minimum six-foot-high decorative masonry wall.
- H. Outdoor storage of merchandise and use of equipment shall be permitted if fully screened by a minimum six-foot-high decorative masonry wall and the sound of the equipment can be insulated to meet the requirements of Title 7 of ~~this~~the Municipal Code.
- I. Outdoor display of merchandise shall not be permitted.
- J. A minimum ten-foot landscaped setback shall be provided adjacent to public streets, unless the prevailing setback along the same block face is greater than ten feet, in which case the setback shall be no less than the average of the setbacks of existing buildings along the same block face.
- K. Adequate vehicle parking and maneuvering areas shall be provided to allow for safe internal and external circulation patterns.
- L. Inoperable vehicles shall not be stored on the property longer than 30 days.

(Ord. 7331 §64, 2016; Ord. 6966 §1, 2007)

19.420.040 Other applicable regulations.

When uses are combined the more restrictive standards of a subject use will apply.

- A. Vehicle fuel station activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle fuel station activities shall be conducted in accordance with the provisions of Chapter 19.410 (Vehicle Fuel Station Facilities) of ~~this Title~~the Zoning Code.
- B. Vehicle wash facilities and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle wash facilities shall be conducted in accordance with the provisions of Chapter 19.425 (Vehicle Wash Facilities) of ~~this Title~~the Zoning Code.
- C. Drive-thru businesses and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, drive thru businesses shall be conducted in accordance with the provisions of Chapter 19.475 (Drive thru Businesses) of ~~this Title~~the Zoning Code.

(Ord. 7331 §64, 2016; Ord. 6966 §1, 2007)

19.420.050 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

Where a vehicle repair facility is a permitted use pursuant to Article V, Base Zones and Related Use and Development Provisions, any modifications to the above site location, operation and development standards will require consideration of a Minor Conditional Use Permit.

(Ord. 7331 §64, 2016)

Chapter 19.425 VEHICLE WASH FACILITIES

19.425.010 Purpose.

19.425.020 Applicability and permit requirements.

19.425.030 Site location, operational and development standards.

19.425.040 Other applicable regulations.

19.425.050 Modifications.

19.425.010 Purpose.

The purpose of regulating vehicle wash facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §65, 2016; Ord. 6966 §1, 2007)

19.425.020 Applicability and permit requirements.

Vehicle wash facilities, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §65, 2016; Ord. 6966 §1, 2007)

19.425.030 Site location, operational and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all vehicle wash facilities unless otherwise specified here.

- A. All equipment, supplies and activities associated with this use shall be contained within an enclosed building with only sufficient openings for ingress and egress of automobiles. This includes the washing, machine drying and any other procedure incidental to automobile washing and cleaning; however, outside manual drying may be done if screened from public view.
- B. The facility shall have direct access to an existing or planned arterial or collector street, as designated on the General Plan—Master Plan of Roadways (Figure CCM-4).
- C. The internal traffic circulation pattern shall be designed so as to preclude traffic congestion on public streets in the vicinity and to provide safe ingress, egress and movement of traffic on the site.
- D. A minimum ten-foot landscaped setback shall be provided adjacent to any public street.
- E. The noise level generated by the facility shall not exceed the limits set forth in Title 7 of ~~this~~
~~Municipal~~ Code. Evidence that the facility is designed to meet this requirement shall be submitted

in a written report prepared by an acoustical engineer licensed by the State of California submitted with the application for a discretionary permit.

- F. Any water flow resulting from the use of the washing facilities shall be confined to the car wash site and disposed of through an on-site drainage system in accordance with applicable laws.
- G. The facility shall be designed and operated, including the bay openings and vacuum areas, to minimize traffic, noise and aesthetic impacts to surrounding properties and public view.
- H. Provisions shall be made for regular on-site maintenance and clean-up of the property.
- I. A security plan, including limiting the hours of operation, may be required.

(Ord. 7331 §65, 2016; Ord. 6966 §1, 2007)

19.425.040 Other applicable regulations.

When uses are combined the more restrictive standards of a subject use will apply.

- A. Vehicle fuel station activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle fuel station activities shall be conducted in accordance with the provisions of Chapter 19.410 (Vehicle Fuel Station Facilities) of ~~this Title~~the Zoning Code.
- B. Vehicle repair facilities and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle repair facilities shall be conducted in accordance with the provisions of Chapter 19.420 (Vehicle Repair Facilities) of ~~this Title~~the Zoning Code.
- C. Drive-thru businesses and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, drive thru businesses shall be conducted in accordance with the provisions of Chapter 19.475 (Drive thru Businesses) of ~~this Title~~the Zoning Code.

(Ord. 7331 §65, 2016; Ord. 6966 §1, 2007)

19.425.050 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §65, 2016)

Chapter 19.427 VEHICLE WHOLESALE BUSINESS

19.427.010 Purpose.

19.427.020 Applicability and permit requirements.

19.427.030 Site location, operation and development standards.

19.427.040 Other applicable requirements.

19.427.050 Modifications.

19.427.010 Purpose.

The purpose of regulating vehicle wholesale businesses is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §66, 2016; Ord. 7151 §3, 2012)

19.427.020 Applicability and permit requirements.

Vehicle wholesale businesses, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 7331 §66, 2016; Ord. 7151 §3, 2012)

19.427.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to Vehicle Wholesale Businesses, unless otherwise specified here.

- A. No automobile wholesale business with outdoor storage of vehicles shall be closer than 300 feet to a residential dwelling, public or private school, day care center, hospital, or public park, as measured from the subject site's property line to the nearest property line of the residence(s), school, day care center, hospital or park site.
- B. The site shall be adequate in size to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements.
- C. The use shall not be located within 300 feet of any other automobile wholesale business as measured from the nearest exterior property lines containing the uses.
- D. The site shall be served by streets of adequate width and pavement type to accommodate the volume and type of traffic generated by the proposed use.
- E. The property on which the use is conducted shall not exceed five acres in size.
- F. All sales transactions shall be conducted within a completely enclosed building.
- G. No repair of vehicles is permitted, except as allowed by the underlying zone.
- H. All vehicles need to be in operable condition.
- I. The site shall be developed with permanent related buildings. No trailers or temporary modular units are permitted.
- J. Building(s), parking and vehicle maneuvering areas shall provide adequate provisions for safe circulation within the site and into and out of the site.
- K. Service bays, if permitted, shall be designed or oriented so as to not to be readily visible from the public right-of-way.
- L. Outdoor lighting shall be provided in accordance with Chapter 19.556 of ~~this Title~~the Zoning Code.
- M. Setbacks for fueling portion of the operation, building and structures shall be provided in accordance with Section 19.410 (Vehicle Fuel Stations) of ~~this Title~~the Zoning Code.

- N. There shall be a minimum 20-foot landscaped setback adjacent to public streets, unless the setback of the zone is greater. The remainder of the site shall be landscaped a minimum of five percent beyond the required setbacks.
- O. Outdoor storage shall be permitted in compliance with Chapter 19.510 (Outdoor Storage) of this Title~~the Zoning Code~~. Vehicles shall be screened from public view per the outdoor storage chapter.
- P. Trash enclosures shall be provided in accordance with Planning Division and Public Works Department requirements and standard designs.
- Q. Signs shall be permitted in compliance with Chapter 19.620 (Signs) of this Title~~the Zoning Code~~.
- R. Additional conditions can be applied through the conditional use permit process as necessary to further improve the site design, operational characteristics, and land use compatibility of individual projects.
- S. The hours of operation shall be evaluated on a case-by-case basis.

(Ord. 7331 §66, 2016)

19.427.040 Other applicable requirements.

When uses are combined the more restrictive standards of a subject use will apply.

- A. Vehicle fuel stations conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle fuel station activities shall be conducted in accordance with the provisions of Chapter 19.410 (Vehicle Fuel Station Facilities) of this Title~~the Zoning Code~~.
- B. Vehicle repair facilities and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle repair facilities shall in accordance with the provisions of Chapter 19.420 (Vehicle Repair Facilities) of this Title~~the Zoning Code~~.
- C. Vehicle wash facilities and activities conducted on site, where permitted, shall be subject to conditions imposed through the discretionary permit review process. At a minimum, vehicle repair facilities shall in accordance with the provisions of Chapter 19.425 (Vehicle Wash Facilities) of this Title~~the Zoning Code~~.

(Ord. 7331 §66, 2016; Ord. 7151 §3, 2012)

19.427.050 Modifications.

- A. Modifications to site location, operation and development standards A, C, E, F, G, I, J, M, and N above for indoor vehicle wholesale businesses of less than 5,000 square feet will require consideration of a Minor Conditional Use Permit.
- B. Modifications to site location, operation and development standards A, C, E, F, G, I, J, M, and N above for indoor and outdoor vehicle wholesale businesses in excess of 5,000 square feet may be considered in conjunction with the required Conditional Use Permit.

(Ord. 7331 §66, 2016)

Chapter 19.430 VETERINARY SERVICES

19.430.010 Purpose.

19.430.020 Applicability and permit requirements.

19.430.030 Site location, operation and development standards.

19.430.040 Modifications.

19.430.010 Purpose.

The purpose of regulating veterinary services is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §67, 2016; Ord. 6966 §1, 2007)

19.430.020 Applicability and permit requirements.

Veterinary services, as defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirement contained in this ~~C~~chapter.

(Ord. 7331 §67, 2016; Ord. 6966 §1, 2007)

19.430.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions shall apply to veterinary services unless otherwise specified here.

A. Veterinary services involving clinics and small animal hospitals.

1. The use of the building space shall be restricted to medical treatment and incidental care such as bathing, the trimming of common household pets on an outpatient basis only, except that temporary boarding in connection with medical treatment shall be permitted, and except that short-term boarding, defined to be not more than two weeks, may be permitted.
2. The entire use shall be conducted within a totally enclosed and air-conditioned building with no outside runs.
3. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy. Evidence that the facility is designed to meet Title 7 requirements shall be submitted in a written report prepared by an acoustical engineer licensed by the State of California and shall be submitted with the application for a discretionary permit.

B. Veterinary services involving clinics incidental to pet stores.

1. The primary business shall involve the sale of pet supplies, small animals, and other items typically available at pet stores. However, a maximum of 20 percent of the gross floor area of the store may be used as a veterinary clinic for purposes such as vaccinations and care of minor injuries and illnesses.
2. Except for pets offered for sale or the temporary boarding in connection with medical treatment, no overnight stays shall be allowed.

3. The entire use shall be conducted within a totally enclosed and air-conditioned building with no outdoor uses.
4. The building space shall be adequately soundproofed to assure that no noise will carry beyond the confines of the building or space that the use would occupy. Evidence that the facility is designed to meet Title 7 requirements shall be submitted in a written report prepared by an acoustical engineer licensed by the State of California and shall be submitted with the application for a discretionary permit.

(Ord. 7331 §67, 2016; Ord. 6966 §1, 2007)

19.430.040 Modifications.

No modifications to the above site location, operation or development standards shall be permitted.

(Ord. 7331 §67, 2016; Ord. 6966 §1, 2007)

Chapter 19.435 WAREHOUSING AND DISTRIBUTION FACILITIES

19.435.010 Purpose.

19.435.020 Applicability and permit requirement.

19.435.030 Site location, operation and development standards.

19.435.040 Modifications.

19.435.010 Purpose.

The purpose of regulating warehousing and distribution facilities is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses. It is the intent of this [Chapter](#) to implement the *Good Neighbor Guidelines for Siting New and/or Modified Industrial Facilities* adopted by the City Council on November 10, 2020 and implement the statutory requirements of California Government Code § 65098 otherwise known as Assembly Bill 98.

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 8(Exh. D), 2020)

19.435.020 Applicability and permit requirement.

For any new or modified warehousing and distribution facility, as defined in Article X (Definitions), the provisions of California Government Code § 65098 shall apply, as required by state law. For any new or modified warehousing and distribution facility, as defined in Article X (Definitions), the provisions of this California Government Code § 65098 shall apply, as required by state law. In the event of a conflict between the provisions of this Chapter and § 65098, or if this Chapter addresses a matter not covered by § 65098, the more stringent provision shall govern.

1. Warehousing and distribution facilities, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provision, subject to the requirements contained in this [Chapter](#).

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 8(Exh. D), 2020)

19.435.030 Development standards.

The standards set forth in this ~~C~~chapter, shall apply to any new or modified warehousing and distribution facility.

A. Warehousing and distribution facilities 10,000 square feet or less.

1. Driveways, loading areas, docks, truck wells and internal circulation routes shall be oriented away from residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places to the maximum extent feasible.
2. Loading areas, docks, truck wells and outdoor storage areas shall be fully screened from view of residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places and from public rights-of-way with buildings, freestanding walls and fences, landscaping or other means to the satisfaction of the Approving Authority.

Where loading areas, docks, truck wells and outdoor storage areas are located adjacent to a Residential Zone or use, they shall be fully screened from view of the adjacent Residential Zone or use by means of a solid wall with a minimum height of eight feet as measured from the finished grade of the adjacent Residential Zone or use.

3. Operations, including loading, unloading, staging and storage of trucks and trailers, shall comply with Title 7 (Noise) of this Code.

B. Warehousing and distribution facilities larger than 10,000 square feet and less than 100,000 square feet.

1. Driveways, loading areas, docks, truck wells and internal circulation routes shall be oriented away from residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places to the maximum extent feasible.
2. Loading areas, docks, truck wells and outdoor storage areas shall be fully screened from view of residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places and from public rights-of-way with buildings, freestanding walls and fences, landscaping or other means to the satisfaction of the Approving Authority.

Where loading areas, docks, truck wells and outdoor storage areas are located adjacent to a Residential Zone or use, they shall be screened from view of the adjacent Residential Zone or use by means of a solid wall with a minimum height of eight feet as measured from the finished grade of the adjacent Residential Zone or use.

3. Operations, including loading, unloading, staging and storage of trucks and trailers, shall comply with Title 7 (Noise) of this Code.
4. Idling of trucks queued or operated on site shall not exceed five minutes.
5. Where transport by temperature-controlled trucks or trailers is proposed, on-site electrical hookups shall be provided at loading docks. Idling or use of auxiliary truck engine power to power climate-control equipment shall be prohibited.

C. Warehousing and distribution facilities 100,000 square feet and larger.

1. Driveways, loading areas, docks, truck wells and internal circulation routes shall be oriented away from residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places.
2. Loading areas, docks, truck wells and outdoor storage areas shall be screened from view of residential neighborhoods, schools, parks, playgrounds, day care centers, nursing homes, hospitals or other public places and from public rights-of-way with buildings, freestanding walls and fences, landscaping or other means to the satisfaction of the Approving Authority.

Where loading areas, docks, truck wells and outdoor storage areas are located adjacent to a Residential Zone or use, they shall be screened from view of the adjacent Residential Zone or use by means of a solid wall with a minimum height of eight feet as measured from the finished grade of the adjacent Residential Zone or use.
3. Sufficient aisle space shall be provided on-site to accommodate the on-site queuing of trucks as determined by a Traffic Impact Analysis, if required. Queuing lanes or aisles shall not obstruct regular vehicular or pedestrian circulation or emergency equipment access.
4. Operations, including loading, unloading, staging and storage of trucks and trailers, shall comply with Title 7 (Noise) of this Code.
5. Idling of trucks queued or operated on site shall not exceed five minutes.
6. On-site electrical hookups shall be provided at loading docks. Idling or use of auxiliary truck engine power to power climate-control equipment shall be prohibited.
7. Warehousing and distribution facilities generating 150 or more truck trips per day, as determined by the most recent Institute of Transportation Engineers (ITE) Trip Generation Rate for the specific proposed land use, shall prepare a Health Risk Assessment in accordance with South Coast Air Quality Management District (SCAQMD) Guidelines.

Table 19.435.030.A**Warehousing and Distribution Facilities Development Standards**

Development Standards	BMP	I	AIR	Notes, Exceptions, and Special Provisions
Lot Area - Minimum	40,000 sq. ft. ²	10,000 sq. ft.	8,000 sq. ft.	
Lot Width - Minimum	140 ft.	60 ft.	60 ft.	
Lot Depth - Minimum	100 ft.	100 ft.	100 ft.	
Building Height – Maximum ³	-	-	-	See Chapter 19.149-Airport Land Use Compatibility
a. Within 200 feet of a sensitive receptor ^{6,7,8}	35 ft.	35 ft.	35 ft.	

b. All other locations	45 ft.	45 ft.	45 ft.	
Building Size - Maximum	-	-	-	Gross floor area, exclusive of mezzanine. Multiple buildings allowed provided buildings meet the FAR established in Table 19.435.030.B.
a. Within 200 feet of a sensitive receptor ^{6,7}	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	
b. 200-800 feet of a sensitive receptor ^{6,7}	100,000 sq. ft.	100,000 sq. ft.	100,000 sq. ft.	
c. 800-1,500 feet of a sensitive receptor	400,000 sq. ft.	400,000 sq. ft.	400,000 sq. ft.	
d. 1,500 feet or more ^{6,7}	Per FAR	Per FAR	Per FAR	
Front Yard Setback – Minimum ⁵	-	20 ft.	15 ft.	In the BMP Zone, 20-feet of the required 50-foot front yard setback shall be landscaped.
a. Buildings over 30 ft. in height or on an arterial street	50 or 40 ft. ⁴ (See Notes)	-	-	However, a 40-foot front yard setback shall be permitted if it is landscaped in its entirety.
b. Buildings 30 ft. or less in height and not on an arterial street	20 ft. (See Notes)	-	-	In the BMP zone, the 20-foot front yard setback required for buildings 30-feet or less in height shall be landscaped in its entirety.

Side Yard setbacks - Minimum	-	-	-	
a. Interior Side	0 ft.	0 ft.	0 ft.	
b. Adjacent to a sensitive receptor ^{6,7}	60	60	60	At least 20 feet of the minimum side yard setback area directly adjacent to a sensitive receptor shall be fully landscaped.
c. Street side	Same as Front Yard	20 ft.	15 ft.	Minimum 10 feet fully landscaped.
Rear Yard Setback - Minimum	-	-	-	
a. Rear Yard	0 ft.	0 ft.	15 ft.	
b. Adjacent to a sensitive receptor ^{6,7}	60 ft.	60 ft.	60 ft.	At least 20 feet of the minimum rear yard setback area directly adjacent to a sensitive receptor or use shall be fully landscaped.
c. Adjacent to Streets	Same as Front Yard	20 ft.	20 ft.	Minimum 10 feet fully landscaped.

Table 19.435.030.B

BMP, I and AIR Industrial Zones 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

Notes:

1. The Approving or Appeal Authority may allow a development project to exceed a maximum FAR when findings can be made that such project (a) will not have a detrimental effect on infrastructure and municipal services, (b) will not adversely impact the surrounding neighborhood, and (c) will not likely set a precedent for additional development that would adversely affect infrastructure, service or surrounding land uses.
2. Smaller minimum lot areas may be established by a specific plan or master plan in the BMP Zone. A master plan must include provisions for common access, parking and maintenance. A total master plan area of five acres is required. Site plan review approval by the Community & Economic Development Director or his/her designee is required for any master plan.
3. See Chapter 19.149 - Airport Land Use Compatibility to determine if a project site is subject to Airport Land Use Compatibility Plan requirements.
4. In the BMP Zone, off-street parking, gate or guard houses, roofs or canopies covering unenclosed pedestrian walks and walls or fences not more than six feet in height shall be permitted in the rear 30 feet of the required 50-foot front yard setback.
5. A minimum front yard setback of 50 feet shall be required and maintained wherever a lot or parcel in any industrial zone abuts or is adjacent to a lot or parcel identified as sensitive receptor.
6. Except where the site is separated from such sensitive receptor by a freeway.
7. Measured from the sensitive receptor property line to the front most wall of the nearest warehouse building.
8. A sensitive receptor includes a residential zone or use; K-12 public, private and charter school; designated parks and open space; adult and child day care facilities; assisted living facilities and hospitals as defined by Article X - Chapter 19.910 - Definitions.

(Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank> web="yes">7541, § 8(Exh. D), 2020)

19.435.040 Site planning standards.

A. All warehousing and distribution facilities shall comply with the following.

1. The development project shall comply with the 21st Century or Tier 1 21st Century Warehouse standards as set forth in California Government Code § 65098 including but not limited to:
 - a. Adhering to the most current building energy efficiency standards of the CA Green Building Code.
 - b. Complying with truck loading bay location requirements.
 - c. Integration of truck entrance and exits and internal circulation requirements.

2. Any new facility shall be located on roadways that meet the following street classifications as defined by the City's General Plan Circulation Element consistent with California Government Code § 65098:

a. Arterial roads.

b. Collector roads.

~~c~~d. Local roads that predominantly serve commercial, agricultural, or industrial uses.

3. Driveways, loading areas, docks, truck wells and internal circulation routes shall be oriented away from sensitive receptors to the maximum extent feasible.

4. Loading areas, docks, truck wells and outdoor storage areas shall be fully screened from view of sensitive receptors and from public rights-of-way with buildings, freestanding walls and fences, landscaping or other means to the satisfaction of the Approving Authority. Where loading areas, docks, truck wells and outdoor storage areas are located adjacent to a sensitive receptor, they shall be fully screened from view of the adjacent sensitive receptor by means of a solid wall with a minimum height of 10 feet as measured from the finished grade of the adjacent sensitive receptor.

5. Operations, including loading, unloading, staging and storage of trucks and trailers, shall comply with Title 7 (Noise) of this Code.

6. Idling of trucks queued or operated on site shall not exceed five minutes.

7. Sufficient aisle space shall be provided on-site to accommodate the on-site queuing of trucks as determined by a Traffic Impact Analysis, if required. Queuing lanes or aisles shall not obstruct regular vehicular or pedestrian circulation or emergency equipment access.

8. Where transport by temperature-controlled trucks or trailers is proposed, on-site electrical hookups shall be provided at loading docks. Idling or use of auxiliary truck engine power to power climate-control equipment shall be prohibited."

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 8(Exh. D), 2020)

19.435.050 Site planning standards.

A. Health Risk Assessment. A Health Risk Assessment (HRA) shall be prepared in accordance with the South Coast Air Quality Management District (SCAQMD) Guidelines when the following apply:

1. The new development or substantial enlargement of a warehousing and distribution facility is within 1,000 feet of a sensitive receptor.

2. The new development or substantial enlargement of a warehousing and distribution facility generates 150 or more truck trips per day, as determined by the most recent Institute of Transportation Engineers (ITE) Trip Generation Rate for the specific proposed land use.

B. Specific Plan Consistency. For new development within 1,500 feet of sensitive receptor in a specific plan district requiring a Minor Conditional Use Permit or Conditional Use Permit, the development

standards of Table 19.435.030.A and Table 19.435.030.B shall prevail unless the specific plan district standards are more restrictive.

C. Walls. Wherever a lot or parcel in any industrial zone abuts a sensitive receptor or abuts an alley that separates the industrial zone from a sensitive receptor, a minimum ten-foot-high solid masonry wall shall be constructed along the property line or alley right-of-way line separating the project site from the sensitive receptor. Wall height shall be measured from the finished grade of the adjacent sensitive receptor.

1. Such wall shall be limited in height to three feet in any required front yard or street side yard setback area.
2. Such wall shall not be required until the industrially zoned lot or parcel is developed with a permitted use.

D. Outdoor display and storage. Except for the outdoor storage and display of aircraft, outdoor display and storage shall not be permitted except as specified in 19.285 (Outdoor Storage Yard), 19.500 (Outdoor Display of Incidental Plant Materials), 19.505 (Outdoor Display and Sales – Incidental) and 19.510 (Outdoor Storage—Incidental).

E. Use of interior rear and side yards for off-street parking and loading. Except for required landscape areas, required interior rear yards and side yards may be used for off-street parking, off-street loading, outdoor storage incidental to a permitted use, and any use permitted in the required front yard area; provided such loading, parking and storage areas are acoustically shielded and screened from adjacent Residential Zones or uses and the public right-of-way, to the satisfaction of the Community & Economic Development Director or his/her designee.

F. Lighting. Lighting for signs, structures, landscaping, parking areas, loading areas and the like, shall comply with the regulations set forth in Section 19.590.070 (Light and Glare) and the provisions of Chapter 19.556 (Outdoor Lighting).

G. Screening of mechanical equipment. All roof-supported or ground-supported mechanical equipment and utility equipment shall comply with the regulations set forth in Chapter 19.555 (Outdoor Equipment Screening).

H. Landscaping.

1. Front and side yard areas.
 - a. Landscaping adjacent to streets and sensitive receptors shall be suitably landscaped and continuously maintained as set forth in Chapter 19.570 (Water Efficient Landscaping and Irrigation).
 - b. Such landscape areas shall not be used for off-street parking, loading, storage or accessory buildings.
2. Buffering between uses.

a. Any new or modified warehousing and distribution facility shall provide a landscaped buffer whenever a project site is within 900 feet of a sensitive receptor per California Government Code § Section 65098.

I. Performance standards. All warehousing and distribution facilities shall comply with the performance standards set forth in Chapter 19.590 (Performance Standards) for industrial uses.

J. Parking and loading requirements. Parking areas shall be provided as set forth in Chapter 19.580 (Parking and Loading).

K. Trash receptacles and enclosures.

1. All trash storage areas shall be located so as to be convenient to the users and where associated odors and noise will not adversely impact the users.

2. The provisions of Chapter 19.554 (Trash/Recyclable Materials Collection Area Enclosures) regarding requirements for the screening of trash receptacles shall apply.

L. Truck Routing Plan. Prior to the issuance of a certificate of occupancy, the development operator shall establish and submit for approval to the Approving Authority, a truck routing plan to and from the state highway system based on the latest truck route map of the City as determined by the City's General Plan Circulation Element.

M. Project Notification Requirements.

a. The notification radius for any new warehousing and distribution facility shall be extended to 1,000 feet.

b. All other project notification requirements shall abide by the standards set forth in Chapter 19.670 – Public Hearings and Notice Requirements.

N. Replacement Housing. Replacement housing and rental assistance shall be required per California Government Code § Section 65098.6.

19.435.060 Design review required.

No new building, structure or sign or exterior alteration or enlargement of an existing building, structure or sign shall be commenced for any warehousing and distribution facility until design review approval has been granted pursuant to Chapter 19.710 (Design Review).

19.435.070 Warehousing, storage.

Warehousing, storage as defined by Article X (definitions) shall abide by the standards of Chapter 19.130. For any warehousing, storage, the building or portion thereof must not occupy more than 15% of the cumulative floor area and must not generate a maximum of 10 trips a day. Warehousing, storage may include ground level loading doors on one or more sides of the building not to exceed more than four (4) dock high loading doors total.

19.435.080 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

DIVISION II. - SPECIFIC INCIDENTAL LAND USES**DIVISION II. SPECIFIC INCIDENTAL LAND USES***Chapter 19.440 ACCESSORY BUILDINGS AND STRUCTURES***19.440.010 Purpose.****19.440.020 Applicability and permit requirements.****19.440.030 Site location, operation and development standards.****19.440.010 Purpose.**

The purpose of regulating accessory buildings and structures is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §68, 2016; Ord. 6966 §1, 2007)

19.440.020 Applicability and permit requirements.

Accessory buildings and structures, as defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Uses and Development Provisions subject to the requirements contained in this [Chapter](#).

- A. Accessory structures shall be permitted in accordance with Article V Table 19.150.020.B (Incidental Uses Table). Single-story, detached, accessory buildings used as tool and storage sheds, playhouses, or similar use, may be exempt from building permits, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet and is specifically exempted by the California Building Code.

(Ord. 7331 §68, 2016; Ord. 6966 §1, 2007)

19.440.030 Site location, operation and development standards.

These standards supplement the standards for the zone in which the accessory use is located. If an accessory structure is attached to the principal building, such structure shall comply with the development standards for the principal building.

- A. No accessory structure shall be permitted unless a principal building exists and is occupied by the use intended.
- B. Accessory structures shall not cover more than 35 percent of the required side or rear yard setback area.
- C. Accessory structures shall be located a minimum of five feet from the principal building or the distance required by the Building Code, whichever is greater. Eave line separation from the principal building shall conform to the provisions of the Building Code. Accessory structures

located less than five feet from the primary building shall be considered "attached" and must meet the setbacks of the underlying zone.

D. Garage and carport accessory structures with direct access from an alley shall be located a minimum of 25 feet from the opposite boundary line of the alley.

E. Accessory structures within the single-family residential zones shall comply with the following additional regulations.

1. Setbacks.

a. Front yard.

i. Accessory structures shall not be located within the front yard setback.

ii. For properties in any single-family residential zone except the RA-5 and RC zones, on lots of at least ½-acre or 21,780 square feet, the following types of accessory structures are permitted outside of the front yard setback area:

(1) Open structures with a solid roof (i.e., patio cover, gazebo)

(2) Open roof structure (i.e., pergola)

(3) Architectural design features (i.e., water features)

iii. For all other properties, accessory structures shall be located no closer to the front lot line than the front-most wall of the dwelling nearest the front lot line.

b. Interior Side and Rear Yards.

i. The interior side and rear yard setback shall be five feet for a single-story accessory structure.

ii. The interior side and rear yard setback shall be the same as that which applies to primary structures for two-story accessory structures or accessory structures exceeding 20 feet in height.

iii. The street side yard setback for an accessory structure shall be the same as the street side setback of the underlying zone.

2. Size limits for accessory structures.

a. All metal accessory structures shall be limited to a maximum total floor area of 120 square feet in the RR, RE, and R-1 Zones.

b. Accessory structures shall be limited to a maximum floor area of 750 square feet on lots less than one-half acre in the RR, RE, and R-1 Zones.

i. Exceptions. There is no size limit for accessory structures in the following instances:

(1) In the RC, RA-5, R-3 or R-4 Zones.

(2) On lots one-half acre or greater in the RR, RE, and R-1 Zones.

(3) When built in conjunction with a Planned Residential Development (i.e. clubhouse) or Conditional Use Permit (i.e. assemblies of people - nonentertainment or assisted living).

c. Any accessory structure over five feet in height shall be set back at least five feet from side and rear property lines.

d. Lot coverage. Any accessory structure with a solid roof/cover or enclosed on four sides, shall abide by the lot coverage requirement of the underlying zone.

3. Height limits for accessory structures.

- a. Single-story accessory structures shall not exceed 20 feet in overall height and two-story accessory structures shall not exceed 30 feet in overall height.

F. Accessory structures in nonresidential zones shall comply with the following additional regulations.

- 1. Accessory structures shall be no closer to the front lot line than the front-most wall of the building nearest the front lot line, or 50 feet, whichever distance is less, unless specifically noted by other provisions of this Title (e.g. vehicle fuel station canopies, etc.).
- 2. Side and rear setbacks shall be the same as the respective setbacks required by underlying zone.

G. Cargo containers in all zones shall comply with the following regulations.

- 1. In the RA-5 and RR zones, a minimum site area of two acres shall be required to place a cargo container on a property. On such properties, no more than two cargo containers with a maximum combined floor area of 640 square feet shall be permitted.
- 2. On public and private institutional properties such as schools, parks, recreational facilities and properties Zoned PF, a maximum of 1 cargo container per one acre shall be permitted, not-to-exceed a total of 2 cargo containers per property or use. More than two containers may be permitted with the issuance of a minor conditional use permit.
- 3. In the CG, BMP, I, AI, AIR, and RWY Zones, a maximum of four cargo containers per property or use is permitted. More than four containers may be permitted with the issuance of a minor conditional use permit.
- 4. Cargo containers shall not be modified by adding windows or electrical, plumbing or mechanical improvements, and shall be considered as non-habitable structures. The addition of roof-mounted ventilation turbines and the replacement or modification of the original doors shall be permitted, however, subject to the approval of the Building Official.

H. Patio covers shall comply with the following regulations.

- 1. Such structures shall not exceed more than one story in height and shall be erected at least five feet away from any rear or interior side lot line.
- 2. Such structures shall be unenclosed on at least three sides and shall be entirely open, except for necessary supporting columns. A roof connecting the primary building and the accessory building shall be unenclosed and open on only two sides.

I. Swimming pools and spas shall comply with the following.

- 1. No swimming pool or spa shall be located in a required front yard setback area.
- 2. Any swimming pool or spa shall be located at least three feet away from any property line
- 3. All swimming pools and spas shall conform to all Building Code and Health and Safety Code requirements.
- 4. Equipment related to a swimming pool, such as a fountain, slide, diving board, etc., shall not exceed five feet in height when located within five feet of a property line.

(<ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank"

web="yes">Ord. 7660</ulink>, § 9, 2024; Ord. <ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank"

web="yes">7652</ulink> § 7, 2023; Ord. <ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank"

web="yes">7528</ulink> §1(Exh. A), 2020; Ord. [url="http://newwords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank"](http://newwords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank)
 web="yes">7520</ulink> §1(Exh. A), 2020; Ord. [url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank"](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank)
 web="yes">7487</ulink> § 14, 11-5-2019; Ord. 7331 §68, 2016; Ord. 7235 §7, 2013; Ord. 7109 §6, 2010; Ord. 6966 §1, 2007)

ARTICLE VII. SPECIFIC LAND USE PROVISIONS

Chapter 19.442 - ACCESSORY DWELLING UNITS (ADU)
 Chapter 19.443 - TWO-UNIT DEVELOPMENTS
 Chapter 19.445 - AGRICULTURAL FIELD OFFICE
 Chapter 19.450 - ALCOHOL SALES
 Chapter 19.455 - ANIMAL KEEPING
 Chapter 19.465 - CARETAKER LIVING QUARTERS
 Chapter 19.470 - RESERVED
 Chapter 19.475 - DRIVE-THRU BUSINESSES
 Chapter 19.480 - FUELING SYSTEMS—PRIVATE (ABOVE-GROUND TANKS)
 Chapter 19.485 - HOME OCCUPATIONS
 Chapter 19.490 - MINING/MINERAL EXTRACTION
 Chapter 19.495 - OUTDOOR DINING AND FOOD PREPARATION (PERMANENT)
 Chapter 19.500 - OUTDOOR DISPLAY OF INCIDENTAL PLANT MATERIALS
 Chapter 19.505 - OUTDOOR DISPLAY AND SALES - INCIDENTAL
 Chapter 19.510 - OUTDOOR STORAGE - INCIDENTAL
 Chapter 19.515 - PLAY AREAS INCIDENTAL TO RESTAURANTS
 Chapter 19.520 - RENTAL OF ROOMS
 Chapter 19.527 - VEHICLE REPAIR—PERSONAL
 Chapter 19.530 - WIRELESS TELECOMMUNICATION FACILITIES

*Chapter 19.442 ACCESSORY DWELLING UNITS (ADU) **

~~*Editor's note—Ord. [url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank"](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank)
 web="yes">7592</ulink> § 6(Exh. F), adopted in July 5, 2022, changed the title of Chapter 19.442 from
 "Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU)" to "Accessory
 Dwelling Units (ADU)."~~

19.442.010 Purpose.

19.442.020 Applicability and permit requirements.

19.442.030 Requirements.

19.442.010 Purpose.³⁰

The State of California has identified accessory dwelling units (ADU) and junior accessory dwelling units (JADU) as valuable forms of housing. Movable accessory dwelling units (MADUs) are also recognized throughout the State as a potential option to provide needed housing. The City recognizes the importance of providing housing and balancing that with an attractive living environment for all residents. The availability of ADUs, MADUs and JADUs contributes to local housing and the community's housing

³⁰ **Sec. 19.442.010 Purpose.** Government Code §§ 65852.2 and 65852.22 were renumbered as shown in 2023.
(FOOTNOTE 340 IN EXHIBIT 2)

stock while providing residential uses consistent with the General Plan and Zoning Code. The purpose of this Chapter is to ensure compliance with California Government Code Sections ~~65852.2-65852.22~~ 66323 and 66336 and minimize impacts to surrounding uses and properties.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank), § 5(Exh. F), 2022; [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank), § 1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank), § 1(Exh. A), 2020; Ord. [7457](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank), § 1(Exh. A), 2019; Ord. 7408 § 1, 2018)

19.442.020 Applicability and permit requirements.

ADUs, MADUs and JADUs, as defined in Article X (Definitions), are permitted in all residential zones, including all multi-family and mixed-use zones that include an existing or proposed dwelling.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank), § 5(Exh. F), 2022; [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank), § 1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank), § 1(Exh. A), 2020; Ord. [7457](http://newords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank), § 1(Exh. A), 2019; Ord. 7408 § 1, 2018)

19.442.030 Requirements.³¹

An application for an ADU, MADU or JADU shall demonstrate compliance with all the standards and limitations set forth in this Section, to the satisfaction of the Community & Economic Development Director or his/her designee.

A. General.

1. ADUs and JADUs shall comply with State and local building Code requirements for dwellings.
2. MADUs shall meet the requirements as defined in Article X (Definitions).
3. ADUs and JADUs in an historic district shall comply with California Government Codes Sections 66323 and 66336-65852.2-65852.22, and Title 20 of ~~this the Riverside Municipal~~ Code.
4. MADUs are not permitted in any Historic District, Neighborhood Conservation Area or on a lot with a designated Cultural Resources as defined in Title 20.

³¹ **Sec. 19.442.030. Requirements.** Government Code §§ 65852.2 and 65852.22 were renumbered as shown in 2023. **(FOOTNOTE 341 IN EXHIBIT 2)**

5. ADUs, MADUs and JADUs, when rented, must be used for rentals of terms longer than 30 days.
6. No actions to correct zoning nonconformities related to physical improvements are required for ADUs.
7. There shall be no minimum lot size requirement to establish an ADU, MADU or JADU.
8. The floor area of an ADU, MADU or JADU shall not be counted when calculating lot coverage.
9. ADUs may not be sold or otherwise conveyed separate from the primary residence with the exception of a primary dwelling and ADU developed by an IRS recognized 501(c)(3) housing-related nonprofit or a faith-based organization, working with the Housing Authority, whose mission is to provide units to low-income households.
10. For JADUs, a deed restriction shall be recorded, to run with the land and to prohibit the sale of the JADU separate from the sale of the primary dwelling as identified in 19.442.030(F).

B. Location.

1. An ADU, MADU or JADU shall be located on the same lot as the proposed or existing primary dwelling.
2. A MADU shall not be located between the primary dwelling and the street within any front or street side yard.
3. An ADU may be either attached, located within the proposed or existing primary dwelling, or detached from the proposed or existing primary dwelling.
4. If attached, an ADU or JADU must have independent exterior access separate from the proposed or existing primary dwelling.
5. A JADU shall be constructed and located within the walls of the proposed or existing primary dwelling and include:
 - a. Cooking facilities with appliances, a food preparation counter, refrigeration facilities and storage cabinets that are of reasonable size in relation to the size of the JADU.
 - b. Separate sanitation facilities or shared sanitation facilities with the existing or proposed structure.

C. Setbacks.

1. Attached or Detached - Existing Structures.
 - a. Existing structures converted to an ADU or JADU, if applicable, shall require no additional setback.
 - b. Second story ADUs on Existing Structures.
 - i. No additional setback is required if the second story exists.
 - ii. For a new second story ADU being added to an existing structure, the setbacks of the ADU shall comply with the setbacks of the underlying zone applicable to the primary dwelling.
2. Attached or Detached - New Structures.
 - a. Side and Rear Setbacks.
 - i. A minimum side and rear setback of four feet shall be provided for new one-story ADUs and MADUs under 16 feet in height.

- ii. For ADUs over 16 feet in height, the side and rear setback shall follow the underlying zone applicable to the primary dwelling.
 - b. Front and street side setbacks shall be in full compliance with the underlying zone for new ADUs or MADUs.
 - c. For any ADU located on the second floor of any new structure, the setbacks of the ADU shall comply with the setbacks of the underlying zone applicable to the primary dwelling.
3. The side and rear setbacks for an ADU, MADU or JADU must be sufficient for fire and safety.

D. Unit Size.

- 1. Attached ADUs.
 - a. The total floor area of an attached ADU, including conversion of existing floor area, shall not exceed 50 percent of the existing or proposed primary dwelling floor area or 1,200 square feet, whichever is less.
 - b. The total floor area requirements shall not prevent the establishment of an ADU that is at least:
 - i. 850 square feet for units with one bedroom or less; or
 - ii. 1,000 square feet for units with more than one bedroom .
- 2. The total floor area of any detached ADU shall not exceed 1,200 square feet.
- 3. The total floor area of any MADUs shall be between 150 square feet and 430 square feet as measured within the exterior faces of the exterior walls.
- 4. JADUs shall be no more than 500 square feet in size.
- 5. The size of an ADU or JADU shall not be less than that of an efficiency dwelling unit, as set forth in Section 1208.4 of the California Building Code.

E. Number of Units.

- 1. Single-family.
 - a. The number of dwellings permitted on a lot developed with an existing or proposed single-family residence shall be limited to the primary dwelling; one attached or converted ADU; one detached, new construction ADU or MADU; and one JADU.
 - ³²b. The number of dwellings permitted on a lot developed pursuant to California Government Code § 65852.21 and 66411.7 ~~and 66441.7~~, including ADUs, JADUs and MADUs, shall be as set forth in Chapter 19.443 (Two-Unit Developments).
- 2. Multi-family.
 - a. Conversion of Existing Structures.
 - i. At least one ADU, but no more than 25 percent of the existing number of multi-family dwellings, shall be permitted within existing structures on lots with multi-family dwelling structures.

³² **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.
(FOOTNOTE 342 IN EXHIBIT 2)

- ii. Conversions may include storage rooms, boiler rooms, passageways, attics, basements or garages provided the ADU complies with building standards for dwellings.

b. Construction of New Structures.

- i. No more than two new detached ADUs shall be permitted on a lot that has a proposed multi-family dwelling.
- ii. No more than eight new detached ADUs shall be permitted on a lot that has an existing multi-family dwelling, not to exceed the number of existing units on the lot.

c. MADUs are not permitted.

F. *Owner Occupancy.*

- a. On a single lot with a primary dwelling and ADU/MADU, neither is required to be owner-occupied.
- b. On a single lot, one JADU is allowed if the primary dwelling or JADU is owner-occupied which shall be recorded with the deed restriction.

G. *Height.*

- 1. Attached ADUs shall comply with the height restrictions of the underlying zone.
- 2. Single-story detached ADUs and MADUs shall not exceed 20 feet in height.
- 3. Two-story detached ADUs and ADUs constructed on the second floor of an existing accessory building, shall not exceed 30 feet in height.
- 4. In the RC zone, the height of any detached ADU shall not exceed 20 feet and one story in height.

H. *Parking.*

- 1. No parking shall be required for an ADU, MADU or JADU.
- 2. No replacement parking shall be required for the primary dwelling if a garage, carport or covered parking is converted to an ADU.

I. *MADU Additional Requirements.*

- 1. MADUs shall not have separate street addresses from the primary dwelling unit.
- 2. Screening - Wheels and Undercarriage.
 - a. The undercarriage of any MADU (axles, tongue and hitch) shall be fully screened and hidden from view; and
 - b. The leveling or support jacks must sit on a paved surface.
- 3. Mechanical equipment shall be incorporated into the structure and not located on the roof.
- 4. Materials used on the exterior shall exclude single piece composite, laminates, or interlocked metal sheathing.
- 5. Windows and Doors.
 - a. Windows shall be at least double pane glass and labelled for building use and shall include exterior trim.
 - b. All windows and doors shall not have radius corners.

6. Roofs.

- a. Roofs shall be consistent with the architecture of the primary dwelling in term of pitch and roofing materials.; and
- b. Roofs shall not be composed of wooden shingles.

7. All exterior walls and roof of a MADU shall be fixed with no slide-outs, tip-outs, or other forms of mechanically articulating room area extensions.

8. Design Elements - A MADU shall be constructed to include the following design elements:

- a. Cladding and Trim: Materials used on the exterior shall not be single piece composite, laminates, or interlocked metal sheathing;
- b. Windows and Doors: Windows shall be at least double pane glass, labeled for building use, and include exterior trim. Windows and doors shall not have radius comers;
- c. All mechanical equipment, including heating, ventilation, and air conditioning, shall be incorporated into the structure and not located on the roof; and
- d. Living Area Extensions: The roof and all exterior walls shall not be fixed with slide-outs, tip-outs, or other forms of mechanically articulating room area extensions

J. Utilities.

- 1. MADUs shall be connected to water, sewer and electric utilities.
- 2. ADUs shall not be considered a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service unless the ADU is constructed with a new single-family dwelling.
- 3. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU located within the existing primary dwelling unit.
- 4. A new or separate utility connection, connection fee, or capacity charge shall not be required by the utility provider for an ADU or MADU unless the ADU is constructed concurrently with a new primary dwelling.
- 5. For new ADUs or MADUs on a lot with an existing primary dwelling unit, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed ADU, based upon either its size or the number of its plumbing fixtures, upon the water or sewer system.
- 6. ADUs served by a private sewage system shall comply with County Health Department requirements, as applicable.

K. Impact Fees.

- 1. For ADUs under 750 square feet, no City impact fees shall apply.
- 2. For ADUs 750 square feet and over, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.

L. Fire sprinklers.

- 1. Fire sprinklers shall not be required within an ADU or JADU, unless fire sprinklers are provided in the primary dwelling.
- 2. MADUs are not required to have sprinklers but shall meet the ANSI A119.5 or NFPA 1192 standards relating to health, fire and life-safety.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 10, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592, § 5(Exh. F), 2022; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank> web="yes">7457 § 1(Exh. A), 2019; Ord. 7408 § 1, 2018)

Chapter 19.443 TWO-UNIT DEVELOPMENTS

19.443.010 Purpose.

19.443.020 Applicability.

19.443.030 Review authority.

19.443.040 Requirements.

19.443.050 Development standards.

19.443.060 Design standards.

19.443.070 Additional requirements.

19.443.080 Noticing.

19.443.090 Variances.

~~19.443.100 Severability.~~

19.443.010 Purpose.³³

The purpose of this ~~C~~chapter is to establish standards for Two-Unit Developments to ensure compliance with California Government Code § 65852.21 ~~and 66411.7, and 66441.7~~ otherwise known as Senate Bill 9, while minimizing impacts to surrounding uses and properties.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 6(Exh. G), 2022)

19.443.020 Applicability.

Two-unit developments, as defined in Chapter 19.910 (Definitions), are permitted in the R-1, RE, RR, RC, DSP-RES, and NSP-MDR single-family residential zones.

³³ **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. **(FOOTNOTE 343 IN EXHIBIT 2)**

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.030 Review authority.

Applications for two-unit developments shall be considered ministerially, without discretionary review or a hearing, subject only to permit requirements applicable to the new construction or alteration of residential dwellings, including but not limited to building permits.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.040 Requirements.

A two-unit development made pursuant to California Government Code Section 65852.21 shall conform with the following requirements, pursuant to Government Code Section 65852.21 (a) and Section 65913.4(a)(6):

A. *Location.* A parcel for a two-unit development or urban lot split shall:

1. Be located within a Single-Family Zone (R-1, RE, RR, RC, DSP-RES, or NSP-MDR);
2. Not be located within a Very High Fire Hazard Severity Zone, with the exception of sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development;
3. Not be located within a mapped 100-year floodplain, wetland, recorded Open Space Easement, mapped Arroyo, or identified for habitat conservation as defined in the Western Riverside Multiple Species Habitat Conservation Plan;
4. Not be located within a designated hazardous waste site;
5. Not be located within a Historic District or Neighborhood Conservation Area designated pursuant to Title 20;
6. Not be located on property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code; and
7. Not be located on a site that is designated or listed as a City or County Landmark or Structure of Merit, or other historic property designated pursuant to Title 20 or another City or County ordinance.

B. *Eligibility.* A parcel is not eligible for a two-unit development if the project would require demolition or alteration of:

1. More than 25% of the exterior walls of a unit that is occupied by a tenant or has been occupied by a tenant at any time in the previous three years;
2. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income;
3. Housing that is subject to any form of rent or price control; and

4. A parcel containing a unit that was withdrawn from the rental market through an Ellis Act eviction at any time in the last 15 years.

(Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.050 Development standards.

Development pursuant to this Chapter shall comply with the following:

A. Number of units.

1. Two-unit developments.

- a. The maximum number of attached or detached primary dwelling units permitted on any lot in a single-family zone is two.
- b. No more than four total dwelling units, inclusive of up to two detached, attached, and junior ADUs pursuant to the requirements of Chapter 19.442, may be constructed on any undivided lot in a single-family zone.

2. Urban lot splits.

- a. A maximum of two dwelling units of any kind may be constructed on any single-family lot established through an urban lot split pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, inclusive of detached, attached, and junior ADUs for a maximum of four units total on both lots.
- b. The maximum number of units that result from any urban lot split may include primary dwellings, detached, attached, and junior ADUs.

B. Parking. One on-site covered parking space shall be required per unit.

1. This requirement may be satisfied by an attached or detached carport or enclosed garage.
2. Exceptions. No on-site parking shall be required when:
 - a. The site is located within one-half mile walking distance of a high-quality transit corridor, as defined in [Subdivision \(b\)](#) of Section 21155 of the Public Resources Code;
 - b. The site is located within one-half mile of a major transit stop, as defined in Section 21064.3 of the Public Resources Code; or
 - c. The site is located within one block of a permanently established car-share vehicle pick-up/drop-off location.
3. Required parking spaces shall comply with the applicable standards of Chapter 19.580 (Parking and Loading).

C. Setbacks.

1. The side and rear yard setbacks for two-unit developments shall be at least four feet.
2. The front yard setback for two-unit developments shall be as required by the Zone.
3. Additional setbacks shall not be required for an existing structure or for a structure constructed in the same location and to the same dimensions as an existing structure (i.e., a building reconstructed on the same footprint).

4. Notwithstanding the above, an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet Building Code safety standards and are sufficient to allow separate conveyance.

D. Additional requirements for two-unit developments.

1. Unless otherwise specified in this Chapter, all development standards applicable to the construction of a single-family dwelling shall apply to two-unit developments, including but not limited to:
 - a. Building height;
 - b. Number of stories; and
 - c. Lot coverage.
2. Applicable Chapters. The requirements of the following ~~c~~hapters of this Title shall apply to two-unit developments:
 - a. Chapter 19.440 - Accessory buildings and structures;
 - b. Chapter 19.550 - Fences, walls and landscape materials;
 - c. Chapter 19.554 - Trash/recyclable materials collection area enclosures;
 - d. Chapter 19.555 - Outdoor equipment screening;
 - e. Chapter 19.556 - Outdoor lighting; and
 - f. Chapter 19.580 - Parking and loading.
3. All other development standards contained within Titles 17, 18, and 19 shall apply.

E. The application of any development standard that would physically prevent the development of up to two primary dwelling units or that would physically preclude either of the two units from being at least 800 square feet in floor area shall be waived. No Variance or other discretionary action shall be required.

F. Additional requirements for urban lot splits shall be as set forth in Chapter 18.085 (Urban Lot Splits) of the Subdivision Code.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.060 Design standards.

A. Materials.

- a. On sites already developed with an existing residential unit, the new construction shall be designed and constructed to match the existing dominant roof pitch, paint color and exterior finish materials, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.
- b. Where no development currently exists or where existing development is to be removed, two-unit developments shall be designed so that the units match one another in dominant roof pitch, paint color and exterior building finishes, including but not limited to siding, windows, doors, roofing, light fixtures, hardware, and railings.

- c. Design elements and detailing shall be continued completely around the structure. Such elements shall include but not be limited to window types and treatments, trim detailing, and exterior wall materials.
- d. Window and door types and styles shall be consistent on all elevations.
- e. All vents, downspouts, flashings, electrical conduit, etc., shall be painted to match the color of the adjacent surface unless specifically designed as an accent material.
- f. Exterior building lighting shall be directed downward, have a shielded light source, and be designed so that the light is not directed off site.

B. Landscaping.

- a. Front and street side yard areas shall be fully landscaped pursuant to the requirements of Chapter 19.570 (Water Efficient Landscaping and Irrigation) and the Citywide Design Guidelines.
- b. Complete landscaping and irrigation plans shall be submitted to the Planning Division prior to the issuance of building permits.
- c. Installation of approved landscaping shall be completed prior to release of final occupancy.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.070 Additional requirements.

A. Short-term rentals.

- a. Units created pursuant to this Chapter shall be rented or leased for a term longer than 30 days.
- b. A Covenant shall be recorded against title to any property developed pursuant to this Chapter restricting rental or lease of any unit on the property for a term longer than 30 days.

B. Owner occupancy.

- a. Unless the lot on which a two-unit development is constructed was established through an ~~Urban Lot Split~~ pursuant to Chapter 18.085 (Urban Lot Splits) of the Subdivision Code, the owner of the property shall reside in one of the units as their principal residence.
- b. A deed restriction shall be recorded on title to the subject property binding current and future owners to this requirement.
- c. Owner occupancy requirements for two-unit developments constructed on lots established through an urban lot split shall be as set forth in Chapter 18.085 of the Subdivision Code.

C. Nonresidential uses. Except for permitted home occupations pursuant to Chapter 19.485, non-residential uses shall be prohibited.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

19.443.080 Variances.

A. No variances from the provisions of this Chapter shall be permitted.

- B. Waiver of any development standard necessary to permit the minimum amount of development authorized by California Government Code § 65852.21 shall not require the granting of a Variance or any other discretionary approval.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

~~19.443.100 Severability.~~³⁴

~~If any provision of this ordinance or chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance or chapter which can be implemented without the invalid provision or application and to this end the provisions of this ordinance and chapter are declared to be severable.~~

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 6(Exh. G), 2022)

Chapter 19.445 AGRICULTURAL FIELD OFFICE

19.445.010 Purpose.

19.445.020 Applicability and permit requirements.

19.445.030 Site location, operation and development standards.

19.445.040 Modifications.

19.445.010 Purpose.

The purpose of regulating agricultural field offices is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §69, 2016; Ord. 6966 §1, 2007)

19.445.020 Applicability and permit requirements.

Agricultural field offices, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §69, 2016; Ord. 6966 §1, 2007)

³⁴ **Sec. 19.443.100. Severability.** Text duplicative of Title 1 general provisions should be stricken as shown.
(FOOTNOTE 344 IN EXHIBIT 2)

19.445.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to agricultural field offices unless otherwise specified here.

A. A minimum lot size of 5 acres shall be required to establish any agricultural field office.

B. The use shall be on the same property as and in conjunction with a permitted agricultural use.

C. The use shall be established within a stick - built, mobile coach or prefabricated structure, attached to or detached from any other building on the property.

D. The building shall comply with the setback standards established for accessory structures in Chapter 19.440 (Accessory Buildings and Structures) of the Zoning Code.

(Ord. 6966 § 1, 2007)

19.445.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

(Ord. 7331 §69, 2016)

Chapter 19.450 ALCOHOL SALES

19.450.010 Purpose.

19.450.020 Applicability and permit requirements.

19.450.030 Site location, operation and development standards.

19.450.040 Other applicable regulations.

19.450.050 Variances.

19.450.010 Purpose.

The purpose of regulating the sale of alcohol is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §70, 2016; Ord. 6966 §1, 2007)

19.450.020 Applicability and permit requirements.

Alcohol sales, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

A. Off-sale. Any establishment, business or facility that proposes to engage in the off-sale of alcoholic beverages shall obtain a conditional use permit pursuant to Chapter 19.760 (Conditional Use Permit), except for the following uses:

1. Establishments that do not propose to sell alcohol as their principal business and that contain 15,000 square feet or more of gross floor area.

2. Florist shops that propose the incidental sale of wine along with gift or floral baskets; such uses shall obtain a minor conditional use permit processed pursuant to Chapter 19.730 (Minor Conditional Use Permit).

B. On-sale.

1. Any establishment, business or facility that proposes to engage in the on-sale of alcoholic beverages shall obtain a minor conditional use permit pursuant to Article IX, Land Use and Development Permit Requirements/Procedures.
2. Exemption.
 - a. Businesses meeting the conditions listed in this Section shall be exempt from the site location, operation and development standards set forth in Section 19.450.030.C.
 - b. The Community & Economic Development Director or his/her designee shall exempt a business providing on-sale of alcoholic beverages from the minor conditional use permit requirement if all of the following conditions apply:
 - i. The premises contains a kitchen or food-servicing area in which a variety of food is prepared and cooked.
 - ii. The primary use of the premises is for sit-down food service to patrons.
 - iii. The premises serves food to patrons during all hours the establishment is open for customers.
 - iv. If there is a separate area primarily intended for the consumption of alcoholic beverages, it does not constitute more than 30 percent of the public access floor area or 1,000 square feet, whichever is less.
 - v. No alcoholic beverages, including beer or wine are sold or dispensed for consumption beyond the premises.
 - vi. The premises is defined as a "bona fide public eating place" by the State of California Department of Alcoholic Beverage Control."

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 3, 2022; Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7331 §70, 2016; Ord. 7158 §12, 2012; Ord. 6966 §1, 2007)

19.450.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all establishments selling alcohol, unless otherwise specified here.

A. Off-sale of all alcoholic beverages.

1. The business shall not be located within 600 feet of a public or private school (pre-school through twelfth grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, assemblies of people—non-entertainment or park site.

2. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
3. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter, supportive housing, transitional housing and transitional housing development or businesses licensed by the State of California for off-sale general alcoholic beverage sales with less than 15,000 square feet of gross floor area or which sells alcoholic beverages as its principal business as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing off-sale alcoholic beverage sales business.
4. No sale of alcoholic beverages shall be made from a drive-thru lane or drive-thru window.
5. The business shall be in a location that is fully visible from a public street with an unobstructed view from the public street for public safety.
6. The business shall have lighting to provide illumination for security and safety of parking and access areas. On-site lighting plans shall be submitted for review and approval.
7. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of ~~this the Municipal~~ Code.
8. The management at each location of off-sale of alcoholic beverages pursuant to this ~~S~~section shall be responsible for educating the public regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.

B. Florist shop with incidental off-sale of wine.

1. The sale of wine shall be clearly incidental to a florist shop business, and shall not exceed five percent of the annual gross sales revenue of the florist business.
2. The sale of wine shall be limited to gift or floral arrangements. Individual containers of wine not packaged as part of such arrangements may not be sold.
3. No beer or distilled spirits may be sold.
4. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter, supportive housing or transitional housing and transitional housing development as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing off-sale alcoholic beverage sales business.

C. On-sale of all alcoholic beverages.

1. The business shall not be located within 600 feet of a hospital, public or private school (pre-school through twelfth grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the hospital, school, assemblies of people—non-entertainment or park site, except in the Downtown Arts and Entertainment District, as defined in Article X (Definitions), where the 600 foot distance restriction does not apply. However, in said Downtown Arts and Entertainment District, the Community &

Economic Development Department Director or his/her designee shall consider distances from the above listed uses for the purpose of achieving compatibility of the business with neighboring uses as part of the review process.

2. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential property. This provision shall not be mandatory with regard to residential uses that are a part of a mixed use zone or mixed use project approved under a conditional use permit.
3. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter, supportive housing or transitional housing and transitional housing development as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing parolee/probationer home, emergency shelter, supportive housing or transitional housing and transitional housing development.
4. Lighting, as certified by a qualified lighting engineer, shall be provided at a level no less than one foot candle of lighting throughout private parking lots and access areas serving the business.
5. The premises on which the business is located shall be posted to indicate that it is unlawful for any person to drink or consume any alcoholic beverage in any public place or posted premises in accordance with Section 9.05.020 of ~~this the Municipal~~ Code.
6. Soundproofing shall be provided sufficient to prevent noise and vibrations from penetrating into surrounding properties or building lease space.

D. Concurrent sale of motor vehicle fuel with alcoholic beverages.

1. Only beer and wine, not hard liquor, may be sold.
2. The minimum enclosed retail sales area for store products shall be 1,500 square feet.
3. The minimum inventory level shall be \$15,000.00 retail value excluding beer, wine, fuel and automotive products.
4. The maximum percentage of beer and wine sales to total store sales shall be 30 percent on a retail basis during any consecutive twelve-month period.
5. The management at each location of common site sales shall be responsible for "educating the public" regarding drunk driving laws and the related penalties for breaking those laws. (This includes minimum age law, open container law and driving while intoxicated law.) This can be accomplished by posting prominent signs, decals or brochures at the point of purchase and providing adequate training for employees.
6. No displays of beer or wine shall be located within five feet of the store's entrance or checkout counter.
7. Cold beer or wine shall be sold from or displayed in permanently affixed electrical coolers only.
8. No beer or wine advertising shall be located on gasoline islands; no lighted advertising for beer or wine shall be located on buildings or in windows.
9. Employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell beer and wine.
10. No sale of alcoholic beverages shall be made from a ~~drive-thru~~ window.

11. The business shall not be located within 600 feet of a public or private school (pre-school through 12th grade), assemblies of people—non-entertainment or public park, as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the school, assemblies of people—non-entertainment or park site.
12. The business shall not be located within 100 feet of any existing residential dwelling or property zoned for residential uses as measured from any point upon the outside walls of the building or building lease space containing the business to the nearest property line of the residential zoned property.
13. The business shall be located a minimum distance of 300 feet from any other business with the concurrent sale of motor vehicle fuel with alcoholic beverages or 1,000 feet from any other business licensed by the State of California for off-sale general alcoholic beverage sales with less than 15,000 square feet of gross floor area or that sells alcoholic beverages as its principal business as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing off-sale alcoholic beverage sales business.
14. The business shall be located a minimum distance of 1,000 feet from any existing parolee/probationer home, emergency shelter, supportive housing or transitional housing and transitional housing development as measured from any point upon the outside walls of the building or building lease space of the business applying for the discretionary permit to the nearest property line of the site containing the existing emergency shelter, supportive housing or transitional housing and transitional housing development.

(Ord. 7331 §70, 2016; Ord. 7158 §13, 2012; Ord. 6966 §1, 2007)

19.450.040 Other applicable regulations.

Where the Department of Alcoholic Beverage Control (ABC) determines that an area has an over concentration of alcoholic beverage licenses and/or a higher than average crime rate ABC may deny an application for alcohol sales unless the Community & Economic Development Department Director or his/her designee or City Planning Commission makes a determination that public convenience or necessity will be served by the proposed project. The determination that public convenience or necessity will be served shall be made through the following findings:

- A. That the license applicant has submitted a request for a particular type of alcoholic beverage license, license upgrade, or premises-to-premises transfer and will agree to all conditions placed on the application;
- B. That the proposed use is compatible with surrounding uses and will enhance economic vitality and improve consumer choice in the surrounding area; and
- C. That the proposed use will not increase the severity of existing law enforcement or public nuisance problems in the area.

(Ord. 7331 §70, 2016; Ord. 6966 §1, 2007)

Chapter 19.455 ANIMAL KEEPING

19.455.010 Purpose.

19.455.020 Applicability and permit requirements.

19.455.030 Site location, operation and development standards.

19.455.040 Maintenance of premises.

19.455.010 Purpose.

This purpose of regulating animals is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §71, 2016; Ord. 6966 §1, 2007)

19.455.020 Applicability and permit requirements.

Animal keeping, of both domestic and non-domestic animals, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

- A. Animal keeping, as defined in this Cchapter, includes the keeping of domestic and non-domestic animals and other species as may be determined by the Community & Economic Development Department Director or his/her designee to be similar in nature.
- B. Animal keeping is permitted in the various zones as set forth in Article V Table 19.150.020.B (Incidental Uses Table). In addition to the regulations of the applicable zone, animal keeping in the forms of boarding of cats and dogs/kennels, in conjunction with veterinary services and pet shops, or in conjunction with associated biological and/or medical research facilities are also permitted per Article V (Base Zones and Related Use and Development Provisions).

(Ord. 7331 §71, 2016; Ord. 6966 §1, 2007)

19.455.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all domestic and non-domestic animal keeping unless otherwise specified here.

A. Domestic animal keeping.

- 1. Domestic animal keeping is permitted in all residential and mixed use zones.

B. Non-domestic animal keeping in the RE and R-1 Zones.

- 1. The non-commercial keeping of poultry is permitted subject to the following:
 - a. Not more than 5 poultry shall be permitted at any time.
 - b. A coop, shelter or other permanent structure shall be provided a minimum of 10 feet from any neighboring residence in addition to the minimum standards provided in Chapter 19.440 (Accessory Buildings and Structures).
 - c. The keeping of crowing fowl as defined in Section 19.910.040 ("C" Definitions) is not permitted.

C. Non-domestic animal keeping in the RR Zone.

- 1. The non-commercial keeping of poultry, rabbits, crowing fowl and crowing rooster are subject to the following:

- a. All animals shall be enclosed with a coup, shelter or other permanent structure and meet the standards provided by Chapter 19.440 (Accessory Buildings and Structures).
- b. No more than 5 poultry and 4 rabbits shall be permitted when 50 feet from any neighboring residence.
- c. No more than 50 poultry and 45 rabbits shall be permitted when 100 feet from any neighboring residence.
- d. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a Minor Conditional Use Permit.
- e. The keeping of crowing fowl that exists on a property at the time the site is annexed to the City shall be abated within the amortization period of two years. If keeping of crowing fowl is not abated within such two-year period, it will be a violation of this section.
- f. For lots greater than 20,000 square feet, the keeping of no more than 7 crowing roosters is permitted. The roosters shall be housed from sunset to sunrise in an acoustical structure at least 100 feet from any neighboring residence.

2. *Equine, bovine and ovine species.*

- a. A minimum lot size of 20,000 square feet of net area is required.
- b. Not more than a total of 2 individuals of equine, bovine, or ovine species regardless of combination, are permitted. However, 1 additional animal may be kept for each additional 10,000 square feet of net lot area in excess of 20,000 square feet.
- c. All animals permitted pursuant to this ~~S~~subsection shall be housed, penned or pastured at least 60 feet from any neighboring residence, and shall abide by the minimum standards provided in Chapter 19.440 (Accessory Buildings and Structures).

3. *Porcine species, exclusive of pot-bellied pigs.*

- a. Swine or pigs, exclusive of pot-bellied pigs, shall be permitted only upon the condition that such animals are kept and maintained as a duty-authorized Future Farmers of America, 4-H or similar project.
- b. A minimum lot size of 20,000 square feet of net area is required for any porcine species.
- c. Not more than 2 individuals of porcine species shall be permitted. However, one additional animal may be kept for each additional 10,000 square feet of net lot area in excess of 20,000 square feet.
- d. All animals permitted pursuant to this subsection shall be housed, penned or pastured at least 60 feet from any neighboring residence, and shall abide by the minimum standards provided in Chapter 19.440 (Accessory Buildings and Structures).

4. *Bees.* The keeping of bees is permitted, provided that all other conditions of this ~~Title Zoning Code~~ and ~~Chapter Title 8.20 of Title 8~~ are met.

5. *Aviaries.* The keeping of birds/aviaries is permitted, provided that all other conditions of this ~~Title Zoning Code~~ and ~~this the Municipal~~ Code are met.

6. *Offspring of animals. Offspring of permitted animals shall not be counted in determining the permitted number of animals if such offspring do not exceed the following age limitations:*

- a. Bovine, 24 months
- b. Equine, 18 months
- c. Ovine, 12 months
- d. Porcine, 60 days
- e. Birds, 4 months

D. Non-domestic animal keeping in the RA-5 Zone.

1. Poultry, rabbits, crowing fowl and crowing roosters.

- a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept.
- b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot.
- c. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a discretionary permit.

2. Equine bovine, and ovine species.

- a. A minimum lot size of one acre of net area is required for the grazing, raising or training of any equine, riding stables or academies of the raising of bovine or ovine species for noncommercial purposes.
- b. Not more than a total of two of any combination of equine, bovine, or ovine species shall be kept on any lot with an area of one acre. However, one additional animal may be kept for each half acre of net lot area in excess of one acre.
- c. All animals permitted pursuant to this Ssubsection shall be housed, penned or pastured at least 100 feet from any residence, including the residence on the lot where the animals are kept.

- 3. Dairies, feeding lots and other similar uses may be permitted subject to the granting of a Conditional Use Permit.

- 4. *Bees.* The keeping of bees is permitted, provided that all other conditions of this Title Zoning Code and Chapter Title 8.20 of Title 8 are met.

5. Growing and wholesale disposal of earthworms.

- a. All worm farms shall be kept at least 50 feet away from all adjacent dwellings.
- b. The maximum height of any worm bed shall be two feet and all other structures shall conform to the requirements for accessory structures.

c. Worm farms in excess of 64 square feet shall only be permitted subject to the granting of a discretionary permit.

6. *Aviaries*. The keeping of birds/aviaries is permitted, provided that all other conditions of this ~~Title Zoning Code~~ and ~~this the Municipal~~ Code are met.

E. *Non-domestic animal keeping in the RC Zone.*

1. *Poultry, rabbits, crowing fowl and crowing roosters.*

a. The noncommercial keeping of not more than five poultry, including crowing fowl (except crowing roosters), and 18 rabbits is permitted. Such animals shall be housed, kept or penned at least 50 feet from any residence on an adjoining lot or parcel, including the residence on the lot where the animals are kept.

b. Where poultry and rabbits are housed, kept, or penned at least 100 feet from any residence, the noncommercial keeping of not more than 50 poultry and 45 rabbits on any lot is permitted. The keeping of not more than seven crowing roosters are permitted on any lot, provided that such roosters are housed from sunset to sunrise in an acoustical structure so as to reduce noise emitted by such roosters and such structure is at least 100 feet from any residential structure on an adjoining lot.

c. Additional poultry and rabbits for noncommercial or commercial purposes may be permitted subject to the granting of a discretionary permit.

2. *Equine species.*

a. A minimum lot size of one acre of net area is required for the grazing, raising or training of any equine.

b. Not more than a total of two of any equine species shall be kept on any lot with an area of one acre. However, one additional animal may be kept for each half acre of net lot area in excess of one acre.

c. All animals permitted pursuant to this subsection shall be housed, penned or pastured at least 100 feet from any residence, including the residence on the lot where the animals are kept.

3. *Bees*. The keeping of bees is permitted, provided that all other conditions of this ~~Title Zoning Code~~ and ~~Chapter Title 8.20 of Title 8~~ are met.

4. *Aviaries*. The keeping of birds/aviaries is permitted, provided that all other conditions of this ~~Title Zoning Code~~ and ~~this e-Municipal~~ Code are met.

(Ord. 7331 §71, 2016; Ord. 7109 §7, 2010; Ord. 6985 §3, 2008; Ord. 6966 §1, 2007)

19.455.040 Maintenance of premises.

The premises where animals are kept shall be maintained in a clean, neat and sanitary condition at all times to ensure the public health, safety, comfort, convenience and general welfare pursuant to Title 6 - Health & Sanitation, Title 8 - Animals, and all other County and State regulations.

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url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank" web="yes">Ord. 7660</ulink>, § 12, 2024; Ord. 7331 §71, 2016; Ord. 6966 §1, 2007)

Chapter 19.465 CARETAKER LIVING QUARTERS

19.465.010 Purpose.

19.465.020 Applicability and permit requirements.

19.465.030 Site location, operation development standards.

19.465.010 Purpose.

The purpose of regulating caretaker living quarters is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 6966 §1, 2007)

19.465.020 Applicability and permit requirements.

Caretaker living quarters, as defined in Article X (Definitions) are permitted as set forth in article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter.

(Ord. 6966 §1, 2007)

19.465.030 Site location, operation development standards.

The standards set forth in Article V, Base Zone and Related Use and Development Provisions shall apply to agricultural caretaker living quarters, unless otherwise specified here.

A. Caretaker living quarters—Agricultural.

1. The use shall be conducted on a property having five acres or more gross area and that is predominantly occupied by a bona fide agricultural business.
2. The use shall be established within a stick-built or prefabricated structure, attached to or detached from the primary dwelling unit on the property, or within a mobile home.
3. The square footage of the agricultural caretaker living quarters shall not exceed 50 percent of the square footage of the principal dwelling unit.
4. Occupancy shall be limited to the agricultural caretaker and his or her family. The agricultural caretaker shall be a full-time employee of the on-site agricultural business.
5. The principal dwelling unit on the property shall be occupied by the legal owner of the property.
6. The agricultural caretaker living quarters shall be established in such a way as to minimize its view from adjacent streets and properties.
7. The use shall not be conducted longer than two years, except that subsequent time extensions may be granted by the Approving or Appeal Authority. Each time extension shall not exceed two years.
8. The property owners shall execute and record a covenant and agreement with the City to revert the property to single-family residential use, including the removal of the kitchen facilities of any permanent addition that does not meet the requirements of the Zone in which the use is located, after the expiration of any associated permit granted or the termination of the agricultural business.

B. Caretaker living quarters—Industrial or Commercial Storage Overlay Zone uses.

1. The caretaker living quarters shall be located within the principal building on the site.
2. The caretaker living quarters shall be occupied by the owner or an employee of the business.
3. A minimum of one designated parking space shall be provided for the caretaker living quarters, in addition to any parking spaces required for the principal use.
4. The caretaker living quarters shall have no more than two bedrooms.
5. The caretaker living quarters shall be limited to a maximum of 650 square feet.
6. The property owners shall execute and record a covenant and agreement with the City to revert the property to an industrial use without a caretaker living quarters, including the removal of the kitchen facilities of any permanent addition that does not meet the requirements of the Zone in which the use is located, after the expiration of any associated permit granted or the termination of the business.

C. Caretaker living quarters—Temporary during construction.

1. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Community & Economic Development Department Director or his/her designee. In no instance shall the temporary unit be located within public right-of-way.
2. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.
3. The number of occupants shall be limited to two persons.
4. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.
5. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Community & Economic Development Department Director or his/her designee. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Community & Economic Development Department Director or his/her designee may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.
6. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.
7. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

(Ord. 6966 §1, 2007)

*Chapter 19.470 RESERVED **

***Editor's note**— <ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank"

web="yes">Ord. 7528</ulink>, §2, adopted Aug. 4, 2020 and Ord. <ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank"

web="yes">7520</ulink> §1(Exh. A), adopted July 21, 2020, repealed §§19.470.010—19.470.040 as set

out in Ch. 19.470, which pertained to Day Care Homes for Family and derived from Ord. 7331 §73, adopted in 2016 and Ord. 6966 §1, adopted in 2007.

Chapter 19.475 DRIVE-THRU BUSINESSES

19.475.010 Purpose.

19.475.020 Applicability and permit requirements.

19.475.030 Traffic study.

19.475.040 Site location, operation and development standards.

19.475.050 Additional permit findings.

19.475.060 Modifications.

19.475.010 Purpose.

The purpose of regulating [drive-thru](#) businesses is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §74, 2016; Ord. 6966 §1, 2007)

19.475.020 Applicability and permit requirements.

Drive-thru businesses, as defined in Article X (Definitions), incidental to a permitted use, unless specifically prohibited by the provisions of Article V, Base Zones and Related Use and Development Provisions.

(Ord. 7331 §74, 2016; Ord. 6966 §1, 2007)

19.475.030 Traffic study.

A traffic study addressing both on-site and off-site traffic and circulation impacts may be required as part of the permit application, at the discretion of the [Staff Application Review Team-Development Review Committee](#).

(Ord. 7331 §74, 2016; Ord. 6966 §1, 2007)

19.475.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to drive-thru businesses unless otherwise specified here.

- A. The drive-thru business shall maintain a minimum 100-foot street frontage and be located on an arterial street, as indicated by the Riverside General Plan Figure CCM-4 - Master Plan of Roadways.
- B. When a drive-thru business adjoins any lot in a residential, office or any mixed use zones, a minimum six-foot-high masonry wall shall be erected and maintained along such property line;

provided, however, that such wall shall be only three feet high from the setback line of the adjoining property to the front property line.

C. Building and landscape setback standards.

1. Where a drive aisle or parking is adjacent to a street frontage, a landscape planter with a minimum width of 15 feet in width shall be provided along all street frontages. Where a building is adjacent to a street frontage, the building setback of the base zone shall apply.
2. A landscape planter with a minimum width of five feet shall be provided along interior property lines, unless the site part of an integrated, master planned commercial complex, where no landscape setback is required along interior property lines.

D. Drive-thru lane standards.

1. Restaurants shall maintain drive-thru lanes that are a minimum of 180 feet in length to provide on-site storage for a minimum of ten vehicles, as measured from the forward most drive-thru window to the entrance to the queuing space.

[GRAPHIC]

19.475.040.E.1.

Drive-thru Lanes

2. All other uses shall maintain drive-thru lanes that are a minimum of 36 feet in length to provide on-site automobile storage for a minimum of two vehicles.
3. Each drive-thru lane shall be a minimum of 12 feet in width. The lane shall be independent of any on-site parking, parking maneuvering areas, public streets, alleys or traffic ways.

E. Additional requirements for drive-thru lanes associated with restaurants.

1. Drive-thru windows are discouraged on any building elevation directly facing a street frontage.
2. Drive-thru lanes shall be designed in such a way as to be screened from view from the street through elevation differences, landscaping, arbors, trellises, canopies, walls and other architectural features used to reduce the visual presence of drive-thru operations.
3. Freestanding drive thru restaurants should be located on lots with at least 30,000 square feet, except for drive thru restaurants in master planned integrated commercial complexes with shared parking and access.
4. A minimum five-foot-wide landscaped planter should be installed between the drive-thru lane and parking lot maneuvering area when adjacent to one another, as determined necessary on a case-by-case basis.

F. Additional requirements for a business with drive-thru lane(s) within the MU-U and MU-V Zones.

1. Drive-thru pick-up windows shall not be located on any building elevation facing a street.
2. Drive-thru lanes shall be located at the rear of the building and screened from view from adjacent streets. For corner properties, a combination of walls and other architectural and landscape features, such as arbors, trellises, canopies, and landscape berms may be used to screen the drive-thru lane from one adjacent street.

(Ord. 7408 §1, 2018; Ord. 7331 §74, 2016; Ord. 7100 §1, 2010; Ord. 6966 §1, 2007)

19.475.050 Additional permit findings.

In addition to the findings required for the granting of the applicable discretionary application, the following additional findings are required to be made by the Approving or Appeal Authority in approving a discretionary permit for a drive-thru business:

- A. That the use will not substantially increase vehicular traffic on streets in a residential zone.
- B. That the use will not substantially lessen the usability of adjacent or nearby commercially zoned property or commercial use by interfering with pedestrian traffic.
- C. That the use will not create increased traffic hazards to pedestrians.
- D. That the site will be adequate in size and shape to accommodate said use and to accommodate all yards, walls, parking, landscaping and other required improvements.
- E. That the use will not substantially lessen the usability and suitability of adjacent or nearby residentially zoned property for residential use.

(Ord. 7331 §74, 2016; Ord. 6966 §1, 2007)

19.475.060 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit or Conditional Use Permit, as applicable.

(Ord. 7331 §74, 2016)

Chapter 19.480 FUELING SYSTEMS—PRIVATE (ABOVE-GROUND TANKS)

19.480.010 Purpose.

19.480.020 Applicability and permit requirements.

19.480.030 Site location, operation and development standards.

19.480.040 Modifications.

19.480.010 Purpose.

The purpose of regulating private fueling systems with above-ground tanks is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §75, 2016; Ord. 6966 §1, 2007)

19.480.020 Applicability and permit requirements.

Private fueling systems with above-ground tanks, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. 7331 §75, 2016; Ord. 6966 §1, 2007)

19.480.030 Site location, operation and development standards.

The development standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to private fueling systems with above-ground tanks unless otherwise specified here.

- A. All design and location standards of the Fire Code shall be complied with.
- B. The location of the fueling system, including the above-ground tanks and the dispensing system, shall comply with the setback requirements of the zone of the property on which the fueling system is located, unless a greater setback is required by the Fire Code, in that case such greater setback requirement shall be met.
- C. The fueling system must be incidental to the permitted use or conditional use of the property on which it is located, and it must only serve vehicles or equipment that belong to the operator of the business or use located on the property.
- D. The tanks shall be fully screened from adjoining streets and neighboring properties.
- E. The fueling system shall be limited to two tanks, with a maximum cumulative capacity of 12,000 gallons.
- F. The fueling system shall not exceed ten feet in height.
- G. Above-ground fuel tanks of 1,000 gallons or more shall be located a minimum distance of 300 feet from any residential structure or residentially zoned property.

(Ord. 7331 §75, 2016; Ord. 6966 §1, 2007)

19.480.040 Modifications.

Modifications to the above site location, operation and development standards may be considered in conjunction with the required Minor Conditional Use Permit.

(Ord. [7652](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 8, 2023; Ord. 7331 §75, 2016)

Chapter 19.485 HOME OCCUPATIONS

19.485.010 Purpose.

19.485.020 Applicability and permit requirements.

19.485.030 Permitted home occupations.

19.485.040 Site location, operation and development standards.

19.485.050 Modifications.

19.485.010 Purpose.

The purpose of regulating home occupations is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §76, 2016; Ord. 6966 §1, 2007)

19.485.020 Applicability and permit requirements.

Home occupations, as defined in Article X (Definitions), are permitted as incidental uses in all residential zones, as set forth in Article V, Base Zone and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

(Ord. 7331 §76, 2016; Ord. 6966 §1, 2007)

19.485.030 Permitted home occupations.

Only the following business activities are permitted as home occupations.

- A. Telecommuting, as defined by Article X (Definitions).
- B. Business, professional and sales offices, excluding medical, dental and similar uses that involve regular patient visits to the site, provided that no retail sales transactions are made on the premises and that no customers or clients visit the site, except as specifically allowed by this Ssection. Typical examples of such general business office activities include research; report writing; bookkeeping; telecommunication with clients and employees; and the sending and receiving of mail, telephone calls, electronic facsimile communications and electronic communications by electronic or similar means.
- C. Instruction in academia, music, voice, art, dance or similar activities with no more than one pupil receiving instruction at any given time.
- D. Activities associated with the work of artists, sculptors, authors and composers.
- E. Some personal services, limited to activities associated with the work of dressmakers, seamstresses, and tailors; hair stylists; estheticians; pet groomers; and similar uses.
- F. Home crafts, such as model making, rug weaving, quilting and needlework, lapidary work and wood working, limited to the uses of tools and equipment commonly available for personal residential use, but specifically excluding cabinet making.
- G. Home catering and food preparation businesses, subject to the approval of the Riverside County Health Department.
- H. Small electronics repair, limited to items such as personal computers and electronic recorders with a maximum weight of 40 pounds per item.
- I. Home-based direct sales distributions businesses in which sales, merchandise distribution and product demonstrations are primarily conducted either off-site or by telephone, mail or other electronic communication.

(Ord. 7331 §76, 2016; Ord. 6966 §1, 2007)

19.485.040 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to all home occupation businesses unless otherwise specified here.

- A. The home occupation shall be clearly incidental and subordinate to the primary use of the dwelling unit.

- B. The site of the home occupation must be the principal residence of anyone engaged in the home occupation. In addition, no more than one non-resident employee or assistant is permitted to engage in home occupation activities at the site at any given time.
- C. There shall be no external visible evidence of the home occupation.
- D. A maximum of one room within the dwelling unit or 25 percent of the total square footage of the dwelling unit may be used for the home occupation.
- E. The home occupation shall not involve the use of any accessory building or outdoor area for any related activity, including storage or display. However, the use of an attached garage for a permitted home occupation is allowed, provided that required covered parking is continually available and accessible for use.
- F. Direct sale of products or merchandise on the premises from which the home occupation is conducted shall be prohibited.
- G. A maximum of one customer or client vehicle at any given time shall be allowed to visit the premises of the home occupation.
- H. No home occupation use shall create or result in glare, smoke, dust, vibration, fumes, odor, electrical, radio or television interference, fire hazard, significant vehicular or pedestrian traffic, or any other hazard or nuisance disruptive to reasonable use of the surrounding properties. Home occupations shall also comply with the provisions of Title 7 of ~~this the Municipal~~ Code.
- I. The use or storage of any flammable, combustible, or toxic material in conjunction with a home occupation shall be limited to quantities in accordance with the Fire Code as incorporated by ~~this the Riverside Municipal~~ Code for a residential use.
- J. Signage or commercial advertising for the home occupation is prohibited.
- K. Only one vehicle owned by the operator of the home occupation, no larger than 10,000 pounds gross vehicle rating weight, may be used in conjunction with the home occupation.
- L. If more than one home-based business is conducted at a given site, the aggregate of all the home-based businesses shall comply with these standards.
- M. The home occupation shall not increase the use of utilities or community facilities beyond that normal to the use of the property for residential purposes.
- N. The home occupation shall comply with all other Municipal Code requirements and any applicable County, State, and Federal laws.
- O. The cultivation, manufacturing, distribution, transport, or sale of marijuana or marijuana products is not a permitted home occupation.

(Ord. [ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank" web="yes">7431</ulink>](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) § 6, 2018; Ord. 7331 §76, 2016; Ord. 6966 §1, 2007)

19.485.050 Modifications.

No modifications to the above site location, operation and development standards shall be allowed in conjunction with a home occupation.

(Ord. 7331 §76, 2016)

Chapter 19.490 MINING/MINERAL EXTRACTION

19.490.010 Purpose.

19.490.020 Applicability and permit requirements.

19.490.010 Purpose.³⁵

The purpose of regulating mining/mineral extraction uses is to ensure compatibility of such uses with surrounding uses and properties and compliance with the provisions of the state Surface Mining and Reclamation Act of 1975, [Public Resources Code § 2710 et seq.](#)

(Ord. 7331 §77, 2016; Ord. 6966 §1, 2007)

19.490.020 Applicability and permit requirements.³⁶

Mining/mineral extraction uses are permitted as forth in Article V, Base Zones and Related Use and Development Provisions subject to the provisions contained in the State Surface Mining and Reclamation Act of 1975, [Public Resources Code § 2710 et seq.](#)

(Ord. 7331 §77, 2016; Ord. 6966 §1, 2007)

Chapter 19.495 OUTDOOR DINING AND FOOD PREPARATION (PERMANENT)

19.495.010 Purpose.

19.495.020 Applicability and permit requirements.

19.495.030 Site location, operation and development standards.

19.495.040 Modifications.

19.495.010 Purpose.

The purpose of regulating outdoor dining incidental to a permanent indoor restaurant is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §78, 2016; Ord. 6966 §1, 2007)

19.495.020 Applicability and permit requirements.

Outdoor dining and food preparation, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

- A. Any use of public rights-of-way shall be subject to the granting of an encroachment permit by the Public Works Department and verification and maintenance of liability insurance by the City's Risk Manager.

³⁵ **Sec. 19.490.010. Purpose.** Citation should be completed as shown. **(FOOTNOTE 345 IN EXHIBIT 2)**

³⁶ **Sec. 19.490.020. Applicability and permit requirements.** Citation should be completed as shown. **(FOOTNOTE 346 IN EXHIBIT 2)**

- B. All outdoor dining areas shall be designed in compliance with the City's "Outdoor Dining and Outdoor Food Preparation Requirements and Design Guidelines."
- C. The regulations contained in this ~~C~~chapter for outdoor food preparation pertain to those preparation activities related to permanent indoor restaurants and do not apply to outdoor preparation of food in association with a legally established school or assemblies of people—non-entertainment or similar use that is separately regulated.

(Ord. 7331 §78, 2016; Ord. 6966 §1, 2007)

19.495.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to outdoor dining unless otherwise specified here.

- A. The outdoor dining area shall be located in a designated dining area approved by the Community and Economic Director or his/her designee.
- B. All outdoor facilities shall be located so they do not pose a hazard or nuisance to pedestrians.
- C. The design of all outdoor facilities shall be consistent with the adopted Citywide Design Guidelines.
- D. Outdoor dining facilities, including food preparation, shall be in compliance with all requirements of the Riverside County Health Department, Police Department, Fire Department and the South Coast Air Quality Management District at all times.
- E. Consumption of food shall be limited to items purchased at the on-site restaurant.
- F. Consumption of alcoholic beverages shall be in compliance with Chapter 19.450 of ~~this Title~~
~~Zoning Code~~ and all applicable requirements of the Department of Alcoholic Beverage Control (ABC).

(Ord. 7331 §78, 2016; Ord. 6966 §1, 2007)

19.495.040 Modifications.

Modifications to the above Site location, operation and development standards shall require consideration of a Minor Conditional Use Permit.

(Ord. 7331 §78, 2016)

Chapter 19.500 OUTDOOR DISPLAY OF INCIDENTAL PLANT MATERIALS

19.500.010 Purpose.

19.500.020 Applicability and permit requirements.

19.500.030 Site location, operation and development standards.

19.500.040 Modifications.

19.500.010 Purpose.

The purpose of regulating the outdoor display of plant materials incidental to the primary business located on a site is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §79, 2016; Ord. 6966 §1, 2007)

19.500.020 Applicability and permit requirements.

Outdoor display of incidental plant materials. As defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

The regulations in this Cchapter shall apply to the outdoor display of live plant materials apart from a permitted permanent plant nursery enclosure associated with a business for which the primary business is some business other than a nursery, and for which a year-round nursery function is permitted. No special permit shall be required for the outdoor display of live plant materials, other than any permit or approval that may be required for the primary business.

(Ord. 7331 §79, 2016; Ord. 6966 §1, 2007)

19.500.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to outdoor display of incidental plant materials unless otherwise specified here.

- A. The outdoor display of items shall be limited to live plants only and shall not be for the purpose of any other form of merchandise display.
- B. The outdoor display shall be limited to 20 feet either side of the main public entrance or to the parking lot frontage of the permanent plant nursery enclosure.
- C. Plant displays shall not obstruct walkways, driveways, parking areas, pathways or any surface designed to accommodate disabled persons, including but not limited to, designated handicapped parking spaces. Plant displays shall also not extend into any public right-of-way.
- D. All cashiering shall occur within the retail building or permanent nursery enclosure.
- E. There shall be no more than a single one square foot price sign for each variety of live plant product displayed. Each permitted sign shall be placed immediately adjacent to the plant product referenced on the permitted price sign.
- F. Activities such as potting, arranging, packaging, or propagation are prohibited.
- G. Display racks or other structures utilized to display live plants shall not exceed six feet in overall height.
- H. All incidental equipment and supplies, including fertilizer and empty cans, shall be stored within a completely enclosed building.

(Ord. 7331 §79, 2016; Ord. 6966 §1, 2007)

19.500.040 Modifications.

No modifications to the above site location, operation and development standards shall be allowed.

(Ord. 7331 §79, 2016)

Chapter 19.505 OUTDOOR DISPLAY AND SALES - INCIDENTAL

19.505.010 Purpose.

19.505.020 Applicability and permit requirements.

19.505.030 Site location, operation and development standards.

19.505.040 Modifications.

19.505.010 Purpose.

The purpose of regulating outdoor display and sales is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §80, 2016; Ord. 6966 §1, 2007)

19.505.020 Applicability and permit requirements.

Outdoor display and sales, as defined in Article X (Definitions), are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

(Ord. 7331 §80, 2016; Ord. 6966 §1, 2007)

19.505.030 Site location, operation and development standards.

A. Outdoor display and sales activities, other than those associated with vehicle and large equipment sales or rental, shall only be permitted subject to the granting of a temporary use permit pursuant to the provisions of Chapter 19.740 (Temporary Use Permits) or Chapter 19.500 (Outdoor Display of Incidental Plant Materials).

B. *For vehicles, equipment and other items customarily displayed and sold in outdoor areas.*

1. The lot shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department for a minimum depth measured from all abutting existing or street rights-of-way where such activity occurs, 200 feet of combined paving and landscaping, of which a minimum of ten feet shall consist of landscaping, or as required by the underlying zone, and 190 feet of paving.
2. Any outdoor display or sales area described in Paragraph 1 above shall be paved as provided above or overlaid with a dust-free surface such as decomposed granite, oiled native soil, or a suitable substitute approved by the Public Works Department.
3. All such areas shall be graded and drained so as to dispose of all surface water in a manner consistent with water quality control standards enforced by the Public Works Department.

4. All such areas shall be maintained in good repair, in a clean, neat and orderly condition.
5. All such areas shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Division and Public Works Department
6. Where any such area adjoins or is across an alley from property in a zone that permits residential uses, a decorative masonry wall of a minimum six feet in height shall be erected and maintained so as to physically separate the display or sales area from the residential property. However, such wall shall be limited in height to three feet within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be limited in height to three feet within ten feet of the street property line.
7. All such areas shall have a landscaped area not less than ten feet in depth or the depth of the required yard area, whichever is greater, maintained along the street side of the lot.

(Ord. 7331 §80, 2016; Ord. 6966 §1, 2007)

19.505.040 Modifications.

Modifications to Site location, operation and development standards B.1 through B.7 above shall require consideration of a Conditional Use Permit.

(Ord. 7331 §80, 2016)

Chapter 19.510 OUTDOOR STORAGE - INCIDENTAL

19.510.010 Purpose.

19.510.020 Applicability and permit requirements.

19.510.030 Site location, operation and development standards.

19.510.040 Screening of outdoor storage.

19.510.050 Modifications.

19.510.010 Purpose.

This purpose of regulating outdoor storage is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §81, 2016; Ord. 6966 §1, 2007)

19.510.020 Applicability and permit requirements.

Outdoor storage—incidental, as defined in Article X (Definitions), is permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this ~~C~~chapter and ~~this the Municipal~~ Code, Title 6.

(Ord. 7331 §81, 2016; Ord. 6966 §1, 2007)

19.510.030 Site location, operation and development standards.*A. Vehicles, equipment and other items customarily stored in outdoor areas.*

1. The lot shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the established standards and specifications of the Public Works Department for a minimum depth measured from all abutting existing or street rights-of-way as follows:
 - a. For the BMP Zone where such activity occurs 100 feet of combined paving and landscaping, with a minimum of ten feet of landscaping or more as may be required by the zone, and 90 feet of paving.
 - b. For the I Zone where such activity occurs 100 feet of paving, with no required landscaping, unless required by the zone.
2. Any outdoor storage area described in Paragraph 1 above shall be paved as provided above or overlaid with a dust-free surface such as decomposed granite, oiled native soil, or a suitable substitute approved by the Public Works Department.
3. All such areas shall be graded and drained so as to dispose of all surface water in a manner consistent with water quality control standards enforced by the Public Works Department.
4. All such areas shall be maintained in good repair, in a clean, neat and orderly condition.
5. All such areas shall be provided with internal circulation, safe entrances and exits meeting the established standards and specifications of the Planning Division and Public Works Department.
6. Where any such area adjoins or is across an alley from property in a zone that permits residential uses, a decorative masonry wall of a minimum six feet in height shall be erected and maintained so as to physically separate the storage area from the residential property. However, such wall shall be limited in height to three feet within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be limited in height to three feet within 10 feet of the street property line.
7. All such areas shall have a landscaped area not less than ten feet in depth, or the depth of the required yard area or the depth as required for specific uses, whichever is the greatest, maintained along the street side of the lot.

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 9, 2020; Ord. 7331 §81, 2016; Ord. 6966 §1, 2007)

19.510.040 Screening of outdoor storage.

Screening of outdoor storage shall comply with the following:

- A. Outdoor storage shall be visually screened from all adjacent building sites and public streets and alleys by a minimum six-foot high solid decorative masonry wall, sufficient to screen all materials stored outdoors, or by a building. Such walls shall be limited in height to three feet within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be limited in height to three feet within ten feet of the street property line. Alternative screening methods including, but not limited to, fences, landscaping, earthen berms or some combination thereof may be approved by the Community & Economic Development Director or his/her designee provided that the required visual screening is achieved.

B. The screening herein required shall be established at or before the time any area is used for outdoor storage.

C. Where topographical conditions or existing structures are such that strict compliance with the requirements of this Ssection would not be necessary to accomplish the purposes of this Ssection, the Approving Authority may waive compliance with all or part of such requirements.

(Ord. [7541](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank), § 10, 2020; Ord. 7331 §81, 2016; Ord. 6966 §1, 2007)

19.510.050 Modifications.

Modifications to the above site location, operation and development standards and screening of outdoor storage standards shall require consideration of a Minor Conditional Use Permit.

(Ord. 7331 §81, 2016)

Chapter 19.515 PLAY AREAS INCIDENTAL TO RESTAURANTS

19.515.010 Purpose.

19.515.020 Applicability and permit requirements.

19.515.030 Site location, operation and development standards.

19.515.040 Modifications.

19.515.010 Purpose.

The purpose of regulating play areas incidental to restaurants is to ensure compatibility of such uses with surrounding uses and properties and to avoid any impacts associated with such uses.

(Ord. 7331 §82, 2016; Ord. 6966 §1, 2007)

19.515.020 Applicability and permit requirements.

Play areas incidental to restaurants, as defined in Article X (Definitions) are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Cchapter.

If incidental to a restaurant with drive a drive-thru lane(s), the play area will be reviewed at the time any discretionary permit for the drive-thru lane(s) is reviewed pursuant to Chapter 19.475 (Drive-thru Businesses). If the play area is proposed to be added after the establishment of the drive-thru facility, modification of the applicable discretionary permit shall be required pursuant to the requirements of Article IX (Land Use and Development Permit Requirements/Procedures).

(Ord. 7331 §82, 2016; Ord. 6966 §1, 2007)

19.515.030 Site location, operation and development standards.

- A. Playgrounds are strongly encouraged to be designed as an indoor facility that is an integral part of the main building structure.
- B. Where an outdoor playground is proposed, the following design criteria shall be applied.
 - 1. The outdoor play area shall include a covered patio attached to the main building structure.
 - 2. The outdoor play area shall be enclosed with a decorative wall or fence.
 - 3. Substantial landscape screening shall be provided around the fence/wall.
 - 4. The design of the play area and any related outdoor dining area shall be architecturally consistent with the design of the main restaurant building.
 - 5. The location of the play area shall be oriented away from street frontages and any existing or proposed drive-thru lanes.

(Ord. 7331 §82, 2016)

19.515.040 Modifications.

Modifications to the above site location, operation and development standards may be considered under the required Minor Conditional Use Permit.

(Ord. 7331 §82, 2016)

Chapter 19.520 RENTAL OF ROOMS

19.520.010 Purpose.

19.520.020 Applicability and permit requirements.

19.520.030 Site location, operation and development standards.

19.520.010 Purpose.

The purpose of regulating the rental of a room or rooms is to ensure compatibility of such uses with surrounding neighborhoods and properties and to avoid any impacts associated with such uses (e.g., parking, open space, etc.).

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 7(Exh. H), 2022; Ord. 7331 § 83, 2016; Ord. 6966 § 1, 2007)

19.520.020 Applicability and permit requirements.

The rental of a room or rooms, as defined in Article X (Definitions), is permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this [Chapter](#).

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 7(Exh. H), 2022; Ord. 7331 § 83, 2016; Ord. 6966 § 1, 2007)

19.520.030 Site location, operation and development standards.

Rented rooms are permitted in any single-family residence/dwelling , including the primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit, for the occupancy of not more than two individuals per single-family residence/dwelling.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to rental of rooms, unless otherwise specified here.

Notwithstanding the foregoing, a room rental permit agreement may be issued for occupancy by up to four individual renters if all the following conditions are met.

A. Site location standards.

1. The use shall be compatible with neighboring uses.
2. The establishment of the rental of rooms shall not result in harm to the health, safety or general welfare of the surrounding neighborhood or create substantial adverse impacts on adjoining properties or land uses.

B. Operation and development standards.

1. Noise levels generated at the premises shall conform to Chapter 19.590 of ~~this Title~~ the Zoning Code and Title 7 (Noise Control) of ~~this the Riverside Municipal~~ Code.
2. Tenants shall be required to preserve and maintain neighborhood peace and order.
3. Properties covered by a room rental permit agreement shall be maintained in a manner compatible with the adjacent properties and neighborhood and comply with the property maintenance provisions of "Title 6 (Health and Sanitation) of ~~this the Riverside Municipal~~ Code." Property maintenance includes, but is not limited to, landscape maintenance, trash and debris, inoperable vehicles, parking on unimproved surfaces, failure to remove trash containers from the curb on trash collection day and improper outdoor storage.
4. Rental of rooms shall be limited to no more than four individual renters per single-family residential property inclusive of the primary dwelling or dwellings, accessory dwelling unit and junior accessory dwelling unit.
5. This ~~S~~section shall be applicable to any room rental or lease agreement signed after the effective date of this ~~C~~chapter.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 7(Exh. H), 2022; Ord. 7331 § 83, 2016; Ord. 7222 § 4, 2013; Ord. 6966 § 1, 2007)

Chapter 19.527 VEHICLE REPAIR—PERSONAL

19.527.010 Purpose.

19.527.020 Applicability and permit requirements.

19.527.030 Site location, operation and development standards.

19.527.040 Modifications.

19.527.010 Purpose.

The purpose of this Chapter is to regulate the repair of personal vehicles on private property in residential zones so as to ensure the compatibility of such a use with surrounding uses and properties, and to avoid any impacts typically associated with the repair of vehicles.

(Ord. 7331 §85, 2016; Ord. 7109 §8, 2010)

19.527.020 Applicability and permit requirements.

Vehicle repair - personal is permitted as set forth in Article V, Base Zones and Related Use and Development Provisions subject to the requirements contained in this Chapter.

(Ord. 7331 §85, 2016; Ord. 7109 §8, 2010)

19.527.030 Site location, operation and development standards.

The standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to vehicle repair facilities - residential, unless otherwise specified here.

- A. Repair, maintenance, and overhaul of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats, and utility trailers in any residential zone shall be limited to the following:
 1. Repair of any motor vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer shall be conducted in a completely enclosed garage or a rear yard area enclosed by six-foot-high fencing. The repair of any motor vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer occurring in any front or street side yard, or in any area visible to a public street, shall not be permitted
 2. Minor repairs which can be completed within a 24 hour period are permitted to occur on a legal driveway area or parking space. Minor repairs include a tune-up, brake repair, hose and fan belt replacement, electrical system repair, fuel system repair, and other similar work.
 3. Repairs of motor vehicles, motorized and nonmotorized recreational vehicles, aircraft, boats, and utility trailers shall be limited to one personal vehicle, motorized or nonmotorized recreational vehicle, aircraft, boat, or utility trailer under repair at a time. The motor vehicle, motorized and nonmotorized recreational vehicle, aircraft, boat, or utility trailer under repair shall be registered at the address where the repair occurs.
 4. All parts, tools and equipment shall be stored in a completely enclosed building.

(Ord. 7331 §85, 2016; Ord. 7109 §8, 2010)

19.527.040 Modifications.

No modifications to the above site location, operation and development standards are permitted.

(Ord. 7331 §85, 2016)

Chapter 19.530 WIRELESS TELECOMMUNICATION FACILITIES

19.530.010 Purpose.

19.530.020 Definitions.

19.530.030 Applicability and permit requirements.

19.530.040 Permit review ("shot clock") time periods.

19.530.050 Site location, operation, development standards, and design guidelines.

19.530.060 Other applicable regulations.

19.530.010 Purpose.

The purpose of this Section is to ensure compatibility between wireless telecommunication facilities and adjacent land uses and properties and to avoid any impacts associated with such uses, while encouraging the orderly development of wireless communication infrastructure within the City of Riverside to serve its residents and businesses.

A wireless telecommunications facility is permitted to be sited in the City of Riverside subject to applicable requirements imposed by this Chapter, which may include a design review process, a conditional use permit application process, or both. These processes are intended to permit wireless telecommunications facilities that blend with their existing surroundings and do not negatively impact the environment, historic properties, or public safety.

(Ord. 7331 §86, 2016; Ord. 7105 §2, 2010; Ord. 6966 §1, 2007)

19.530.020 Definitions.

The following abbreviations, phrases, terms and words shall have the meanings assigned in this Section, as may be amended from time to time, unless the context indicates otherwise. Words that are not defined in this Section or other chapters or sections of ~~this the Riverside Municipal~~ Code shall have the meanings as set forth in Chapter 6 of Title 47 of the United States Code, Part 1 of Title 47 of the Code of Federal Regulations, and, if not defined therein, their common and ordinary meaning.

- (1) *Antenna* means a wireless antenna and its associated equipment (rods, discs, poles, panels, or similar devices) used for the transmission or reception of radio frequency signals. The term includes a macrocell antenna and a microcell antenna.
- (2) *Associated equipment* means any and all on-site equipment, including, without limitation, back-up generators and power supply units, cabinets, coaxial and fiber optic cables, connections, shelters, radio transceivers, regular power supply units, and wiring, to which a wireless antenna is attached in order to facilitate mobile broadband service and personal wireless service delivered on mobile broadband devices.
- (3) *Base-station* means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless telecommunications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base-Station includes, without limitation:
 - (i) Equipment associated with wireless telecommunications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

- (ii) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems ("DAS") and small-cell networks).
 - (iii) Any structure other than a tower that, at the time the relevant application is filed with the city under this Section, supports or houses equipment described in Paragraphs (i)-(ii) above and has been previously reviewed and approved by the city.
- (4) *Building-mounted* means mounted to the side or façade of a building, or to the side of another structure such as a water tank, church steeple, freestanding sign, or similar structure, but not to include the roof of any structure.
 - (5) *Carrier on wheels* or *Cell on wheels (COW)* means a portable self-contained facility that can be moved to a location and set up to provide personal wireless services. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
 - (6) *Collocation* means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.
 - (7) *Distributed antenna system (DAS)* means a distributed antenna network consisting of one or more nodes connected by a fiber system to a carrier's base transceiver station or other location commonly referred to in the communications industry as an "eNodeB", or "NodeB", or similar designation. DAS's are considered a neutral host facility for the purposes of this Chapter.
 - (8) *Eligible facilities request* means any request for modification of an existing tower or base-station that, within the meaning of the Spectrum Act, does not substantially change the physical dimensions of that tower or base-station, and involves (a) the collocation of new transmission equipment, (b) the removal of transmission equipment, or (c) the replacement of transmission equipment.
 - (9) *Eligible support structure* means any existing tower or base-station that exists at the time the application is filed with the city.
 - (10) *Existing for a constructed tower or base-station* means that the tower or base-station has been previously reviewed and approved under the applicable city zoning or siting process, or under another applicable state or local regulatory review process, provided that a tower that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is "existing" for purposes of this definition.
 - (11) *FCC* means the Federal Communications Commission or successor agency.
 - (12) *Fixed wireless antenna facility* means an un-staffed facility for the transmission or reception of wireless telecommunications services, commonly consisting of an antenna array, connection cables, a support structure to achieve the necessary elevation, and an equipment facility or subterranean vault to house accessory equipment that may include cabinets, pedestals, shelters and similar protective structures.
 - (13) *Fixed wireless services* means any personal wireless services as defined in the Federal Telecommunications Act of 1996, including federally licensed wireless telecommunications services consisting of cellular services, personal communications services (PCS), specialized mobile radio services (SMR), enhanced specialized mobile radio services (ESMR), paging and similar services that currently exist or that may be developed in the future.
 - (14) *Ground-mounted* means mounted to a base (e.g. pole, tower or other freestanding structure specifically constructed for the purpose of supporting an antenna or wireless communication facility) placed directly on the ground.
 - (15) *Project* means a WCF to be located in the City of Riverside for which a permit is required by the city.

- (16) *RF* means radio frequency on the radio spectrum.
- (17) *Spectrum Act* means Section 6409(a) of the Middle Class Tax Relief Act and Job Creation Act of 2012, 47 U.S.C. § 1455(a) (providing, in part, "... a State or local government may not deny, and shall approve, any Eligible Facilities Request for a modification of any existing wireless Tower or Base-Station that does not substantially change the physical dimensions of such Tower or Base-Station.").
- (18) *Small cell network(s)* means a network consisting of one or more nodes connected, directly or indirectly, by fiber to a carrier's mobile switching center or other point of interconnection. Small cell networks are considered to be neutral host facilities for the purposes of this [Chapter](#).
- (19) *Stealth facility* means any facility that is architecturally integrated into a building or other concealing structure, such that no portion of any antenna, antenna equipment or any other apparatus associated with the function of the facility is visible. A stealth facility may also refer to any ground or building-mounted facility that is designed to mask or blend the facility with the surrounding environment in such a manner to render it unnoticeable to the casual observer. The concealing structure shall have an aesthetically pleasing architectural design which fits into the context of its surroundings.
- (20) *Substantially changes* means, in the context of an eligible support structure, a modification of an existing tower or base-station where any of the following criteria is met:
- i. For a tower not located in the public rights-of-way:
 1. The height of the tower is increased by (I) more than ten percent, or (II) by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; or
 2. There is added an appurtenance to the body of the tower that would protrude from the edge of the tower by (I) more than 20 feet, or (II) more than the width of the tower at the level of the appurtenance, whichever is greater.
 - ii. For a tower located in the public rights-of-way and for all base-stations:
 1. The height of the tower or Base-Station is increased by more than ten percent or ten feet, whichever is greater; or
 2. There is added an appurtenance to the body of that structure that would protrude from the edge of that structure by more than six feet; or
 3. It involves the installation of ground cabinets that are more than ten percent larger in height or overall volume than any other ground cabinets associated with the structure; or
 4. It involves the installation of any new equipment cabinets on the ground if there is no pre-existing ground cabinet associated with that structure.
 - iii. For any eligible support structure:
 1. It involves the installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or
 2. There is entailed in the proposed modification any excavation or deployment outside of the current site of the tower or base-station; or
 3. The proposed modification would cause the concealment/camouflage elements of the tower or base-station to be defeated; or
 4. The proposed modification would not comply with the conditions associated with the prior siting approval of construction or modification of the tower or base-station, unless the non-compliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the corresponding thresholds in this [Section](#).

iv. To measure changes in height for the purposes of this Section, the baseline is:

1. For deployments that are or will be separated horizontally, measured from the original support structure;
2. For all others, measured from the dimensions of the tower or base-station, inclusive of originally approved appurtenances and any modifications that were approved by the city prior to February 22, 2012.

v. To measure changes for the purposes of this Section, the baseline is the dimensions that were approved by the city prior to February 22, 2012.

- (21) *Support structure* means a freestanding structure that is designed and constructed for the specific purpose of supporting an antenna array and that may consist of a tower, mast, self-supporting lattice tower, guy-wire support tower, or other similar structures.
- (22) *Tower* means any structure built for the sole or primary purpose of supporting any FCC-licensed or -authorized antenna, including any structure that is constructed for wireless telecommunications service. This term does not include a base-station.
- (23) *Transmission equipment* means equipment that facilitates transmission of any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas and other relevant equipment associated with any necessary to their operation, including coaxial or fiber-optic cable, and regular and backup power supply.
- (24) *Wireless* means any Commission-authorized wireless telecommunications service, including broadcast and WiFi.
- (25) *Wireless telecommunications facility* or *WTF* means any antenna, associated equipment, base-station, small cell system, tower, and/or transmission equipment located in the City of Riverside.
- (26) *Wireless telecommunications service* means, without limitation, all FCC-licensed back-haul and other fixed wireless services, broadcast, private, and public safety communication services, and unlicensed wireless services.

(Ord. 7331 §86, 2016; Ord. 7105 §3, 2010; Ord. 6966 §1, 2007)

19.530.030 Applicability and permit requirements.

Wireless telecommunication facilities and related support structures, as defined herein, are permitted as set forth in Article V, Base Zones and Related Use and Development Provisions, subject to the requirements contained in this Chapter.

A. Following are the use and permit requirements for wireless telecommunication facilities on private properties.

1. Prohibited facilities.

- a. All wireless telecommunication facilities in the RA-5—Residential Agricultural and RC—Residential Conservation Zones and any other property in the City developed with a residential use.

2. Conditional Use Permit (CUP).

- a. New wireless telecommunication facilities which do not comply with the applicable site location, operation and development standards contained in this Chapter.

- b. Modifications to an existing eligible wireless telecommunication facility support structure that involve a substantial change (as defined herein) to the existing facility and do not comply with the applicable site location, operation and development standards contained in this [Chapter](#).

3. *Administrative Design Review (DR).*

- a. New stealth wireless telecommunications facilities that comply with the applicable site location, operation and development standards contained in this [Chapter](#).
- b. Modifications to an existing eligible wireless telecommunications facility ("Eligible Facilities Request" as defined herein) that do not involve a substantial change to the existing facility.
- c. Carrier on wheels or cell on wheels (COWs) as defined herein in zones where wireless telecommunications facilities are normally permitted, for a period in excess of those time frames for exempt facilities as stipulated in Section 19.530.030.A.4 (d—f) below.
- d. Small cell networks (SASs) and Distributed antenna systems (DASs) as defined herein and other similar networks in zones where wireless telecommunications facilities are normally permitted.

4. Exempt facilities.

- a. Wireless telecommunications facilities on public properties, as well as within the public right-of-way or within easements.
 - b. Modifications to an existing eligible wireless telecommunications facility that involve only a like-for-like exchange of existing equipment or appurtenances or which involve only the addition of equipment within an existing, completely enclosed or fully screened base station.
 - c. Antennas used by residential households solely for broadcast radio and television reception.
 - d. Antennas and satellites used solely for non-commercial purposes.
 - e. COWs placed for a period of not more than 21 days for temporary uses related to special events.
 - f. COWs placed for a period of not more than 120 days for temporary use when associated with the replacement of permanent facilities.
 - g. COWs placed for a period of not more than 120 days for temporary use after a declaration of an emergency or a disaster by the governor.
- B. At the time of submittal for a conditional use permit or administrative design review, the application shall include all of the information related to the proposed wireless telecommunications facility, including, but not limited to, site plans detailing proposed improvements pursuant to the requirements contained in Chapter 19.710 (Design Review).
- C. For an eligible facilities request, the applicant must specify in writing whether the applicant believes the application is for an eligible facility request subject to the Spectrum Act, and if so, provide a detailed written explanation as to why the applicant believes that the application qualifies as an eligible facilities request.
- D. Any other information to satisfy other requirements, which may be amended from time to time, as required by the Community & Economic Development Department Director, or his/her designee, as publicly stated in the application checklist.

web="yes">Ord. 7552</ulink> §21, 2021; Ord. 7331 §86, 2016; Ord. 7158 §14, 2012; Ord. 7105 §4, 2010; Ord. 6966 §1, 2007)

19.530.040 Permit review (~~"shot clock"~~) time periods.

A. City review of application materials.

1. The timeframe for review of an application shall begin to run when the application is submitted, but shall be tolled if the city finds the application incomplete and provides notice of incompleteness that delineates the missing information in writing. Such requests shall be made within 30 days of submission of the application. After submission of additional information, the city will notify the applicant within ten days of this submission if the additional information failed to complete the application.
2. For applications involving an "Eligible Facilities Request" as defined herein, the city will act on the application within 60 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.
3. For applications involving modifications to existing facilities that cannot be classified as an "Eligible Facilities Request", the city will act on the application within 90 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.
4. For applications involving new fixed wireless telecommunication facility sites or neutral host sites (e.g. Distributed Antenna Systems, Small Cell Networks), the city will act on the application within 150 days, adjusted for any tolling due to requests for additional information or mutually agreed upon extensions of time.

(Ord. 7331 §86, 2016; Ord. 7235 §8, 2013; Ord. 7105 §5, 2010)

19.530.050 Site location, operation, development standards, and design guidelines.

The development standards set forth in Article V, Base Zones and Related Use and Development Provisions, shall apply to wireless telecommunications facilities and support structures unless otherwise specified here.

A. Site location, operation, and development standards.

1. Ground-mounted wireless telecommunications facilities shall be located outside of all required building setbacks of the underlying zone.
2. For building-mounted stealth wireless telecommunication facilities, materials shall be used that match in color, size, proportion, style, and quality with the exterior design and architectural character of the building or structure. Added architectural elements that are out of character with the existing structure or otherwise direct unnecessary attention to the structure are not permitted.
3. All wireless telecommunication facilities not exempted from the provisions of this ~~C~~chapter shall be located a minimum of 75 feet from any residential structure.
4. Ground-mounted stealth wireless telecommunication facilities shall be sited so as to minimize views from the public right-of-way and adjacent properties. Consideration shall be given to placing ground-mounted stealth wireless telecommunications facilities in a manner where buildings or tall trees would reduce visibility of the wireless telecommunication facility.

5. An antenna, base-station, or tower shall be designed to minimize its visibility from off-site-locations and shall be of a "stealth" design, including concealment, screening, and other techniques to hide or blend the antenna, base-station or tower into the surrounding area.
 6. Wireless telecommunication facilities should not necessitate the removal of any required landscaping or reduce the quantity of landscaping to a level of noncompliance with this Title~~the Zoning Code~~.
- ii. *Wireless facility height.*
 - a. Ground-mounted stealth wireless telecommunications facilities shall be permitted up to a maximum height of 60 feet in the O, CR, CG, CRC, BMP, I and AIR Zones.
 - b. Building-mounted stealth wireless telecommunications facilities shall be allowed to be installed at a maximum height of 60 feet, or at the height of the tallest building on the property, whichever is greater, in the O, CR, CG, CRC, BMP, I and AIR Zones.
 - c. In the RR, RE, R-1, R-3 and R-4 Zones, ground and building-mounted stealth wireless telecommunications facilities of up to 60 feet in height may be established on sites that are not developed with a residential use.
 - d. In the MU-V, MU-N and MU-U Zones, ground and building-mounted stealth wireless telecommunications facilities of up to 60 feet in height may be established on sites where residential uses are not a component of the mixed use development.
 - e. Modifications to an eligible support structure may exceed the maximum building height limitations within a zoning district, provided they do not constitute a substantial change to the facility.

B. Design guidelines.

1. Wireless telecommunications facilities should be located in the following zones by order of preference:
 - a. Industrial Zones
 - b. Commercial Zones
 - c. Office Zones
 - d. Residential or Mixed Use Zones (not developed with a residential use)
2. Wireless telecommunications facilities should be designed/camouflaged by order of preference:
 - a. Stealth - Building-mounted
 - b. Stealth - Collocation on towers or base-stations
 - c. Stealth - New tower or base-station
3. *Stealth wireless telecommunication facility.*
 - a. Careful consideration of design details including color, texture, and materials shall be made to ensure the stealth design of the wireless telecommunication facility.
 - b. Associated equipment shall be enclosed by a decorative block wall.
 - c. All ground-mounted wireless telecommunication facilities shall be, at a minimum, designed as stealth facilities. Design techniques shall be employed to minimize visual

impacts and provide appropriate camouflage. Additional screening may also be required.

- d. All ground-mounted wireless telecommunication facility components, including all antenna panels, shall be painted or be designed to match the predominant color and/or design of the structure so as to be visually inconspicuous. The use of state-of-the-art technology and implementation of best practices shall be required to ensure high quality design.
- e. A minimum of three live trees with a minimum brown trunk height of 20-feet shall be planted in close proximity to a wireless telecommunications facility designed as a faux tree. The Approving Authority may require additional live mature plantings to assist in mitigating visual impacts of wireless telecommunication facilities designed as faux trees.
- f. Where a wireless telecommunications facility is proposed to be located on a building rooftop, the associated equipment shall be enclosed within an architecturally integrated penthouse or otherwise be completely screened to the satisfaction of the Approving Authority. Required screening shall be decorative, of a design, color, and texture that is architecturally integrated with the building it is on.

4. *Collocated wireless telecommunication facility.*

- a. All wireless telecommunication facility components, including all antenna panels, shall be painted or be designed to match the predominant color and/or design of the structure so as to be visually inconspicuous. The use of state-of-the-art technology and implementation of best practices shall be required to ensure high quality design.
- b. Collocation to an existing wireless telecommunication facility shall require the existing facility to be upgraded to meet the design standards for new facilities at the time of submittal. Best design practices shall be used to ensure a high quality stealth design.

5. *Associated equipment.*

- a. Associated equipment shall be completely screened. Required screening shall be decorative, of a design, color, and texture that is architecturally integrated with existing structures on the same site.
- b. Landscaping shall be provided around the perimeter of all above-ground associated equipment to effectively mitigate visual and safety impacts. The Approving Authority may require additional live mature plantings to assist in mitigating visual impacts of wireless telecommunication facilities.

(Ord. 7331 §86, 2016; Ord. 7105 §6, 2010)

19.530.060 Other applicable regulations.

A. Requirements for all wireless telecommunication facilities.

1. *Safety Standards.*

- a. All new wireless telecommunication facilities shall be designed within the applicable American National Standards Institute (ANSI) standards.
- b. No wireless telecommunication facility or combination of facilities shall produce at any time power densities that exceed current FCC adopted standards for human exposure to RF (Radio Frequency Radiation Exposure Standards) fields.

- c. An independent analysis, conducted by a qualified consultant, at the applicant's expense, shall be required to verify compliance with FCC Standards (including Radio Frequency Radiation Exposure Standards). Failure to comply with FCC Standards will result in the immediate cessation of operation of the wireless telecommunication facility. This shall be provided at the time of submittal.
- d. A wireless telecommunication facility shall be installed and maintained in compliance with the requirements of the Uniform Building Code, National Electrical Code, noise standards, and other applicable Codes, as well as other restrictions specified in this ~~S~~section. The facility operator and the property owner shall be responsible for maintaining the facility in good condition, which shall include but not be limited to regular cleaning, painting, and general upkeep and maintenance of the site.
- e. In compliance with FAA (Federal Aviation Administration) regulations, safety lighting may be required for support structures.
- f. All wireless telecommunication facilities and Associated Equipment shall be designed to prevent unauthorized persons from accessing and/or climbing them. Walls and landscape materials intended to prevent unauthorized persons from accessing and climbing a wireless telecommunication facility shall comply with Chapter 19.550 - Fences, Walls, and Landscape Materials.

2. *General provisions.*

- a. All wireless telecommunication facilities shall not bear any signs or advertising devices other than certification, warning, or other legally required seals or legally required signage.
- b. All wireless telecommunication facilities and related Associated Equipment shall be removed within 90 days of the discontinuation of use and the site shall be restored to its original preconstruction condition. The operator's agreeing to such removal shall be a condition of approval of each permit issued.
- c. Wireless telecommunication facilities and Associated Equipment, including any on-site generator, shall comply with Title 7 - Noise Control of ~~this the Riverside Municipal~~ Code.
- d. All wireless telecommunication facilities within an airport influence area will be reviewed by the Planning Division for compliance with the Riverside County Airport Land Use Compatibility Plan. In addition, a determination will be made as to whether FAA (Federal Aviation Regulation) Part 77 review is necessary.
- e. All wireless telecommunication facilities shall be reviewed for compliance with the provisions of Title 20 (Cultural Resources) of ~~this the Riverside Municipal~~ Code when the wireless telecommunication facility is on the property of, or in proximity to, a potential or designated cultural resource."

(Ord. 7331 §86, 2016)

ARTICLE VIII SITE PLANNING AND GENERAL DEVELOPMENT ~~PROVISIONS~~

Chapter 19.545 - DENSITY BONUS

Chapter 19.550 - FENCES, WALLS AND LANDSCAPE MATERIALS

Chapter 19.554 - TRASH/RECYCLABLE MATERIALS COLLECTION AREA ENCLOSURES

Chapter 19.555 - OUTDOOR EQUIPMENT SCREENING

Chapter 19.556 - OUTDOOR LIGHTING

Chapter 19.560 - BUILDING HEIGHT MEASUREMENT

Chapter 19.570 - WATER EFFICIENT LANDSCAPING AND IRRIGATION

Chapter 19.580 - PARKING AND LOADING

Chapter 19.590 - PERFORMANCE STANDARDS

Chapter 19.620 - GENERAL SIGN PROVISIONS

Chapter 19.623 - BILLBOARD SIGNS

Chapter 19.625 - PRIVATE PARTY SIGNS ON CITY-OWNED PROPERTY AND THE PUBLIC RIGHT-OF-WAY.

Chapter 19.630 - YARD REQUIREMENTS AND EXCEPTIONS

*Chapter 19.545 DENSITY BONUS **

~~*Editor's note — Ord. No. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank), § 4, adopted October 25, 2022, repealed and reenacted Chapter 19.545 in its entirety to read as herein set out. Formerly, Chapter 19.545, §§ 19.545.010 — 19.545.130 pertained to similar subject matter, and derived from Ord. No. 6966, § 1, adopted in 2007; Ord. No. 7235, § 9, adopted in 2013; Ord. No. 7331, § 87, adopted in 2016; Ord. No. 7408, § 1, adopted in 2018, and Ord. No. [7573](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank), § 1(Exh. A), adopted in 2021.~~

19.545.010 Purpose.

19.545.020 Applicability.

19.545.030 General requirements.

19.545.040 Residential development project—Eligibility.

19.545.050 Permitted density bonus.

19.545.060 Concessions and incentives.

19.545.070 Waiver or reduction of development standards.

19.545.080 Development standards for affordable units.

19.545.090 Affordable housing agreement.

19.545.010 Purpose.

A. The purpose of this Chapter is to:

1. Establish procedures for implementing State Density Bonus requirements, as set forth in California Government Code Sections 65915 through 65918, and
2. Facilitate the development of affordable housing consistent with the goals, objectives, and policies of the Housing Element of the City's General Plan.

B. This Chapter establishes incentives available to developers to produce housing affordable to very-low, low and moderate-income households, transitional foster youth, disabled veterans, homeless persons, lower-income students, and senior citizens, consistent with State Density Bonus law.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank), § 4(Exh. B), 2022)

19.545.020 Applicability.

- A. The provisions of this Chapter shall apply to any residential development project, as defined in Article X - Definitions.
- B. A residential development project that complies with the provisions of Chapter 19.535 (Inclusionary Housing), or any other applicable statute, regulation or law that requires development of affordable housing shall be eligible to receive incentives as set forth in this Chapter.
- C. Any request for a density bonus for a residential development project located within a Compatibility Zone of the Riverside County Airport Land Use Compatibility Plan shall comply with the applicable compatibility criteria of the Compatibility Zone in which it is located.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.030 General requirements.*A. Maximum allowable density.*

- 1. The maximum number of units allowed by the applicable zone for the site shall be multiplied by the density bonus allowance as defined in this Chapter.
- 2. A residential development project shall not exceed the cumulative total number of units allowed by the underlying zone and the density bonus units.

B. *Fractional units.* Each component of any density calculation resulting in fractional units, including base density and bonus density, shall be separately rounded up to the next whole number.

C. Discretionary approval.

- 1. A request for a density bonus may be incorporated with a regular application to the Planning Division for ministerial or discretionary development approval required by this Title for the proposed residential development project.
- 2. The granting of a density bonus, in and of itself, shall not require a General Plan Amendment, Zoning Change, or other discretionary approval.

D. Mixed category development.

- 1. If a residential development project qualifies for a density bonus under more than one category, the applicant shall select the category under which the density bonus is granted.
- 2. Unless otherwise stated in this Chapter, density bonuses from more than one category may not be combined.

E. Any project for which a density bonus is granted under this Chapter is not eligible for an additional density bonus under Chapter 19.780 (Planned Residential Development Permit).

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.040 Residential development project—Eligibility.

A. *Eligible.* The City shall grant a density bonus when a residential development project meets at least one of the following criteria:

1. Five percent of the total units are designated for very low-income households.
2. Ten percent of the total units are designated for low-income households.
3. One hundred percent of the units, exclusive of a manager's unit, are designated for very low-, low-, and moderate-income households, with no more than 20 percent of the total units designated for moderate-income households.
4. Ten percent of the total units are designated for transitional foster youth, disabled veterans, or homeless persons with rents provided at the same affordability level as very low-income units.
5. Twenty percent of the total units are designated for lower income students as defined by Section 65915 of the CA Gov Code.
6. Any senior citizen residential development project as defined in Civil Code Sections 51.3 and 51.12 including residential care facilities for the elderly (RCFEs) that has at least 35 dwelling units or a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 or 799.5.
7. Any for-sale project with ten percent of the total units designated for moderate-income households, provided that all units in the development are offered to the public for purchase.
8. A condominium conversion project where:
 - a. Thirty-three percent of the units converted are for low- or moderate-income households; or
 - b. Fifteen percent of the units converted are for very low- or extremely low-income households.
9. The applicant donates at least one acre of land to the City for very low-income units, and the land has the appropriate General Plan designation, Zoning, permits and approvals, and access to public facilities needed for such housing.

B. *Ineligible.* Unless units are replaced in conformance with Subsection 19.545.040.C below, an applicant is ineligible for a density bonus or any other incentives, concessions, or waivers under this Chapter if the proposed residential development project involves the removal of rental units that:

1. Are currently subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low- or very low-income; or
2. Were:
 - a. Vacated or demolished In the five-year period preceding the application; and
 - b. Subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low- or very low-income; or
3. Are currently subject to any form of rent or price control; or
4. Are currently occupied by low- or very low-income households; or
5. For conversion to condominiums, were previously granted a density bonus, concession, or incentive.

C. *Replacement units.* A proposed residential development project that involves the removal of affordable units as set forth in Subsection 19.545.040.B above may request a density bonus, concession, incentive, or waiver if the affordable units are replaced subject to the following:

1. *Occupied units.* For dwelling units that are occupied on the date of application:

- a. The proposed residential development project shall provide at least the same number of units containing the same number of bedrooms; and
 - b. The units must be made available at affordable rent or affordable sales price to, and occupied by, persons and households in the same or lower income category as current household in occupancy.
2. *Vacant or demolished units.* For dwelling units that have been vacated or demolished within the five-year period preceding the application:
- a. The proposed residential development project shall provide at least the same number of units containing the same number of bedrooms as existed at the highpoint of those units in the five-year period preceding the application; and
 - b. The units must be made available at affordable rent or affordable sales price to, and occupied by, persons and families in the same or lower income category as the last household in occupancy.
3. *Unknown household income.* If the income category of the last household in occupancy is not known, the units shall be replaced in the same proportion of lower-income renter households to all renter households within the City, as determined by the most recently available data from the United States Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy database.
4. Residential development projects that would result in the removal of affordable units pursuant to this [Section](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) shall also comply with replacement requirements set forth in California Government Code § 66300(d)(2) (also known as SB 330 the Housing Crisis Act) as long as that statute remains in effect.

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.050 Permitted density bonus.

A residential development project that complies with the eligibility requirements of Section 19.545.040 shall be granted a density bonus as follows:

A. Bonus for very low-, low-, and moderate-income housing.

1. The amount of density bonus granted shall be based on the following table, up to a maximum of 50 percent:

Unit Type	Minimum % of Units	Density Bonus Granted	Additional Bonus for each 1% Increase in Units
Very Low Income	5%	20%	2.5% bonus through 12% of units 3.75% from 11% - 15% of units
Low Income	10%	20%	1.5% bonus through 21% of units 3.75% from 20% - 24% of units
Moderate Income for-sale units only	10%	5%	1% bonus through 40% of units 3.75% from 41% - 44% of units

2. The applicant may propose a lesser percentage of density increase, including, but not limited to, no increase in density with no effect on eligibility for concessions, incentives, and waivers or reduction of development standards to be considered as part of the development application.

B. Bonus for 100 percent affordable residential development projects.

1. If no more than 20 percent of the units are designated for moderate-income households and the remaining 80 percent are designated for very low- and low-income households, exclusive of manager's unit(s), the project shall be eligible for an 80 percent density bonus.
2. A residential development project located within one-half mile of a major transit stop shall have no maximum density.

C. Bonus for other housing categories. A residential development project that complies with the eligibility requirements of Section 19.545.040 shall be entitled to density bonus as follows:

1. Units for transitional foster youth, disabled veterans, homeless persons, or seniors: 20 percent density bonus
2. Units for lower-income students: density bonus varies based on percentage of low-income units in the development, up to 50% pursuant to California Government Code §65915(f)(3)(C).
 - a. Units for lower-income students shall be defined as one rental bed and its pro rata share of associated common area facilities.
 - b. Units for lower-income students shall meet all of the following requirements:
 - i. All units will be used exclusively for undergraduate, graduate, or professional students enrolled currently or in the past 6 months in at least 6 units at an institution of higher learning accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges.
 - ii. As a condition of receiving a certificate of occupancy, the developer/applicant shall enter into an operating agreement or master lease with one or more institutions of higher education for students from that institution(s) to occupy all units of the student residential development project.
 - iii. The development shall provide priority for the applicable affordable units for lower-income students experiencing homelessness that may be verified by an institution of higher education that has knowledge of a person's homeless status or a homeless service provider, as defined in Paragraph (3) of Subdivision (e) of Section 103577 of the Health and Safety Code.
 - iv. Rent for the affordable units for lower income students shall be calculated at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.
 - v. Rental beds reserved for lower-income students shall not be tied to any specific bedrooms.
3. Twenty-five percent density bonus for condominium conversion, subject to the requirements of California Government Code Section 65915.5.

D. Bonus for donating land for very low-income units.

1. An applicant is eligible for a density bonus if all of the following conditions are met:

- a. The donated land is:
 - i. At least one acre in size or of sufficient size to permit development of at least 40 units, which is greater.
 - ii. Has the appropriate general plan designation.
 - iii. Zoned with development standards for development of at least 30 dwellings per acre.
 - iv. Is or will be served by adequate public facilities and infrastructure.
 - v. Located within the boundary of the proposed development.
 - vi. Subject to the approval of the City, within one-fourth mile of the boundary of the proposed development.
 - vii. The donated land shall be fully entitled for the development of very low-income housing.
 - viii. The applicant shall donate and transfer the land to the City or to a housing developer approved by the City no later than the date of approval of the final subdivision map, parcel map, or residential development application.
 - ix. A proposed source of funding for the very low-income units shall be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application.

2. An applicant for a residential development project that donates land to the City in compliance with the eligibility requirements of Section 19.545.040 shall be entitled to:
 - a. Fifteen percent density bonus if ten percent of the total units in the development are set aside for very low-income households.
 - b. For each one percent increase in the percentage of units affordable to very low-income households, the density bonus shall be increased by one percent, up to a maximum of 35 percent density bonus.
 - c. Density bonus for land donation can be combined with the regular density bonus provided for the development of affordable units, up to a maximum 35 percent density bonus.

E. Bonus for childcare facilities.

1. When an applicant proposes to construct a residential development project that includes a childcare facility that will be located on the premises of, as part of, or adjacent to the project, the City shall grant either of the following:
 - a. An additional density bonus that is an amount of square feet of residential space that is equal to the amount of square feet in the childcare facility; or
 - b. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.
2. The City shall require as a condition of approving the childcare facility that the following occur:
 - a. The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable; and
 - b. Of the children who attend the childcare facility, the children of very low-income households, lower-income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are

required for very low-income households, lower-income households, or families of moderate income.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.060 Concessions and incentives.

A. *General.* The applicant for a density bonus project may request specific concessions or incentives and the City shall grant the request unless the City makes a written finding, based on substantial evidence, of one or more of following:

1. The concession or incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs or for rents for the targeted units to be set as specified in Section 19.545.040.
2. The concession or incentive would have a specific, adverse impact upon public health and safety or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
3. The concession or incentive would be contrary to State or Federal law.

B. *Number of concessions or incentives.* The applicant shall receive the following number of concessions or incentives:

Percentage of Affordable Units (Minimum)	Number of Concessions
5% Very Low 10% Low 10% Moderate (for-sale units only) 20% Lower Income Student	1
10% Very Low 17% Low 20% Moderate (for-sale units only) 23% Lower Income Student	2
15% Very Low 24% Low 30% Moderate (for-sale units only)	3
100% Very Low or Low (maximum 20% Moderate) *	4
* If the project is within one-half mile of a major transit stop, the applicant shall also be eligible to receive a height increase of up to three (3) additional stories, or thirty-three (33) feet.	

C. *Types of concessions or incentives.* Concession or incentive means any of the following:

1. A reduction in site development standards or a modification of ~~Zoning Code Title 19~~ requirements or architectural design requirements that results in identifiable and actual cost reductions including, but not limited to:
 - a. Height limitation;
 - b. Setback requirement; or
 - c. Parking ratio.
2. Approval of mixed-use zoning in conjunction with the residential development project if commercial, office, industrial, or other land uses will reduce the cost of the residential development project, provided that such uses are compatible with:
 - a. The proposed residential development project; and
 - b. The existing or planned development in the area where the proposed residential development project will be located.
3. Other regulatory incentives or concessions proposed by the applicant or the City that result in identifiable and actual cost reductions.

D. Parking incentives.

1. A request for reduced parking pursuant to this ~~S~~section shall not count as concession or incentive.
2. The applicant may request further parking reductions as a concession or incentive.
3. Notwithstanding the requirements below, the applicant may provide additional parking in excess of the minimum required parking identified in this ~~S~~section.
4. *Parking ratios.* Upon the request of the applicant of a residential development project that satisfies the requirements of Section 19.545.040, the following onsite parking ratios shall apply:
 - a. Zero to one bedroom: one parking space per unit;
 - b. Two to three bedrooms: one and one-half parking spaces per unit; and
 - c. Four or more bedrooms: two and one-half parking spaces per unit.
5. *Within one-half-mile of a major transit stop.* If a development is within one-half-mile of a major transit stop and the residents of the development have unobstructed access to the major transit stop from the development, then upon request of the applicant, parking ratios shall be further reduced as follows:
 - a. Development includes at least 11 percent very low-income units or at least 20 percent low-income units: 0.5 spaces per unit.
 - b. Development includes at least 40 percent moderate-income for-sale units: 0.5 spaces per bedroom.
6. *No required parking.* If a development is 100 percent affordable, then upon the request of the applicant, the City shall not impose a vehicular parking ratio if the development meets any of the following criteria:
 - a. The development is within one-half mile of a major transit stop and the residents of the development have unobstructed access to the major transit stop from the development; or
 - b. The development is for individuals who are 62 years of age or older and the development has either paratransit service or unobstructed access within one-half mile to fixed bus route service that operates at least eight times per day; or

- c. The development is either special needs housing or supportive housing and the development has either paratransit service or unobstructed access within one-half mile to fixed bus route service that operates at least eight times per day.
 - d. For a student housing development with at least 20 percent of beds affordable to low-income students, no parking shall be required.
7. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.
 8. A residential development project may provide onsite parking through tandem parking or uncovered parking, but not through on-street parking.
 9. Notwithstanding the above, the City may impose higher minimum parking requirements pursuant to California Government Code § 65915(p)(8).

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.070 Waiver or reduction of development standards.

If a development standard would physically preclude the construction of a residential development project at the density and with the concessions or incentives permitted in this Chapter, the applicant may propose to have those standards waived or reduced.

- A. When an applicant makes a request for a waiver or reduction of development standards, the City shall grant the request unless any of the following findings are made:
 1. The waiver or reduction of development standards would have a specific adverse impact upon public health or safety for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
 2. The waiver or reduction of development standards would have an adverse impact on any real property listed in the California Register of Historical Resources.
 3. The waiver or reduction of development standards would be contrary to State or Federal law.
- B. A proposal for the waiver or reduction of development standards pursuant to this Section shall neither reduce nor increase the number of incentives or concessions to which the applicant is entitled.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.080 Development standards for affordable units.

The units made available to lower-income households, very low-income households and moderate-income households pursuant to this Chapter shall be designed and constructed pursuant to the requirements of Chapter 19.535.050 (Inclusionary Housing - Development Standards).

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

19.545.090 Affordable housing agreement.

- A. Residential development projects receiving a density bonus, concession, incentive, or waiver pursuant to this Chapter shall enter into an Affordable Housing Agreement with the City.
- B. The terms of the Affordable Housing Agreement shall be subject to the requirements established by the City of Riverside Housing Authority at the time of project approval.
- C. The Affordable Housing Agreement shall be entered into prior to issuance of the final certificate of occupancy for the residential development project.
- D. The Affordable Housing Agreement shall remain in effect for the entire term of affordability of the affordable units created pursuant to this Chapter, or as required by applicable State law, whichever is greater.

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 4(Exh. B), 2022)

Chapter 19.550 FENCES, WALLS AND LANDSCAPE MATERIALS

19.550.010 Purpose.

19.550.020 Modifications.

19.550.025 Monitored electrified security fence system.

19.550.030 Height and location provisions.

19.550.040 Fences, walls and hedges not in compliance.

19.550.050 Sight clearance requirements.

19.550.060 New residential construction.

19.550.070 Historic properties and cultural resources.

19.550.010 Purpose.

This Chapter sets forth standards for the construction and maintenance of fences, walls, and landscape materials to ensure that such features are aesthetically pleasing and can provide for privacy and safety without obstructing views and without creating a public safety hazard or nuisance.

(Ord. 7331 §88, 2016; Ord. 6966 §1, 2007)

19.550.020 Modifications.

Fences or walls containing razor wire (visible to a public right-of-way, alley or parking lot), or barbed wire shall be prohibited.

(Ord. [7652](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 9, 2023; Ord. 7331 §88, 2016; Ord. 6966 §1, 2007)

Editor's note— Ord. No. [7652](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank), § 9, adopted November 7, 2023, changed the title of Section 19.550.020 from "Prohibited materials" to "Modifications." The historical notation has been preserved for reference purposes.

19.550.025 Monitored electrified security fence system.

The construction and use of a monitored electrified security fence Systems shall be allowed as provided in this Section, subject to the following requirements:

- A. Unless otherwise specified herein, monitored electrified security fence systems shall be constructed and operated in conformance with the specifications set forth in International Electrotechnical Commission (IEC) Standard No. 60335-2-76 current edition.
- B. The energizer for monitored electrified security fence systems must be driven by a commercial storage battery, not to exceed 12 volts DC, that is charged primarily by a solar panel.
- C. Monitored electrified security fence systems shall be installed four to eight inches behind a minimum five-foot-high non-electrified perimeter fence/wall.
- D. Monitored electrified security fence systems shall have a maximum height of ten feet.
- E. Monitored electrified security fence systems adjacent to a residential zone or use shall be located behind a minimum six-foot tall block wall.
- F. Monitored electrified security fence systems shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not more than 30 linear feet.
- G. Permitted Locations.
 1. Monitored electrified security fence systems are prohibited in all residential, mixed-use, and public facilities zoning districts.
 2. Monitored electrified security fence systems shall be permitted in industrial zones as identified in Table 19.150.020.B Incidental Use Table.
 3. Monitored electrified security fence systems shall be permitted in commercial and other zones (except in PF - Public Facilities zone) as identified in Table 19.150.020.B Incidental Use Table for specific uses in 19.150.020.A Permitted Uses Table, including the following:
 - Ambulance company - with vehicle storage
 - Cemeteries, mortuaries and ancillary uses
 - Crematoriums
 - Commercial storage facilities (mini-warehouse)
 - Equipment sales and rental
 - Heliport or helistop

- Laundry commercial
- Outdoor storage yard
- Parking lot or parking structure
- Golf courses and driving ranges
- Vehicle parts and accessories
- Outdoor storage
- Vehicle rental
- Wireless telecommunication facilities

4. Uses not permitted by the current zoning designation are ineligible for a monitored electric security fence unless the Community & Economic Development Department Director, or his/her designee, pursuant to Chapter 19.060 (Interpretation ~~of Code~~), determines that the use is similar and no more detrimental than a listed use.

5. Installation of electrified security fence systems are prohibited in properties adjacent to a park.

H. Required permitting.

1. All monitored electrified security fence systems shall require an alarm user's permit pursuant to Chapter 5.58.
2. All monitored electrified security fence systems that abut a residential property or are located within 300 feet of an existing public park, childcare facility, recreation center, community center, or school facility shall require a building permit and minor conditional use permit.

I. Compliance with Development Standards. The associated outdoor storage area shall comply with all applicable site location, development and operational standards required by this Title, including, but not limited to, screening, fences and walls, landscaping, lighting, paving, and any discretionary permit requirement.

J. It shall be unlawful for any person to install, maintain or operate a monitored electrified security fence system in violation of this ~~S~~section.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 13, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1191455&datasource=ordbank> web="yes">7617 § 2(Exh. B), 2022)

19.550.030 Height and location provisions.

Fences, walls, and hedges shall be allowed in conformance with the following provisions:

A. *Front yards.*

1. In the RA-5, RC, RR and RE Zones, any fence or wall in the required front yard setback may be up to six feet in height, provided that the openwork portion of the fence or wall above a

height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet.

2. In all other zones, front yard fences or walls shall not exceed four feet in height provided that the openwork portion of the fence or wall above a height of three feet shall be no more than one part solid to three parts open with no portion of the solid wall, excluding pilasters, extending above three feet.
3. The height of fences or walls in front yard areas shall be measured inclusive of retaining wall portion. Retaining walls exposed to public view shall not exceed three feet in height.

B. Side and rear yards.

1. Height

- a. Fences and walls separating side and rear yards in the Single-Family Residential Zones may extend up to seven feet in height provided the fence or wall is not visible from the public right-of-way.
 - b. Where a property in a Single-Family Residential Zone abuts a property in any other Zone, fences and walls separating side and rear yards may extend up to eight feet in height provided the fence or wall is not visible from the public right-of-way.
 - c. Notwithstanding any other provisions of this Chapter, fences and walls separating side and rear yards in all other Zones shall not exceed six feet in height.
 - d. Higher fences or walls in commercial or industrial zones may be required by other provisions of ~~this Title~~ Zoning Code.
2. In side and rear yard areas, combined freestanding and retaining walls and fences shall not exceed 10 feet in height provided the retaining portion does not exceed three feet if exposed to public view or six feet if not exposed to public view.
 3. The fencing around tennis courts along rear and interior side yards shall not exceed 12 feet in height and must be partially open above six feet in height subject to approval of the Community & Economic Development Director or his/her designee.

C. All yards.

1. Free standing walls outside of any required setback area shall not exceed six feet in height, except as provided in ~~S~~ubsection D below.
2. All height restrictions applying to fences and walls shall apply equally to hedges planted within required yards forming a barrier serving the same visual purpose as a fence or wall.
3. Notwithstanding A and B above, any minimum required height of walls established by ~~this Title~~ Zoning Code for screening or safety purposes shall be measured from the highest grade, not including retaining wall portion.

D. Exceptions.

1. Alternative decorative screening constructed of a material other than solid decorative masonry may be permitted where not visible from the public right-of-way subject to the approval of the Community & Economic Development Director or his/her designee.
2. Required walls for sound attenuation.
 - a. Walls shall be permitted as a height sufficient to adequately attenuate sound in compliance with Title 7 (Noise) as specified by an acoustical analysis prepared by a qualified acoustical engineer or equivalent professional.

- b. No variance or other discretionary approvals shall be required.
3. Walls adjacent to railroads, freeways, and flood control channels may extend up to eight feet in height.
 4. Fences or walls around a public utility building or structure may exceed the provisions of this Section as needed for security or public safety, subject to approval of the Community & Economic Development Director or his/her designee.
 5. Outdoor storage yards and incidental outdoor storage shall be subject to the location and design regulations of Chapter 19.285 (Outdoor Storage Yard) and Chapter 10.510 (Outdoor Storage - Incidental).

(Ord. [7652](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 10, 2023; Ord. [7541](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank) § 11, 2020; Ord. 7331 §88, 2016; Ord. 6966 §1, 2007)

19.550.040 Fences, walls and hedges not in compliance.

Any fence, wall or hedge that does not comply with this Chapter is not permitted.

(Ord. 7331 §88, 2016; Ord. 6966 §1, 2007)

19.550.050 Sight clearance requirements.

To safeguard against vehicle, bicycle, and pedestrian collisions caused by visual obstructions at street and/or alley intersections, a clear cross-visibility area shall be maintained at the intersection of the public rights-of-way, unobstructed by any fence or wall taller than three feet above the street grade. At any corner formed by the intersection of two streets and/or alleys, the required clear cross-visibility area shall be a triangle with two street sides 15 feet long extending along the curb line of each street and/or alley.

[GRAPHIC]

19.550.050

Clear Visibility Triangle

(Ord. 7331 §88, 2016; Ord. 7235 §10, 2013; Ord. 6966 §1, 2007)

19.550.060 New residential construction.

For any new construction of a single-family residence, any wall along a street rear yard, street side yard or front yard between the house and the side yard shall be constructed of decorative masonry or a similar material subject to the approval of the Community & Economic Development Director or his/her designee. This provision does not apply to interior rear or interior side yard fences and walls.

(Ord. [7541](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank) § 12, 2020; Ord. 7331 §88, 2016; Ord. 6966 §1, 2007)

19.550.070 Historic properties and cultural resources.

Fences, walls, and landscape materials for cultural resources shall be designed to comply with Title 20 (Cultural Resources) of ~~this the Riverside Municipal~~ Code, the Cultural Heritage Board's Design Guidelines, and district-specific guidelines.

(Ord. 7331 §88, 2016; Ord. 7109 §10, 2010)

Chapter 19.554 TRASH/RECYCLABLE MATERIALS COLLECTION AREA ENCLOSURES

19.554.010 Purpose.

19.554.020 Design and development standards.

19.554.010 Purpose.

This ~~C~~chapter sets forth standards for the construction of trash/recyclable materials collection area enclosures to ensure that such features are aesthetically pleasing and screen the trash and recycle containers without obstructing views or causing a public safety hazard or nuisance.

(Ord. 7331 §89, 2016; Ord. 6966 §1, 2007)

19.554.020 Design and development standards.

- A. Centralized trash/recyclable materials collection areas shall be provided for all development projects, with the exception of detached and attached single-family subdivisions and planned communities and any multi-family development containing three or fewer units. All such required areas shall be enclosed and screened pursuant to the requirements of this ~~S~~section.
- B. The required number of enclosures shall be determined by the Public Works Department, Solid Waste Division.
- C. All trash/recyclable materials collection enclosure areas shall be easily accessible to residents and tenants, including easy pedestrian access for the disposal of materials and collection by refuse vehicles. Where a bin or bins serves a residential development with five or more units, the enclosure shall be designed to allow for gateless pedestrian access, unless through review of the site plan by the ~~Staff Application Review Team- Development Review Committee~~, it is determined that such access cannot physically be provided.
- D. Two general types of trash/recyclable materials collection enclosure areas shall be permitted: a basic enclosure and a full-feature enclosure. These enclosures shall be as defined and described in the City of Riverside Trash Enclosure Policies maintained by the Planning Division and Public Works Department, Solid Waste Division. Basic enclosures shall only be permitted for developments containing four or fewer residential units or nonresidential lease spaces.
- E. All trash/recyclable materials collection enclosure areas shall comply with the development standards set forth in the City of Riverside Trash Enclosure Policies. At a minimum, the following standards shall apply.
 1. The collection area shall be enclosed on three sides by a minimum six-foot-tall decorative masonry wall. The wall materials used shall be complementary in color and style to architectural components of the development they serve. The fourth side of the enclosure shall be enclosed with an opaque and latchable gate designed to the standards set forth in the City of Riverside Trash Enclosure Policies.

2. The enclosure shall be screened with plant materials as defined through the design review process.
- F. Plans shall be submitted for all proposed enclosure areas. Plans shall be drawn to scale and shall include complete elevations, plot plans, and construction details.
- G. Design modifications to accommodate special circumstances are allowed. However, all deviations from standard requirements and policies must be approved through the design review process prior to the issuance of building permits.

(Ord. 7331 §89, 2016; Ord. 6966 §1, 2007)

Chapter 19.555 OUTDOOR EQUIPMENT SCREENING

19.555.010 Purpose.

19.555.020 Design and development standards.

19.555.010 Purpose.

This ~~C~~chapter sets forth standards for the outdoor equipment (mechanical and utilities) screening to ensure that such features are aesthetically pleasing and adequately screen the equipment without obstructing views or causing a public safety hazard or nuisance.

(Ord. 7331 §90, 2016; Ord. 6966 §1, 2007)

19.555.020 Design and development standards.

A. *General.* All outdoor equipment, whether on a roof, side of a structure, or on the ground, shall be appropriately screened from public view. The method of screening shall be architecturally integrated with the adjacent structure in terms of materials, color, shape and size. Where individual equipment is provided, a continuous screen is desirable.

B. Exterior mechanical equipment.

1. Exterior mechanical equipment, except solar collectors, shall be screened from view on all sides by architectural features that are compatible in color and design with the primary structure. For rooftop equipment, the screening materials shall be at least as high as the equipment being screened. Equipment requiring screening includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, and transformers.
2. Where design review is required for the primary structure or use pursuant to Chapter 19.710 (Design Review) of this ~~T~~title, such review shall include review of required mechanical equipment screening for conformance with the provisions of this ~~P~~paragraph.
3. Mechanical equipment shall not be permitted on any exposed portion of a pitched roof, except as may be approved through the design review process (Chapter 19.710).

C. Ground-mounted utility equipment.

1. Ground-mounted utility equipment such as, but not limited to, cable television boxes, electric power transformers and distribution facilities, water pumps, and telecommunications facilities (not including pole-mounted equipment) shall be located at the rear of the primary structure and away from public view if feasible.

2. If not feasible, equipment shall be screened from view on all sides with solid masonry walls or similar permanent structures and/or mature landscaping, color blending to match surroundings, or artwork.
 - a. Any masonry walls or structures shall be of a neutral color.
 - b. Screening with chain-link, or similar fencing materials shall not be permitted.
3. Electric and other metering equipment and panels shall be painted to match adjacent building and wall surfaces.
4. Where design review is required for the primary structure or use pursuant to Chapter 19.710 (Design Review) of this Title, such review shall include review of required mechanical equipment screening for conformance with the provisions of this Paragraph.

(Ord. 7331 §90, 2016; Ord. 6966 §1, 2007)

*Chapter 19.556 OUTDOOR LIGHTING **

~~*Editor's note — Ord. No. [7447](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank), § 1(Exh. A), adopted Nov. 27, 2018, repealed Ch. 19.556, §§ 19.556.010 and 19.556.020, and replaced in its entirety a new chapter 19.556, §§ 19.556.010 — 19.556.090, as set out herein. Former Ch. 19.556 pertained to lighting and derived from Ord. 6966 § 1, adopted in 2007.~~

19.556.010 Purpose.

19.556.020 Definitions.

19.556.030 Applicability.

19.556.040 Exemptions.

19.556.050 Prohibited lighting.

19.556.060 Lighting zones.

19.556.070 Design review and permitting.

19.556.080 Design and development standards.

19.556.010 Purpose.

This Chapter sets forth standards to ensure that outdoor lighting is adequate for safety, security and commerce while preserving the naturally dark night sky by mitigating artificial sky glow and preventing glare and light trespass.

(Ord. [7447](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.020 Definitions.

For the purposes of this Chapter only, the following words and phrases are defined as follows:

Architectural floodlighting and outlining means the use of lighting to illuminate building facades, statuary, and similar edifices for appearance or other needs not involving visual tasks such as walking or driving.

Artificial sky glow means anthropogenic light scattered in the atmosphere that on clear nights reduces the ability to see stars and the Milky Way. It also has negative environmental impacts.

Community & Economic Development Director means the director of the Community & Economic Development Department of the City of Riverside or the person designated by the Community & Economic Development Director.

Curfew means the time each night that lighting shall be dimmed or turned off in accordance with Title 24, Part 6, Section 130.2 for nonresidential lighting and Section 150.0 for residential lighting.

Downlight means that the luminaire emits no light above 90 degrees relative to nadir.

Fully shielded means a light fixture constructed and installed in such a manner that all light emitted by the fixture, either directly from the light source or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the fixture's lowest light-emitting part.

Glare means lighting entering the eye directly from a light fixture or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Light source means, in generic terms, a source of optical radiation (i.e., "light"), often called a "lamp", "bulb", or "tube". Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

Light Trespass means light that falls beyond the property on which it originates. The amount of trespass is expressed in footcandles (fc) and is measured in the vertical plane at five feet above grade at the property line of the site on which the light(s) is located. If the adjacent property is a street, alley or sidewalk, then the point at which trespassing light is measured shall be the center of the street, alley, sidewalk, or right-of-way. Field measurements to determine light trespass compliance shall not include the effect of light produced by street lights.

Lumen means the unit of measure used to quantify the amount of visible light produced by a light source or emitted from a luminaire (as distinct from "watt," a measure of power consumption).

Luminaire means outdoor electrically powered illuminating devices, including a light source, outdoor reflective or refractive surfaces, lenses, electrical connectors and components, and all parts used to mount the assembly, distribute the light and/or protect the light source, whether permanently installed or portable.

Maximum Lumens means the allowed maximum rated lumens per a photometric report or manufacturer's product literature for a dedicated fluorescent, LED or HID luminaire or the rated lumens of the light source installed for a line voltage socket luminaire or a low voltage socket luminaire.

Shielded up-light means a luminaire aimed upward within 30 degrees of straight up that employs a baffle or louver to prevent glare.

Temporary lighting means lighting that (a) employs a cord and plug that is not permanently wired and (b) is installed and removed when the temporary need is over, not to exceed 45 days, including but not limited to seasonal lighting.

Outlining means exposed light sources attached to structures for the primary purpose of attraction, branding or decoration.

(Ord. [7447](http://newords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.030 Applicability.

Except as described below, all outdoor lighting installed or modified after the effective date of this ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, additions and alterations to existing lighting whether attached to structures, poles, the earth, or any other location. Applications for land use entitlements after the effective date of this ordinance shall comply with this [Chapter](#).

(Ord. [7447](http://newords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.040 Exemptions.

A. The following are not regulated by this [Chapter](#):

1. Lighting within public right-of-way, or quasi-public easement for common access, such as a private street serving a community of homes.
2. Lighting solely for signs (see 19.620).
3. Repairs to existing luminaires, not including replacements or modifications.
4. Temporary lighting.
5. Underwater lighting in swimming pools and other water features.
6. Short-term lighting associated with activities authorized by a special event permit or film permit.
7. Construction or emergency lighting which is shielded, temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency for which the light serves.
8. Lighting approved by temporary, variance, minor conditional or conditional use permit.
9. Lighting under the jurisdiction of Title 20 of ~~this the Riverside Municipal~~ Code and for which a Certificate of Appropriateness has been granted.

(Ord. [7447](http://newords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.050 Prohibited lighting.

A. The following types of lighting are prohibited unless in conjunction with the exemptions provided in Section 19.556.040:

1. Dynamic lighting, such as moving lights, color changing lighting, or digital LED panels that flash, chase, change color, or changes intensity for any purpose other than serving as a traffic signal, safety light, or aviation or marine marker.
2. Luminaires exceeding 500,000 peak candelas or 50,000 lumens
3. Aerial laser lighting.
4. Lighting within Lighting Zone 0 except as permitted by Title 24, Part 6, Section 140.7.
5. Sport facility lighting.

(Ord. [7447](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.060 Lighting zones.

A. Lighting zones are defined as follows:

1. Lighting Zone 0 (Zero) shall include undeveloped areas of parks, recreation areas, and wildlife preserves. These areas are undeveloped or intended to be preserved in a natural state that require little or no exterior light at night.
2. Lighting Zone 1 (One), shall include developed portions of parks, recreation areas, wildlife preserves, and the area within the Mt. Palomar Observatory boundary as shown in the General Plan which are suitable for low levels of exterior lighting at night.
3. Lighting Zone 2 (Two) shall include all areas of the City that are zoned RA-5, RC and RR which are suitable for modest levels of exterior lighting at night.
4. Lighting Zone 3 (Three) shall include all other areas of the City not in Lighting Zones 0, 1 or 2 which are suitable for medium to high levels of exterior lighting at night.

B. All proposed changes and appeals to lighting zone designations shall be approved by the City Council upon recommendation of the Planning Commission. The Community & Economic Development Director shall notify the California Energy Commission according to California Code of Regulations, Title 24, Part 1, Section 10-144(d).

(Ord. [7447](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.070 Design review and permitting.

A. All proposed outdoor lighting installations involving new lighting or the modification, alteration, or replacement of outdoor lighting shall submit plans and related information as listed below:

1. Plans depicting the proposed luminaires with certification from engineer, applicant and/or designee that the plans comply with this [Chapter](#).
2. Product specification data such as manufacturer's data sheets for each luminaire and control device(s) or systems being used.
3. For nonresidential properties, signed pages of required documents for Title 24 - Part 6 Section 140.7 and Title 24 - Part 11 Section 5.106.8 demonstrating compliance.

4. Details, elevations, summaries or calculations as required to demonstrate compliance with this ordinance.
5. Such other data and information as may be required by the Community & Economic Development Director.

(Ord. [7447](http://newords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

19.556.080 Design and development standards.

- A. All outdoor lighting shall be designed and implemented to mitigate light trespass onto adjacent properties and comply with the following:
1. The correlated color temperature of all outdoor lighting shall be 3,000 Kelvin or less, with tolerance within the ANSI standard C78.377 of LED sources.
 2. Shall comply with the California Title 24 California Code of Regulations, Title 24, Parts 1, 2, 6 and 11.
 3. Shall comply with Table 19.556.080 A - Lighting Limits for Residential Including Multifamily Properties with Fewer than eight Units or Table 19.556.080 B - Lighting Limits for Nonresidential and Multifamily Residential Properties with eight Units or more.
 - a. Except that, the maximum mounting height of luminaires (above finished grade) shall not apply to fully recessed luminaires.
 - b. Except that, the maximum mounting height for buildings with exterior entrance doors shall be 12 feet above adjacent floor unless recessed into an adjacent ceiling, soffit or overhang.
 - c. Average illumination of a façade or edifice shall not exceed five footcandles (50 lux).
 4. Lighting shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing, except as may be specifically allowed herein.

Table 19.556.080 A - Limits for Residential Including Multifamily with Less than eight Units.

Restriction	Lighting Zone 0 (Zero)	Lighting Zone 1 (One)	Lighting Zone 2 (Two)	Lighting Zone 3 (Three)
Automatic Lighting Controls	Per Title 24 Part 6 Section 150.0(k.) 3. (A).iii.			
Maximum lumens per fully shielded luminaire	300	1000	2000	3000
Unshielded and decorative lighting	Prohibited	One per residence, not to exceed 300 lumens per residence	Two per residence, not to exceed 600 lumens per luminaire and 1000 lumens per residence	Three per residence, not to exceed 900 lumens per luminaire and 2000 lumens per residence

Maximum mounting height of luminaires (above finished grade)	8 feet	12 feet	12 feet	25 feet
Landscape lighting maximum per luminaire	Prohibited	Downlight only, not to exceed 300 lumens	Downlight and/or shielded uplight, not to exceed 450 lumens	Downlight and/or shielded uplight, not to exceed 600 lumens
Landscape lighting maximum lumens per acre	0	6000	12000	18000
Architectural Floodlighting ¹	Prohibited	Prohibited	16000 lumens above horizontal plane of light source	20000 lumens above horizontal plane of light source
Maximum allowable light trespass ²	0	0.1 footcandle (1 lux)	0.2 footcandle (2 lux)	0.5 footcandle (5 lux)

1. Lumens represent maximum lumens per site development. Architectural floodlighting must comply with unshielded and decorative lighting restrictions, including maximum number of luminaires and lumens per residence.

2. Allowable light trespass shall be determined based upon the light zone in which the trespass occurs, not from which the light originates.

Table 19.556.080 B - Limits for Nonresidential and Multifamily Properties more than eight Units.

Restriction	Lighting Zone 0 (Zero)	Lighting Zone 1 (One)	Lighting Zone 2 (Two)	Lighting Zone 3 (Three)
Maximum Allowed Lighting Watts	Per Title 24 Part 6 Section 140.7			
Automatic Lighting Controls	Per Title 24 Part 6 Section 130.2 for nonresidential properties and for multifamily residential properties of 8 residences or more.			
Backlight, uplight and glare limits	BUG 0,0,0 only	Per Title 24 Part 11 Section 5.106.8		
Unshielded and decorative lighting	Prohibited	Prohibited	Maximum 600 lumens per luminaire, not to exceed 12000 lumens per acre.	Maximum 900 lumens per luminaire, not to exceed 18000 lumens per acre
Maximum mounting height of luminaires (above finished grade)	8 feet	25 feet		

Landscape lighting per luminaire	Prohibited	Downlight only, not to exceed 450 lumens	Downlight and/or shielded uplight, not to exceed 600 lumens	Downlight and/or shielded uplight not to exceed 900 lumens
Maximum landscape lighting lumens per acre	0	9000	12000	18000
Architectural Floodlighting ¹	Prohibited	Prohibited	20000 lumens above horizontal plane of light source	20000 lumens above horizontal plane of light source
Maximum allowable light trespass ²	0	0.1 footcandle (1 lux)	0.2 footcandle (2 lux)	0.5 footcandle (5 lux)

1. Lumens represent maximum lumens per site development. Architectural floodlighting must comply with unshielded and decorative lighting restrictions, including maximum number of luminaires and lumens per residence.

2. Allowable light trespass shall be determined based upon the light zone in which the trespass occurs, not from which the light originates.

(Ord. [7447](http://newords.muniCode.com/readordinance.aspx?ordinanceid=924966&datasource=ordbank) § 1(Exh. A), 2018)

Chapter 19.560 BUILDING HEIGHT MEASUREMENT

19.560.010 Purpose.

19.560.020 Height measurement.

19.560.030 Exceptions to height limits.

19.560.010 Purpose.

This ~~C~~chapter establishes the method for measuring the height of structures in compliance with the height limits set forth in ~~this Title the Zoning Code~~, and specifies exceptions to height limits.

(Ord. 7331 §92, 2016; Ord. 6966 §1, 2007)

19.560.020 Height measurement.

A. Except as noted in Figure 19.560.020 B (Structure Height on Split Pad), structure height shall be measured as the vertical distance between the building pad elevation or finished grade and the highest point of the subject building or structure. The highest point shall be the coping of a flat roof, deck line of a mansard roof, or peak of the highest gable of a pitch or hip roof, exclusive of vents, air conditioners, chimneys, and similar objects.

[GRAPHIC]

19.560.020.A

Structure Height

B. For sloped lots having a building with a stepped foundation or split levels, the height shall be measured as the vertical distance from the mid point of a line between the highest and lowest points of the building pads or foundation and the top-most point of the roof.

[GRAPHIC]

19.560.020.B

Structure Height on Slope

[GRAPHIC]

19.560.020.B

Structure Height on Split Road

(Ord. 7331 §92, 2016; Ord. 6966 §1, 2007)

19.560.030 Exceptions to height limits.

The following exceptions to height limits are allowed, provided compliance is achieved with all other applicable requirements and development standards of ~~this Title~~the Zoning Code.

- A. Uninhabited architectural design features such as towers, spires, steeples, domes, and cupolas may exceed the specified height limit by a maximum of ten feet, subject to approval by the appropriate Approving or Appeal Authority.
- B. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building and fire or parapet walls, chimneys, smokestacks, wireless masts or similar structures, but excluding wireless communications equipment, may be erected above the height limits prescribed in ~~this Title~~the Zoning Code; provided, that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space, subject to approval by the appropriate Approving or Appeal Authority.

(Ord. 7331 §92, 2016; Ord. 6966 §1, 2007)

Chapter 19.570 WATER EFFICIENT LANDSCAPING AND IRRIGATION *

~~*Editor's note — Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), adopted Feb. 5, 2019, replaced in its entirety Ch. 19.570, §§ 19.570.010 — 19.570.090, with a new chapter, §§ 19.570.010 — 19.570.130, as set out herein. Former Ch. 19.570 pertained to similar subject matter and derived from Ord. 7331, § 93, adopted in 2016; Ord. 7310, § 1, adopted in 2015; 7061, § 2, adopted in 2009; and Ord. 6966, § 1, adopted in 2007.~~

19.570.010 Purpose.

19.570.020 Applicability.

19.570.030 Provisions for the review and certification of landscaping and irrigation.

19.570.040 Landscape maintenance and irrigation scheduling.

19.570.050 Irrigation audit, irrigation survey, and irrigation water use analysis.

19.570.060 Certificate of Completion.

19.570.070 Recycled water.

19.570.080 Existing landscapes.

19.570.090 Cemeteries.

19.570.100 Stormwater management and rainwater retention.

19.570.110 Public education.

19.570.120 Definitions.

19.570.130 Sample Water Efficient Landscape Worksheet (Appendix D of the State Model WELO).

19.570.010 Purpose.

The City finds that:

- A. That the waters of the City and State are of limited supply and are subject to ever increasing demands;
 1. That the continuation of the City's and State's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
 2. That it is the policy of the City and State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
 3. That landscapes are essential to the quality of life in the City and State by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;
 4. That landscape design, installation, maintenance, and management can and should be water efficient; and
 5. The City recognizes that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.
- B. Consistent with these legislative findings, the purpose of this ~~Chapter of this Title the Zoning Code~~ is to:
 1. Promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;
 2. Establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of

a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;

3. Reduce water demands from landscapes without a decline in landscape quality or quantity;
4. Retain flexibility and encourage creativity through appropriate design;
5. Establish provisions for water management practices and water waste prevention for existing landscapes;
6. Use water efficiently without waste by setting a Maximum Applied Water Allowance (MAWA) as an upper limit for water use and reduce water use to the lowest practical amount;
7. Assure the attainment of water efficient landscape goals by requiring that landscapes not exceed a maximum water demand (evapotranspiration adjustment factor of .55 for residential and .45 nonresidential) of its reference evapotranspiration (ET_o) or any lower percentage as may be required;
8. Achieve water conservation by raising the public awareness of the need to conserve water through education and motivation to embrace an effective water demand management program; and
9. Promote the use of recycled water for landscaping.

C. Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of this Chapter, conditions in the urban setting will be improved by:

1. Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.
2. Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
3. Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
4. Protecting air and water quality by reduction power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
5. Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank))

<http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank>
web="yes">7454, § 1(Exh. A), 2019)

19.570.020 Applicability.

- A. Consistent with the Governor's Executive Order No. B-29-15, and the State Model Water Efficient Landscape Ordinance, this [Chapter](#) shall apply to all of the following landscape projects:
1. New development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
 2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review.
 3. Existing landscapes are limited to Section 19.570.080 - Existing Landscapes.
 4. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Section 19.570.090 - Cemeteries (A). Existing cemeteries are limited to Section 19.570.090 - Cemeteries (B).
 5. Notwithstanding Section 19.040.110 - Public Projects, all public projects shall comply with the provisions of this [Chapter](#).
- B. Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Section 19.570.130 (State Model WELO Appendix D - Sample Water Efficient Landscape Worksheet).
- C. For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2,500 square feet of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Section 19.570.130.B.5 (Sample Water Efficient Landscape Worksheet - State Model WELO Appendix D).
- D. This [Chapter](#) does not apply to:
1. Registered local, state or federal historical sites;
 2. Ecological restoration projects that do not require a permanent irrigation system and have an establishment period of less than five years;
 3. Mined-land reclamation projects that do not require a permanent irrigation system; and
 4. Existing plant collections, as part of botanical gardens and arboretums open to the public.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.030 Provisions for the review and certification of landscaping and irrigation.

An applicant proposing any new or rehabilitated landscape subject to this [Chapter](#) shall prepare and submit an application to the Planning Division for review and approval by the Community & Economic Development Director or his/her designee. The planting plan, irrigation plan, and soils management plan shall be reviewed to ensure that all components of the plans adhere to the requirements of this [Chapter](#). No certificate of occupancy or other final City approval shall be issued until the City reviews and approves the landscape and irrigation plans, and the landscape and irrigation are installed in accordance with the approved plans. A copy of the approved landscape and irrigation plans and conditions of approval shall be provided to the property owner or site manager along with any other information normally forwarded to the property owner or site manager.

Applications submitted to the Planning Division shall include the following information:

A. *Elements of a landscape document package.* The landscape documentation package shall include the following six elements:

1. Project information:

- a. Date
- b. Project applicant
- c. Project address (if available, parcel and/or lot number(s))
- d. Total landscape area (square feet)
- e. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
- f. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
- g. Checklist of all documents in landscape documentation package
- h. Project contacts to include contact information for the project applicant and property owner
- i. Applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete landscape documentation package."

2. Water Efficient Landscape Worksheet with water budget calculations including:

- a. Maximum Applied Water Allowance (MAWA)
- b. Estimated Total Water Use (ETWU)

3. Soil management report;

4. Landscape design plan;

5. Irrigation design plan; and

6. Grading design plan.

B. *Water Efficient Landscape Worksheet.*

1. A project applicant shall complete the Water Efficient Landscape Worksheet (Figure 19.570.030.B.2) which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for nonresidential areas, exclusive of special landscape areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for nonresidential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

- a. In calculating the maximum applied water allowance and Estimated Total Water Use, a project applicant shall use the following ET_o values from the Reference Evapotranspiration Table in Appendix A of the State Model Water Efficient Landscape Ordinance. Values for Riverside are:

County & City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4

Source: Appendix A - Reference Evapotranspiration (ET_o) Table of the State Model Water Efficient Landscape Ordinance - ET_o values for Riverside

2. Water budget calculations shall adhere to the following requirements:

- a. The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- b. All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
- c. All special landscape areas shall be identified and their water use calculated as shown in Appendix B.
- d. ETAF for new and existing (non-rehabilitated) special landscape areas shall not exceed 1.0.

Figure 19.570.030.B - Sample Water Efficient Landscape Worksheet

[GRAPHIC]

C. *Soil Management Report*. In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

1. Submit soil samples to a laboratory for analysis and recommendations. Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
2. The soil analysis shall include:
 - a. Soil texture;
 - b. Infiltration rate determined by laboratory test or soil texture infiltration rate table;
 - c. pH;
 - d. Total soluble salts;
 - e. Sodium;
 - f. Percent organic matter; and
 - g. Recommendations.
3. In projects with multiple landscape installations (i.e., production home developments) a soil sampling rate of one in seven lots or approximately 15 percent will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to one in seven lots.

The project applicant, or his/her designee, shall comply with one of the following:

1. If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the landscape documentation package; or
2. If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.

The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

D. Landscape Design Plan. For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the landscape documentation package.

1. Plant material.
 - a. Any plant may be selected for the landscape providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:
 - i. Protection and preservation of native species and natural vegetation;
 - ii. Selection of water-conserving plant, tree and turf species, especially local native plants;
 - iii. Selection of plants based on local climate suitability, disease and pest resistance;
 - iv. Selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area;
 - v. Selection of plants from local and regional landscape program plant lists; and
 - vi. Selection of plants from local Fuel Modification Plan Guidelines.
 - b. Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 19.570.030.E.2.d.
 - c. Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. Methods to achieve water efficiency shall include one or more of the following:
 - i. Use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 - ii. Recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure (e.g., buildings, sidewalks, power lines); allow for adequate soil volume for healthy root growth; and
 - iii. Consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
 - d. Turf is not allowed on slopes greater than 25 percent where the toe of the slope is adjacent to an impermeable hardscape and where 25 percent means one foot of vertical elevation change for every four feet of horizontal length (rise divided by run $\times$ 100 = slope percent).

- e. High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.
 - f. A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.
 - g. The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged. When a project is located in the Sycamore Canyon, Canyon Springs, Mission Grove, and Canyon Crest Neighborhoods, consult Table 6-2 (Plants That Should be Avoided Adjacent to the MSHCP Conservation Area) of the Multiple Species Habitat Conservation Plan to avoid the use of invasive plant species.
 - h. The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
2. Water features.
- a. Recirculating water systems shall be used for water features.
 - b. Where available, recycled water shall be used as a source for decorative water features.
 - c. Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
 - d. Pool and spa covers are highly recommended.
3. Soil preparation, mulch and amendments.
- a. Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
 - b. Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 19.570.030.C).
 - c. For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than six percent organic matter in the top six inches of soil are exempt from adding compost and tilling.
 - d. A minimum three inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to five percent of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
 - e. Stabilizing mulching products shall be used on slopes that meet current engineering standards.
 - f. The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
 - g. Organic mulch made from recycled or post-consumer materials shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic

products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.

4. The landscape design plan, at a minimum, shall:

- a. Identify new and existing trees, shrubs, ground covers, and turf areas within the proposed landscape area;
- b. Planting legend indicating all plant species by botanical name and common name, spacing, Water Use Classification of Landscape Species (WUCOLS) plant factor, and quantities of each type of plant by container size;
- c. Delineate and label each hydrozone by number, letter or other methods;
- d. Identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
- e. Include area, in square feet, devoted to landscaping and a breakdown of the total area by landscape hydrozones;
- f. Identify property lines, streets, and street names;
- g. Identify building locations, driveways, sidewalks, retaining walls, and other hardscape features;
- h. Include scale and north arrow;
- i. Identify recreational areas;
- j. Identify areas permanently and solely dedicated to edible plants;
- k. Identify areas irrigated with recycled water;
- l. Identify type of mulch and application depth;
- m. Identify soil amendments, type and quantity;
- n. Identify type and surface area of any water features;
- o. Identify hardscapes (pervious and non-pervious);
- p. Include type and installation details of any applicable stormwater best management practices;
- q. Identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section 19.570.100.
- r. Identify any applicable rain harvesting or catchment technologies as discussed in Section 19.570.100 and their 24-hour retention or infiltration capacity;
- s. Identify any applicable graywater discharge piping, system components and area(s) of distribution;
- t. Contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and

- u. Bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. The Planting Plan shall be prepared, wet stamped, and signed by a landscape architect as defined in Section 19.570.120 - Definitions (HH). Any plans submitted without the signature of a licensed landscape architect shall not be accepted for review.

E. *Irrigation Design Plan Requirements.* This Section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this Section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the landscape documentation package.

1. System.

- a. Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all nonresidential irrigated landscapes of 1,000 square feet but not more than 5,000 square feet (the level at which Water Code 535 applies), and residential irrigated landscapes of 5,000 square feet or greater. A landscape water meter may be either:
 - i. A customer service meter dedicated to landscape use provided by the local water purveyor; or
 - ii. A privately owned meter or submeter for single-family residential uses only.
- b. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.
- c. If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.
 - i. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
 - ii. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.
- d. Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
- e. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

- f. Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency Code (i.e., public health) for additional backflow prevention requirements.
- g. Flow sensors that detect high flow conditions created by system damage or malfunction are required for all nonresidential landscapes and residential landscapes of 5,000 square feet or larger.
- h. Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
- i. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- j. Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
- k. The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
- l. The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.
- m. All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
- n. It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
- o. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
- p. Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
- q. Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
- r. Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
- s. Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.
- t. Areas less than ten feet in width in any direction shall be irrigated with subsurface irrigation or other means that produce no runoff or overspray.
- u. Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or

unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

- i. The landscape area is adjacent to permeable surfacing and no runoff occurs; or
- ii. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
- iii. The irrigation designer specifies an alternative design or technology, as part of the landscape documentation package and clearly demonstrates strict adherence to irrigation system design criteria in Section 19.570.030.E.1.i. Prevention of overspray and runoff must be confirmed during the irrigation audit.
- v. Slopes greater than 25 percent shall not be irrigated with an irrigation system with an application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the landscape documentation package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

2. Hydrozone.

- a. Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.
- b. Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.
- c. Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.
- d. Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:
 - i. Plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
 - ii. The plant factor of the higher water using plant is used for calculations.
- e. Individual hydrozones that mix high and low water use plants shall not be permitted.
- f. On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Figure 19.570.030.B Section A). This table can also assist with the irrigation audit and programming the controller.

3. The irrigation design plan, at a minimum, shall contain:

- a. Location and size of separate water meters for landscape;
- b. Location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;
- c. Static water pressure at the point of connection to the public water supply;
- d. Flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;
- e. Recycled water irrigation systems as specified in Section 19.570.070;

- f. The following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and
- g. The signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system.

F. Grading design plan requirements (if applicable).

1. The project submittal shall include rough/precise grade elevations in accordance with Title 17 (Grading) of ~~this~~the Riverside Municipal Code and be prepared by a licensed civil engineer.
2. For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the landscape documentation package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.
 - a. The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:
 - i. Height of graded slopes;
 - ii. Drainage patterns;
 - iii. Pad elevations;
 - iv. Finish grade; and
 - v. Stormwater retention improvements, if applicable.
 - b. To prevent excessive erosion and runoff, it is highly recommended that project applicants:
 - i. Grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
 - ii. Avoid disruption of natural drainage patterns and undisturbed soil; and
 - iii. Avoid soil compaction in landscape areas.
 - c. The grading design plan shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.040 Landscape maintenance and irrigation scheduling.

- A. Irrigation scheduling. For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:
1. Irrigation scheduling shall be regulated by automatic irrigation controllers.
 2. Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

3. For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.
4. Parameters used to set the automatic controller shall be developed and submitted for each of the following:
 - a. The plant establishment period;
 - b. The established landscape; and
 - c. Temporarily irrigated areas.
5. Each irrigation schedule shall consider for each station all of the following that apply:
 - a. Irrigation interval (days between irrigation);
 - b. Irrigation run times (hours or minutes per irrigation event to avoid runoff);
 - c. Number of cycle starts required for each irrigation event to avoid runoff;
 - d. Amount of applied water scheduled to be applied on a monthly basis;
 - e. Application rate setting;
 - f. Root depth setting;
 - g. Plant type setting;
 - h. Soil type;
 - i. Slope factor setting;
 - j. Shade factor setting; and
 - k. Irrigation uniformity or efficiency setting.
- B. Landscape and irrigation maintenance schedule. Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion to the Planning Division, property owner, and water purveyor (if applicable). A regular maintenance schedule shall include, but not be limited to:
 1. Routine inspection, auditing, adjustments, and repair of the irrigation system and its components;
 2. Aerating and dethatching of turf areas;
 3. Topdressing with compost;
 4. Replenishing mulch;
 5. Fertilizing;
 6. Pruning, weeding in all landscape areas, and removing any obstruction to irrigation devices.
- C. Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
- D. A project applicant is encouraged to implement established landscape industry sustainable best practices or environmentally-friendly practices for all landscape maintenance activities.

(Ord. [7454](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.050 Irrigation audit, irrigation survey, and irrigation water use analysis.

- A. All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.
- B. In large projects or projects with multiple landscape installations (i.e., production home developments) an auditing rate of one in seven lots or approximately 15 percent will satisfy this requirement.
- C. For new construction and rehabilitated landscape projects installed after December 1, 2015, as described in Section 19.570.020:
 - 1. The project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming;
 - 2. The City shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the maximum applied water allowance.

(Ord. [7454](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.060 Certificate of Completion.

- A. Prior to issuance of a certificate of occupancy or final inspection for a project subject to this [Chapter](#), a regular maintenance schedule and a Certificate of Completion shall be submitted to the Planning Division certifying that the landscaping has been completed in accordance with the approved planting, irrigation, soil management, and grading design plans for the project. The Certificate of Completion shall be signed by a licensed landscape architect and Certified Irrigation Auditor and shall include the following:
 - 1. Project information sheet that contains:
 - a. Date
 - b. Project name
 - c. Project applicant name, telephone, and mailing address
 - d. Project address and location; and
 - e. Property owner name, telephone, and mailing address
 - 2. Certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved landscape documentation package;

- a. Where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;
 - b. A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.
3. Irrigation scheduling parameters used to set the controller (see Section 19.570.040.A);
 4. Landscape and irrigation maintenance schedule (see Section 19.570.040.B);
 5. Irrigation audit report (see Section 19.570.050); and
 6. Soil analysis report, if not submitted with landscape documentation package, and documentation verifying implementation of soil report recommendations (see Section 19.570.030.C).
- B. The project applicant shall:
1. Submit the signed Certificate of Completion to the local agency for review;
 2. Ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.
- C. The City shall:
1. Receive the signed Certificate of Completion from the project applicant;
 2. Approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the City shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

Figure 19.570.060.C - Sample Certificate of Completion

[GRAPHIC]

Source: Appendix C - Sample Certificate of Completion of the State Model Water Efficient Landscape Ordinance

[GRAPHIC]

Source: Appendix C - Sample Certificate of Completion of the State Model Water Efficient Landscape Ordinance

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.070 Recycled water.

- A. The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.
- B. All recycled water irrigation systems shall be designed and operated in accordance with local and State laws.
- C. Chapter 14.28 - The Mandatory Use of Recycled Water is hereby incorporated by reference.
- D. Landscapes using recycled water are considered special landscape areas. The ET Adjustment Factor for new and existing (non-rehabilitated) special landscape areas shall not exceed 1.0.

E. Graywater systems. Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the ~~California~~ Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to Section 19.570.020.C for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.080 Existing landscapes.

A. This ~~S~~ection shall apply to all existing landscapes that were installed before December 1, 2015, and are over one acre in size.

1. For all landscapes that have a dedicated water meter, the water purveyor shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, irrigation audits, and irrigation equipment rebates to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance (MAWA) for existing landscapes. The MAWA for existing landscapes shall be calculated as: $MAWA = (0.8)(ET_o)(LA)(0.62)$.
2. For all landscapes that do not have a dedicated water meter, the water purveyor shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, irrigation audits, and irrigation equipment rebates to evaluate water use and provide recommendations as necessary in order to prevent water waste.

B. Water waste resulting from inefficient landscape irrigation shall be prevented by proper irrigation scheduling, prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.090 Cemeteries.

A. New cemeteries shall comply with the provisions of Section 19.570.030 - Provisions for the Review and Certification of Landscaping and Irrigation (A) and (B), 19.570.040 - Landscape Maintenance and Irrigation Scheduling (A) and (B), 19.570.050 - Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis, and 19.570.060 Certificate of Completion.

B. Existing cemeteries shall comply with the provisions of Section 19.570.070 - Existing Landscapes.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.100 Stormwater management and rainwater retention.

- A. Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.
- B. Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.
- C. All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to Section 19.570.030.D.3.
- D. It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e., roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.
- E. It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:
 - Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.
 - Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
 - Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
 - Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
 - Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
 - Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
 - Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.110 Public education.

- A. *Publications.* Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community. The State requires that, a local agency or water supplier/purveyor shall provide information to owners of permitted renovations and new single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget. The City is committed to providing information and resources to the public in conformance with the above State requirement.
- B. *Model homes.* All model homes shall be landscaped and use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.
 - 1. Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water

efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.

2. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.120 Definitions.

The terms used in this Chapter have the meaning set forth below:

- A. "Applied water" means the portion of water supplied by the irrigation system to the landscape.
- B. "Automatic irrigation controller" means a timing device used to remotely control valves that operate an irrigation system. A smart irrigation controller is a *weather-based* irrigation controller or a *self-adjusting* irrigation controller. A *weather-based* controller is a controller that uses evapotranspiration or weather data to determine when to irrigate. A *self-adjusting* irrigation controller is a controller that uses sensor data (i.e., soil moisture sensor).
- C. "Backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- D. "Certificate of Compliance" means the document required under Section 19.570.050.
- E. "Certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization, or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Landscape Irrigation Designer program.
- F. "Certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization, or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.
- G. "Check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.
- H. "Common interest developments" mean community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
- I. "Compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
- J. "Controller" means an automatic timing device used to remotely control valves to operate an irrigation system. A smart irrigation controller is a *weather-based* irrigation controller or a *self-adjusting* irrigation controller. A *weather-based* controller is a controller that uses evapotranspiration or weather data to determine when to irrigate. A *self-adjusting* irrigation controller is a controller that uses sensor data (i.e., soil moisture sensor).

- K. "Conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year.
- L. "Distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.
- M. "Drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- N. "Ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- O. "Effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.
- P. "Emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.
- Q. "Established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
- R. "Establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
- S. "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 19.570.030 - Provisions for the Review and Certification of Landscaping and Irrigation (A)(12)(n).
- T. "ET adjustment factor" (ETAF) means a factor of 0.55 for residential areas and 0.45 for nonresidential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.

The ETAF for new and existing (non-rehabilitated) special landscape areas shall not exceed 1.0. The ETAF for existing, non-rehabilitated landscapes is 0.8.
- U. "Evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
- V. "Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- W. "Flow sensor" means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
- X. "Friable" means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
- Y. "Fuel Modification Plan Guideline" means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.

- Z. "Graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
- AA. "Hardscapes" means any durable material (pervious and non-pervious).
- BB. "Hydrozone" (HA) means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
- CC. "Infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
- DD. "Invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by County agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- EE. "Irrigation audit" means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "WaterSense" labeled auditor program.
- FF. "Irrigation efficiency" (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this [Chapter](#) is 0.75 for overhead spray devices and 0.81 for drip systems.
- GG. "Irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- HH. "Irrigation water use analysis" means an analysis of water use data based on meter readings and billing data.
- II. "Landscape architect" means a person who holds a license to practice landscape architecture in the State of California Business and Professions Code, Section 5615.
- JJ. "Landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the maximum applied water allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel, or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).
- KK. "Landscape contractor" means a person licensed by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- LL. "Landscape project" means the total area of landscape in a project as defined in "landscape area" for the purposes of this [Chapter](#).

- MM. "Landscape water meter" means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.
- NN. "Lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- OO. "Local agency" means a city or county, including charter city or charter county, that is responsible for adopting and implementing this [Chapter](#). The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.
- PP. "Local water purveyor" means any entity, including a public agency, city, county, or private water company that provides retail water service.
- QQ. "Low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- RR. "Main line" means the pressurized pipeline that delivers water from the water sources to the valve or outlet.
- SS. "Master shut-off valve" is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.
- TT. "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special landscape areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$.
- UU. "Median" is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.
- VV. "Microclimate" means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
- WW. "Mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- XX. "Mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- YY. "New construction" means, for the purposes of this [Chapter](#), a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
- ZZ. "Nonresidential landscape" means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

- AAA. "Operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- BBB. "Overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).
- CCC. "Overspray" means the irrigation water which is delivered beyond the target area.
- DDD. "Parkway" means the area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.
- EEE. "Permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- FFF. "Pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.
- GGG. "Plant factor" or "plant water use factor" (PF) is a factor, when multiplied by ET_o , estimates the amount of water needed by plants. For purposes of this [Chapter](#), the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this [Chapter](#) are derived from the publication, "Water Use Classification of Landscape Species." Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
- HHH. "Project applicant" means the individual or entity submitting a landscape documentation package to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
- III. "Rain sensor" or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.
- JJJ. "Record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
- KKK. "Recreational area" means areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters, or golf course tees, fairways, roughs, surrounds and greens.
- LLL. "Recycled water," "reclaimed water," or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.
- MMM. "Reference evapotranspiration" or " ET_o " means a standard measurement of environmental parameters which affect the water use of plants. ET_o is expressed in inches per day, month, or year, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the maximum applied water allowances so that regional differences in climate can be accommodated.
- NNN. "Regional Water Efficient Landscape Ordinance" means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

- OOO. "Rehabilitated landscape" means a re-landscaping project that requires a permit, plan check, or design review, and where the modified landscape area is equal to or greater than 2,500 square feet.
- PPP. "Residential landscape" means landscapes surrounding single or multifamily homes.
- QQQ. "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.
- RRR. "Soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
- SSS. "Soil texture" means the classification of soil based on its percentage of sand, silt, and clay.
- TTT. "Special Landscaped Area" (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.
- UUU. "Sprinkler head" means a device which delivers water through a nozzle.
- VVV. "Static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.
- WWW. "Station" means an area served by one valve or by a set of valves that operate simultaneously.
- XXX. "Swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
- YYY. "Submeter" means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
- ZZZ. "Turf" means a ground cover surface of mowed grass. Annual blue grass, Kentucky blue grass, Perennial rye grass, Red fescue, and Tall fescue are cool-season grasses. Bermuda grass, Kikuyu grass, Seashore Paspalum, St. Augustine grass, Zoysia grass, and Buffalo grass are warm-season grasses.
- AAAA. "Valve" means a device used to control the flow of water in the irrigation system.
- BBBB. "Water conserving plant species" means a plant species identified as having a very low, or low plant factor.
- CCCC. "Water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.
- DDDD. "Watering window" means the time of day irrigation is allowed.
- EEEE. "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, and the Department of Water Resources 2014.

(Ord. [7454](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

19.570.130 Sample Water Efficient Landscape Worksheet (Appendix D of the State Model WELO).

Prescriptive compliance option.

- A. This appendix contains prescriptive requirements which may be used as a compliance option to the City's Water Efficient Landscape Ordinance.
- B. Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:
 - 1. Submit a landscape documentation package which includes the following elements:
 - a. Date
 - b. Project applicant
 - c. Project address (if available, parcel and/or lot number(s))
 - d. Total landscape area (square feet), including a breakdown of turf and plant material
 - e. Project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - f. Water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - g. Contact information for the project applicant and property owner
 - h. Applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWEL."
 - 1. Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contra-indicated by a soil test);
 - 2. Plant material shall comply with all of the following:
 - a. For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75 percent of the plant area excluding edibles and areas using recycled water; For nonresidential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100 percent of the plant area excluding edibles and areas using recycled water;
 - b. A minimum three inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
 - 3. Turf shall comply with all of the following:
 - a. Turf shall not exceed 25 percent of the landscape area in residential areas, and there shall be no turf in nonresidential areas;
 - b. Turf shall not be planted on sloped areas which exceed a slope of one foot vertical elevation change for every four feet of horizontal length;
 - c. Turf is prohibited in parkways less than ten feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.
 - 4. Irrigation systems shall comply with the following:
 - a. Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data.

- b. Irrigation controllers shall be of a type which does not lose programming date in the event the primary power source is interrupted.
 - c. Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.
 - d. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.
 - e. All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014, "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.
 - f. Areas less than ten feet in width in any direction shall be irrigated with subsurface irrigation or other means that produce no runoff or overspray.
6. For nonresidential projects with landscape of 1,000 square feet or more, a dedicated landscape meter(s) provided by the local water purveyor to measure landscape water use shall be installed.
- C. At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

(Ord. [7454](http://newords.muniCode.com/readordinance.aspx?ordinanceid=939100&datasource=ordbank), § 1(Exh. A), 2019)

Chapter 19.580 PARKING AND LOADING

19.580.010 Purpose.

19.580.020 Applicability.

19.580.030 Exemptions.

19.580.040 Permit Requirements.

19.580.050 Basic limitations for off-street parking.

19.580.060 Parking requirements.

19.580.070 Off-street parking location and type requirements.

19.580.080 Design standards.

19.580.090 Parking lot landscaping.

19.580.100 Prohibition of commercial, heavy or oversize vehicle parking.

19.580.110 Off-street loading requirements.

19.580.120 Maintenance for off-street parking.

19.580.130 Enforcement.

19.580.140 Variances.

19.580.010 Purpose.

This ~~C~~chapter establishes regulations to:

- A. Regulate off-street parking and loading to minimize traffic congestion and hazards to motorists, bicyclists and pedestrians.
- B. Allow flexibility in addressing vehicle parking, loading and access issues.
- C. Provide for off-street parking in proportion to the needs generated by different land uses.
- D. Ensure access to projects by emergency response vehicles.
- E. Ensure that parking areas are designed and operate in a compatible manner with surrounding land uses.
- F. Ensure that off-street parking, loading, and access demands associated with new development will be met without adversely affecting other nearby land uses and surrounding neighborhoods.

(Ord. 7331 § 94, 2016; Ord. 6966 § 1, 2007)

19.580.020 Applicability.

- A. These off-street parking provisions shall apply to existing and new developments. Specifically for all buildings or structures erected and all uses of land established within the City of Riverside, parking facilities shall be provided as required by this ~~S~~section.
- B. The off-street parking development standards shall also apply to all off-street parking facilities provided in the City but not required by this ~~T~~title.

(Ord. 7331 § 94, 2016; Ord. 6966 § 1, 2007)

19.580.030 Exemptions.

- A. The following parking lot improvements shall be considered minor in nature in that the number or configuration of parking stalls is not altered, and shall be exempt from permit requirements:
 - 1. Repair of any defects in the surface of the parking area, including holes and cracks;
 - 2. Resurfacing, slurry coating, and restriping of a parking area with identical delineation of parking spaces; and
 - 3. Repair or replacement of damaged planters and curbs in the same location and replacement of damaged landscaping as originally approved by the City.

(Ord. 7408 § 1, 2018; Ord. 7331 § 94, 2016; Ord. 6966 § 1, 2007)

19.580.040 Permit Requirements.

- A. No building permit shall be issued for any building or structure or use requiring off-street parking until plans and specifications clearly indicating the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed parking area are approved by the Planning Division and the Public Works Department. A plot plan is required to be submitted with any permit application that involves the provision of new parking spaces or the

redesign of existing parking facilities. The plot plan shall contain sufficient information and be at a scale as required by the Planning Division.

- B. No building shall be occupied and no final inspection shall be given by the Planning Division until off-street parking is provided in accordance with the provisions of this [Chapter](#).

(Ord. 7331 § 94, 2016; Ord. 6966 § 1, 2007)

19.580.050 Basic limitations for off-street parking.

- A. Except as otherwise permitted herein, all required off-street parking spaces shall be independently accessible from a street at all times.
- B. On-street-parking within public streets shall not be used to satisfy the off-street parking requirements.
- C. Parking a vehicle on any portion of a lot, other than areas permitted by Section 19.580.070 (Off Street Parking Location and type Requirements), is prohibited.
- D. Parking spaces shall not preclude direct and free access to stairways, walkways, elevators, any pedestrian route or fire safety equipment. Such access shall be a clear minimum width required by State law, no part of which shall be within a parking space.
- E. Except as otherwise permitted herein, parking facilities shall be used for vehicle parking only. No sales, storage, repair work, dismantling, or servicing of any kind shall be permitted without necessary permits for such use.
- F. Living or sleeping in any vehicle, trailer, or vessel is prohibited when parked or stored on private property.
- G. Any vehicle, trailer, or vessel, including a recreational vehicle, that is inoperable and/or without current registration shall be stored entirely within an enclosed structure and shall not be parked or stored in any yard on residential property, except as may be provided by State law. Boats and other non-motorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.
- H. Except as may be otherwise provided by this [Title](#), landscape front and street side yard setbacks shall not be used for off-street parking spaces, turning or maneuvering aisles. However, entrance and exit drives to access off-street spaces are permitted.
- I. Temporary outdoor flex spaces.
 - 1. The number of required parking spaces for all existing uses on the same parcel shall be reduced by the amount necessary to accommodate an outdoor expansion of a business to mitigate COVID-19 pandemic restrictions on indoor dining.
 - 2. The provisions of this [Subsection](#) shall only apply to approved and permitted temporary outdoor flex spaces pursuant to the City's Temporary Outdoor Flex-Space Permit Program.
 - 3. This [Subsection](#) implements California Government Code § 65907.
 - 4. Unless extended by the State legislature, the provisions of this [Subsection](#) shall remain in effect until January 1, 2024, after which it shall be considered repealed and parking spaces shall be restored for vehicular access and use.

(Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 8(Exh. I), 2022; Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank))

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank"
web="yes">7573</ulink> § 1(Exh. A), 2021; Ord. 7331 § 94, 2016; Ord. 6966 §1, 2007)

19.580.060 Parking requirements.

A. Minimum parking requirements.

1. The number of off-street parking spaces required by Table 19.580.060 (Required Spaces) shall be considered the minimum necessary for each use, unless off-street parking reductions are permitted pursuant to provisions herein.
2. Pursuant to Government Code Section 65863.2, qualifying projects may be exempt from minimum parking requirements.
3. In conjunction with a conditional use, site plan review or planned residential development permit, the designated approving or appeal authority may increase these parking requirements if it is determined that they are inadequate for a specific project.

B. Uses not listed. The number of parking spaces required for uses not specifically listed in Table 19.580.060 (Required Spaces) shall be determined by the Community & Economic Development Director or his/her designee based on common functional, product or compatibility characteristics and activities.

C. Mixed-use development and parking credits.

1. In the case of shared parking facilities serving a mixed-use development, the development shall provide the sum of parking spaces required for each separate use.
2. The Community & Economic Development Director or his/her designee may grant a mixed-use parking credit to reduce the total number of required spaces by up to 15 percent, provided the following:
 - a. The development is located within a Transit Priority Area as defined by ~~Senate Bill 743~~ Public Resources Code § 21099; or
 - b. A shared parking analysis specifying the proposed mix of uses and the operating characteristics of each use type, including hours of operation, typical capacity and parking demand generation rates, is provided demonstrating adequate justification for granting the credit.

D. Incentives for additional measures to reduce Vehicle Miles Traveled (VMT).

1. Developments that satisfy the project-level VMT assessment requirements established by the Public Works Department are encouraged to implement additional VMT reduction measures including, but not limited to:
 - a. Permanent on-site private or public shared mobility facilities;
 - b. Unbundled residential parking (on-site parking spaces are leased or sold separately from dwelling units);
 - c. Bicycle parking facilities and amenities (lockers, showers, repair facilities or similar) in excess of the minimum requirements of the California Building Standards Code;
 - d. Off-site pedestrian, bicycle or transit improvements; or
 - e. Alternative VMT reduction measures, subject to the approval of the Public Works Director or his/her designee.

2. Developments that voluntarily provide one or more of the VMT reduction measures listed above shall be eligible for a reduction in the total number of required on-site parking spaces of up to ten percent.
 3. For mixed-use development receiving a mixed-use parking credit pursuant to 19.580.060 C. above, the VMT reduction measure incentive and mixed-use parking credit may be combined for a maximum reduction of required on-site parking spaces not to exceed 20 percent.
- E. *Required spaces.* Table 19.580.060 (Required Spaces) below sets forth minimum off-street parking requirements for number of spaces. Except as otherwise specifically stated, the following rules apply to this table.
1. "Square feet" (sq. ft.) means "gross square feet" and refers to total building gross floor area unless otherwise specified, not including areas used for off-street parking or loading spaces.
 2. Where parking spaces are required based on a per-employee ratio, this shall mean the total number of employees on the largest working shift.
 3. Where the number of seats is listed to determine required parking, seats shall be construed to be fixed seats. Where fixed seats provided are either benches or bleachers, each 24 linear inches of the bench or bleacher shall be considered a seat.
 4. When the calculation of the required number of off-street parking spaces results in a fraction of a space, the total number of spaces shall be rounded to the nearest whole number.
 5. In addition to the requirements in Table 19.580.060 (Required Spaces), spaces shall be provided for trucks and other vehicles used in the business, of a number and size adequate to accommodate the maximum number of types of trucks and/or vehicles to be parked on the site at any one time.
 6. Where maximum distance is specified from the lot, the distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building or area that such facility is required to serve.
 7. Unless otherwise stated, the required parking shall be located on the same lot or within the same complex as the use.
 8. Unless specifically listed in Table 19.580.060 (Required Spaces) below or required by other provisions of this Title, no additional parking spaces shall be required for a use listed as an incidental type of use in Table 19.150.020 A. (Permitted Uses Table) or in Table 19.150.020 B. (Incidental Uses Table).
- F. *Cultural resources parking exemption.* Any new uses within the confines of an existing structure in a nonresidential zone, designated as a historic resource or a contributor to a historic district, as defined in Title 20 of ~~this the Riverside Municipal~~ Code, are exempt from providing any additional parking. If an existing structure is expanded, additional parking will be required to accommodate the expansion, as set forth in Table 19.580.060.

Table 19.580.060

Required Spaces

Use	Number of Spaces Required
A	
<i>Adult-Oriented Businesses</i>	(5)
<i>Agriculture, Horticulture and Growing of Nursery Plants</i>	1 space/two employees

<i>Aircraft Charter Services</i>	See "Offices - Business & Professional"
<i>Aircraft Parts, Supplies, Merchandise and Equipment Shops</i>	See "Vehicle Sales, Rental & Leasing"
<i>Aircraft Sales, Rental, Service, Repair and Storage</i>	See "Vehicle Sales, Rental & Leasing"
<i>Airports (Public or Private)</i>	(5)
<i>Ambulance Company</i>	1 space/ambulance plus 1 space/250 square feet of office area
<i>Animal Keeping:</i>	
a. Kennel (Dogs and Cats)	a. 1 space/250 square feet of floor area
b. Horse Stable - Commercial	b. 1 space/employee plus 1 space/5 stalls
<i>Arcades and Internet Cyber Cafes</i>	1 space/250 square feet of floor area ⁽¹⁰⁾
<i>Artist Studio</i>	See "Offices - Business & Professional"
<i>Assemblies of People</i> - Entertainment and Non-Entertainment ⁽¹²⁾ (Includes places of worship, fraternal service organizations, indoor theater, stadiums, auditoriums, auction houses, community centers, clubs or meeting halls)	1 space/4 fixed seats or 1 space/30 square feet of floor area in the main assembly area for non-fixed seats. ⁽¹⁰⁾ Additional requirements applicable to incidental Dwelling Unit(s) ⁽¹⁴⁾
<i>Assisted Living (Residential Care Facilities)</i>	0.5 spaces/bed
<i>Astrology and Fortune-telling (Occultist)</i>	See "Offices - Business & Professional"
<i>Auction House (Indoor)</i>	See "Assemblies of People"
B	
<i>Bail Bonds Office</i>	See "Offices - Business & Professional"
<i>Bakery - Retail</i>	See "Retail Sales"
<i>Banks & Financial Institutions/Services, including Brokerages</i>	1 space/180 square feet ⁽¹⁰⁾
a. Automated teller situated as part of a bank or financial institution, located indoor or outdoor	a. No spaces required.
b. Automated teller separate from a bank or financial institution, located outdoor	b. 2 spaces for the first teller station and 1 space per each additional teller station, all located on the same lot or within 100 feet of the teller station. ⁽¹¹⁾
c. Drive through automated teller or indoor automated teller associated with a retail use.	c. No spaces required.
<i>Bars, Saloons, Cocktail, Lounges and Taverns</i>	1 space/100 square feet of floor area ⁽¹²⁾
<i>Bed and Breakfast Inn</i>	1 space/guest room ⁽¹³⁾
<i>Boardinghouse</i>	1 space/guest room ⁽¹²⁾
<i>Boarding of Cats and Dogs/Kennels</i>	See "Animal Keeping"

<i>Brewery/Winery/Distillery</i>	
a. Manufacturing/Wholesale only	a. See "Manufacturing"
b. Off-sale Retail & On-Site Tasting	b. See "Retail Sales"
c. Brewpub	c. See "Restaurant"
<i>Building Materials Supply - Wholesale</i>	See "Warehousing & Wholesale"
<i>Bus Terminal</i>	(5)
<i>Business Support Services</i> (Including graphic reproduction, computer services, etc.)	1 space/250 square feet of floor area ⁽¹⁰⁾
C	
<i>Caretaker Living Quarters</i>	1 space/dwelling unit
<i>Catering Establishment</i>	1 space/employee plus 1 space/500 square feet of floor area ⁽¹⁰⁾
<i>Cemeteries, Mortuaries, Funeral Chapels and ancillary uses</i>	
a. With indoor facilities	a. See "Assemblies of People"
b. Outdoor only	b. ⁽⁵⁾
<i>Check Cashing</i>	See "Banks & Financial Institutions/Services"
<i>Commercial Kitchen (no on-site dining)</i>	See "Manufacturing"
<i>Commercial Storage Facilities</i> (mini-warehouse, self-storage facilities)	1 space/250 square feet of office area plus 1 space for a resident manager or caretaker ⁽¹⁰⁾
D	
<i>Day Care Centers</i> not including family day care homes	1 space/employee plus 1 space/facility vehicle plus 1 space/10 persons at facility capacity. ⁽¹⁰⁾
<i>Drug Store/Pharmacy</i>	1 space/250 square feet of floor area ⁽¹⁰⁾
<i>Dwelling:</i>	
a. Single-family dwelling	a. 2 spaces within a private garage/dwelling unit
b. Single-family dwellings on lots between 3,500 square feet to 5,499 square feet in area	b. 2 covered spaces in a garage or carport
c. Single-family dwellings on lots less than 3,500 square feet in area	c. 1 covered parking space and 1 uncovered space ⁽⁴⁾
d. Multiple-family dwelling	d. 1.5 spaces/dwelling unit with 1 bedroom plus 2 spaces/dwelling unit with 2 or more bedrooms ⁽¹⁾
e. Live/Work, Studio Unit/Tiny Home (Foundation)	e. 1 space/dwelling unit
f. Accessory Dwelling Unit and Junior Accessory Dwelling Unit	f. No replacement parking is required when a garage, carport or covered parking is demolished. No parking is required for the ADU or JADU.

E	
<i>Equipment Sales and Rental:</i>	
a. Small-Sales, Rental and Repair	a. 1 space/500 square feet of office or retail area
b. Large-Sales, Rental and Repair	b. 1 space/500 square feet of office area and 2 spaces/repair bay, in addition to the service bays
F	
<i>Farmers Market - Certified</i>	(5)
<i>Florist Shops</i>	See "Retail Sales"
<i>Flying Schools</i>	See "Schools - Vocational & Technical"
<i>Furniture Upholstery</i>	1 space/500 square feet of floor area ⁽¹⁰⁾
G	
<i>Group Housing:</i>	
a. 6 or fewer residents	a. See "Dwelling"
b. more than 6 residents	b. ⁽⁵⁾
H	
<i>Hangars</i>	1 space/1,000 square feet of floor area
<i>Helipoint or Helistop</i>	(5)
<i>Home Improvement Sales and Service</i>	
a. With outdoor storage/display area	a. 1 space/1000 square feet storage/outdoor display area
b. Under 20,000 square feet	b. 1 space/500 square feet of floor area
c. Over 20,000 square feet	c. 1 space/500 square feet of floor area
<i>Hotel or Motel</i>	1 space/guest room ⁽¹⁰⁾
L	
<i>Laboratories - Research</i>	1 space/250 square feet of floor area
<i>Laundry, Commercial</i>	1 space/350 square feet of floor area
<i>Live/Work Unit</i>	See "Dwelling"
<i>Low Barrier Navigation Center</i>	See "Shelter, Emergency"
<i>Lumber Yard and Building Materials (Wholesale) - With or Without Outdoor Storage</i>	1 space/350 square feet of office area plus 1 space/1000 square feet storage/outdoor display area
M	
<i>Manufactured Dwellings</i>	
a. Single-family dwelling	a. See "Dwelling"
b. Sales	b. See "Vehicle Sales, Rental & Leasing"
<i>Manufacturing</i> ⁽³⁾	1 space/500 square feet of floor area ⁽¹⁰⁾

Medical Services:	
a. Hospital	a. 1 space/bed ⁽¹²⁾
b. Medical/Dental Office	b. 1 space/180 square feet of floor area ⁽¹⁰⁾
c. Laboratory, Research/Development	c. 1 space/250 square feet of floor area
d. Emergency Medical Service - urgent care	d. 1 space/180 square feet of floor area
e. Optometrist office	e. 1 space/250 sq. ft. of floor area (minimum of 5 spaces) ⁽¹⁰⁾
Mobile Home Park	1 space/mobile home site plus 1 off-street guest space/5 mobile home sites
Model Homes	2 spaces/model home
Multiple-family Dwelling	See "Dwelling"
O	
Offices - Business and Professional	1 space/250 square feet of gross floor area ⁽¹⁰⁾
Outdoor sales, display or storage	5 spaces plus 1 space/250 square feet of office area
Outdoor Storage Yard	The greater of: 1 space/4,000 square feet net lot area or 1 space/250 square feet of office space or 1 space/500 square feet of enclosed storage
P	
Parking Lot or Parking Structure	1 space/employee if manned ingress/egress
Parolee/Probationer Home:	
a. 6 or fewer residents	a. See "Dwelling"
b. more than 6 residents	b. ⁽⁵⁾
Pawn Shop/Gold Buying	See "Retail Sales"
Personal Service ⁽⁷⁾	1 space/250 square feet of floor area ⁽¹⁰⁾
Planned Residential Development	⁽⁵⁾
Plant Nurseries ⁽⁶⁾	5 spaces plus 1 space/250 square feet of building area
Publishing & Printing	See "Manufacturing"
R	
Rail Transit Station	⁽⁵⁾
Recreational Facilities - Commercial:	
a. Billiard Parlor and Pool Halls	a. 1 space/250 square feet
b. Bowling Alleys	b. 5 spaces/bowling lane ⁽¹²⁾
c. Skate Facility (indoor/outdoor)	c. 1 space/100 square feet of floor area
d. Amusement Parks	d. ⁽⁵⁾

e. Golf Courses and Driving Ranges	e. 5 spaces/hole, 1.5 spaces/tee on the driving range plus additional spaces required for ancillary uses per the provisions of ~~this Title~~ the Zoning Code .
f. Health/Fitness Club ⁽¹²⁾	f. 1 space/150 square feet of floor area
g. Swimming Pool	g. ⁽⁵⁾
h. Specialty Non-Degree (Dance, Music, Martial Arts or similar)	h. 1 space/250 square feet, or ⁽⁵⁾
i. Other indoor and outdoor facilities	i. ⁽⁵⁾
Recycling Centers:	
a. Paper, glass plastic, aluminum and nonferrous metals	a. 1 space/employee plus 1 space/1,000 square feet of floor area
b. Solid Waste Transfer Stations and Material Recovery Facilities	b. 1 space/employee
Recycling Facilities:	
a. Indoor Collection Center	a. 5 spaces, plus 1 space per employee
b. Reverse Vending Machine	b. No additional parking is required
c. Bulk Reverse Vending Machine	c. ⁽⁵⁾
d. Mobile Recycling Unit	d. 1 space/attendant (if applicable)
Repair Shop - Small Items	See "Retail Sales"
Restaurant (sit-down, drive-through, fast food, take-out, café, cafeteria, excluding any outdoor dining area)	1 space/100 square feet of floor area ⁽¹⁰⁾
Retail Sales (uses not located in a regional shopping center - i.e., In the CRC Zone) ⁽⁸⁾	1 space/250 square feet of floor area ⁽¹⁰⁾
S	
Schools:	
a. College, Community College, University, and Professional	a. ⁽⁵⁾
b. Elementary or Secondary (Junior High)	b. 2 space/classroom plus 2 bus loading spaces
c. High School	c. 7 spaces/classroom plus 3 bus loading spaces
d. Vocational and Technical	d. 0.75 spaces/employee plus 0.75 spaces/student at maximum enrollment ⁽⁹⁾ ⁽¹⁰⁾
Senior Housing	1 space/unit ⁽²⁾
Shelters, Emergency	Sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking than that for other residential or commercial uses within same zone.
Shopping Center - Regional (i.e., in the CRC Zone)	1 space/200 square feet of gross leasable floor area

Showroom	1 space/500 square feet of floor area
Single-family Dwelling	See "Dwelling"
Single Room Occupancy (SRO)	1 space/dwelling unit
Smog Shop	See "Vehicle Repair Facilities"
Sober Living Homes	See "Dwelling"
Student Housing (including dormitories, fraternities, sororities, etc.)	1.1 spaces/bed; or 0.5 space/bed within 1/4 mile of a major transit stop ⁽¹⁶⁾ or campus ^{(10) (17)}
Supportive Housing	See "Dwelling"
T	
Tattoo & Body Piercing Parlors	See "Personal Service"
Taxi Company with Vehicle Storage	1 space/taxi plus 1 space/250 square feet of office area
Tiny Home Community	
a. Foundation	a. See "Dwelling"
b. Chassis	b. See "Mobile Home Park"
Transitional Housing	See "Dwelling"
Tutoring Center	1 space per each faculty/staff; 1 space/2 students, for students 16 years old or older; and, 1 space/10 students, for students under 16 years old
V	
Vehicle Fuel Station:	
a. With Accessory Retail/Convenience Market	a. 1 space/250 square feet of retail area including cooler areas ⁽¹¹⁾
b. With Vehicle Maintenance/Repair	b. 2 spaces/service bay ⁽¹¹⁾
c. With Indoor Storage Area	c. 1 space/1,000 square feet of storage area ⁽¹¹⁾
d. With Restaurants (including all cooking, serving and seating areas)	d. 1 space/100 square feet of floor area ⁽¹¹⁾
e. With Car Wash	e. 1 space/washing bay, not including vacuum stalls ⁽¹¹⁾
Vehicle Impound & Tow	(5)
Vehicle Parts and Accessories	
a. Sales Only	a. See "Retail Sales"
b. Sales and Installation (Indoor Only)	b. See "Vehicle Repair Facilities"
Vehicle Repair Facilities - Major or Minor	6 spaces on same lot plus 2 additional spaces/service bay, in addition to the service bays ⁽¹¹⁾

<i>Vehicle Sales, Rental, Leasing</i> - New or Used	
a. Without Outdoor Display	a. See "Retail Sales"
b. With Outdoor Display	b. 5 spaces plus 1 space/250 square feet of office area
<i>Vehicle Wash Facilities:</i>	
a. Full Service and Express	a. 1 space/2 employees of largest shift, not including vacuum stalls (adequate stacking and drying areas as determined by Conditional Use Permit)
b. Self Service - (No separate office or retail use)	b. 1 space/2 washing bays or stalls in addition to the bays, not including vacuum stalls
<i>Vehicle Wholesale Business</i>	
a. Indoor (less than 5,000 sq. ft.)	a. See "Offices"
b. Outdoor & Indoor (over 5,000 sq. ft.)	b. ⁽⁵⁾
<i>Veterinary Services</i> (clinic and hospital, may include accessory grooming and boarding)	1 space/180 square feet of floor area
W	
<i>Warehousing and Distribution Facilities</i>	
a. 10,000 sq. ft. or less	1 space/1,000 square feet of floor area plus 1 space/250 square feet of office area ⁽¹³⁾
b. Greater than 10,000 sq. ft. and less than 100,000 sq. ft.	
c. 100,000 sq. ft. or more	
<i>Wireless Telecommunication Facilities</i>	⁽⁵⁾

Table 19.580.060**Notes:**

1. See Section 19.580.070 B (Multiple Family Dwellings) for additional requirements. For the purpose of calculating parking requirements for multiple family dwellings, dens, studies, or other similar rooms that may be used as bedrooms shall be considered bedrooms.
2. For senior housing projects, 50 percent of the required spaces shall be covered either in a garage or carport.
3. For the purposes of parking requirements, this category includes corporation yards, machine shops, tin shops, welding shops, manufacturing, processing, packaging, treatment, fabrication, woodworking shops, cabinet shops, and carpenter shops and uses with similar circulation and parking characteristics.
4. Required parking spaces may be in tandem.

5. Parking ratio to be determined by the designated Approving or Appeal Authority in conjunction with required land use or development permits, based on the impacts of the particular proposal and similar uses in this table.
6. Excluding lath and green houses.
7. Includes barber shops, beauty salons/spas, massage, tanning, tailors, dry cleaning, self-service laundry, travel agencies, electrolysis, acupuncture/acupressure, and tattoo parlors.
8. For the purposes of parking requirements, this category includes antique shops, gun shops, pawn shops, pet stores, and second-hand stores.
9. Additional parking for assembly rooms or stadiums is not required.
10. Parking may be provided on the same lot or within 300 feet of the subject site.
11. The pump islands are not counted as parking stalls.
12. A reduction in the number of required parking spaces may be permitted subject to a parking study and a shared parking arrangement.
13. Where strict adherence to any parking standards would significantly compromise the historic integrity of a property, the Community & Economic Development Director, or his/her designee, may consider variances that would help mitigate such negative impacts, including consideration of tandem parking, allowances for on-street parking, alternatives to planter curbing, wheel stops, painted striping, and asphalt or concrete surfacing materials.
14. Parking shall be provided in accordance with Section 19.545.060 (Parking Standards Incentive). A parking analysis may be provided to justify modifications from those standards. The parking analysis shall identify the parking needs to address the operating hours and characteristics of the operations to provide for adequate parking at all times.
15. Refer to Section 19.580.060 E for new uses within a designated cultural resource as defined in Chapter 20 of ~~this the Riverside Municipal~~ Code.
16. As defined in Article X - Definitions.
17. Campus shall have the same meaning as "School, professional institution of higher education" as defined in Article X - Definitions.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank>
web="yes">Ord. 7683, § 10(Exh. G), 2024; Ord. (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank>
web="yes">7652 § 11, 2023; Ord. (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank>
web="yes">7609 §§ 5, 6(Exh. C), 2022; Ord. (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank>
web="yes">7592 § 8(Exh. I), 2022; Ord. ([http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank](#)

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank" web="yes">7573</ulink> § 1(Exh. A), 2021; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank" web="yes">7528</ulink> § 1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/reordinance.aspx?ordinanceid=111636&datasource=ordbank" web="yes">7520</ulink> § 1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1029113&datasource=ordbank" web="yes">7519</ulink> §§ 1, 2(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank" web="yes">7505</ulink> § 1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank" web="yes">7487</ulink> § 15(Exh. E), 11-5-2019; Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank" web="yes">7457</ulink> § 1(Exh. A), 2019; Ord. 7408 § 1, 2018; Ord. 7331 § 94, 2016; Ord. 7235 § 11, 2013; Ord. 7109 § 11, 2010; Ord. 6966 § 1, 2007)

19.580.070 Off-street parking location and type requirements.

A. Single family dwellings.

1. *Required number and type of spaces.* See Table 19.580.060 (Required Spaces) Dwelling-Single Family.
 - a. *Tandem parking:* May be provided to satisfy the minimum parking requirement on lots less than 3,499 square feet in area.
2. *Parking location in the front and side yard areas.*
 - a. Parking and maneuvering in front yard areas of single-family residential zones for all vehicles, except recreational vehicles exceeding 10,000 pounds gross vehicular weight, shall be limited to the space within a carport or garage plus a paved driveway between such garage or carport and the street from which it is served, not exceeding the width of the garage.
 - b. In addition, front and side yard areas may also be paved for the parking and maneuvering of vehicles as set forth in Section 19.580.070.A.3 below.
3. *Permitted driveway locations.*
 - a. House with attached or detached garage or carport: The space between the driveway serving the garage or carport and the nearest side property line, with such paving permitted to extend as far as the rear of the residential structure, such space not to exceed 20 feet in width beyond the driveway serving the garage or carport. (See Figure 19.580.070 A.3.a - House with Attached Garage)

19.580.070 A.3.a.

House with Attached Garage

[GRAPHIC]

19.580.070 A.3.a.

House with Attached Garage

[GRAPHIC]

- b. House with detached garage or carport, served by adjacent street: The space between the driveway and the nearest side property line, extending as far as the rear of the garage or carport, such space not to exceed 20 feet in width beyond the driveway serving the garage or carport. (See Figure 19.580.070 A.3.b - House with Detached Garage)

19.580.070 A.3.b.

House with Detached Garage

[GRAPHIC]

- c. House with detached garage or carport served from an alley: A space, not exceeding 20 feet in width, adjacent to a side property line. Such paved space may extend no further than the space between the street and the rear of the house. Installation of such a driveway is subject to approval of a driveway curb cut by the Public Works Department. (See Figure 19.580.070 A.3.c - House with Detached Garage Served by Alley)

19.580.070 A.3.c.

House with Detached Garage Served by Alley

[GRAPHIC]

- d. Circular drives: A house with one street frontage and at least 80 feet of width, or any house with two street frontages may be served by a circular drive. In addition, the space between the circular drive and the nearest interior side property line may be paved, provided this additional paving does not exceed 20 feet in width beyond the point from the nearest point of the circular driveway and the interior side property line, nor extend further than the distance between the street and the rear of the residence. No circular drive will be approved without the approval of the Public Works Director for two driveway openings. (See Figure 19.580.070 A.3.d - House with Circular Drive)

19.580.070 A.3.d.

House with Circular Drive

[GRAPHIC]

- e. Special requirements for driveway extensions in street side yard areas: Where the area proposed for driveway expansion is a street side yard, the portion of the driveway behind the front setback must be screened from the adjoining street by a six-foot-high solid fence or wall.

f. Arterial streets: No residential drives shall be permitted on arterial streets as shown on the General Plan Circulation and Transportation Element except where no other access to the property exists.

g. Second driveways:

- (1) Are allowed in the RA-5 and RC Zones.
- (2) In other Single-Family Residential Zones, a second driveway may be added if the property has 80 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning Division and Public Works Department.
- (3) A circular driveway is not considered a second driveway.

4. *Recreational vehicle parking in residential zones.*

- a. *Recreational vehicles 10,000 pounds gross vehicular weight or less.* Permitted parking and maneuvering areas shall be the same as those specified in 19.580.070.A.3.
- b. *Recreational vehicles over 10,000 pounds gross vehicular weight.* Permitted parking and maneuvering areas shall be the same as those specified in Section 19.580.070.A.3 provided that:
 - (1) The vehicle at no time creates a sight obstruction that poses a safety hazard pursuant to Chapter 19.550.050 - Sight clearance requirements.
 - (2) At no time shall a recreational vehicle be permitted to encroach into the public right-of-way.
 - (3) A minimum of ten feet of space is maintained between the recreational vehicle and the back of the sidewalk.
 - (a) If there is no sidewalk between the property and the curb, a minimum of 15 feet shall be maintained between the recreational vehicle and the end of the paved driveway or property line, whichever is nearest.
- c. *Access.* A side yard area used for recreational vehicle parking shall be accessible from the property's existing driveway.
 - (1) Only one driveway opening is permitted, except in the case of an existing circular driveway.
 - (2) Driveway openings may require widening to accommodate side-yard recreational vehicle parking, subject to the approval of the Public Works Department.
 - (3) A second driveway may be added if the property has 100 feet or more of street frontage or has frontage on two streets, subject to approval by the Planning Division and Public Works Department.
- d. A recreational vehicle may not have utility hookups or be used as living quarters except as permitted by Section 19.465 (Caretaker Living Quarters - Temporary).
- e. *Registration and vehicle condition.* All recreational vehicles parked outside of a completely enclosed garage shall be currently and legally registered except as provided for by State law and shall be in an operable and movable condition within one hour. Motorized recreational vehicles, shall be movable under their own power. Boats and other nonmotorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.

5. *Nonconforming rights.* A non-paved driveway legally established prior to the adoption of this Code section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this Code section, is not subject to the paving requirements of this ~~Section~~ unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning and Building Departments.

B. Multiple family dwellings.

1. Required number and type of spaces.
 - a. Number of spaces: See Table 19.580.060 (Required Spaces) - Dwelling-Multiple Family.
 - b. Covered parking required: At least 75 percent of the total required spaces shall be in a carport or fully enclosed.
 - c. Distribution of covered parking: Garages and carports shall be distributed evenly throughout the project. Landscaped planters shall be required between garage structures as determined by the ~~Staff Application Review Team-Development Review Committee~~. Required covered parking (garages and/or carports) shall not be used for household storage.
 - d. Tandem parking: May be provided to satisfy the minimum parking requirement, when assigned to residential dwelling units with two or more bedrooms.

C. Nonresidential uses.

1. Except as provided in this ~~Section~~, landscaped front and street side yard setbacks shall not be used for the off-street parking of vehicles or for off-street parking spaces, turning or maneuvering aisles. However, entrance and exit drives, as a means of ingress and egress to off-street parking spaces, shall be permitted to cross landscaped front and street side yard setbacks.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 11, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank> web="yes">7652 § 12, 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 8(Exh. I), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">7573 § 1(Exh. A), 2021; Ord. 7408 § 1, 2018; Ord. 7331 § 94, 2016; Ord. 7109 §§ 12, 13, 2010; Ord. 6966 § 1, 2007)

19.580.080 Design standards.

A. Parking space dimensions.

1. Table 19.580.080 A. (Off Street Vehicle Parking Space Dimensions) sets forth minimum size requirements for individual parking spaces. Design standards for handicapped parking stalls shall be provided in compliance with current requirements of the Uniform Building Code.
2. Compact spaces.
 - a. Up to 15 percent of the onsite parking spaces may have compact dimensions as set forth in Table 19.580.080A.
 - b. Calculations that result in fraction of a space shall be rounded to the nearest whole number.

- c. Compact spaces shall not be permitted for single-family dwellings.
3. Parking spaces that are parallel and adjacent to a building, fence/wall, or other door swing or pedestrian access obstruction shall be nine and one-half feet wide.
 4. All off-street parking spaces shall be indicated by white or yellow painted stripes not less than four inches wide or by other means acceptable to the Planning Division. Handicapped accessible spaces shall be indicated by blue painted stripes, signs and markings, in accordance with State of California requirements.
 5. Except in the case of individual tree well planters, the minimum paved depth of a parking space shall not be reduced by an overhang into a planter.
 6. Tandem parking shall not be permitted to satisfy the minimum parking requirement, except as provided in Section 19.580.070 B.1.d (Multiple Family Dwellings) and Section 19.580.070.A.1.a. (Single-family dwellings).
 7. Angled Parking Spaces. Any parking layout incorporating angled parking spaces shall illustrate that minimum space dimensions are met by overlaying a rectangle (having the minimum required dimensions - Standard or Compact) onto each angled space so that no overhang occurs on the adjoining spaces, planters or drive aisles.
 8. One-car garages shall have a minimum interior dimension of 12 feet wide and 20 feet deep.
 9. Two-car garages shall have a minimum interior dimension of 20 feet wide and 20 feet deep.

Table 19.580.080 A. Off-Street Vehicle Parking Space Dimensions		
Type of Parking Space	Size of Parking Space (minimum)	
	Width	Length
Standard	9 ft.	18 ft.
Compact (where permitted)	8 ft.	16 ft.

B. Drive aisle and driveway width dimensions.

1. Each parking space shall have adequate drives, aisles and turning and maneuvering areas for access in accordance with Table 19.580.080 B. (Overall Parking Aisle Width).

Table 19.580.080 B. Overall Parking Aisle Width				
	Parking Angle in Degrees			
	45	60	75	90
Aisle Width				
a. One-Way Traffic	12 ft.	16 ft.	18 ft.	24 ft.
b. Two-Way Traffic				24 ft.

2. The minimum driveway widths for different use categories are established in Table 19.580.080 C (Minimum Driveway Widths). On-drive parking is prohibited at the minimum widths, except for single-family residential uses.

Table 19.580.080 C. Minimum Driveway Widths		
Use	Driveway minimum width	Notes, Exceptions and Special Provisions
Single-Family Residential	10 ft.	
Multi-Family Residential (one-way)	12 ft.	Driveways shall be 150 ft. or less in length with no on-drive parking and located adjacent to one- or two-story buildings
Multi-Family Residential (two-way)	20 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be a minimum of 24 ft.
Nonresidential (one-way)	12 ft.	A driveway providing access to ten or fewer parking spaces may be reduced to ten ft. The total length of the ten-foot-wide driveway shall not exceed 75 feet.
Nonresidential (two-way)	20 ft.	The portion of the driveway used as maneuvering area for adjacent parking bays shall be 24 ft.

C. Vehicular access and circulation.

1. Accessibility and usability: Driveways shall not be used for any purpose that would prevent vehicle access to parking spaces, or inhibit circulation or emergency service response.
2. Access to adjacent roadways: Parking spaces within a designated parking lot shall be designed to provide the minimum required turning and maneuvering areas, so vehicles can enter an abutting street in a forward direction (alleys may be used for maneuvering space).
3. Circulation: Within a parking lot, circulation shall be such that a vehicle entering the parking lot need not enter the street to reach another aisle and that a vehicle shall not enter a public street backwards. Internal circulation, including safe entrances and exits shall be provided meeting the established standards and specifications of the Planning Division and Public Works Department.
4. Visibility at driveways: Driveways shall be designed and located in such a manner so as to ensure proper visibility to on-street traffic. Driveway design shall take into consideration slopes, curvature, speed, and conflicting turning movements in the area. Clear visibility shall be maintained from the driveway by keeping the designated clear vision triangle free of obstacles such as signs, landscaping, and structures. See Article X (Definitions) for a description of the clear vision triangle.

D. Parking structures.

1. Parking spaces located within a parking structure shall be provided with safe entrances and exits, turning and maneuvering areas and driveways meeting the established standards and specifications of the Planning Division and Public Works Department.

2. Driveways and turning and maneuvering areas in parking structure shall be paved with not less than two and one-half inches of asphaltic concrete or an equivalent surfacing meeting the specifications of the Public Works Department and shall be maintained in good repair.
3. Parking structures shall have a minimum landscaped setback of 15 feet along all street frontages, except in the area bounded by First Street, Fourteenth Street, State Route 91, and Locust Street, where a ten-foot landscaped setback shall be provided along all street frontages. When a greater setback is required by the zone in which the parking structure is located, such greater setback shall prevail.
4. Parking structures shall have, along all street frontages, a three-foot high buffer to such parking structure consisting of a decorative masonry wall, solid hedge or landscaped mound or any combination thereof. Masonry walls and hedges shall be situated at the rear of the landscaped setback required by Subsection 3 of this Section.
5. Piers and pillars shall not encroach into parking stalls.

E. *Garage/carport-architectural design.* Garages and carports required for residential development shall be consistent with the architectural design of the primary buildings by using similar materials and roof pitches.

F. *Paving.*

1. Required parking, loading areas and circulation areas shall be paved with not less than three inches of asphalt concrete or an equivalent impervious surface meeting the established standards and specifications of the Public Works Department. They shall be graded and drained so as to dispose of all surface water, and shall be maintained in good repair; provided that those portions of single-family residential driveways extending beyond a point 100 feet back from the street property line in the RE, RA and R-1 Zones may be surfaced with an alternate material as determined by the Public Works Department; and further provided that in the RE Zone, the driveways within the bridle paths of equestrian trails shall not be paved.
2. A non-paved driveway legally established prior to the adoption of this Code Section, including any expansion of the driveway to provide additional off-street parking subsequent to the adoption of this Code Section, is not subject to the paving requirements of this Section unless the use and maintenance of such driveway and parking area lapses for a period of one year or more or unless the use served by the driveway is expanded. However, both the existing driveway and the additional parking area shall be surfaced with a weed- and dust-resistant material to the specifications of the Fire and Planning Division.
3. The Community & Economic Development Director or his/her designee shall have the authority to administratively grant exceptions to the paving material and location restrictions, consistent with the purposes of this Section, where special circumstances relating to property context, configuration, terrain, landscaping or structure locations make adherence to the paving location restrictions of this Section impractical. Any such decision by the Community & Economic Development Director or his/her designee may be appealed to the City Council.

G. *Pedestrian access and circulation.* All multi-family and nonresidential developments shall be designed with a minimum of one designated pedestrian path from each abutting street to the primary entrance(s) to such use. Access shall be distinct from the vehicle access, visibly delineated, and designed to be safe and convenient. Specifically, internal pedestrian walkways shall be distinguished from driving surfaces through the use of raised sidewalks, special pavers, bricks, or scored/stamped concrete.

H. *Drainage.* Drainage facilities shall be provided in all public parking areas capable of handling and maintaining the drainage requirements of the subject property and surrounding properties. Drainage

facilities shall be designed to dispose of all surface water consistent with Regional Water Quality Control Board standards, and to alleviate the creation of flooding and drainage problems.

- I. *Curbing and bumper or wheel stops.* Bumper stops not less than two feet in height or wheel stops not less than six inches in height shall be erected adjacent to any building or structure, wall, fence, property line, or walkway to protect other property. Areas containing plant materials shall be bordered by a concrete curb at least six inches high and six inches wide. Alternative barrier design to protect landscaped areas from damage by vehicles may be approved by the [Staff Application Review Team Development Review Committee](#).
- J. *Lighting.* Parking areas shall have lighting capable of providing adequate illumination for security and safety. Also see Section 19.590.070 (Light and Glare) and Chapter 19.556 (Outdoor Lighting).
- K. *Walls.* When adjoining or across an alley from any residentially zoned or residentially used lot, a masonry wall six feet in height shall be erected and maintained so as to physically separate the parking, loading or sales area from the residential property; provided that such wall shall be three feet high within the required front or street side yard area, or, where no front or street side yard area is required, such wall shall be three feet high within ten feet of the street line. Also, see Chapter 19.550 (Fences, Walls and Landscape Materials).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 12, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank> web="yes">7609 § 7, 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 8(Exh. I), 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">7573 § 1(Exh. A), 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 16, 11-5-2019; Ord. 7331 § 94, 2016; Ord. 7109 §§ 14, 15, 2010; Ord. 6966 § 1, 2007)

19.580.090 Parking lot landscaping.

Within parking lots, landscaping shall be used for shade and climate control, to enhance project design, and to screen the visual impact of vehicles and large expanses of pavement as set forth in the following paragraphs.

- A. *Shade.* Trees shall be planted and maintained in all parking lots at a ratio of one tree for every four parking spaces (that may be clustered or grouped). The trees shall be placed throughout the parking lot in a manner that will ensure that all portions of the lot receive tree shade. Trees shall be of a variety that provide a broad canopy.
- B. *Screening.*
 - 1. Between parking lot and street right-of way: Landscaping shall be designed and maintained for partial screening of vehicles to a minimum height of three feet, measured from the finished grade of the parking lot. Screening materials may include any combination of plant materials, earthen berms, solid masonry walls, raised planters, or other screening device deemed by the Community & Economic Development Director or his/her designee to comply with the intent of this requirement. This provision shall not apply in those instances where a masonry wall is required and when such property is used for a single-family residence.

2. Between drive-through lane and street right-of way: An immediate three-foot-high landscape screen shall be established along the outer edge of drive-through aisles. Screening materials may include a combination of plant materials, wall, raised planters, and berm as approved by the Approving Authority.

C. *Percent coverage.* Except in any industrial, airport and railway base zone, parking lots having more than 20 spaces shall have a minimum of five percent of the parking lot area landscaped. Parking lot landscaping shall not count toward required landscape coverage otherwise required for the zoning district in which a project is located and is in addition to required landscaped setbacks.

D. *Landscaped setbacks.*

1. For 20 or fewer parking spaces: A minimum ten-foot-wide landscaped setback is required along all street frontages for parking, loading and outdoor vehicle sales areas.
2. For 21 or greater parking spaces: A minimum 15-foot-wide landscaped setback is required along all street frontages for parking, loading, and outdoor vehicle sales areas.
3. When a greater setback is required by the zone: The greater setback shall prevail along all street frontages for parking, loading, and outdoor vehicle sales areas.
4. When adjacent to a residentially zoned or residentially used lot: A minimum five-foot-wide landscaped setback is required along all property lines shared with a residentially zoned or residentially used lot for parking, loading and outdoor vehicle sales areas in conjunction with the required six-foot high masonry wall.

E. *Irrigation.* All landscaped areas shall be equipped with an underground automated irrigation system.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank" web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. 7331 §94, 2016; Ord. 7235 §12, 2013; Ord. 6966 §1, 2007)

19.580.100 Prohibition of commercial, heavy or oversize vehicle parking.

- A. It is unlawful for the driver, owner or operator of any motor truck of a gross vehicle weight rating (GVWR) of more than 10,000 pounds or truck tractor, or trailer of a gross vehicle weight rating (GVWR) of more than 10,000 pounds of more than 10,000 pounds, or any combination thereof, to park, or cause to be parked, any such vehicle upon any public street, or alley, or on any residentially zoned property, within the residential districts of the City of Riverside as defined by Section 515 of the State of California Vehicle Code.
- B. It is unlawful for the driver, owner or operator of any motor truck, truck tractor, or trailer or any combination thereof, of a size larger than eight feet in height and/or 24 feet in length, to park, or cause to be parked, any such vehicle upon any public street, or alley, or on any residentially zoned property, within the residential districts of the City of Riverside as defined by Section 515 of the State of California Vehicle Code.
- C. For the purpose of this **S**ection, gross vehicle weight rating (GVWR) means the manufacturer's rated capacity for the motor truck, truck tractor and/or trailer.
- D. It is unlawful to park, except for immediate loading and unloading of goods or to provide immediate services, any motor truck of a gross vehicle weight rating (GVWR) of more than 10,000 pounds, truck tractor, or trailer of a gross vehicle weight rating (GVWR) of more than 10,000 pounds, or any combination thereof, or any motor truck, truck tractor, or trailer or any combination thereof, of a size

larger than eight feet in height and/or 24 feet in length, on residentially zoned property within the City limits.

- E. Recreational vehicles such as motor homes and travel trailers are exempted from the provisions of this [Section](#); however, they remain subject to Section 19.580.070 A.4(Off-street parking location and type requirements).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

19.580.110 Off-street loading requirements.

At the time of erection, establishment or enlargement of any land use involving the receipt and distribution by vehicles of materials and merchandise, there shall be provided and maintained for such new use or construction at least one loading space of not less than ten feet in width, 22 feet in length and 14 feet in height, with adequate ingress and egress from a public street or alley for each 4,000 square feet of gross floor area or fraction thereof; provided that not more than two of such spaces shall be required unless the floor area exceeds 20,000 square feet, in which case the site plan shall be submitted to the Approving Authority for the establishment of the required loading spaces. Such loading space, together with necessary driveways and turning and maneuvering areas, shall be developed and maintained in conformity with the requirements for off-street parking areas, and shall meet the established standards and specifications of the Planning Division.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

19.580.120 Maintenance for off-street parking.

- A. It shall be the responsibility of the property owner to ensure that all off-street parking spaces and areas required by this [Chapter](#) are maintained for the duration of the improvement or use requiring the parking area. Surfacing required for temporary lots shall be as determined by designated Approving or Appeal Authority.
- B. All parking facilities, including curbs, directional markings, handicapped symbols, landscaping, pavement, signs, striping, and wheel stops, shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions, and stored material.
- C. Drive aisles, approach lanes, and maneuvering areas shall be marked and maintained with directional arrows and striping to expedite traffic movement. Any area not intended for parking shall be signed as such, or in areas where curb exists, the curb may be painted red in lieu of signs. All signing and striping installations shall be in conformance with the current standards or as otherwise deemed necessary by the Community & Economic Development Director or his/her designee to ensure safe and efficient traffic flow in or about any parking facility.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

19.580.130 Enforcement.

- A. All vehicles, including recreational vehicles, parked outside of a completely enclosed garage shall be currently and legally registered except as provided for by State law and shall be in an operable and movable condition within one hour. Motorized vehicles, including recreational vehicles, shall be movable under their own power. Boats and other non-motorized vehicles, such as trailers, shall be movable by a towing vehicle customarily used for the type of vehicle being towed.
- B. Those persons authorized to issue citations pursuant to the [this Riverside Municipal](#) Code and any police officer, any parking control checker and the Director of Public Works, or designee, is authorized and empowered to enforce this parking regulation and to issue parking control notices related thereto as provided by the State of California Vehicle Code Section 40202.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank"
web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank"
web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. <ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank"
web="yes">7487</ulink> § 17, 11-5-2019; Ord. 7331 §94, 2016; Ord. 6966 §1, 2007)

Chapter 19.590 PERFORMANCE STANDARDS

19.590.010 Purpose.

19.590.020 Applicability.

19.590.030 Hazardous and toxic materials.

19.590.050 Radioactivity.

19.590.060 Electric and electromagnetic disturbances and hazards.

19.590.070 Light and glare.

19.590.080 Odor.

19.590.090 Noise.

19.590.100 Heat.

19.590.110 Retail storefront window transparency.

19.590.010 Purpose.

- A. This [Chapter](#) describes certain characteristics associated with the design and operation of development that have the potential to create negative impacts on surrounding uses. Provisions herein identify the potential nuisance, establish thresholds for compliance, and explain the intent of development and operational standards to reduce potential impacts.

B. Performance standards are provided to:

1. Establish standards by which potential development related nuisances can be assessed, measured, and otherwise dealt with factually and objectively.

2. Ensure that all such nuisances are controlled in the design and engineering phases of new development projects.
3. Provide a framework by which potential impacts can be assessed and appropriate conditions applied in granting special use and conditional use permits.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.020 Applicability.

- A. These performance standards shall apply to all uses in all zones, except for legal nonconforming uses, as determined by the Community & Economic Development Director or his/her designee.
- B. Compliance may be waived by the City Council if a building condition created under prior ordinances physically precludes the reasonable application of the standards. Additional categorical exceptions from compliance with the performance standards are as follows:
 1. Temporary activities, such as festivals and other special events with approved temporary use permits or other required permits, where such activities otherwise comply with other applicable provisions of ~~this Title~~the Zoning Code.
 2. Emergency activities subject to approval of an appropriate City Authority.
 3. Construction activities, where such activity is temporary in nature and explicitly regulated by other sections of ~~this the Municipal~~ Code.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.030 Hazardous and toxic materials.

- A. The intent of this ~~S~~section is to protect local health, safety and general welfare by ensuring that the design and operational characteristics of a property or use does not adversely impact neighboring property owners, neighboring property users or the general public through the accidental or intentional release or use of hazardous materials.
- B. The use, handling, storage and transportation of hazardous and extremely hazardous materials shall comply with the provisions of the California Hazardous Materials Regulations (California Administrative Code, Title 22, Division (4). The U.S. Environmental Protection Agency (EPA) and the California Department of Health Services (DHS) identify hazardous materials and prescribe handling, use and disposal practices. The use, storage, manufacture and disposal of hazardous materials shall be regulated and monitored according to the standards established by these agencies and any delegated government agencies.
- C. The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of the Uniform Fire Code. No gasoline or other inflammables or explosives shall be stored unless the location, plans, and construction conform to the laws and regulations of the State of California and have the approval of the City of Riverside.
- D. Toxic gases or matter shall not be emitted that can cause any damage to health, to animals or vegetation, or other forms of property, or that can cause any excessive soiling beyond the lot lines of the use.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.050 Radioactivity.

No use shall be permitted that emits radioactivity in dangerous amounts. The use, handling, storage, and transportation of radioactive materials shall comply with the provisions of the California Radiation Control Regulations (California Administrative Code, Title 17).

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.060 Electric and electromagnetic disturbances and hazards.

No use shall be permitted where electric or electromagnetic interference results and adversely affects the operation of any equipment other than that belonging to the creator of such interference, or that does not conform to the regulations of the Federal Communications Commission.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.070 Light and glare.

- A. Lighting for safety purposes shall be provided at entryways, along walkways, between buildings, and within parking areas.
- B. Except for stadium and playing field lighting, lighting support structures shall not exceed the maximum permitted building height of the zone where such lights are located. Furthermore, the height of any lighting shall be the minimum required to accomplish the purpose of the light. Freestanding pole lights shall not exceed a maximum height of 14 feet within 50 feet of a residentially zoned property or residential use.
- C. The candle-power of all lights shall be the minimum required to accomplish the purpose of the light.
- D. Flickering, flashing or strobe lights shall not be permitted. All lights shall be constant and shall not change intensity or color more often than once every 30 minutes.
- E. Aircraft search lights normally used to draw attention to a business from off-site are prohibited.
- F. Lighting where required for parking lots shall be provided at a level no less than one foot candle throughout the lot and access areas, and such lighting shall be certified as to its coverage, intensity and adherence to Section 19.590.070 (Light and Glare) and Chapter 19.556 (Lighting) by a qualified lighting engineer.
- G. All lights shall be directed, oriented, and shielded to prevent light from shining onto adjacent properties, onto public rights-of-way, and into driveway areas in a manner that would obstruct drivers' vision.
- H. Lighting for advertising signs shall not cause light or glare on surrounding properties.
- I. Lighting shall not be directed skyward or in a manner that interferes with the safe operation of aircraft.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.080 Odor.

- A. This ~~S~~ection establishes regulations intended to prevent the exposure of persons to offensive odors. Odors from gases or other odorous matter shall not be of such intensity beyond the lot line of the use so as to be offensive to a reasonable person of normal sensitivity.

- B. Any process that creates or emits any odors, dust, smoke, gases, or other odorous matter shall comply with applicable standards set by the South Coast Air Quality Management District (SCAQMD).

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.090 Noise.

- A. These regulations aim to prohibit unnecessary, excessive and annoying noises from all sources, as certain noise levels are detrimental to the health and welfare of individuals. The standards apply to all land uses in all zones unless otherwise specified in ~~this Title~~the Zoning Code or other applicable law. In addition to the requirements of this ~~C~~chapter, any use or activity within the City shall comply with the noise regulations of Title 7 (Noise Control) of ~~this~~the Riverside Municipal Code.
- B. No person shall create nor allow the creation of noise that causes the noise level when measured on any property to exceed the noise standards set forth in Title 7 (Noise Control) of ~~this~~the Riverside Municipal Code.
- C. Utilization of compressors or other equipment, including but not limited to vents, ducts, and conduits, but excluding window or wall-mounted air-conditioners, that are located outside of the exterior walls of any building, shall be enclosed within a permanent, noncombustible, view-obscuring enclosure to ensure that the equipment will not emit noise in excess of the American National Standards Institute specifications for sound level meter ANSI S1.4-1971 or the latest approved revision thereof.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.100 Heat.

Heat from any source shall not be produced beyond the lot lines of the use so as to be offensive to a reasonable person of normal sensitivity.

(Ord. 7331 §95, 2016; Ord. 6966 §1, 2007)

19.590.110 Retail storefront window transparency.

- A. Intent. These regulations aim to enhance retail storefront design and encourage safe, attractive and dynamic commercial areas.
- B. At least 75% of the window surface area shall be transparent. Fully opaque treatments or coverings including any allowable window signs, exceeding 25% of the window surface area are prohibited.
- C. Window signs as defined in Chapter 19.910 shall not be applied to more than 25% of the window area.
1. Storefronts with all windows completely opaque or “blacked-out” with no transparency is prohibited.
 2. Vacant storefronts with no business occupying the tenant space may temporarily apply window signs up to 100% of the window area, until the tenant space is occupied.
 - a. Window signs for vacant storefronts may promote leasing contacts for the property subject to the permit requirements of Section 19.620.090 Temporary Signs.
- D. Window signs shall comply with the requirements of Chapter 19.620.

E. Exceptions. Areas for storage or mechanical and/or utility equipment shall not be subject to the provisions of this Ssection.

Chapter 19.620 GENERAL SIGN PROVISIONS

19.620.010 Authority.

19.620.020 Findings and purpose.

19.620.030 Applicability and scope.

19.620.040 Exempt signs.

19.620.050 Prohibited signs.

19.620.060 Design principles.

19.620.070 General provisions for all sign types.

19.620.075 Development standards for all sign types.

19.620.080 Standards for specific sign types by district and use type.

19.620.090 Temporary signs.

19.620.100 Procedures for sign review and approval.

19.620.110 Sign programs.

19.620.120 Historic signs.

19.620.130 Nonconforming signs.

19.620.140 Enforcement.

19.620.150 Definitions.

19.620.010 Authority.

This Cchapter is adopted pursuant to the authority vested in the City of Riverside and the State of California, including but not limited to: the State Constitution Article XI, Section 5, California Government Code Sections 65000 et seq., 38774, 38775, 65850(b), California Business and Professions Code Section 5230, and Penal Code 556.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.020 Findings and purpose.

The City Council finds that unregulated and uncontrolled construction, erection, and lack of maintenance of signage in the City will result in excessive and inappropriate signage that has an adverse impact on the overall visual appearance of the City, which will adversely affect economic values. Unregulated and inappropriate signage can also increase risks to traffic and pedestrians by creating hazards and unreasonable distractions. It is, therefore, necessary to enact sign regulations to safeguard and preserve

the health, property and public welfare of Riverside residents through control of the design, construction, location and maintenance of signs as an information system, which preserves and enhances the aesthetic character and environmental values of the City of Riverside, its residential neighborhoods and commercial/industrial districts consistent with the goals, policies, and strategies of the General Plan while providing an effective means for members of the public to express themselves through the display of signs. Regulations within this Chapter will minimize visual clutter, enhance safety through design and placement of signs, and preserve the aesthetics and character of the community. By adopting this Chapter, the City Council intends to balance the needs of the City's residents, businesses, institutions, and visitors for adequate identification, communication, and advertising with the objectives of protecting public safety and welfare and preserving and enhancing the aesthetic character and environmental values of the community, by:

- A. Encouraging communications that aid orientation and promote economic vitality while preventing visual clutter that will detract from the aesthetic character of the City;
- B. Applying basic principles of good design and sensitivity to community appearance to signage to avoid the creation of nuisances and privacy violations that will degrade the value of surrounding properties;
- C. Enhancing safety by ensuring that signs are designed, constructed, installed, and maintained in compliance with minimum standards necessary to provide adequate visibility and to avoid the creation of hazards or unreasonable distractions for pedestrians or drivers; and
- D. Ensuring that the constitutionally-guaranteed right of free speech is protected.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.030 Applicability and scope.

This Chapter regulates signs, as defined herein, that are located or mounted on private property within the corporate limits of the City of Riverside, as well as signs located or mounted on public property that is owned or controlled by public entities other than the City of Riverside, and over which the City has land use or zoning authority. However, property owned by public entities other than the City, in which the City holds the present right of possession, or for which management rights have been delegated to the City, are not within the scope of this Chapter. Policies for private party signs on City-owned property, on the public right-of-way, and publicly owned properties in which the City holds the present right of possession or for which management rights have been delegated to the City, are stated in Chapter 19.625 (Private Party Signs on City-Owned Property and the Public Right-of-Way). The provisions set forth in this Chapter shall apply in all zoning districts of the City, except where expressly stated otherwise. No sign within the regulatory scope of this Chapter shall be erected or maintained anywhere in the City except in conformity with this Chapter. This Chapter applies prospectively only.

For the regulatory purposes of this Title, the following are not within the definition of "sign":

- A. Architectural features: Decorative or architectural features of buildings (not including lettering, trademarks or moving parts);
- B. Symbols embedded in architecture: Symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building that is otherwise legal; also includes foundation stones, corner stones and similar devices;
- C. Personal appearance: Items or devices of personal apparel, decoration or appearance, including tattoos, makeup, wigs, costumes (but not including commercial mascots);

- D. Manufacturers' marks: Marks on tangible products, that identify the maker, seller, provider or product, and that customarily remain attached to the product even after sale;
- E. Fireworks and lighting displays: The legal use of fireworks, candles and artificial lighting not otherwise regulated by the Title;
- F. Certain insignia on vehicles and vessels: on street legal vehicles and properly licensed watercraft: license plates, license plate frames, registration insignia, non-commercial messages, messages relating to the business of which the vehicle or vessel is an instrument or tool (not including general advertising) and messages relating to the proposed sale, lease or exchange of the vehicle or vessel;
- G. Grave stones, grave markers and similar devices, when used with a cemetery to indicate deceased persons buried within proximity to the marker;
- H. Newsracks and newsstands;
- I. Door mats, floor mats, welcoming mats and similar devices;
- J. Legally placed vending machines displaying only onsite commercial or non-commercial graphics, and drive-up or walk up service facilities such as gas pumps and automated teller machines.
- K. Shopping carts identifying the establishment to which they belong; and
- L. Murals as defined by Section 19.620.160 of this Chapter subject to compliance with Chapter 19.710, Design Review, ~~of the Zoning Ordinance.~~

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.040 Exempt signs.

- A. *Signs exempt from permitting and standards.* In addition to specific provisions elsewhere in this Chapter that exempt certain signs from a permit requirement, the following signs do not require a permit and are not subject to standards:
 - 1. Signs of public service and utility companies indicating danger and aides to service and public safety;
 - 2. Signs or other visual communicative devices that are located entirely within a legally established building or other enclosed structure and are not visible from the exterior thereof;
 - 3. Railroad crossing signs;
 - 4. Traffic or municipal signs posted by government agencies;
 - 5. Legal notices posted pursuant to law or court order; and
 - 6. Address signs that are required by and conform with the Building Code; and
 - 7. Public service and civic identification signs promoting City-sponsored activities or community events as authorized by the City Council.
- B. *Signs exempt from permit requirements.* The following signs do not require permits pursuant to Section 19.620.110, Procedures for Sign Approval, of this Chapter when they comply with the applicable standards of this Chapter:
 - 1. *Directional signs.* On properties containing public parking areas in any zone, monument directional signs, not exceeding six square feet in area per display face and four feet in overall height, located at each public entrance to or exit from the public parking area. Building mounted directional signs

shall also be allowed as necessary to direct persons to specific functions of a business with separate exterior entrances. Such signs shall not exceed six square feet in area and shall be situated directly above or to the side of the entrance being identified.

2. *Information signs not displaying general advertising for hire.*

- a. Building or window signs less than four square feet in area indicating the hours of operation of an establishment and whether such establishment is presently open to the public;
- b. Freestanding signs not exceeding one square foot in area and four feet in height providing information for the safety and convenience of the public, such as identifying rest rooms or telephones or areas where parking is not permitted;

3. *Hazard signs.* Signs warning persons of hazards pertaining to the property provided that individual signs do not exceed one square foot in size and six feet in height and are erected at least 75 feet apart from each other.

4. *Flags.* Flags not used as general advertising for hire if they comply with the following standards:

- a. *Complexes of commercial, office and industrial uses.* Each complex of commercial, office or industrial uses, consisting of three or more uses on a single parcel or contiguous parcels with common off-street parking and access, may display not more than three flags, subject to: maximum area of 60 square feet (area includes one side only) on not more than three maximum 35 foot high poles. If separate poles are used, the distance from one pole to another may not exceed 20 feet. Any illumination shall be oriented and shielded not to glare into adjacent properties. Bunting shall be securely attached to at least two ends of a rigid frame attached to a pole or projecting from a building in compliance with standards for projecting signs.
- b. *All other nonresidential uses.* Each occupied parcel containing a nonresidential use, other than described in Sub-section a. may display not more than three flags, subject to: maximum area of 60 square feet (area includes one side only) on not more than three maximum 35 foot high poles. If separate poles are used, the distance from one pole to another may not exceed ten feet.
- c. *Residential subdivisions and condominiums.* Each residential subdivision or condominium with new, previously unoccupied dwelling units for sale may display one flag, maximum 25 square foot on a pole not higher than 20 feet, per model home in a model home complex. Such poles must be situated not closer than ten feet from the public right-of-way and within 20 feet of the model complex or sales office. If separate poles are used, the distance from one pole to another may not exceed ten feet. A residential subdivision or condominium is considered to be all lots under a parent tract number including all phases.
- d. *Apartments and mobile homes.* Complexes of four or more apartments or mobile homes sharing common private access and/or parking may display not more than three flags, subject to: maximum area of 25 square feet (area includes one side only) on not more than three maximum 20 foot high poles. If separate poles are used, the distance from one to another may not exceed ten feet.
- e. *All other residential uses.* Each occupied parcel containing a residential use other than described in Sub-sections c. and d. may display one flag, subject to a maximum area of 25 square feet (area includes one side only) on one maximum 20-foot high pole.

5. Non-illuminated identification signs up to four square feet in area on residential multi-unit buildings and complexes;

6. *Construction site signs.* In all zones, unlighted freestanding or wall signs may be displayed on the lot or parcel on which the construction is occurring. Such signs and support structures and fasteners shall be totally removed prior to release for occupancy. Such signs shall not exceed 32 square feet in area (area includes one side only).

C. *Nonconforming signs.* Signs that were legal when first installed, and which have not been modified so as to become illegal, may be continued even though they do not comply with the standards and requirements of this ~~C~~chapter as provided for in Section 19.620.130. No such sign shall be moved, altered, or enlarged unless required by law or unless the moving, alteration or enlargement conforms to the applicable requirements of this ~~C~~chapter and will result in the elimination or substantial reduction of the sign's nonconforming features.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.050 Prohibited signs.

Unless otherwise permitted by a specific provision of this ~~C~~chapter, the following sign types are prohibited in all zones:

- A. *Advertising statuary.* Unless approved subject to a conditional use permit and Design Review pursuant to Chapters 19.760 and 19.710 ~~of the Zoning Ordinance~~, all forms of advertising statuary are prohibited in all zones. A three-dimensional sign that is affixed to a building and complies with all the applicable requirements of this ~~C~~chapter shall not be considered advertising statuary.
- B. *Animated and moving signs.* Signs that blink, flash, shimmer, glitter, rotate, oscillate, are projected, or move, or which give the appearance of blinking, flashing, shimmering, glittering, rotating, oscillating or moving except for signs with changeable digital displays (e.g. light emitting diodes) that are expressly allowed by another provision of this ~~C~~chapter or a specific plan or other policy approved by the City Council.
- C. *Banners, balloons, streamers, and pennants.* Banners, balloons, streamers, and pennants that direct, promote, attract, service or that are otherwise designed to attract attention are prohibited in all zones except as temporary signs that comply with the requirements of Section 19.620.090, Temporary Signs, flags that comply with Section 19.620.040.B.4, Exempt Signs, or a specific plan or other policy approved by the City Council. Feather banners as defined in Section 19.620.150 are prohibited in all zones as either temporary or permanent signs.
- D. *Bench signs.* All forms of bench signs or bus stop commercial advertising are prohibited in all zones except where State law expressly grants to a public transportation agency rights to such signage.
- E. *Commercial mascots.* All commercial signs held, posted or attended by commercial mascots as defined in Section 19.620.150 are prohibited in all zones.
- F. *Mobile signs.* Any sign carried or conveyed by a vehicle that is used as a device for general advertising for hire, excluding signs on taxis and public buses.
- G. *Permanent signs displaying off-premises general advertising for hire (billboards).* This ~~C~~chapter does not allow or authorize a permanent structure signs displaying general advertising for hire for a business, commodity, service, facility or other such matter not located, conducted, sold or offered upon the premises where the sign is located. Such signs are prohibited in all zones unless authorized by separate Chapter of ~~this the Municipal~~ Code.
- H. *Pole signs.* Unless expressly allowed by another provision of this ~~C~~chapter or a specific plan or policy approved by the City Council, pole signs are prohibited in all zones.

- I. *Portable signs.* Unless expressly allowed by another provision of this ~~C~~chapter or by separate Chapter of ~~this the Municipal~~ Code, portable signs are prohibited in all zones.
- J. *Paper signs and placards.* Paper signs and placards that direct, promote, attract, service or that are otherwise designed to attract attention are prohibited in all zones except for temporary signs that comply with the applicable requirements of Section 19.620.090, Temporary Signs.
- K. *Roof signs.* Unless expressly allowed by another provision of this ~~C~~chapter, roof signs as defined in Section 19.620.150 of this ~~C~~chapter are prohibited in all zones. A mansard sign that does not extend above the deck-line or principal roofline of a mansard roof and complies with all other applicable provisions of this ~~C~~chapter shall not be considered to be a roof sign.

Figure 19.620.050.K: Roof Signs

[GRAPHIC]

L. *Signs creating traffic hazards.*

- 1. Signs located in such a manner as to constitute a traffic hazard or obstruct the view of traffic, or any authorized traffic sign or signal device, as determined by the Community & Economic Development Director or his/her designee;
- 2. Signs that may create confusion with any authorized traffic sign, signal, or device because their color, location or wording, or use of any phrase, symbol, or character interferes with, misleads, or confuses vehicular drivers in their use of roads or conflicts with any traffic control sign or device;
- 3. Signs within five feet of a fire hydrant, street sign, or traffic signal.

M. *Signs that produce emissions or noise.* Signs that produce visible smoke, vapor, particles, bubbles or free-floating particles of matter, odor, noise or sounds that can be heard at the property line, excluding voice units at menu boards and devices for servicing customers from their vehicles, such as drive-up windows at banks, when such units are used only for the purpose of two-way communication and sufficiently shielded to prevent impacts to adjacent residential properties.

N. *Signs for prohibited or unpermitted uses.* A sign displaying a commercial message promoting a business that is a prohibited use as established in Chapter 19.150 (Base Zones Permitted land uses) and which has not been established as a legal non-conforming use or a business that is permitted but has not obtained required approvals pursuant to the requirements of this Code.

O. *Signs on public property.* Except as otherwise provided for in Chapter 19.625, Private Party Signs on City-Owned Property and the Public Right-of-Way, no inanimate sign, or supporting sign structure, may be erected in the public right-of-way, including portable A-frame signs. This provision does not prohibit signs that are mounted on private property but project into or over public property or the public right-of-way, when such sign is authorized by an encroachment permit.

P. *Cabinet or panel signs.*

- 1. New cabinet or panel signage as defined in ~~S~~section 19.620.150, including blade or projecting signs, are prohibited except in the case of unusually shaped or elaborate logos that would be onerous to render in channel letter form.
- 2. Existing cabinet signs may continue to be used and maintained, subject to Section 19.620.130 Nonconforming Signs.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 7184 §1, 2012; Ord. 6966 §1, 2007)

19.620.060 Minimum criteria for sign design.

- A. *Architectural compatibility.* A sign (including its supporting structure, if any) shall be designed as an integral design element of a building's architecture and shall be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and obliterates parts of upper floors of buildings is detrimental to visual order and shall not be permitted.
- B. *Consistency with area character.* A sign shall be consistent with distinct area or district characteristics and incorporate common design elements, such as sign materials or themes. Where a sign is located in close proximity to a residential area, the sign shall be designed and located so it has little or no impact on adjacent residential neighborhoods.
- C. *Legibility.* The size and proportion of the elements of the sign's message, including logos, letters, icons and other graphic images, shall be selected based on the average distance and average travel speed of the viewer. Sign messages oriented towards pedestrians may be smaller than those oriented towards automobile drivers. Colors chosen for the sign text and/or graphics shall have sufficient contrast with the sign background in order to be easily read during both day and night.
- D. *Readability.* A sign message shall be easily recognized and designed in a clear, unambiguous and concise manner, so that a viewer can understand or make sense of what appears on the sign.
- E. *Visibility.* A sign shall be conspicuous and readily distinguishable from its surroundings so a viewer can easily see the information it communicates.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.070 General provisions for all sign types.

The following regulations apply to all signs in any zone:

- A. *Signs must comply with this Code.* In all zones, only such signs as are specifically permitted in this Chapter may be placed, erected, maintained, displayed or used, and the placement, erection, maintenance, display or use of signs shall be subject to all restrictions, limitations and regulations contained in this Chapter. The placement, erection, maintenance, display or use of all other signs is prohibited.
- B. *Enforcement authority.* The Community & Economic Development Director or his/her designee is authorized and directed to enforce and administer the provisions of this Chapter.
- C. *Permit requirement.* Unless expressly exempted by a provision of this Chapter, or by other applicable law, signs within the regulatory scope of this Chapter may be displayed only pursuant to a permit issued by the City pursuant to Section 19.620.100 of this Chapter and any applicable permit required by the Building Code.
- D. *Design review required for nonresidential uses.* Unless exempt from the requirements of this Chapter, the design and placement of any permanent sign erected for a nonresidential use is subject to review under the Citywide Sign and Design Guidelines.
- E. *Message neutrality.* It is the City's policy to regulate signs in a constitutional manner that does not favor commercial speech over noncommercial speech and is content neutral as to noncommercial

messages which are within the protections of the First Amendment to the U.S. Constitution and the corollary provisions of the California Constitution.

- F. *Regulatory interpretations.* All regulatory interpretations of this Chapter are to be exercised in light of the City's message neutrality policy. Where a particular type of sign is proposed in a permit application, and the type is neither expressly allowed nor prohibited by this Chapter, or whenever a sign does not qualify as a "structure" as defined in the Building Code, then the Community & Economic Development Director or his/her designee shall approve, conditionally approve or disapprove the application based on the most similar sign type that is expressly regulated by this Chapter.
- G. *Changes to copy of approved signs.* Changes to the copy of approved signs that were legally established and have not been modified so as to become illegal are exempt from permitting pursuant to this Chapter. Changes to copy do not include changes to the type or level of illumination of an approved sign.
- H. *Substitution of messages.* Subject to the property owner's consent, a protected noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over protected noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, lot or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device; does not allow the substitution of an off-site commercial message in place of an on-site commercial message.
- I. *Rules for non-communicative aspects of signs.* All rules and regulations concerning the non-communicative aspects of signs, such as location, size, height, illumination, spacing, orientation, etc., stand enforceable independently of any permit or approval process.
- J. *Situs of non-commercial message signs.* The onsite/offsite distinction applies only to commercial messages on signs.
- K. *Mixed Use Zones.* In any zone where both residential and nonresidential uses are allowed, the sign-related rights and responsibilities applicable to any particular use shall be determined as follows: residential uses shall be treated as if they were located where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a conditional use permit or similar discretionary process.
- L. *Property owner's consent.* No sign may be displayed without the consent of the legal owner(s) of the property on which the sign is mounted or displayed. For purposes of this policy, "owner" means the holder of the legal title to the property and all parties and persons holding a present right to possession, control or use of the property.
- M. *Legal nature of signage rights and duties.* As to all signs attached to property, real or personal, the signage rights, duties and obligations arising from this Chapter attach to and travel with the land or other property on which a sign is mounted or displayed. This provision does not modify or affect the law of fixtures, sign-related provisions in private leases regarding signs (so long as they are not in conflict with this Chapter), or the ownership of sign structures.

N. *Variances.*

1. When a variance from the rules stated in this Cchapter is sought, such variance may be permitted only upon the approval of the Approving Authority as designated in Table 19.650.020 and pursuant to the procedures set forth in Chapter 19.720 (Variance).
2. In considering requests for such variances, the Approving Authority shall not consider the message of the sign display face.
3. No variance that would allow a permanent structure sign to be used for the display of off-site commercial messages or general advertising for hire may be approved.

~~O. *Severance.* If any section, sentence, clause, phrase, word, portion or provision of this chapter is held invalid or, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid portion. In adopting this chapter, the City Council affirmatively declares that it would have approved and adopted the Chapter even without any portion, which may be held invalid or unenforceable.~~

OP. *Riverside Municipal Airport.* Except for signs oriented so as to be primarily viewed from any public street other than Airport Drive, signs within Riverside Municipal Airport and which serve lessees of the Riverside Municipal Airport shall be governed by the Riverside Municipal Airport Sign Criteria adopted by resolution of the City Council and shall not be restricted by this Cchapter except for those provisions regarding maintenance and safety. Signs at the Municipal Airport are also subject to permits under the City Building Code.

PQ. *Calculation of sign area.* The area of an individual sign, as defined in Section 19.620.150 of this Cchapter, shall be calculated according to the following provisions. Sign area does not include supporting structures such as sign bases and columns provided that they contain no lettering or graphics except for addresses or required tags. The calculation of sign area for various types of signs is illustrated in Figures 19.620.070.~~PR~~-1, 2, and 3.

1. *Single-faced signs.* Where only one face of the sign includes written copy, logos, emblems, symbols, ornaments, illustrations, or other sign media, the sign area shall include the entire area within a single continuous perimeter composed of one or two rectangles that enclose the extreme limits of all sign elements on the face of the sign.

Figure 19.620.070.~~PR~~-1: Measuring Area of Single-Faced Signs

[GRAPHIC]

2. *Double-faced signs.* Where two faces of a double-faced sign have an interior angle of 45 degrees or less from one another, the sign area must be computed as the area of one face. Where the two faces are not equal in size, the larger sign face will be used. Where two faces of a double-faced sign have an interior angle of more than 45 degrees from one another, both sign faces will be counted toward sign area.

Figure 19.620.070.~~PR~~-2: Measuring Area of Double-Faced Signs

[GRAPHIC]

3. *Multi-faced signs.* Signs with three or more faces, where at least one interior angle is 45 degrees or more the calculation shall include the total area of each face that includes written copy,

emblems, symbols, ornament, illustrations, or other sign media regardless of the dimension of each face.

4. *Three dimensional signs.* Signs that consist of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue-like trademarks), shall have a sign area that is the sum of the areas of the three visible vertical faces of the smallest cube or rectangular volume that will encompass the sign.

Figure 19.620.070.~~PR~~-3: Measuring Area of Three-Dimensional Signs

[GRAPHIC]

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.075 Development standards for all sign types.

A. Permitted sign locations

1. *Building signs.* All building signs, with the exception of blade signs as set forth herein must be located on and directly parallel to a building wall, canopy fascia or mansard roof directly abutting the use or occupancy being identified and directly facing a parking lot, mall, street, driveway, alley or freeway.
2. *Window signs.* Except for signs painted directly on the exterior surface of the window, all window signs must be located on or within 24 inches of the inner surface of a window directly used by the use or occupancy being identified and be directly facing a parking lot, mall, street, driveway, alley or freeway.
3. *Under canopy and shingle signs.* All under canopy and shingle signs shall be suspended from the underside of a pedestrian canopy or awning directly adjacent to the business identified on the sign or a support attached to and projecting from the building wall. Such signs shall be oriented perpendicular to the adjacent wall of the business being identified and shall be attached with rigid supports of a type and in a manner acceptable to the Building and Safety Division. A minimum clearance of seven feet shall be maintained between the grade level below the sign and the lowermost portion of the sign except when the sign is projecting over a public right-of-way, in that case the minimum clearance shall be eight feet.

Figure 19.620.075.A-3: Measuring Area of Single-Faced Signs

[GRAPHIC]

4. *Pylon and monument signs.* All pylon and monument signs shall be oriented toward a parking lot, mall, street, driveway or alley. Such signs shall be situated on the lot or parcel on which the use or occupancy identified is located, except in a commercial, office or industrial complex where such a sign may be located on any lot or parcel in the complex where the use or occupancy identified is located.
5. *Other projecting signs.* Building signs shall not project more than 12 inches from the face of the building on which they are placed with the following exceptions:
 - a. Signs placed on a mansard roof may project such a distance from the face of the roof as necessary for the sign face to be perpendicular to the floor of the building.

Figure 19.620.075.A-5: Measuring Area of Single-Faced Signs

[GRAPHIC]

b. In any Neighborhood Commercial Overlay Zone, a maximum four square foot, double-faced sign, oriented perpendicular to the building wall is permitted in lieu of an under canopy sign. Such perpendicular sign shall not project more than 30 inches from the face of the building wall on which it is placed, shall be attached with rigid supports in a manner acceptable to the Building and Safety Division and shall maintain a minimum clearance of eight feet between the grade level below the sign and the lowermost portion of the sign.

c. A three-dimensional sign that complies with the applicable requirements of this ~~C~~chapter.

6. *Projection of permanent signs over public rights-of-way.* All signs that project over or into the public right-of-way require approval of an encroachment permit by the Public Works Department under Sections 10.16.040 and Section 13.08.015 of the Riverside Municipal Code.

7. *Historic area blade signs.* For buildings registered in the National Historic Register; designated a State Historical landmark, a City of Riverside landmark or structure of merit; or located in a City of Riverside historic preservation district or neighborhood conservation area, and that contain a nonresidential use, double-faced signs, oriented perpendicular to the building wall are permitted subject to standards in Section 19.620.120.C.

B. Materials

1. Permanent signs may not be made of plywood, pressed board, non-exterior grade wood products or any material, such as paper or cardboard, that is subject to rapid deterioration and not weather-resistant.
2. Fabric signs shall be restricted to Public Service and Civic Identity Banners, Awning Signs, and Temporary Signs permitted pursuant to Section 19.620.090.

C. *Illumination.* Unless specifically restricted by this chapter, signs may be illuminated or non-illuminated. The illumination of signs, from either an internal or external source, shall be designed to avoid negative impacts on surrounding rights-of-way and properties. The following standards shall apply to all illuminated signs:

1. Sign lighting shall not be of an intensity or brightness, or generate glare, that will create a nuisance for residential buildings in a direct line of sight to the sign;
2. External light sources shall be directed, shielded, and filtered to limit direct illumination of any object other than the sign;
3. Exposed incandescent lamps that exceed 40 watts or contain either internal or external metal reflectors are not permitted.
4. Refer to Section 19.620.080.D.4 for additional illumination requirements for electronic message center signs.
5. Electrical raceways, conduits, and similar devices shall be placed so that they are not within public view.
 - a. Where this is physically impractical or potentially damaging to significant architectural features or materials of the structure upon which the sign is mounted, raceways, conduits, and similar devices shall be as minimal as possible and painted to match surrounding material.

6. *Neon signs and architectural lighting.* The use of neon tubes for signs or architectural elements shall be allowed in commercial and mixed-use zoning districts subject to the requirements of Section 19.620.050.B.

D. Maintenance and safety.

1. *Maintenance.* All signs, together with all their supports, braces, guys and anchors, shall be kept in repair and in a proper state of preservation. The display surfaces of all signs shall be kept neatly painted or posted. The Community & Economic Development Director or his/her designee may order the removal of any sign that is not maintained in accordance with the provisions of this chapter and all other applicable laws.
2. *Interference with safety passages.* No sign or sign structure shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe. No sign shall obstruct any window to such an extent that any light, ventilation or access is reduced to a point below that required by any law or ordinance.
3. *Proximity to electrical facilities.* No sign or structure shall be erected in such a manner that any portion of its surface or supports shall be within six feet of overhead electric conductors, which are energized in excess of 750 volts, nor within three feet of conductors energized at 0 to 750 volts.
4. *Electrical signs.* Electrical signs shall bear the label of an approved testing laboratory. Said label shall not exceed four square inches. Said label shall be placed as directed by the Community & Economic Development Director or his/her designee. Electrical signs and appurtenant equipment shall be installed in accordance with Chapter 16.16 of this Code~~the Electrical Code.~~
5. *Engineering design and materials.* Signs designed and constructed as building elements or structures shall be in accordance with the provisions of the Chapter 16.08 of this Code~~Building Code.~~
6. *Inspections.* It shall be the duty of every person who may erect any sign designated under this chapter to afford ample means and accommodation for the purpose of inspection whenever, in the judgment of the Community & Economic Development Director or his/her designee or the Building Official, such inspection is necessary. The inspectors for the Public Utilities Department and the Fire Department of the City shall also have the right and authority to inspect any such signs during reasonable hours.
7. *Liability of owners.* This Cchapter shall not be construed to relieve from or lessen the responsibility of any person owning, maintaining, operating, constructing or installing any sign or other device mentioned in this chapter for damages to life or property caused by any defect therein.
8. *City responsibility for sign compliance.* Neither the City nor any agent thereof may be held as assuming any liability by reason of the inspection required by this Cchapter. Nothing in this Cchapter waives or diminishes any defenses the City may have in any action alleging that the City is responsible, in whole or in part, for damage, loss or injury caused by any sign. By enacting this Cchapter the City does not waive its immunities under California statutory law, including but not limited to the governmental immunities.

19.620.080 Standards for specific sign types by district and use type.

- A. Permanent signs shall comply with the standards in Tables 19.620.080.A, B and C and the additional requirements that follow the tables.

Table 19.620.080.A: Building Signs in Nonresidential and Mixed-Use Districts

		<i>Wall Signs</i>					<i>Window Signs</i>	<i>Under Canopy Shingle</i>
Tenant/Occupant Building Frontage in lineal feet (LF)		Less than 80 LF	80 LF or more & less than 200 LF	200 LF or more & less than 350 LF	350 LF or more & less than 500 LF	500 LF or more		
Commercial Zones	CR, CG & CRC	- For the purpose of business identification only. - Secondary signs identifying special features, services, trade, or products of the business shall not exceed more than 10% of the total sign area.					Maximum of 25% of the window area. See <u>Section 19.590.110</u> for exceptions for vacant storefronts.	1 under canopy shingle sign per use or occupancy 9 square feet
	O (Office)	1 wall sign per building frontage 1 square-foot of sign area per lineal foot of occupant building frontage.	For each occupant building frontage 80 lineal feet in length or more: 2 wall signs per occupant building frontage 1 square-foot of sign area per lineal foot of occupant building frontage, whichever is less.				Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones

Mixed Use Zones— MU-N, MU-V & MU-U	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones
Industrial Zones— BMP, I, AI & AIR within an Industrial Complex	1 wall sign per occupant or building on each building frontage 1 square-foot of sign area per lineal foot of occupant building frontage	For each occupant building frontage 80 lineal feet in length or more: 2 wall signs on each occupant building frontage oriented toward a parking lot, mall street, driveway, alley or freeway. 1 square-foot of sign area per lineal foot of occupant building frontage not to exceed 200 square feet of total sign area.				Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones
Other Zones Public Facilities Zone, Schools and All other Non-Commercial/Industrial & Nonresidential Uses	1 on-premises wall sign for each street frontage 1 square-foot of sign area per lineal foot of occupant building frontage not to exceed 24 square feet of total sign area					Same as for CR, CG & CRC Zones	Same as for CR, CG & CRC Zones
Wall Signs - Multiple Story Buildings Greater than 3 Stories in Zones where Buildings Greater than 3 Stories are Allowed - For multiple story buildings greater than 3 stories, wall signs are allowed only on the first floor and on the top floor of a building. The maximum area of wall signs on the first floor shall not exceed the total allowable wall sign area specified in the wall sign standards above. See specific standards below for maximum area of top floor signs allowed in addition to allowable area for first floor signage. For multiple story buildings 3 stories or less, wall signs are allowed on any floor but the total sign area for the entire building frontage inclusive of all floors shall not exceed the maximum allowable sign area as indicated in the standards above. Wall signs shall be for the purposes of business identification only.							

	4 Stories	5 to 6 Stories	7 to 10 Stories	Over 10 Stories
Building frontage less than 150 lineal feet	1 sign per building frontage located at the top floor 100 square feet	1 sign per building frontage located at the top floor 150 square feet	1 sign per building frontage located at the top floor 200 square feet	1 sign per building frontage located at the top floor 250 square feet

Building frontage 150 lineal feet or more	2 signs per building frontage located at the top floor 100 square feet per sign up to a total maximum of 150 square feet for the building frontage	2 signs per building frontage located at the top floor 150 square feet per sign up to a total maximum of 225 square feet for the building frontage	2 signs per building frontage located at the top floor 200 square feet per sign up to a total maximum of 300 square feet for the building frontage	2 signs per building frontage located at the top floor 250 square feet per sign up to a total maximum of 375 square feet for the building frontage

Notes: 1) In general, each establishment/occupant is allowed at least 1 wall sign per building frontage oriented toward a parking lot, mall, street, driveway, alley or freeway, window signs up to 25% of the window area, and 1 under canopy shingle sign per building frontage subject to the standards provided below. 2) See Section 19.620.110 for Sign Program requirements and increase in allowable sign area with a sign program. 3) Storefront window transparency is regulated under Chapter 19.590.

Figure 19.620.080.A-1: Wall signs on Multi-Occupant Building Frontage

[GRAPHIC]

Figure 19.620.080.A-2: Allowed Wall Sign Locations on Multiple-Story Buildings greater than three stories

[GRAPHIC]

Table 19.620.080.B: Freestanding Signs in Nonresidential and Mixed-Use Zones

<i>Zones, Type of Development & Site Size</i>			<i>Freestanding Sign Standards</i>		
			Monument Signs	Pylon Signs	Freeway Oriented Signs ¹
<i>Commercial & Mixed Use Zones</i>	<i>Commercial Complexes in Commercial and Mixed Use Zones</i>	<i>Sites under 1 acre</i>	<i>Max. 1 on premises sign Max. Area: 30 square feet Max. Height: six feet</i>	Not Allowed	Not Allowed
		<i>Sites 1 or more acres but less than two acres</i>	Total Maximum of 3 monument signs for site as follows: Max. 1 on premises sign per street frontage Max. Area: 40 square feet per sign. Max. Height: eight feet	Not Allowed	Not Allowed

		<i>Sites 2 or more acres but less than 6 acres</i>	<i>Total Maximum of 3 monument signs for site as follows:</i> Major Street Frontage: <i>Max. 1 on premises sign/200 lineal feet of street frontage</i> <i>Max. Area: 50 square feet</i> <i>Max. Height: eight feet</i> Secondary Street Frontage: <i>Max. 1 on premises sign</i> <i>Max. Area: 40 square feet</i> <i>Max. Height: six feet</i>	Not Allowed	Not Allowed
		<i>Sites 6 or more acres but less than 10 acres</i>	Total Maximum of 4 monument signs for site: Major Street Frontage: <i>Max. 1 on premises sign/200 lineal feet of street frontage</i> <i>Max. Area: 50 square feet</i> <i>Max. Height: 10 feet</i> Secondary Street Frontage: <i>Max. 1 on premises sign</i> <i>Max. Area: 40 square feet</i> <i>Max. Height: six feet</i>	Not Allowed	Not allowed for sites less than 9 acres. For sites 9 gross acres or more and less than 25 acres: Max. 1 Freeway Oriented Pylon Sign Max. Area: 225 sq. ft. Max. Height: 40 feet² See Section 19.620.080.B.7 for additional standards for freeway oriented signs
		<i>Sites 10 or more acres but less than 25 acres</i>	Total Maximum of 5 monument signs for site: Major Street Frontage <i>Max. 1 on premises sign/200 lineal feet of street frontage</i> <i>Max. Area: 50 square feet</i> <i>Max. Height: 10 feet</i>	1 Pylon Sign on Major Street frontage only Max. Area: 110 sq. ft. Max. Height: 25 feet	

			Secondary Street Frontage Max. 1 on premises sign Max. Area: 40 square feet Max. Height: six feet		
<i>Commercial & Mixed Use Zones</i>	<i>Commercial Complexes in Commercial and Mixed Use Zones</i>	<i>Sites 25 or more acres</i>	Same as above requirements for sites 10 or more acres but less than 25 acres	2 Pylon Signs on Major Street frontage only with minimum 600 feet of frontage Max. Area: 110 sq. ft. Max. Height: 25 feet	Max. 1 Freeway Oriented Pylon Sign Max. Area: 500 sq. ft. Max. Height: 60 feet ² See Section 19.620.080.B.7 for additional standards for freeway oriented signs
	<i>Commercial and Mixed Use Zones - Uses not within a Commercial Complex</i>		Max. 1 on premises monument sign Max. Area: 25 square feet Max. Height: six feet	Not Allowed	Not Allowed
	<i>Uses in the O Zone not within an Office Complex</i>		Max. 1 on premises monument sign Max. Area: 25 square feet Max. Height: six feet	Not Allowed	Not Allowed
<i>Industrial Zones</i>	<i>BMP, I, AI & AIR Zones within an Industrial Complex</i>		Max. 1 on premises monument sign Max. Area: 50 square feet Max. Height: eight feet For each additional 300 feet beyond the first 300 feet of street frontage, one additional monument sign shall be allowed, up to a maximum of 3 signs	Not Allowed	Not Allowed
	<i>BMP, I, AI & AIR Zones not within an Industrial Complex</i>		Max. 1 on premises monument sign Max. Area: 50 square feet	Not Allowed	Not Allowed

		Max. Height: eight feet		
<i>Other Zones Public Facilities Zone, Schools and All Other Non- Commercial/ Industrial & Nonresidential Uses</i>	<i>Sites Less than 1 Acre</i>	Max. 1 on premises monument sign Max. Area: 15 square feet Max. Height: six feet	Not Allowed	Not Allowed
	<i>Sites 1 or More Acres</i>	Max. 1 on premises monument sign Max. Area: 25 square feet Max. Height: six feet	Not Allowed	Not Allowed

¹ See Section 19.620.080.B.7 for additional Freeway Oriented Sign Standards

² Height measured from adjacent freeway elevation. See Figure 19.620.080.B.7 - Standards for Freeway Oriented Signs

B. *Signs in nonresidential and mixed use districts.* Signs erected on a site may be any combination of permitted sign types, subject to the limitations for individual sign types listed in Tables 19.620.080 A, B, and C, the following requirements, and any other applicable provisions of this [Chapter](#).

1. *Design review required.* Unless exempt from the requirements of this [Chapter](#), the design and placement of any permanent sign erected in a nonresidential or mixed-use district is subject to review under the Citywide Sign and Design Guidelines.
2. *Only on-premises signs permitted.* Only on-premises signs are permitted pursuant to the requirements of this [Chapter](#).
3. *Sign program required.* All new office and commercial complexes shall require approval of a sign program in compliance with the requirements of Section 19.620.110 prior to issuance of any sign permits.
4. *Determining street frontage.* Each commercial complex or shopping center shall be allowed to designate only one major street frontage. Where no single street frontage can be identified as the major street frontage or in cases of dispute as to which street frontage is the major street frontage, the Community & Economic Development Director or his/her designee shall designate the major street frontage in conjunction with the review of proposed signs.
5. *Mixed use zones.* In any zone where both residential and nonresidential uses are allowed, residential uses shall be treated as if they were located in any district where that development type and use would be allowed by right and nonresidential uses shall be treated as if they were located in any district where that development type and use would be allowed either by right or subject to a conditional use permit or comparable discretionary zoning approval.
6. *Signage allowed for each establishment.* Each establishment in a nonresidential or mixed-use zone may have at least one wall sign for each frontage, window or door signs up to 25% of the window area, one shingle or under canopy sign, and one monument sign subject to compliance with the requirements of this [Chapter](#).

7. *Freeway-oriented signs.* Unless exempt from the requirements of this Chapter, all freeway-oriented signs, except for freestanding Special Use Signs that comply with the applicable standards in Table 19.620.080.C, shall require approval of a Minor Conditional Use Permit by the Planning Commission provided that the Commission can make the following findings in addition to those specified in Section 19.730.040 of this Chapter and if the sign complies with the additional requirements of this Section.

a. Findings:

- i. A freeway-oriented sign is necessary because signage that conforms to the area and height standards otherwise applicable to the site would not be visible to the travelling public for a distance on the freeway of one-third mile (1,760 feet) preceding the freeway exit providing access to said premises; or for a line-of-sight distance of two-thirds' mile (3,520 feet), whichever is less.
 - ii. The freeway-oriented sign will not interfere with the driving public's view of a significant feature of the natural or built environment.
- b. The freeway-oriented sign shall not be located within 500 feet of a municipal boundary;
- c. A freeway-oriented sign must be located no farther than 150 feet from a freeway right-of-way, and only on a property that is immediately adjacent to and abutting a freeway right-of-way or separated from a freeway right-of-way by only a public frontage road, a railroad right-of-way, a public flood control channel, or public utility easements.
- d. Such sign shall be setback at least 150 feet from any lot line adjoining a street or roadway other than a freeway, public frontage road, or similar feature per Sub-section c. Such sign shall be setback from a residential zone a distance that is equal to or exceeds the height of the sign, whichever is greater, and setback at least five feet from any other interior lot line;
- e. The sign shall be no closer than 1,000 feet to another freeway-oriented sign on the same or a different lot or parcel;
- f. All other freestanding and/or roof business signs must be oriented toward the street or highway frontages from which their permitted areas are calculated;
- g. Freeway oriented signs may not be used for general advertising for hire.

Figure 19.620.080.B-7: Standards for Freeway Oriented Signs

[GRAPHIC]

8. *Blade signs.* Blade signs are permitted for businesses in Commercial and Mixed-Use Zones with a minimum of 50 lineal feet of building frontage subject to the following requirements:

- a. *Number.* A business may display one (1) blade sign per street frontage or parking lot frontage on an adjacent property.
- b. *Area.* The maximum area of a blade sign shall not exceed one (1) square foot per linear foot of building frontage from which the sign projects.
 - i. For double-sided signs, sign area shall be taken from one (1) side of the sign only.

ca. *Height.*

- i. No projecting sign shall extend above the adjacent eaves of a sloped roof or pter above the parapet line of a flat roof.

- ii. All blade signs shall be a minimum of eight (8) feet above the grade of the adjoining pedestrian right of way.

db. *Placement*. All blade signs shall be attached to a building, not a pole or other structure.

ce. *Projection*.

- i. On the first or second story, no blade sign shall project more than four feet.
- ii. Above the third story, no blade sign shall project more than six feet from the face of the building wall upon which the sign is mounted.
- iii. If any blade sign projects into or over the public right-of-way, an encroachment permit must be obtained from the Department of Public Works.
- iv. No sign may project over a public alley.

fd. *Design and Development*. All blade signs shall comply with Sections 19.620.060 Minimum criteria for sign design and 19.620.075 Development standards for all sign types.

C. *Signs in residential districts*. Signs erected on properties in residential districts may be any combination of permitted sign types, subject to the limitations for individual sign types listed in this Section and any other provisions of this Chapter

1. *Design review required for nonresidential uses*. Unless exempt from the requirements of this Chapter, the design and placement of any permanent sign erected for a nonresidential use is subject to review under the Citywide Sign and Design Guidelines.
2. *Residential uses*. The following regulations shall apply to residential uses in all residential zones, where applicable:
 - a. *One- and two-family dwellings*. One building mounted or freestanding on-premises sign not exceeding three square feet in area or three feet in height is allowed for each separate dwelling unit. On parcels with more than one such dwelling, on-premises signs shall not be combined. Such sign may not be used for the display of commercial messages other than real estate signs subject to compliance with the requirements of Section 19.620.090, Temporary Signs.
 - b. *Planned residential developments, multiple-family dwellings and mobile home parks*. For planned residential developments, multiple-family dwellings and mobile home parks, one on-premises building or monument sign, not exceeding 25 square feet in area per display face, is allowed for each public street frontage. Monument signs may not exceed six feet in overall height. In lieu of a freestanding sign, two single-sided, wall mounted-signs not exceeding 25 square feet per display face is allowed for each public street frontage when located at a project entry point.
 - c. *Individual units in multiple unit developments*. In all multiple unit developments, individual residential units may display window signs not exceeding 15 percent of the total surface area of each window or 15 percent of the surface area of all windows visible from a public or private right-of-way.
3. *Residential Agricultural (RA-5) Zone*. Notwithstanding the previous sub-sections, one unlighted on-premises monument sign not exceeding 12 square feet in area and six feet in overall height is allowed subject to applicable permits.

Table 19.620.080.C: Special Use Signs

<i>Type of Sign</i>		<i>Maximum Number Allowed</i>	<i>Maximum Area</i>	<i>Maximum Height</i>
Drive Thru Restaurant Menu Boards (see additional standards related to changeable copy in Section 19.620.080.C.4.i)		2 freestanding menu ordering signs per drive thru lane in addition to permitted commercial building and monument signs allowed per Tables 19.620.080.B and C,	60 square feet total combined area for both signs and maximum 40 sq. ft. per individual sign	8 feet high
Hazard Signs		As necessary to warn of hazards pertaining to the property provided they are placed at least 75 feet apart from one another	1 square foot	6 feet high
Historic Signs - Signs for Designated Historic Resources (Structures of Merit or Landmarks) and Contributors to Designated Historic Districts		See Section 19.620.120 for Historic Sign requirements.		
Parking Lots & Garages	Where Rates are Charged	1 sign per street or alley frontage	25 square feet	6 feet in overall height for monument signs
	Where Rates are Not Charged	See Directional Sign Requirements	See Directional Sign Requirements	See Directional Sign Requirements
Parking Garages Only	Message Centers (Digital Displays)	1 building mounted message center sign per entrance to a parking garage in addition to signs allowed for parking lots and garages above	4 square feet	n/a
Vehicle Fuel Station Signs	Freeway Oriented Pylon Sign	1 sign	100 square feet	45 feet
	Price/Monument Sign	1 sign along major street frontage ¹	50 square feet Price portion of sign may not exceed 30 square feet	8 feet
	Secondary Price Sign ²	1 sign, along a secondary street frontage ³	15 square feet	6 feet high
	Wall Signs, Primary Use	Sign allowances shall be consistent with Table 19.620.080.A based on the building frontage in lineal feet	1 square foot of sign area per lineal foot of occupant building frontage	n/a

	Wall Signs, Secondary Uses	1 additional sign allowed for each use up to a maximum of 5 signs total.	10 square feet each	
	Gas Canopy Signs	2 signs per canopy.	15 square feet each	
	Pump Island Signs	2 signs per pump.	4 square feet per sign	n/a

¹ For on-site price signs, a major street frontage is considered to be an arterial street as designated by the Circulation Element of the General Plan.

² No permit for such a secondary price sign shall be issued until the City receives a written communication from the State Department of Agriculture Division of Weights and Measures stating that a secondary price sign is necessary in order to meet the fuel identification requirements.

³ For secondary price signs, a secondary street frontage is considered to be any street not an Arterial Street as designated by the Circulation Element of the General Plan.

Figure 19.620.080.C-1: Drive-Thru Restaurant Sign Standards

[GRAPHIC]

Figure 19.620.080.C-2: Vehicle Fuel Station Sign Standards

[GRAPHIC]

D. *Other sign types.* In addition to the requirements in Table 19.620.080.C, the following regulations apply in all zones where the associated use has been established subject to the requirements of this Title of the Zoning Ordinance.

1. Way-finding signs in commercial complexes six or more acres in size. In addition to directional signs allowed by Section 19.620.040.B.1, commercial complexes six or more acres in size that provide public parking are permitted additional directional/way-finding signs to aid traffic circulation within the complex and direct persons to parking areas and specific business functions subject to the following requirements:
 - a. Signs shall be subject to the approval of a sign program pursuant to Section 19.620.110;
 - b. Signs shall be set back at least 75 feet from any public right-of-way;
 - c. Signs shall not exceed 15 square feet in area or seven feet in height;
 - d. The maximum number and location of directional signs shall be as determined by the approved sign program.
2. *Portable signs on private property.* Retail sales establishments on private property in pedestrian-oriented areas as identified and established through an approved sign program, may have one portable "A-frame" or similar type of pedestrian-oriented sign for ongoing display subject to the approval of a sign program that identifies and establishes a designated pedestrian oriented display area for portable signs (refer to Chapter 19.625 for portable sign requirements in the Pedestrian

Mall, as defined by Article 10, Definitions, ~~of this Title of the Zoning Ordinance~~). Portable signs shall meet the following requirements:

- a. A portable sign may be up to 12 square feet in area and four feet in height and may not exceed a width of four feet.
 - b. The sign shall be located on private property and within 15 feet of the front door of the place of business.
 - c. The sign shall only be displayed during hours when the establishment is open and must be removed and placed indoors each day at the close of business.
 - d. Such signs must be made of durable materials designed to withstand exterior conditions such as smooth particle board, medium density fiberboard or plywood, which are sturdy and designed for paint. All visible surfaces of the sign shall be finished in a uniform or complimentary manner. Borders, artistic enhancements, and graphics reflecting the nature of the related business are encouraged.
 - e. Portable signs shall be weighted to resist displacement by wind or other disturbances. Portable signs shall not be illuminated, animated, or electrically or mechanically powered in any manner.
 - f. Portable signs may not be placed in the public right-of-way or in any location where they will impede or interfere with pedestrian or vehicular visibility or traffic or where they are likely to attract the attention of passing motorists.
 - g. A portable sign shall be located in front of the business and shall not extend into the public right-of-way, or closer than 35 feet from the curb face of any cross-street open to vehicular traffic.
 - h. A portable sign shall not be located in a landscape planter, permanent seating area, or any location where it may create an impediment to pedestrian, disabled, or emergency access.
 - i. Balloons, banners, flags, lights, pinwheels, umbrellas, or other similar items, shall not be attached to, or made a part of a portable sign.
 - j. The Community & Economic Development Director or his/her designee may refer the design of a pedestrian mall sidewalk sign to either the Cultural Heritage Board or the City Planning Commission for resolution of design related issues.
 - k. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner who shall be required to maintain liability insurance subject to applicable City requirements.
 - l. Portable signs may be installed as temporary signage subject to requirements of Section 19.620.090.
3. *Changeable copy signs.* Signs using manually or electronically changeable copy are permitted subject to compliance with the following requirements.
- a. The copy of electronically displayed messages may change no more frequently than once every eight seconds except for signs located in a residential district or readily visible from a residential property, which shall not be changed more than twice during any 24 hour period and shall not be illuminated between the hours of 10:00 p.m. and 7:00 a.m.
 - b. All electronic message displays shall be equipped with automatic controls to allow for adjustment of brightness based on ambient lighting conditions.

- c. *Theaters*. Theaters offering live performances or motion pictures and having permanent seating may display one on-premises building sign with maximum 1½ square feet of sign area for each front foot of building frontage and one changeable copy building-mounted sign using either manually or electronically changeable copy that comply with the following requirements:
 - i. *Live performance theaters less than 100 permanent seats*. One changeable copy marquee up to 50 square feet in area.
 - ii. *Live performance theaters with 100 or more permanent seats*. One changeable copy marquee up to 150 square feet in area.
 - iii. *All motion picture theaters*. One changeable copy marquee up to 60 square feet in area.
- d. *Elementary, middle and high schools*. Elementary, middle and high schools shall be permitted one freestanding or building mounted combination on-premises sign per use as described below:
 - i. *Sites less than 15 acres*. One maximum 40 square foot, six foot high static or changeable copy on-premises, monument sign or 40 square foot static or building sign. Changeable copy signs may have either manually or electronically changeable copy.
 - ii. *Sites 15 acres or more*. One maximum 65 square foot, 15 foot high static or changeable copy on-premises pylon sign, or 65 square foot static or changeable copy building sign. Changeable copy signs may have either manually or electronically changeable copy.
- e. *Colleges and universities on sites 15 acres or more*. Subject to the approval of a sign program pursuant to Section 19.620.110, one maximum 65 square foot, 15 foot high static or changeable copy on-premises pylon sign or 65 square foot static or changeable copy building sign. Changeable copy signs may have either manually or electronically changeable copy.
- f. *Other assemblies of people—non-entertainment*. Other public assemblies that are not engaged in commercial entertainment shall be permitted one freestanding or building mounted changeable copy sign as described below:
 - i. *Sites one acre in size or less*. The changeable copy monument sign shall be a maximum of 15 square feet in area and six feet in height. The changeable copy building sign shall be a maximum of 24 square feet in area.
 - ii. *Sites greater than one acre and less than 15 acres*. The changeable copy monument sign shall be a maximum of 40 square feet in area and six feet in high. The changeable copy building sign shall be a maximum of 40 square feet in area.
 - iii. *Sites 15 acres or more*. The changeable copy sign pylon sign shall be a maximum of 65 square foot in area and 15 feet in height. The changeable copy building sign shall be a maximum of 65 square feet in area.
 - iv. Changeable copy signs may be manually or electronically changeable.
- g. *Other assemblies of people—non-entertainment located in a nonresidential complex*. Other public assemblies located within an existing office, commercial or industrial complex shall be allowed one changeable copy sign serving that particular use in lieu of the permitted monument sign for the existing multi-tenant office, commercial or industrial complex permitted under 19.620.080 A.
- h. *Other assemblies of people—entertainment*. Assemblies of people—entertainment uses shall be permitted one freestanding or building mounted changeable copy sign, selected from the following options:

- i. *Sites less than 15 acres.* One maximum 40 square foot, six foot high combination changeable copy on-premises monument sign using either manually or electronically changeable copy, or one building-mounted sign shall be permitted, located on the frontage occupied by the use, maximum 1½ square feet of sign area for each foot of the occupancy frontage, not to exceed 100 square feet. A changeable copy sign shall be in lieu of a permitted freestanding or building mounted on-premises sign. The message shall consist of static copy changed no more frequently than twice during any 24-hour period. A changeable copy sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.
 - ii. *Sites 15 or more acres.* One maximum 65 square foot, 15 foot high combination changeable copy on premises pylon sign using either manually or electronically changeable copy, or one building mounted sign shall be permitted, located on the frontage occupied by the use, maximum 1½ square feet of sign area for each front foot of the occupancy frontage, not to exceed 100 square feet. A changeable copy sign shall be in lieu of a permitted freestanding or building mounted on-premises sign. The message shall consist of static copy changed no more frequently than twice during any 24-hour period. A changeable copy sign shall be in lieu of a permitted freestanding or building mounted on-premises sign.
 - iii. *Amusement parks over 24 acres within 100 feet of a freeway.* In lieu of the freestanding sign allowed above, one changeable copy pylon sign up to 750 square feet in area and 66 feet in height that is oriented toward the adjacent freeway shall be permitted. Copy may be either manually or electronically changeable with letters no more than 30 inches high. Static copy may be changed no more frequently than twice during any 24-hour period. The changeable copy portion of the sign shall not exceed the lesser of 218 square feet or 75 percent of the overall sign size. The sign shall comply with all applicable Caltrans standards for signs adjacent to freeways.
 - iv. *Entertainment venues as defined in Chapter 5.80 (Entertainment permit).* Signs for establishments requiring an entertainment permit pursuant to Chapter 5.80 shall be governed by the allowable signage type(s) for the primary permitted use of the establishment.
 - i. *Drive-thru menu boards.* Menu boards may contain electronically displayed messages that are static, change no more than three times during any 24-hour period, and are not readily visible from residential properties or the public right-of-way. Such signage shall only be illuminated when the establishment is open for business.
4. *Electronic message center sign.* Electronic message center signs (EMC) are permitted in commercial complexes ten acres or larger and on parcels with assemblies of people—entertainment uses 15 acres or larger subject to the approval of a conditional use permit and compliance with the following requirements:
- a. EMC are only permitted on parcels with frontage on an Arterial Street designated in the circulation and community element of the General Plan and which do not abut or face a residential district.
 - b. The copy of electronically displayed messages may change no more frequently than once every eight seconds. A minimum of 0.3 second of time with no message displayed shall be provided between each message displayed on the sign.
 - c. Displays shall contain static messages only, and shall not have movement, or the appearance of optical illusion or movement, of any part of the sign structure, design, or pictorial segment

of the sign, including the movement or appearance of movement of any illumination, or the flashing, scintillating or varying of light intensity.

- d. All electronic message displays shall be equipped with a sensor or other device that automatically determines ambient illumination and is programmed to automatically dim according to ambient light conditions or can be adjusted to comply with the following illumination requirements in Ssub-section b of this Ssection.
- e. *EMC illumination requirements.* Between dusk and dawn the illumination of an EMC shall conform to the following requirements:
 - i. The luminance of an EMC shall not exceed 0.3 foot-candles more than ambient lighting conditions when measured at the recommended distance in Table TBD based on the area of the EMC.
 - ii. The luminance of an EMC shall be measured with a luminance meter set to measure foot-candles accurate to at least two decimals. Luminance shall be measured with the EMC off, and again with the EMC displaying a white image for a full color capable EMC, or a solid message for a single-color EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance specified in Table 19.620.080.D based on the total square footage of the area of the EMC.

Table 19.620.080.D: Sign Area and Measurement

Distance for Electronic Message Center Signs

<i>Area of Sign (square feet)</i>	<i>Measurement Distance (feet)</i>
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95

95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

*For signs with an area in square feet other than those specifically listed in the table (i.e. 12 sq. ft., 400 sq. ft. etc.), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign in sq. ft.} \times 100}$

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 14(Exh. B), 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 1(Exh. A), 2020; Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.090 Temporary signs.

Temporary signs may be displayed subject to the requirements of this [S](#)section.

A. General requirements in Nonresidential and Mixed Use Districts.

1. *Temporary sign permit required.* Unless specifically exempted from permit requirements pursuant to this [C](#)chapter, temporary signs in nonresidential and mixed-use districts require the issuance of a ministerial permit based on the applicant's statement of compliance with the applicable requirements of this [C](#)chapter.

- a. Sign owners or their representatives must apply for a temporary sign permit by completing a form approved by the Community & Economic Development Director that specifies the standards and requirements for temporary signs.
 - b. The application shall include a site plan and building elevations showing the locations, number, and size of signs, a description of the sign materials and the dates that the sign or signs will be placed and removed;
 - c. Upon acceptance of a complete application with the required fee, the Community & Economic Development Director or his/her designee shall issue an identification label with a number that shall be affixed to the temporary sign or signs being erected.
2. *Number.* The maximum number of temporary signs that may be displayed by any establishment at the same time is subject to compliance with the applicable requirements of this [Section](#). The number and area of temporary signs shall not be included in the calculation of aggregate permanent sign area.
3. *Sign area and dimensions.* The following types of temporary signage are permitted if they comply with the following standards and requirements:
 - a. *Banners.* One banner not exceeding 25 percent of the area of a building wall or window of the establishment that is stretched and secured flat against the building wall, window, and does not extend higher than the building eave or parapet wall. No more than one banner is permitted per street frontage for each individual establishment. All such signs shall be securely fastened at each corner to resist displacement by wind or similar disturbances and shall have wind cuts as necessary to reduce sign billowing or sailing.
 - b. *Portable signs.* Establishments may have one portable "A-frame" or similar type up to six square feet in area and 36 inches in height. Portable signs shall be weighted to resist displacement by wind or similar disturbances and shall only be displayed during hours when the establishment is open. Portable signs may not be placed in the public right-of-way or in any location where they will impede or interfere with pedestrian or vehicular visibility or traffic.
 - c. *Balloons and balloon arches.* Individual balloons and balloon arches shall be allowed if they are securely fastened to permanent structures and set back from all driveways and from the public right-of-way a distance equal to the tether of the balloon. Individual balloons shall not exceed 24 inches in diameter. Balloons and balloon arches or clusters shall be tethered at a height that does not exceed the height of the building containing the subject establishment. Any balloon that exceeds 24 inches in diameter shall be considered an inflatable structure and is prohibited.
 - d. *Window signs.* Storefront windows shall be subject to the transparency standards under Chapter 19.590.110.
4. *Material.* Temporary exterior signs shall be made of a durable weather-resistant material.
5. *Duration.* Unless otherwise specified by these regulations temporary signs may be displayed for a maximum of 30 consecutive days except for that period beginning one week before Thanksgiving and ending one week after New Year's Day. Signs for promotional events and sales shall be removed within seven days of the conclusion of the event and shall be limited to a maximum of 60 total days per year per individual establishment. The total number of days during which all temporary signage including holiday promotions may be displayed shall not exceed 60 days per year.
6. *Illumination.* Temporary signs shall not be illuminated.

B. *Standards for specific temporary sign types.*

1. *Real estate signs.* For real estate offered for sale, rent or lease (not including transient occupancy). On-premises signs conveying information about the sale, rental, or lease of the appurtenant lot, premises, dwelling, or structure, may be displayed without permits in any district if they comply with the regulations and conditions of this Ssubsection. Signs allowed under this Ssection shall be removed within seven days following the closing of the proposed transaction or the withdrawal of the offer or solicitation. The provisions of this Ssubsection do not apply to signs for transient occupancy.
 - a. *Residential properties.* Signs may be displayed on a property with a residential principal use subject to the following regulations and conditions:
 - i. One freestanding real estate sign may be displayed on each frontage;
 - ii. Signs shall not exceed four square feet in area or six feet in overall height.
 - b. *All nonresidential properties.* On nonresidential properties, and properties containing both legal residential and nonresidential uses, real estate signs may be displayed, using either of the following options:
 - i. *Freestanding signs.* One maximum 24 square foot, eight foot high, double-faced, freestanding for sale, rental or lease sign per street frontage is permitted.
 - a. On sites with more than one frontage or on interior lots at least two and one-half acres in size, an option of placing the sign faces at a 45-degree angle to each other is permitted.
 - b. Signs shall be located at least two feet from public sidewalks and 12 feet from the curbline or from the pavement where curbs are lacking. In no case shall signs be placed in the public right-of-way.
 - c. If a building sign is installed as permitted in Ssub-section ii below, the freestanding sign herein described shall not be permitted.
 - ii. *Building signs.* In lieu of a permitted freestanding sign, one real estate sign per frontage, a maximum 24 square feet in area shall be permitted for buildings or occupancies within 63 feet from the back of the curb or from the edge of the paved portion of the public right-of-way where curbs are lacking. In the event a freestanding sign or signs are installed as permitted in Ssubsection b, such a building sign shall not be permitted.
2. *Directional signs for open houses.* Notwithstanding any other provision in this Cchapter, up to three off-site signs directing the public to "open house" events for the viewing of lots, premises, dwellings or structures that are for sale, lease, or rent, are permitted subject to the approval of the property owner provided they comply with the following standards:
 - a. No sign or signs shall exceed four square feet in area, or three feet in height from finished grade.
 - b. The sign or signs may not be placed more than 12 hours before the start or remain more than 12 hours after the conclusion of the open house event.
3. *Subdivision signs.* In all zones, a maximum of three unlighted double-faced temporary subdivision signs, not exceeding 40 square feet in area per display face and 15 feet in overall height, may be erected and maintained with a subdivision during sale of the lots. Such signs shall be located within the subdivision and shall be a minimum distance of 300 feet apart

from each other. All signs shall be removed at the close of escrow of the model complex houses.

4. *Construction site signs.* Unlighted freestanding or wall signs not exceeding 32 square feet in area and ten feet in height are allowed in all zones. All such signs shall be displayed only on the lot or parcel on which the construction is occurring and only during the construction period. Such signs and support structures and fasteners shall be totally removed prior to release for occupancy.
5. *Protected non-commercial political and free speech signs on residential uses.* Non-illuminated temporary signs displaying protected non-commercial messages, maximum four feet in height, totaling no more than six square feet in area; may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary or runoff election, and ending 15 days after such election, the amount of display area may be doubled. Flags do not count toward the signage allowed under this provision. This display area allowance is in addition to that allowed under the message substitution policy.
6. *Protected non-commercial political and free speech signs on commercial, business, industrial and manufacturing uses.* On commercial, business, industrial, and manufacturing uses, non-illuminated temporary signs displaying protected non-commercial messages, maximum six feet in height, totaling no more than 25 square feet in area; may be displayed at any time. However, during the period of time beginning 60 days before a general, special, primary, or runoff election, and ending 15 days after such election, the amount of display area may be doubled. Flags do not count toward the signage allowed under this provision. This display area allowance is in addition to that allowed under the message substitution policy.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 7184 §2, 2012; Ord. 6966 §1, 2007)

19.620.100 Procedures for sign review and approval.

- A. *Permits generally required.* Unless a particular type of sign is specifically exempted from the permit requirement, by a provision of this ~~C~~chapter or other applicable law, no person shall erect, change or replace any sign allowed by the provisions of this ~~C~~chapter without first having obtained the necessary permits.
 1. A permit is required whenever there is a proposed change to the lighting, supports, structure or mounting device of a sign that requires approval of a permit under the California Building Code.
 2. When a sign requires design review pursuant to Section 19.710.020 ~~of this Title of the Zoning Ordinance~~ or a Certificate of Appropriateness under Chapter 20.25 of ~~this the Municipal~~ Code, those approvals must be obtained before a sign permit application will be issued.
- B. *Sign permit process.* The application for a sign permit shall be made in writing on a form provided by the Community & Economic Development Director or his/her designee and shall be accompanied by any fee established by City Council resolution. The Director of Community & Economic Development or his/her designee shall create a standard form to be used as an application for a sign permit; when approved, the application shall constitute the permit. A single application may be used for multiple signs proposed for the same lot, parcel or use; however, decisions and conditions may pertain to individual signs. Sign application requirements shall be established by the Community & Economic Development Director or his/her designee as necessary to review sign proposals for compliance with the provisions of this ~~C~~chapter. Sign permit applications shall include plans, drawings, and other documentation as specified on a form approved by the Director of Community & Economic Development or his/her designee.

- C. *Community & Economic Development Director, Planning Commission or Cultural Heritage Board Approval.* When approval of a sign permit or a Certificate of Appropriateness is required, the Community & Economic Development Director or his/her designee, Planning Commission and the Cultural Heritage Board shall base their decisions upon the standards and requirements of this Cchapter and Title 20 respectively as applied to the structural and locational aspects of the signs. The decision-making authority shall also review signs for consistency with the Citywide Sign Design Guidelines.
1. The Guidelines are intended to provide examples of techniques and approaches that applicants can use to meet the City's expectations for signs for nonresidential uses but are not intended to illustrate all approaches that may be appropriate on a specific site. Where any inconsistency between the requirements of this Cchapter or the Zoning Ordinance is perceived, the requirements of this Cchapter and the Zoning Ordinance shall prevail.
 2. The Community & Economic Development Director or his/her designee, Planning Commission, or Cultural Heritage Board may approve a deviation from the sign area and height standards of this Cchapter so long as the total sign area or total height for any individual type of sign does not exceed the sign area and height standards by more than ten percent.
 - a. The request for modification shall be reviewed and decided in the same manner and at the same time as the approval of the associated sign permit, sign program or Certificate of Appropriateness.
 - b. In order to approve a modification as provided for in this Ssection, the Approval Authority must make the following finding in addition to any other findings that this Cchapter requires for the association application:
 - i. The proposed modification is consistent with the purposes of this Cchapter;
 - ii. There are unique physical circumstances related to the shape, dimensions, or topography of the property on which the sign is located that make the modification necessary in order to ensure that the sign is visible from the adjacent right-of-way;
 - iii. The proposed modification will not be detrimental to the health, safety, and general welfare of the public or injurious to the environment or to the property or improvements in the surrounding area;
 - iv. The proposed modification is consistent with the design principles in Section 19.620.060.
- D. *Conditions of approval.* A sign permit application may be approved subject to any of the following conditions, as applicable:
1. Compliance with other legal requirements, including encroachment, building, electrical, plumbing, demolition, mechanical, etc. When such other approvals are necessary, they must be obtained before the sign permit application will be granted.
 2. Remedy for outstanding zoning violations: if the sign is proposed to be located on a property on which there is a zoning violation, then the sign permit may be issued upon condition that the violation is remedied before the sign is constructed, or simultaneously therewith.
- E. *Processing of permit applications.* All sign permits applications shall be initially reviewed by the Community & Economic Development Director or his/her designee. When a permit application complies with this Cchapter and all other applicable standards and requirements, the application shall be granted. An application may be approved subject to such conditions as are necessary for full compliance with this Cchapter and all other applicable laws, rules and regulations.
1. *Reference to Cultural Heritage Board.* When a sign is proposed to be located in a historic district or on a property designated for historic preservation, the Community & Economic Development

Director or his/her designee shall refer the permit application to the Cultural Heritage Board for review and action pursuant to Section TBD of this [Chapter](#).

2. *Notice of incompleteness.* The Community & Economic Development Director or his/her designee shall initially review a sign permit application for completeness. If the application is not complete, the Community & Economic Development Director or his/her designee shall give written notice of the deficiencies within 15 business days following submission of the application; if no notice of incompleteness is given within such time, then the application shall be deemed complete as of the last day on which notice of completeness could have been given. If a notice of incompleteness is given, the applicant shall have 15 business days thereafter to file a corrected and complete application, without payment of additional fee.

F. *Time for decision.* Unless the applicant submits a written request for a time waiver, or consents to a time waiver, the Community & Economic Development Director or his/her designee shall issue a written decision on a sign permit application within 45 business days of when the application is deemed complete. Failure to issue such a decision in a timely manner shall be deemed a denial of the application, and create an immediate right of appeal to the Planning Commission. In cases where the Community & Economic Development Director or his/her designee refers the permit application to the Cultural Heritage Board, then the time for decision shall be according to the time limits prescribed for hearings and approvals in Title 20 of the RMC.

G. *Permits issued in error.* In the event that a sign permit is issued, and the issuance is found to be in error at any time before substantial physical work on actual construction has been accomplished, then the permit may be summarily revoked by the City simply by giving notice to the permittee; such notice shall specify the grounds for revocation. In such event, the applicant may reapply within 30 calendar days for a new permit, without paying a new application fee.

H. *Fees for signs constructed without a permit.* Where work for which a permit is required by this [Chapter](#) is performed prior to obtaining such permit, the following late permit fees shall apply. The permit fees shall be computed based upon the date on which application is made for a sign permit, design review approval or Certificate of Appropriateness, or a variance, whichever process is first necessary to obtain a sign permit:

1. When application is made within 30 days after first notice has been given of the violation, the permit fee shall be two times the established permit fee.
2. When application is made between 31 and 45 days after first notice has been given of the violation, the permit fee shall be four times the established permit fee.
3. When application is made over 45 days after first notice has been given of the violation, the permit fee shall be ten times the established permit fee.
4. After an application submittal for a sign permit, design review approval or Certificate of Appropriateness, or variance, additional time limits may be established for the securing of permits and completion of any additional sign work that may be required. If such time limits are not adhered to, the amount of time by which the deadline(s) is (are) missed shall be added to the time periods noted above for the purpose of establishing the final permit fee.
5. In no case shall a late permit fee be assessed in excess of \$1,000.00.

I. *Site approval cards.* A site approval card will be issued for each sign for which a sign permit is issued. Each sticker is applicable to only one sign and for only the location specified in the permit. The sticker is not transferable from one sign to another; however, the sticker is transferable to a new owner or lessee. Stickers must be maintained in a legible state.

J. *Sign contractors.*

1. *Responsibility for securing permits.* It shall be the duty of the contractor or person, who erects, installs, paints, constructs or alters a sign to secure all necessary permits for such work. It shall be the responsibility of the property owner and/or lessee to assure that the contractor is properly licensed and bonded, and that the contractor secures all necessary permits. No sign contractor shall install a sign for which a permit is required unless such permit has been duly issued before construction work begins. A sign permit shall not be issued unless the sign contractor's name and contact information appears on the permit application.
2. *Identification label.* All signs installed by sign contractors have attached to them an identification label, not exceeding four square inches in size, listing the following information: name of sign contractor, City permit number, electrical current, month and year erected.
3. *Violations by sign contractors.* Wherever a sign violation has occurred, it shall be the duty of the Community & Economic Development Director or his/her designee to determine which sign contractor, if any, performed the sign work. The following procedure shall be followed in pursuing sign contractors installing signs for which a valid permit has not first been secured, or in violation of permit terms and conditions:
 - a. *First violation.* A letter shall be sent by certified mail to the sign contractor setting forth the City's requirements for sign permits and indicating that future violations will result in a complaint being filed with the Contractors' State License Board and/or legal action being taken against said contractor.
 - b. *Second violation.* A complaint shall be filed with the Contractors' State License Board and a copy of such complaint shall be sent to the sign contractor with a letter indicating that legal action may be taken if further violations occur. All correspondence shall be by certified mail.
 - c. *Third and subsequent violations.* Legal action may be taken against the contractor, using any method authorized by law.

K. *Creative Sign Permit.*

1. *Purpose.* This section establishes standards and procedures for the review and approval of Creative Sign Permits. The purposes of a Creative Sign Permit are to:
 - a. Encourage signs of unique design that exhibit a high degree of imagination, inventiveness, creativity and thoughtfulness; and
 - b. Provide a process for the flexible application of sign regulations in ways that will allow creatively designed signs.
2. *Applicability.* An applicant may request approval of a Creative Sign Permit for signs in Commercial, Mixed-Use, and Industrial Zones in order to allow a design approach that differs from the provisions of this Chapter but comply with the purpose and findings of this Section.
3. *Application ~~r~~Requirements.* A Creative Sign Permit application and fee shall be submitted in accordance with Chapter 19.660 General Application Processing Procedures.
4. *Approval ~~a~~Authority.* An application for a Creative Sign Permit shall be subject to review and approval by the Community & Economic Development Department Director or designee pursuant Chapter 19.650 – Approving and Appeal Authority.
5. *Findings.* In approving an application for a Creative Sign Permit, the Community and Economic Development Director or designee shall ensure that the proposed sign meets the following design criteria:
 - a. *Design ~~q~~Quality.* The sign shall:

- i. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
 - ii. Be of unique design, and exhibit a high degree of imagination, inventiveness, spirit, and thoughtfulness;
 - iii. Provide strong graphic character through the imaginative use of color, graphics, proportion, quality materials, scale, and texture; ~~and~~
 - iv. Utilize creative illumination and dimensional lettering techniques. Examples include but are not limited to combinations of lighting and lettering techniques such as exposed neon, halo lighting, external decorative lighting, reverse pan channel letters, pin mounted letters, built up letters, and routed out letters.
- b. *Contextual ~~c~~Criteria*. The sign shall contain at least one (1) of the following elements:
- i. Classic historic design style compatible with the historic character of the building or site;
 - ii. Creative design reflecting current or historic character of the sign's surroundings; or
 - iii. Inventive representation of the logo, name, or use of the building or site.
- c. *Architectural ~~c~~Criteria*. The sign shall:
- i. Utilize or enhance the architectural elements of the building or site; and
 - ii. Be placed in a logical location in relation to the overall composition of the building's façade or site design.
- d. *Impacts on surrounding uses*. The sign shall be located and designed not to cause light and glare impacts on surrounding uses, especially residential uses.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.110 Sign programs.

- A. *Purpose*. The purpose of a sign program is to provide a unified record of signs and to promote coordinated signage for all development subject to discretionary review. The sign program shall demonstrate how it:
- 1. Improves the safety and welfare of the general public by minimizing distractions, hazards, and obstructions from sign design or placement;
 - 2. Provides for sign design or placement appropriate for the area;
 - 3. Incorporates sign design and placement related to architectural and landscape features on site;
 - 4. Incorporates sign design, scale, and placement oriented to pedestrian traffic; and,
 - 5. Incorporates sign design, scale, and placement oriented to vehicular traffic.
 - 6. Contributes to and maintains a consistent visual theme for the development.
- B. *Applicability*.
- Sign program required*. A sign program is required for multi-occupancy nonresidential or mixed-use developments with three or more separate lease spaces or establishments for which an application for a sign program was not deemed complete on the effective date of the adoption of this ~~S~~section. A sign program may be required for any existing nonresidential or mixed-use development with three or more separate lease spaces or establishments for which an application for renovation has been

submitted after the effective date of this Cchapter. The Community & Economic Development Department Director, or his/her designee, may require that a renovation project be subject to sign program to ensure that signage is designed to maintain a consistent visual theme coordinated with the design of the development.

C. General requirements.

1. The lot or lots involved must be contiguous and constitute a single cohesive development, and all signs to which the program applies shall be contained within the development.
2. All signs must be designed to conform to the Design Principles in Section 19.620.060 of this Cchapter and the Citywide Design Guidelines for Signs.
3. All signs shall comply with the requirements of this Cchapter regarding the maximum number of signs based on road frontage, maximum sign area, illumination, and materials. Deviations from sign design standards shall only be permitted pursuant to Section 19.620.110.H of this Cchapter.

D. Required submittals. Applications for a sign program shall include all plans, drawings and other documentation specified in requirements issued by the Director of Community & Economic Development or his/her designee. Sign programs shall be processed pursuant to Section 19.620.100.

E. Findings. The Community & Economic Development Department Director, or his/her designee, or the Planning Commission as required by this Cchapter will only approve a sign program if the following findings are made:

1. That the proposed signs are in harmony and visually related to:
 - a. *Other signs included in the sign program.* This shall be accomplished by incorporating several common design elements such as materials, letter style, colors, illumination, sign type or sign shape.
 - b. *The buildings they identify.* This may be accomplished by utilizing materials, colors or design motifs included in the building being identified.
 - c. *The surrounding development.* Approval of a planned sign program shall not adversely affect surrounding land uses or obscure adjacent conforming signs.
2. That the sign program provides adequate guidance to business owners and sign contractors to ensure conformance with the Design Principles in Section 19.620.060 of this Cchapter and the Citywide Design Guidelines for Signs
3. That the sign program ensures that future signs will comply with all provision of this Cchapter, including development standards, such as but not limited to, number of signs, location of signs and sign size, as well as any approvals granting deviating from the sign standards.

F. Phased developments. Application for a sign program for a phased development must be submitted prior to issuance of any building permits for a first phase of development and approved prior to building occupancy for the first phase of development. Where the initial sign program for a first phase of development does not address future phases of development, an application for amendments to the initial sign program must be submitted prior to issuance of any building permits for subsequent phases and approved prior to building occupancy of each phase for which the sign program is amended.

G. Addition, removal, replacement or modification of signs within a previously approved sign program. On a development site subject to Section 19.620.100 B, the following shall apply:

1. Whenever the total number of signs to be added, removed, modified or replaced totals less than 25 percent of the number of permitted signs presently on the site, the signs shall be reviewed pursuant

to the existing sign program. If the site does not have an approved sign program, then each individual sign shall be reviewed pursuant to the standards of this [Chapter](#).

2. When the total number of signs to be added, removed, modified or replaced totals 25 percent or more of the number of permitted signs presently on the site, a standard sign program application shall be required and all signs shall comply with the development standards of this [Chapter](#).
3. Sign designs may be approved without a Planning Division sign application or further Planning Division design review if the Community & Economic Development Director or his/her designee determines that the design complies in all respects with an approved sign program. This authorization shall not relieve applicants from obtaining other necessary permits or approvals, including but not limited to temporary sign permits, building permits and encroachment permits.

H. *Sign program standards.* Sign programs provide a comprehensive approach to design that considers a site's unique shape, topography, surrounding conditions and building architecture. As a comprehensive document, adjustments in sign standards may be appropriate to facilitate coherent messaging while not impacting the community. In recognition of the benefits of a cohesive, well thought out sign program, the following modifications of this [Chapter's](#) development standards may be granted as part of a new sign program:

1. Signage on building facades by establishments that do not have frontage on that building façade.
2. Increase in allowable sign area for an individual sign(s) by up to 15 percent. Where there are circumstances for a sign modification, and where findings to support a sign modification can be made pursuant to the Section 19.620.100. Procedures for sign review and approval an additional ten percent increase (25 percent total) may be granted by the Community & Economic Development Director or his/her designee.
3. Allows the transfer of sign area limits from underutilized sign areas to areas that are more practical, through the use of a "sign budget". The sign budget would equal the total allowable sign area of all signs in the development that are of a similar type (building, monument, pilaster, directional, freeway, etc.), as defined by Chapter 19.910.

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url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank"

web="yes">Ord. 7552</ulink> §22, 2021; Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 7184 §3, 2012; Ord. 6966 §1, 2007)

19.620.120 Historic signs.

A. *Purpose and intent.* These regulations are intended to further the City's historic preservation efforts by providing for the preservation and restoration of historic and iconic signs and establishment of new signs that reflect the architectural and historic character and identity of designated historic buildings and historic districts in a manner that is consistent with the purposes of this [Chapter](#).

1. In adopting the provisions in this [Section](#), the City Council intends to allow the construction and installation of signs that, while not in compliance with sign regulations elsewhere in this [Chapter](#), would be in character with the building on which or district within which it is proposed to be located.
2. While encouraging the maintenance and restoration of historic signage, it is not the intent of these regulations to require all signs on a designated historic building to be exact replicas of the signs that would have been on the building when it was new.

- B. *Responsibilities.* All decisions regarding appropriate sign types and applications shall be made in accordance with Title 20 of ~~this~~the Municipal Code. Any appeal of the decision shall be in accordance with Title 20 of ~~this~~the Municipal Code.
- C. *Signs for designated historic resources (structures of merit or landmarks) and contributors to designated historic districts.*
1. *Projecting signs, vehicle oriented.* In lieu of a permitted building sign, a double faced projecting sign may be installed, provided such sign does not exceed the size allowance for the building sign it replaces, such sign does not project more than 48 inches from the building face, is attached with rigid supports in a manner acceptable to the Building and Safety Division, and the lowermost portion of the sign is located no less than eight feet or more than ten feet above grade level below the sign.
 2. *Projecting signs, pedestrian oriented.* In lieu of a permitted under canopy sign, a maximum four square foot projecting sign may be installed. Such sign shall project no more than 30 inches from the building face, be attached with rigid supports in a manner acceptable to the Building and Safety Division, and the lowermost portion of the sign shall be no less than eight feet or more than ten feet above grade level below the sign.
 3. *Roof signs.* In lieu of permitted freestanding signs pursuant to Section 19.620.080 or vehicle oriented projecting signs allowed by ~~S~~sub-section 1, the Board may approve a roof sign where documented evidence can be established for the presence of a roof sign within the period of significance of a building that is a designated structure of merit or landmark or a building that is a contributor to a designated historic district. Such roof sign may be replicated in its original historic size, shape, like-appearing materials, and placement to identify a current use in the building.
- D. *Certificate of Appropriateness.* Any sign governed by this ~~S~~section shall:
1. Be designed to have the appearance of a historic sign appropriate to the building and/or period of significance of the Historic District.
 2. Comply with current structural and electrical regulations.
 3. Be subject to review and approval per the standards, criteria, and procedures of Title 20 of ~~this~~the Municipal Code.
- E. *Sign lighting.* Lighting shall be in accordance with historically appropriate lighting types. This includes but is not limited to neon, individual incandescent bulbs, and overhead goose-neck lighting, subject to compliance with current electrical Codes.
- F. *Encroachments into the public right-of-way.* Any sign that would encroach into the public right-of-way shall first obtain an encroachment permit from the Public Works Department. See RMC Section 10.16.040 regarding unauthorized signs in the right-of-way.
- G. *Procedures.* In considering the matter, the Historic Preservation Officer or Qualified Designee (HPO) or the Cultural Heritage Board may not approve any sign for the display of off-site commercial messages, and may not consider the message content of any non-commercial message. As to on-site commercial messages, the HPO or Board may not consider the message itself, but may consider whether the manner of presentation is visually consistent with the historical time and theme of the location. Whether the sign is proposed to be used for on-site commercial or noncommercial messages, the HPO or Board may consider the architectural and structural aspects for consistency and harmony with the historical theme and time of the proposed location. Unless time is waived by the applicant, the HPO or Board shall decide the issue within the time frames specified in Title 20 of ~~this~~the Municipal Code.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.130 Nonconforming signs.

Any sign lawfully erected and maintained prior to the effective date of this ordinance, but which does not conform to the provisions of this Cchapter, or because of a zone change after the effective date of this Cchapter affecting the property upon which the sign is located ceases to comply with the applicable zone district regulations, is a nonconforming sign. The purpose of the regulations in this Ssection is to limit the number and extent of nonconforming signage by prohibiting alteration or enlargement of such signage so as to increase the discrepancy between their condition and the standards and requirements of this Cchapter.

A. *Continuance and maintenance.* Nonconforming signs that were legal when first installed, and which have not been modified so as to become illegal, may be continued, except as otherwise provided in this Ssection.

1. Reasonable and routine maintenance and repairs may be performed on signs that are nonconforming provided there is no expansion of any nonconformity with the current requirements of this Cchapter.
2. A sign that did not conform to law existing at the time of its erection shall be deemed an illegal sign and shall not be a nonconforming sign. The passage of time does not cure illegality from the outset. Pursuant to the applicable requirements of State law, the City may require that an illegal sign be removed or be replaced by a conforming sign.
3. A sign is subject to the standard procedures for abatement of nuisance if it is found to be unsafe because the structure creates an immediate hazard to persons or property.

B. *Alterations and additions to nonconforming signs.* No nonconforming sign shall be moved, altered, or enlarged unless required by law or unless the moving, alteration or enlargement will result in the elimination or substantial reduction of the sign's nonconforming features.

C. *Amortization.*

1. *Abandonment of nonconforming sign.* Whenever a nonconforming sign has been abandoned, or the use of the property has been discontinued for a continuous period of 90 days, the nonconforming sign shall be removed as provided for in State Law and Section 19.620.140, Enforcement, of this Cchapter.
2. *Damage to or destruction of nonconforming sign.* Whenever a non-conforming sign is damaged by any cause other than intentional vandalism and repair of the damage would not exceed 50 percent of the replacement cost based on an independent professional appraisal, the sign may be restored and the non-conforming use of the sign may be resumed, provided that restoration is started within one year and diligently pursued to completion.
 - a. Whenever a nonconforming sign is destroyed by any cause other than intentional vandalism and repair of the damage would exceed 50 percent of the reproduction cost based on an independent appraisal, such sign may be only be restored, reconstructed, altered or repaired in conformance with the provisions of this Cchapter.
 - b. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoring the sign to its condition prior to such damage or partial destruction, to the estimated cost of duplicating the entire sign, as it existed prior to the damage or destruction.

- c. Estimates for this purpose shall be made or shall be reviewed and approved by the Community and Economic Director or his/her designee.
- 3. *Change in use or occupancy.* Whenever there is a change in use or occupancy in a tenant space or property on which there is a nonconforming sign(s), the nonconforming sign(s) shall be removed or brought into compliance with the provisions of this Chapter prior to the start of operations.
- 4. *Historic signs.* Signs associated with designated historic or cultural resources, or eligible for historic or cultural resource designation as determined by the Historic Preservation Officer, shall be exempt from this Section.
- D. *Signs rendered nonconforming by annexation.* Any sign that becomes non-conforming subsequent to the effective date of this Section by reason of annexation to the City of the site upon which the sign is located, shall be subject to the provisions of this Section.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.140 Enforcement.

The Community & Economic Development Director or his/her designee may enforce the provisions of this Chapter by appropriate permit decisions, orders and directives. Such decisions, orders and directives may include, but are not limited to, orders to get a permit or to comply with permit conditions, orders to remove, repair, upgrade, repaint, replace or relocate any sign. All such decision, orders and directives are subject to appeal as provided in this Chapter. Any failure to follow a valid order or directive issued by the Community & Economic Development Director or his/her designee shall be deemed a violation of this Chapter and may be remedied in the same manner as any violation of Title 19 (Zoning) of the Riverside City Municipal Code. Notice of all decisions, orders and directives shall be deemed given when mailed to the last known address of the responsible party or parties.

- A. *Responsible parties.* Sign related rights, duties and responsibilities are joint and several as to the owner of the property, the owner of any business or other establishment located on the property, and the owner of the sign. Any repair, painting, alteration, or removal will be at the expense of the property owner or business owner as applicable.
- B. *Abandoned signs.* Any on-site commercial sign associated with a business that has ceased operations for 90 days may be deemed an abandoned sign, and may be ordered removed within ten business days. The removal duty falls jointly and severally upon the party which used the sign as part of the business and the owner of the land on which the sign is mounted or displayed.
- C. *Unremedied violations as public nuisance.* When the Community & Economic Development Director or his/her designee has given a notice of decision, order or directive regarding a sign or sign permit, and any noticed deficiency remains uncured 30 calendar days after the notice has been mailed, the City may enforce any violation and seek any remedy authorized by law, including but not limited to those methods available for any violation of the City's zoning laws, general laws, state or federal law, whether by administrative proceedings, a criminal action, and/or a civil lawsuit for abatement of nuisance (which may include requests for declaratory and injunctive relief), or abatement or removal by the City at the cost of the responsible parties, reimbursement for which may be secured by a lien recorded against the property. In any civil court action the prevailing party shall be entitled to an award of costs and reasonable attorneys' fees.
- D. *Removal by City: Public hearing.* In the event that the Community & Economic Development Director or his/her designee seeks a cure or remedy by removal of the subject sign by the City,

then the responsible parties shall be given 30 calendar day notice of a public hearing before the City Council to determine if the subject sign is a public nuisance and if the City should remove it if the responsible parties fail to do so with 30 calendar days after the City Council decision, or any other corrective action the Council may consider. All responsible parties shall be given notice of such hearing by certified mail, prepaid postage, addressed to their last known address. At such hearing, all responsible parties shall be given an opportunity to be heard, to present evidence and argument, to challenge the Community & Economic Development Director or his/her designee's decision, and to be represented by counsel.

- E. *Removal by City: Actual removal, redemption.* If, following the public hearing, the Council authorizes removal of the subject sign by the City; said removal may take place at any time five or more calendar days following the hearing and decision. The City may remove the subject sign by its own force, or by a contracted agent. Any removed sign shall be stored by the City for at least 30 calendar days, during which time the City shall take all reasonable efforts to notify the sign owner that the sign is in the City's possession and may be redeemed by reimbursing the City for the cost of removal. If the sign owner fails to redeem the sign within 30 calendar days of the notice, then the City may dispose of the sign by any means it deems appropriate. If the sign is sold, then the net proceeds of such sale shall reduce the reimbursement owed to the City by the responsible parties.
- F. *Remedy by City.* In the event that a valid directive or order of the Community & Economic Development Director or his/her designee is not followed, and is not timely appealed, then the Community & Economic Development Director or his/her designee may give 30 calendar day written notice and opportunity to cure, to the responsible parties that the City shall take corrective action and assess the cost of doing so as a lien against the property, using such procedures as are required by state or local law. The Community & Economic Development Director or his/her designee may grant a reasonable extension of time, not to exceed 120 calendar days to effect the required correction, if the owner or occupant of the premises has made proper application for a new sign which would accomplish the same result.
- G. *Removal—Scope.* If the option of removing a sign or signs is exercised, whether by private parties or by the City, said sign(s) shall be completely removed, including all poles, structures, electrical equipment, cabinets and sign faces. Building walls, grounds or other items on which such signs have been placed shall be restored to good repair and appearance.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

19.620.150 Definitions.³⁷

The following words and phrases shall have the following meanings when used in this ~~C~~chapter. In the event of a conflict between the definitions in this ~~S~~section and in Article X, Definitions, ~~of this Title of the Zoning Ordinance~~, the terms in this ~~S~~section shall apply.

A-frame sign means a portable upright, rigid, self-supporting frame sign in the form of a triangle or letter "A". Other variations of such signage may also be in the shape of the letter T (inverted) or the letter H.

Figure 19.620.150.A: A-Frame Sign

³⁷ **Sec. 19.620.150 Definitions--Contd.** Definition duplicative of Title 1 should be stricken as shown. Also, minor corrections are suggested as shown. **(FOOTNOTE 348 IN EXHIBIT 2)**

[GRAPHIC]

Abandoned sign means a sign remaining in place or not maintained for 90 days that does not provide direction for, advertise or identify a legally established and actually operating establishment, business, product, or service available on the establishment premises where the sign is located.

Advertising statuary means a statue or other three dimensional structure with a minimum dimension of at least six inches in the form of an object that identifies, advertises, or otherwise directs attention to a product or business but not including a three-dimensional sign that is affixed to a building.

Area of signs (sign area) means the area within the perimeter of one or two contiguous or overlapping rectangles of a size sufficient to enclose the outer limits of any writing, representation, emblem, logo, figure or character. Sign area does not include supporting structures such as sign bases and columns that contain no lettering or graphics except for addresses or required tags. (See Section 19.620.070.R, Calculation of Sign Area, for specific rules for measuring the area of different sign types.)

Area identification sign means a permanent sign that identifies a residential area, shopping district, industrial district, or any area identifiable area.

Awning sign means a sign affixed permanently to the outside surface of an awning.

Balloon. (See "inflatable sign").

Banner sign or banner means a sign made of fabric or any non-rigid material with no enclosing framework on which a message or image is painted or otherwise affixed.

Bench sign means a sign painted on or affixed to a bench or similar structure located in or near a public right-of-way, public transportation terminal, park, or other public property.

Blade sign means a double-sided sign oriented perpendicular to the building wall on which it is mounted. (See "projecting sign")

Billboard means a sign used for the purpose of general advertising for hire when some or all of the display area is used to display the messages of advertisers or sponsors other than the owner or an occupant of the property on whose property where the sign is located. Such signs are sometimes called outdoor advertising.

Building frontage. As used in this [Chapter](#), the linear measurement of exterior walls enclosing interior spaces which are oriented to and most nearly parallel to public streets, public alleys, parking lots, malls or freeways.

Building identification sign means a sign that contains the name and/or trademark and/or address of the building to which it is affixed or of the occupant located therein but does not include general advertising for hire.

Building sign means a sign with a single face of copy that is painted or otherwise marked on or attached to the face of a building wall, mansard roof or canopy fascia. Signs placed on a mansard roof are building signs if they do not extend above the roofline or top of the parapet of the main building wall to which the mansard roof is attached.

Bunting. (See "pennant")

Business sign means a sign that directs attention to the principal establishment, business, profession, activity or industry located on the premises where the sign is displayed, to type of products sold, manufactured or assembled, or to services or entertainment offered on such premises.

Cabinet sign means an internally illuminated sign consisting of frame and face(s), with a continuous translucent message panel; also referred to as a panel sign.

Canopy sign means a sign attached to a fixed overhead shelter used as a roof, which may or may not be attached to a building.

Changeable copy sign means a sign displaying a message that is changed by means of moveable letters, slats, lights, light emitting diodes, or moveable background material. "Digital signs," "dynamic signs," and CEVMS (changeable electronic variable message signs) are all within this definition.

Channel letters means three-dimensional individual letters or figures typically made of formed metal, usually with an acrylic face, with an open back or front, illuminated or non-illuminated, that are affixed to a building or to a freestanding sign structure by sliding the letters into channels.

Channel letter sign means a sign with multiple components, each built in the shape of an individual dimensional letter or symbol, each of which may be independently illuminated, with a separate translucent panel over the letter source for each element.

~~*City* means the City of Riverside California.~~

Civic organization sign means a sign which contains the names of, or any other information regarding civic, fraternal, eleemosynary or religious organizations located within an unincorporated community or city, but which contains no other advertising matter.

Commercial complex ~~has the meaning provided in means~~ Section 19.910 of ~~this Title~~ the Zoning Ordinance.

Commercial mascot means a person or animal costumed or decorated to function as a commercial advertising device. Includes "sign twirlers", "sign clowns", "human sandwich boards", and persons or animals holding or supporting any sign or advertising device displaying commercial speech or conveying a commercial message. The definition also applies to robotic devices intended to simulate a live person and/or animal.

Commercial speech or commercial message means an image on a sign that concerns primarily the economic interests of the message sponsor or the viewing audience, or both, or that proposes a commercial transaction.

Consistent means free from variation or contradiction.

Construction sign means a temporary sign that describes a planned future development project on a property in words and/or drawings.

Copy means the visually communicative elements mounted on a sign. Also called sign copy.

Digital display means a display method utilizing LED (light emitting diode), LCD (liquid crystal display), plasma display, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, either in a "slide show" manner (series of still images), or full motion animation, or any combination of them.

Directional sign means an exterior on-site sign that directs or guides pedestrian or vehicular traffic and which does not include general advertising for hire but may direct persons to specific parts of the establishment that have separate exterior entrances. Examples include handicapped parking, one-way, exit, entrance, rest rooms, emergency room, garage, and such similar functions.

Directory sign means a freestanding or wall sign that identifies all businesses and other establishments located within a commercial or industrial complex or an institutional establishment.

Electronic message center sign (electronic message display) means a sign that uses digital display to present variable message displays by projecting an electronically controlled pattern and which can be programmed to periodically change the message display. See "digital display."

Figure 19.620.150.B: Electronic Message Center Sign

[GRAPHIC]

Establishment means any legal use of land, other than long-term residential, which involves the use of structures subject to the Building Code. By way of example and not limitation, this definition includes businesses, factories, farms, schools, hospitals, hotels and motels, offices and libraries, but does not include single-family homes, mobile homes, residential apartments, residential care facilities, or residential condominiums. Multi-unit housing developments are considered establishments during the time of construction; individual units are not within the meaning of establishment once a certificate of occupancy has been issued or once a full-time residency begins.

Externally illuminated sign means any sign that is lit by a light source that is external to the sign directed towards and shining on the face of the sign.

Feather banner means a type of vertical banner made of flexible materials, (e.g., cloth, paper, or plastic), the longer dimension of which is typically attached to a pole or rod that is driven into the ground or supported by an individual stand. Also called a "swooper" or "teardrop" banner. Also known as quill signs or quill banners.

Figure 19.620.150.C: Feather Banner

[GRAPHIC]

Flag means a piece of fabric or other flexible material, usually rectangular, of distinctive design, used as a symbol, which is capable of movement, or fluttering in moving air or wind.

Flashing or scintillating sign means a sign which, by method or manner of construction or illumination, flashes on or off, winks or blinks with varying light intensity, shows motion or creates the illusion of motion, or revolves to create the illusion of being on or off. This definition does not include changeable copy signs with displays that change less frequently pursuant to the requirements of this [Chapter](#). See "changeable copy sign."

Freestanding sign means a sign supported by structures or supports that are placed on, or anchored in, the ground and which are structurally independent from any building including "monument signs", "pole signs", "pylon signs" and "ground signs."

Freeway-oriented sign means a freestanding sign that orients primarily to the traveling public using a freeway or expressway, and installed for the purpose of identifying major business locations within certain commercial zoning districts in close proximity to a freeway or expressway.

Fuel pricing sign means a sign that indicates, and limited to, the brand or trade name, method of sale, grade designation and price per gallon of gasoline or other motor vehicle fuel offered for sale on the business premises, and such other information as may be required by county ordinance or state law, such as California Business and Professions Code ~~S~~section 13530 *et seq.*

General advertising for hire means the enterprise of advertising or promoting other businesses, establishments or causes using methods of advertising, typically for a fee or other consideration, in contrast to self-promotion or on-site advertising.

Ground sign means a sign that is permanently supported upon the ground by poles or braces and is not attached to any building or other structure. These may include freestanding pole signs and movement signs. See freestanding sign.

Hanging sign. See "shingle sign."

Illuminated sign means a sign that is illuminated with an artificial source of light incorporated internally or externally.

Industrial complex. See Section 19.910 ~~of this Title of the Zoning Ordinance.~~

Inflatable sign means a balloon or other inflatable device (e.g., shaped as an animal, blimp, or other object) that is displayed, printed, or painted on the surface of an inflatable background.

Interpretive historic sign means a sign located within a historic district or a designated historic street right-of-way as approved by the Cultural Heritage Board in accordance with adopted design guidelines for this type of sign. Also known as "historic sign".

Lighted sign means a sign that is illuminated by any artificial light source, whether internal, external or indirect.

Major street frontage means the major street frontage from which the majority of the pedestrian or vehicular traffic is drawn or toward which the building or buildings are oriented for primary visual impact. See building frontage and secondary frontage.

Mansard sign means a sign attached below the deck line or principal roofline of a mansard roof or similar roof-like façade.

Figure 19.620.150.D: Mansard Sign

[GRAPHIC]

Marquee sign means a sign that advertises an event, performance, service, seminar, conference, or show, and displayed on a permanent roof-like structure or canopy made of rigid materials supported by and extending from the facade of a building.

Figure 19.620.150.E: Marquee Sign

[GRAPHIC]

Mobile sign means any sign carried or conveyed by a vehicle.

Monument sign means a low-profile freestanding sign erected upon or supported solely by a planter, pedestal base, or similar ground structure approximately the same width as the sign and which is designed to incorporate the architectural theme and building material of the building on the premises. Internal supports, poles or pylons, if any, are enclosed by decorative covers or otherwise not exposed to view.

Moving image sign (animated sign) means a sign or any portion thereof on which the communicative image rotates, moves, or appears to move in some manner, whether by mechanical, electrical, natural, air activation or other means.

Mural means a work of graphic art on an exterior building wall that may or may not contain a commercial logo or trademark but does not serve to advertise or promote any business, product, activity, service, interest, or entertainment and is not general advertising for hire.

Neon sign means a sign comprised partially or entirely of exposed small diameter tubing that is internally illuminated by neon, argon or other fluorescing gas.

Non-commercial message means a message or image on a sign that directs public attention to or advocates an idea or issue of public interest or concern but is not advertising for hire and or does not promote any business, product, activity, service, interest, or entertainment.

Off-site sign means a sign that advertises commercial products, accommodations, services or activities not provided in or on the property or premises upon which it is located. The on-site/off-site distinction does not apply to non-commercial messages.

On-site sign (also: on-premises sign) means a sign that advertises the commercial business, establishment, accommodation, services or activities provided on the premises on which the sign is located, or is expected to be provided in the near future [*i.e.*, "coming soon" movie posters]. All establishments within a shopping center are on-site as to any sign(s) also located within that shopping center. Where such center is subject to master sign program, all establishments subject to the program are considered on-site whenever located within any location subject to the program. As to construction site signs, "on-site" includes all parties involved in the specific construction project.

Pedestrian Mall. See Section 19.910 [of this Title of the Zoning Ordinance.](#)

Pennant means a device made of flexible materials, (e.g., cloth, paper, or plastic) that is typically triangular or swallow-tail in shape, may or may not contain copy, and which is installed for the purpose of attracting attention. Does not include pennants used for watercraft signaling purposes. For the purposes of this [Chapter](#), bunting a form of banner or pennant that is typically presented and displayed in a folded or gathered fashion or combination is considered a pennant.

Permanent sign means a sign that is solidly attached to a building, structure, or the ground by means of mounting brackets, bolts, welds, or other combination of attachment methods, thereby rendering the sign non-moveable or difficult to reposition without the use of machinery, cutting devices, or mechanical devices. Contrast: temporary sign.

Placard means a poster or similar sign for public display.

Pole sign means a freestanding sign that is supported by one or more exposed poles that are permanently attached directly into or upon the ground.

Political sign means a sign that advertises a political candidate, a political party, or a political issue including but not limited to a local, state or national election. See "non-commercial message."

Portable sign means a freestanding sign that is not permanently affixed, anchored or secured to either the ground or a structure on the property it occupies.

Projecting sign means a building wall sign, the surface of which is not parallel to the face of the supporting wall and which is supported wholly by the wall. See "blade sign."

Projected sign means a visible image, intended to be communicative, that is created by projecting light onto a solid surface, whether by means of drones or search light or other light projecting device.

Public transportation sign means a sign that is placed on a structure, such as a bench or shelter, located on a public alley, road, street, parkway or highway, for the purpose of facilitating the use of public transportation and promote the safety, comfort and convenience of public transit patrons. Includes signs on bus shelters and bus benches.

Pylon sign means a freestanding sign that is supported and in direct contact with the ground or one or more solid, monumental structures or pylons and which typically has a sign face with a vertical dimension that is greater than its horizontal dimension.

Figure 19.620.150.F: Pylon Sign

[GRAPHIC]

Real estate sign means a temporary sign that advertises the sale, lease or rental of the property but not including signs on establishments offering transient occupancy such as hotels, motels, and inns.

Revolving sign means a sign or any portion thereof, which rotates, moves or appears to move in some manner by mechanical, electrical, natural or other means. Includes "tri-vision" signs with rotating triangular prisms.

Roof sign means any sign supported by or attached to or projecting through the roof of a building or structure, or projecting above the eave line or parapet wall of the building or structure. Roof sign shall not include a sign attached to a mansard roof pursuant to the definitions of building sign and mansard roof or a vertical sign as defined in this [S](#)section.

Secondary street frontage means any street frontage other than a major street frontage.

Shingle sign means a sign that hangs from a canopy or awning or from the roof of an arcade or passageway.

Sign face means an exterior display surface of a sign including non-structural trim exclusive of the supporting structure. The area of a sign that is available for mounting and public display of the visually communicative image.

Sign spandrel means a sign or group of signs located between or extending from the supporting columns of a canopy structure.

Subdivision entry sign means a temporary sign which provides necessary travel directions to and within a subdivision offered for initial sale or lease, but which contains no other advertising matter.

Temporary sign means a sign or advertising display constructed of fabric, cardboard, plywood or other light material, with or without a frame that is designed or intended to be displayed for a short period of time. Temporary signs do not include permitted portable signs such as A-frame signs that are required to be removed when an establishment is not open.

Tenant sign means a sign that identifies a tenant, occupant, or establishment whether residential or commercial and provides no other advertisements or product identification.

Traffic sign means a sign for traffic direction, warning, and roadway identification. Includes signs displaying traffic rules, such as "one way" and "speed limit".

Under-canopy or under-marquee sign. See "shingle sign."

Vehicle display sign means a sign mounted, attached, affixed or painted on a vehicle, trailer or similar conveyance parked on public or private property that serves to promote any business, product, activity, service, interest or entertainment for the purpose of general advertising for hire on the property where the vehicle is located.

Wall sign (or wall-mounted sign) means a sign affixed to and wholly supported by a building in such a manner that its exposed face is approximately parallel to the plane of such building and is not projecting more than 18 inches from the building face or from a permanent roofed structure projecting there from.

Way-finding sign means a sign that is designed and located to provide orientation and direction to a destination or destinations within a specific geographic area or commercial or institutional complex.

Window sign means a sign with a single face of copy that is painted or installed on a glass window or door or located within 24 inches from inside the window in a manner that it can be viewed from the exterior of a structure.

(Ord. 7331 §96, 2016; Ord. 7300 §2, 2015; Ord. 6966 §1, 2007)

Chapter 19.623 BILLBOARD SIGNS

19.623.010 Basic policies.

19.623.020 Billboards.

19.623.025 Relocation of existing billboards; billboard relocation agreements

19.623.030 Relocation of existing billboards (On Parcel Annexed into the City of Riverside)

19.623.040 Billboard relocation permit

~~19.623.050 Severance.~~

19.623.010 Basic policies.

The policies and principles stated in this ~~C~~chapter apply to all billboards within the regulatory scope of this ~~C~~chapter. These policies are to prevail over any other provision to the contrary, even if more specific.

(Ord. 7331 §97, 2016; Ord. 6966 §1, 2007)

19.623.020 Billboards.

The City completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted. No permit shall be issued for any billboard which violates this policy, and the City will take immediate abatement action against any billboard constructed or maintained

in violation of this policy. In adopting this provision, the City Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Cchapter.

The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this Cchapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This provision does not prohibit agreements to relocate presently existing, legal billboards.

(Ord. 7331 §97, 2016; Ord. 6966 §1, 2007)

19.623.025 Relocation of existing billboards; billboard relocation agreements

Notwithstanding any other provision of this chapter, and consistent with the California Business & Professions Code Outdoor Advertising provisions, outdoor advertising signs (billboards) as defined by Chapter 19.910 (Definitions), may be considered and constructed as part of a billboard relocation agreement subject to the following.

A. Intent and Purpose.

- a. The purpose of an outdoor advertising sign (billboard) relocation agreement is to reduce the number of billboards in the City by removing existing outdoor advertising signs in exchange for allowing relocation of billboards to more suitable locations, and to provide more attractive, aesthetically pleasing billboard designs and/or electronic message displays.
- b. The execution of a billboard relocation agreement shall not operate to change the status of any billboard as a nonconforming use for purposes of this code.

B. Eligibility.

- a. Applicant-initiated billboard relocation requests may be initiated by a billboard operator and/or property owner subject to approval by the City Council pursuant to Chapter 19.650 (Approving and Appeal Authority). The City Council reserves the right to deny, approve and negotiate the approval of any applicant-initiated billboard relocation request.
- b. The City may initiate a billboard relocation request consistent with state law and as part of a billboard relocation agreement between a billboard operator and/or property owner and the City.

C. Negotiation of Terms.

- a. The City Council in its sole and absolute discretion shall negotiate upon terms of the billboard relocation agreement that are acceptable including, but not limited to, revenue sharing, community benefits, takedown/removal ratios, billboard sign type, sign

dimensions, and location. The City Council shall serve as the final approving authority for any billboard relocation agreement.

D. Development, Operational and Site Location Standards.

a. In addition to compliance with requirements negotiated pursuant to an executed billboard relocation agreement, any relocated billboard sign shall comply with the site location, operation and development standards of applicable state law.

19.623.030 Relocation of existing billboards (On Parcel Annexed into the City of Riverside)

The Community & Economic Development Director or his/her designee shall have the authority to administratively approve the issuance of a permit for the relocation of an existing billboard, subject to design review, which meets all of the following requirements:

1. The billboard was legally permitted by the County of Riverside or otherwise had legal non-conforming status with the County;
2. The parcel on which the billboard is located was subsequently annexed to the City of Riverside;
3. The City has required the relocation of the existing billboard;
4. The sign will be relocated on the same parcel or property it was originally located;
5. The size of the new or relocated billboard will not exceed the size, area, height, length, width, shape and number of sides or faces of the existing billboard;
6. The new or relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure;
7. All proposed lighting for the new or relocated billboard shall be the same or similar to the lighting of the original billboard and, in any case, the new sign will not utilize display technology which creates a moving or changing image, of the illusion thereof; and
8. All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.

(Ord. 7331 §97, 2016; Ord. 6987 §1, 2008)

19.623.040 Billboard relocation permit

The Community & Economic Development Director or his/her designee shall have the authority to administratively approve the issuance of a billboard relocation permit for the relocation, replacement or

modernization of an existing billboard, subject to design review and approval of a billboard relocation agreement, which meets all of the following requirements as applicable:

1. The billboard was legally permitted by the County of Riverside or otherwise has legal non-conforming status with the City;
2. The City has executed a billboard relocation agreement with a billboard operator/or property owner;
3. The new or relocated billboard will constitute an improvement in the aesthetic appearance of the original billboard structure; and
4. All costs associated with the relocation and installation of the new or relocated billboard will be borne solely by the billboard owner or applicant. If a new structure is to be built, it must comply with all applicable Building Code and safety requirements.

~~19.623.050 Severance.~~³⁸

~~If any section, sentence, clause, phrase, word, portion or provision of this chapter is held invalid or, unconstitutional, or unenforceable, by any court of competent jurisdiction, such holding shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this chapter which can be given effect without the invalid portion. In adopting this chapter, the City Council affirmatively declares that it would have approved and adopted the Chapter even without any portion which may be held invalid or unenforceable.~~

~~(Ord. 7331 §97, 2016; Ord. 6987 §2, 2008; Ord. 6966 §1, 2007)~~

Chapter 19.625 PRIVATE PARTY SIGNS ON CITY-OWNED PROPERTY AND THE PUBLIC RIGHT-OF-WAY.

19.625.010 Scope.

19.625.020 Intent as to public forum.

19.625.030 Private party signs generally banned.

19.625.040 Signs which are exempt from the general ban.

19.625.050 Temporary political, religious, labor protest and other noncommercial signs in traditional public forum areas.

19.625.060 Projection of temporary signs over public rights-of-way.

19.625.070 Pedestrian Mall sidewalk signs.

19.625.080 Riverside Plaza Sign (limited forum).

19.625.090 Encroachment.

19.625.100 Enforcement.

³⁸ **Sec. 19.623.040 Severance.** Text duplicative of Title 1 general provisions should be stricken as shown.
(FOOTNOTE 349 IN EXHIBIT 2)

19.625.010 Scope.

This division of the Cchapter states the City's policies for the placement of signs by private parties, or other governmental units, on land or other property owned or controlled by the City.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.020 Intent as to public forum.

As it relates to the placing of signage on public property, the City declares its intent that all public property in the City shall not function as a designated public forum, unless some specific portion of public property is designated herein as a public forum of one particular type; in such case, the declaration as to public forum type shall apply strictly and only to the specified area and the specified time period, if any.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.030 Private party signs generally banned.

Except as expressly allowed by a provision of this Cchapter, or another provision of law, private parties may not display or post signs on public property or in the public right-of-way.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.040 Signs which are exempt from the general ban.

The following signs are exempted from the general ban: Traffic control and traffic directional signs erected by a governmental unit; official notices required by law; signs placed by the City.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.050 Temporary political, religious, labor protest and other noncommercial signs in traditional public forum areas.

In areas qualifying as traditional public forums, such as streets, parks and sidewalks, persons may display noncommercial message signs thereon, provided that their sign displayed on public property conforms to all of the following:

- A. The signs must be personally held by a person, or personally attended by one or more persons. "Personally attended" means that a person is physically present within 15 feet of the sign at all times.
- B. The maximum aggregate size of all signs held by a single person is 12 square feet.
- C. The maximum size of any one sign which is personally attended by two or more persons is 50 square feet.
- D. The displayed signs may not be inflatable or air-activated.

E. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this Section may not stand in any vehicular traffic lane when a roadway is open for use by vehicles and persons displaying signs on public sidewalks must give clearance for pedestrians to pass by.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.060 Projection of temporary signs over public rights-of-way.

No temporary sign or banner shall extend over or into a street, alley, sidewalk or other public place except those signs placed by the City for the purpose of advertising civic events.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.070 Pedestrian Mall sidewalk signs.

This Section applies only in the pedestrian mall as defined in Article 10 (Definitions).

A. One pedestrian mall sidewalk sign is allowed per ground floor lease space for food service businesses and museums subject to issuance of a sign permit and approval of the Community & Economic Development Director or his/her designee, including conformance with the following location and design criteria:

1. Persons may display a noncommercial message on an A frame or similar portable sign, on the public sidewalk within the pedestrian mall, subject to:
 - a. A person must be physically present within 15 feet of the sign at all times that it is on display;
 - b. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall area, nor a maximum height or width of four feet; and
 - c. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.

B. Location criteria:

1. A pedestrian mall sidewalk sign shall only be permitted as provided herein, within the limits of the downtown pedestrian mall as defined in Article 10 (Definitions).
2. A pedestrian mall sidewalk sign shall be located in front of the business and extend no more than ten feet into the public right-of-way, and not closer than 35 feet from the curb face of any cross-street open to vehicular traffic.
3. A pedestrian mall sidewalk sign shall not be located in a landscape planter, permanent seating area, or any location which may create an impediment to pedestrian, disabled, or emergency access.

C. Design criteria:

1. A pedestrian mall sidewalk sign may not exceed 12 square-feet in overall area, nor a maximum height or width of four feet. No more than 50 percent of the overall sign area may be used for changeable copy.
2. A pedestrian mall sidewalk sign must be constructed of quality materials, such as smooth particle board or medium density plywood, which are sturdy and designed for paint.

3. All visible surfaces of the sign shall be finished in a uniform or complimentary manner.
4. Lettering and graphics shall be of a professional quality. Borders, artistic enhancements, and graphics reflecting the nature of the related business are encouraged.
5. Balloons, banners, flags, lights, pinwheels, umbrellas, or other similar items, shall not be attached to, or made a part of, a pedestrian mall sidewalk sign.
6. The Community & Economic Development Director or his/her designee may refer the design of a pedestrian mall sidewalk sign to either the Cultural Heritage Board or the City Planning Commission for resolution of design related issues.
7. A pedestrian mall sidewalk sign must be weighted so as not to be easily knocked down or blown over. Maintenance of the sign and any damage or injury caused by the sign is the responsibility of the business owner.
8. A pedestrian mall sidewalk sign must be removed and placed indoors each day at the close of business.
9. A pedestrian mall sidewalk sign may not be displayed until the required sign permit, including proof of insurance, has been obtained. A pedestrian mall sidewalk sign permit is required to be renewed annually at the beginning of each calendar year.
10. Every permittee, at his/her sole cost and expense, and during the term of his/her permit or any renewal thereof, shall obtain and maintain liability insurance to the approval of the City's Risk Manager. Prior to the issuance of any permit, the applicant shall file and maintain with the Community & Economic Development Director or his/her designee a valid current policy or sufficient certificate evidencing the policy of liability insurance, covering use of the pedestrian mall sidewalk sign. The policy shall contain an endorsement naming the City as additional insured, shall provide that the City Risk Manager will be given 30 days written notice prior to cancellation or material change, and shall be in such minimum limits as set by resolution of the City Council.
11. Any decision of the Community & Economic Development Director or his/her designee, Cultural Heritage Board, or Planning Commission may be appealed to the City Council within ten days of receipt of notice by permittee.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.080 Riverside Plaza Sign (limited forum).

- A. *Location and purpose.* Subject to the requirements of applicable State law, this Ssection authorizes a single, permanent, electronic message center sign on land owned by Riverside Public Utilities, namely APN 223150001. When constructed, such sign shall be a strictly limited forum which may be used only for commercial speech to provide freeway visibility and identification for Riverside Plaza and the establishments located therein.
- B. *Physical characteristics.* Such sign shall be oriented so as to be visible primarily from State Route 91. Each display face shall not exceed 750 square feet. The maximum number of display faces shall be two. The height shall not exceed 50 feet above the elevation of the freeway travel lane nearest to the sign location. However, the actual approved size and/or height of an electronic message center sign may be less than the maximum dimensions.
- C. *Permanent identification.* For purposes of this Ssection only, "onsite commercial" means messages related to the establishments located within the Riverside Plaza. To the extent the sign is used to display commercial messages, such messages may be only onsite commercial messages, images or logos, with

a maximum of four lines of commercial copy per display face. No offsite commercial messages shall be displayed on the sign. The sign owner may determine any noncommercial messages to be displayed thereon.

D. *Property license or lease.* The sign shall be permitted only through an approved license agreement or lease between the Riverside Public Utilities and the sign owner.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.090 Encroachment.

Any sign projecting into the public right-of-way, or into public property, is subject to an encroachment permit.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

19.625.100 Enforcement.

Any sign posted on public property or the public right-of-way, in violation of the provisions of this ~~C~~chapter, is declared to be a trespass and a public nuisance, may be summarily removed by the City without notice, and the persons or parties responsible for such unauthorized posting may be charged with the City's actual costs of removal. In addition, any violation of this ~~C~~chapter may be enforced or punished in any manner prescribed by law, including any method provided for enforcement of ~~this Title~~the Zoning Code and a criminal proceeding under the Penal Code.

(Ord. 7331 §98, 2016; Ord. 6966 §1, 2007)

Chapter 19.630 YARD REQUIREMENTS AND EXCEPTIONS

19.630.010 Purpose.

19.630.020 Required yard areas by zones.

19.630.030 Building setback measurements.

19.630.040 Permitted projections into required yards.

19.630.050 Residential rear yard paving requirements.

19.630.010 Purpose.

This ~~C~~chapter establishes standards for setback measurement and required yard areas. These provisions, in conjunction with other applicable provisions of this ~~T~~itle, are intended to ensure open areas around primary structures; maintain clear visibility for traffic safety and pedestrian access; buffer incompatible land uses; and establish natural and visual light and air space for privacy, landscaping, and recreation.

(Ord. 7331 §99, 2016; Ord. 6966 §1, 2007)

19.630.020 Required yard areas by zones.

The required yard area (front, interior side, street side, and rear) of a lot is the horizontal area between the property line and the minimum building setback distance required for the specific zone in question.

Except as otherwise specified in this **Title**, required yard areas shall be kept open and unobstructed from the ground upwards, free of any buildings and structures.

(Ord. 7331 §99, 2016; Ord. 6966 §1, 2007)

19.630.030 Building setback measurements.

A. *General.* Except as otherwise specified in this **Section**, all building setback distances shall be measured at right angles from the designated property line, and the building setback line shall be drawn parallel to the designated property line at the required building setback distance.

[GRAPHIC]

Figure 19.630.030.A

Building Setback Measurements

B. *Front yard setbacks.* The front setback building line is a line parallel to the front property line abutting the street, at a minimum distance specified by the base zone measured at right angles from the front property line, except as follows:

[GRAPHIC]

Figure 19.630.030 B

Front Yard Setbacks

1. *Corner lots.* The front yard setback shall be measured from the narrowest street frontage, subject to approval of the Community & Economic Development Director or his/her designee. Where a lot or parcel of land at the junction of two intersecting streets in any residential zone has frontage on each street over 130 feet in length, front yards of the depth required in the appropriate zone shall be required on both frontages. The Community & Economic Development Director or his/her designee may determine that the front setback shall be established from the longer street frontage if the primary orientation of the building is to that frontage.
2. *Flag lots.* Regardless of the orientation of the main building, the measurement shall be taken from a parallel line established where the access strip meets the buildable area of the parcel closest to the public street or right-of-way.
3. *Through lots.* The front yard setback on the street side of a through lot is a line parallel to the property line abutting both streets. In other words, a through lot has two front yards.

[GRAPHIC]

Figure 19.630.030.B

Front Yard Setbacks

4. *Averaging.* For the R-1-7000 Zone, where lots comprising 50 percent or more of the frontage on one side of a street between intersecting streets are developed with front yards setbacks of a greater depth. The average of such front yard setbacks shall establish the front yard setback for the entire frontage on that side of the street within that block.

- C. *Side yard setbacks.* The side setback building lines are the lines parallel to the side yard property lines and perpendicular to the front and rear property lines, at a minimum distance specified by the base zone and measured horizontally from the nearest part of the side lot line to the main building.

[GRAPHIC]

Figure 19.630.030.C

Side Yard Setbacks

- D. *Rear yard setback.* The rear setback building line is a line parallel to the rear property line, at a minimum distance specified by the base zone measured at right angles from the rear property line, that extends between the side yards, except as follows:

1. *Irregular, triangular or gore shaped lots.* The rear yard setback is measured from a line that is opposite, parallel to and at a maximum distance from the front building setback line, having a length of not less than 10 feet.

[GRAPHIC]

Figure 19.630.030.D.2

Rear Yard Setback—Gore Lot

(Ord. 7331 §99, 2016; Ord. 6966 §1, 2007)

19.630.040 Permitted projections into required yards.

- A. Cornices, eaves, belt courses, sills bay windows, buttresses, or other similar architectural features may project up to four feet into a required front yard area and may project into a required side or rear yard area up to four inches per one foot of width of such yard.
- B. Fire escapes may project up to four feet into any required yard area.
- C. Open, unenclosed, and uncovered staircases or balconies may project up to two and one-half feet into any required yard area.
- D. Single-story porches may encroach into the required front yard up to 20 percent of the yard length or six feet, whichever is less.
- E. Permitted projections into required yards for RA-5, RE, RR and R-1 Zones.
 1. *Flexible yard setbacks.*
 - a. In the R-1 Zones, on local streets only, where the residential structure has the garage set back ten or more feet from the required front yard setback, the habitable portion of the residential structure may extend into the front setback up to a maximum of five feet.
 - b. In conjunction with the consideration of a tentative tract or parcel map in the R-1-7000 Zone, interior side yard setbacks may be reduced to five feet provided a minimum distance of 15 feet is maintained between adjacent dwellings.
 - c. In the R-1 Zones, portions of the dwelling may encroach up to ten feet into the required rear yard setback provided that the encroachment does not exceed 500 square feet in total area.

2. *Additions to established dwellings.* For lawfully established dwellings that do not conform to the side yards required in the RC, RR, RE and R-1 Zones additions may be constructed within such required side yards if such additions are located not closer to the side lot line than the existing dwelling; provided, that in no case shall such additions be located closer than five feet to interior side lot lines or ten feet to street side lot lines.

3. *Garage in the R-1-7000 Zone.* In the R-1-7000 Zone, a garage that is an integral part of the main dwelling may be located not closer than five feet to any interior side lot line.

F. A minimum distance of three feet shall be maintained between all projections and any property line.

(Ord. [7652](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 13, 2023; Ord. 7331 §99, 2016; Ord. 6966 §1, 2007)

19.630.050 Residential rear yard paving requirements.

No more than 1,000 square feet of the rear yard shall be paved, or 25 percent of the rear yard area, which ever is less, for parking purposes. A paved driveway must extend to the parking area from a public street or alley. Parking areas greater than 25 percent of the rear yard area or 1,000 square feet which ever is less may be considered under a Minor Conditional Use Permit.

(Ord. 7331 §99, 2016; Ord. 6966 §1, 2007)

ARTICLE IX. LAND USE DEVELOPMENT PERMIT REQUIREMENTS/PROCEDURES

Chapter 19.640 - GENERAL PERMIT PROVISIONS

Chapter 19.650 - APPROVING AND APPEAL AUTHORITY

Chapter 19.660 - GENERAL APPLICATION PROCESSING PROCEDURES

Chapter 19.670 - PUBLIC HEARINGS AND NOTICE REQUIREMENTS

Chapter 19.680 - APPEALS

Chapter 19.690 - EFFECTIVE DATES, TIME LIMITS, AND EXTENSIONS

Chapter 19.700 - MODIFICATION AND REVOCATION OF PERMITS/VARIANCES AND OTHER APPROVALS

Chapter 19.710 - DESIGN REVIEW

Chapter 19.720 - VARIANCE

Chapter 19.730 - MINOR CONDITIONAL USE PERMIT

Chapter 19.740 - TEMPORARY USE PERMIT

Chapter 19.760 - CONDITIONAL USE PERMIT

Chapter 19.770 - SITE PLAN REVIEW PERMIT

Chapter 19.780 - PLANNED RESIDENTIAL DEVELOPMENT PERMITS

Chapter 19.785 - TRAFFIC PATTERN MODIFICATION MEASURES

Chapter 19.790 - CONDOMINIUM CONVERSION PERMITS

Chapter 19.795 - ACCESSIBILITY APPEALS

Chapter 19.800 - GENERAL PLAN TEXT/MAP AMENDMENT

Chapter 19.810 - ZONING ~~CODE~~ TEXT/MAP AMENDMENT

Chapter 19.820 - SPECIFIC PLAN/SPECIFIC PLAN TEXT/MAP AMENDMENTS

Chapter 19.840 - ANNEXATIONS

Chapter 19.850 - FAIR HOUSING AND REASONABLE ACCOMMODATION

Chapter 19.860 - RESERVED

Chapter 19.870 - RECYCLING CENTER PERMIT

Chapter 19.880 - TRANSPORTATION DEMAND MANAGEMENT REGULATIONS

Chapter 19.890 - STREET, ALLEY AND WALKWAY VACATIONS

Chapter 19.895 - ROOM RENTAL PERMIT

Chapter 19.900 - STREET NAME CHANGE

Chapter 19.640 GENERAL PERMIT PROVISIONS

19.640.010 Purpose.

19.640.020 Ministerial Actions.

19.640.040 Discretionary permits and actions.

19.640.050 Additional permits may be required.

19.640.060 Burden of proof and precedence.

19.640.010 Purpose.

This ~~C~~chapter establishes the overall structure for the application, review, and action on discretionary permits and legislative actions. Further, it identifies and describes the permits regulated by ~~this Title~~~~the~~ **Zoning Code**. It also identifies those minor activities, uses and structures that are exempt from permit requirements. It further requires compliance with all applicable laws and regulations.

(Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

19.640.020 Ministerial Actions.

A. *Definition.* Ministerial actions describe City decisions that involve little or no personal judgment by a public official as to the wisdom or manner of carrying out a project. The public official merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. A ministerial decision involves only the use of fixed standards or objective measurements.

(Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

19.640.040 Discretionary permits and actions.

A. *Definition.* Discretionary permits or actions apply to projects that require the exercise of judgment or deliberation when the Approving or Appeal Authority decides to approve or disapprove a particular activity, as distinguished from situations where the City public official, Board, Commission or Council merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations.

B. *Administrative discretionary permits and actions not requiring a public hearing.* The Community & Economic Development Director or the ~~Staff Application Review Team~~ ~~Development Review Committee~~ have primary administrative authority over certain activities that require the determination of compliance with applicable zoning provisions and the application of judgment to a given set of facts. The following lists the various administrative permits and references Chapters of ~~this Title~~~~the~~ **Zoning Code** for the respective actions:

1. Community & Economic Development Director:

a. Interpretation ~~of Code~~– Refer to Chapter 19.060.

- b. Temporary Use Permit - Refer to Chapter 19.740.
- c. Nonconforming Provisions - Refer to Chapter 19.080.
- d. Effective Dates, Time Limits and Extensions - Refer to Chapter 19.690.
- e. Recycling Center Permit - Refer to Chapter 19.870.
- f. Determination of substantial conformance and modification of previously approved conditions with equivalent language.
- g. Administrative Planned Residential Development Permit - Refer to Chapter 19.780.

2. ~~Staff Application Review Team Development Review Committee:~~

- a. Design Review - Refer to Chapter 19.710.
- b. Minor Conditional Use Permit - Refer to Chapter 19.730.
- c. Variance - Refer to Chapter 19.720.
- d. Minor Planned Residential Development Permit - Refer to Chapter 19.780.

C. *Discretionary permits and actions requiring a public hearing.*

1. Except when combined with legislative actions, the City Planning Commission is the designated approving authority for discretionary permits and actions. A public hearing is required for the following discretionary permits:
 - a. Conditional Use Permit - Refer to Chapter 19.760.
 - b. Planned Residential Development Permit - Refer to Chapter 19.780.
 - c. Condominium Conversion Permits- Refer to Chapter 19.790.
 - d. Site Plan Review Permit - Refer to Chapter 19.770.
 - e. Modification and Revocation of Permits/Variations and Other Approvals - Refer to Chapter 19.700.
 - f. Street, Alley and Walkway Vacations - Refer to Chapter 19.890 and the City Administrative Manual.
 - g. Traffic Pattern Modification Measures - Refer to Chapter 19.785.
2. The City Council is the designated approving authority for the following actions subject to a public hearing:
 - a. Airport Land Use Commission Appeals (City Council only) - Refer to Sections 19.680 A and E (Filing an Appeal).

D. *Legislative actions—Public hearing required.* In general, legislative actions establish rules, policies or standards of general applicability. They involve the exercise of discretion and they are governed by considerations of the public welfare. The designated approving authority for all legislative actions by the City is the City Council. A public hearing is required for all following legislative actions:

1. General Plan Text/Map Amendment - Refer to Chapter 19.800.
2. Zoning ~~Code~~-Text/Map Amendment (Rezoning) - Refer to Chapter 19.810.
3. Specific Plan/Specific Plan Amendments - Refer to Chapter 19.820.
4. Development Agreement and Development Agreement Amendment - Refer to City Resolution No. 15475 or its successor.

5. Annexations and Detachments - Governed by State Law.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 13, 2024; (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. (<http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

19.640.050 Additional permits may be required.

A. A land use on property that complies with the permit requirement or exemption provisions of [this Title](#)~~the~~ [Zoning Code](#) shall also comply with the permit requirements of other Municipal Code provisions and any permit requirements of other public agencies before construction or use of the property is commenced. Nothing in [this Title](#)~~the~~ [Zoning Code](#) shall eliminate the need to obtain any permits required by:

1. Any applicable county, regional, State, or Federal regulations.

B. All necessary permits shall be obtained before starting work or establishing a new use.

(Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

19.640.060 Burden of proof and precedence.

A. *Burden of proof.* The burden of proof to establish the evidence in support of the required finding(s) for any permit in accordance with this [C](#)~~e~~hapter is the responsibility of the applicant.

B. *Precedence.* Each permit shall be evaluated on a case-specific basis. Therefore, granting of a prior permit does not create a precedent and is not justification for the granting of a new permit.

(Ord. 7331 §100, 2016; Ord. 6966 §1, 2007)

Chapter 19.650 APPROVING AND APPEAL AUTHORITY

19.650.010 Purpose.

19.650.020 Designated approving authority.

19.650.030 Concurrent processing of Land Use Development Permits.

19.650.010 Purpose.

This [C](#)~~e~~hapter identifies the designated Planning Agency, as identified in Chapter 19.050 (Administrative Responsibility), for the review of the land use development permits and actions required by [this Title](#)~~the~~ [Zoning Code](#).

(Ord. 7331 §101, 2016; Ord. 6966 §1, 2007)

19.650.020 Designated approving authority.

A. General provisions.

1. The Approving and Appeal Authority, as designated in Table 19.650.020 (Approving and Appeal Authority), shall approve (in full or in part), conditionally approve (in full or in part), modify or deny (in full or in part) applications in accordance with the requirements of ~~this Title~~the Zoning Code.
2. Table 19.650.020 (Approving and Appeal Authority) identifies both recommending (R) and final (F) authorities for each application.
3. When a proposed project requires more than one permit, the permits shall be processed pursuant to Section 19.650.030 (Concurrent Processing of Land Use Development Permits).

B. *Appeals*. An action of the Approving or Appeal Authority may be appealed pursuant to procedures set forth in Chapter 19.680 (Appeals).

C. Approval authority on referral.

1. Referral by the Community & Economic Development Department Director, or his/her designee, or the ~~Staff Application Review Team Development Review Committee~~.
 - a. The Community & Economic Development Department Director, or his/her designee, or the ~~Staff Application Review Team Development Review Committee~~, instead of taking any action, may refer the matter to the Planning Commission.
 - b. The action of the Planning Commission, following referral, may be appealed to the City Council.
 - c. Action taken by the City Council is not subject to an appeal.
2. Community & Economic Development Department Director, or his/her designee, decisions.
 - a. All administrative and discretionary decisions of the Community & Economic Development Department Director, or his/her designee, shall be transmitted to the City Council.
 - b. The Mayor or any member of the City Council may refer the decision for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
 - c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of transmittal, the action of the Community & Economic Development Department Director, or his/her designee, is final.
3. ~~Staff Application Review Team Development Review Committee~~ decisions.
 - a. All decisions of the ~~Staff Application Review Team Development Review Committee~~ shall be transmitted to the City Council.
 - b. The Mayor or any member of the City Council may refer the matter for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
 - c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of transmittal, the action of the ~~Staff Application Review Team Development Review Committee~~ is final.
4. Planning Commission Administrative and Discretionary Items.

- a. All decisions of the Planning Commission on administrative and discretionary items shall be transmitted to the City Council the next business day following Planning Commission action.
- b. The Mayor or any member of the City Council may refer the matter for consideration by the City Council at a public hearing by notifying the Community & Economic Development Department Director, or his/her designee.
- c. If not referred by the Mayor or any member of the City Council, or otherwise appealed, within ten days of Planning Commission action, the action of the City Planning Commission is final. (See Section 19.690.020(A) - Effective Date of Permits and Actions).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §23, 2021; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. 7331 §101, 2016; Ord. 7091 §5, 2010; Ord. 6997 §7, 2008; Ord. 6966 §1, 2007)

Table 19.650.020

Approving and Appeal Authority

R = Recommending Authority; F = Final Approving Authority (unless appealable); A = Appeal Authority; AR = Approving Authority as Community & Economic Development Director or [Staff Application Review Team](#) ~~Development Review Committee~~ on Referral

Type of Permit or Action	Approving and Appeal Authority			
	Community & Economic Development Department Director	Staff Application Review Team (START) ~~Development Review Committee (DRC)~~	City Planning Commission ^(9,11)	City Council ^(1,11)
<i>Administrative</i>				
Billboard Relocation Permit	AR			A/F
Design Review		F ⁽³⁾	A/AR ⁽³⁾	A ⁽³⁾ /F
Fair Housing and Reasonable Accommodation		F	AR	A ⁽⁴⁾ /F
Findings of Public Convenience or Necessity	F		AR	A/F
Minor Conditional Use Permit		F	A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Administrative Planned Residential Development Permit	F		A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Creative Sign Permit	F		AR	

Nonconforming Determination	F		A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Recycling Center Permit	F			AR/A/F
Room Rental Permit	F		AR	A/F
Street, Alley, & Walkway Vacations (Summary)				F
Temporary Use Permit	F ⁽⁵⁾			
Time Extensions	F		A/AR	A/F
Transportation Demand Management Regulations	F			A/F
Variance	F		A ⁽⁴⁾ /AR	A ⁽⁴⁾ /F
Zoning ~~Code~~ -Interpretation	F		A/AR	A/F
<i>Public Hearing</i>				
Accessibility Appeals (Building Official decisions relating to access)			F	A/F
Airport Land Use Commission Appeals				A ^(10, 12) /F
Annexation or Detachment			R ⁽⁶⁾	A/F
Conditional Use Permit			F ^(6, 9)	A/F
Condominium Conversion Permit			R ⁽⁶⁾	A/F
Development Agreement and Amendment ⁽⁸⁾			R ⁽⁶⁾	A/F
Design Review			F ⁽³⁾	A/F ⁽³⁾
Floodplain Approval; Floodplain Variance			F	A/F
General Plan Text/Map Amendment			R ^(6, 9)	A/F
Planned Residential Development Permit			F ^(6, 9, 13)	A/F
Minor Planned Residential Development Permit			F ^(6, 9)	A/F
Small Lot Planned Residential Development Permit			F ^(6, 9)	A/F
Site Plan Review Permit			F ⁽⁶⁾	A/F
Specific Plan and Amendments			R ^(6, 9)	A/F

Street, Alley, & Walkway Vacations			R ⁽⁶⁾	A/F ⁽⁷⁾
Street Name Change			R ⁽⁶⁾	A/F
Traffic Pattern Modification Measures			R ⁽⁶⁾	A/F ⁽⁷⁾
Zoning ~~Code~~ -Text/Map Amendment			R ^(6, 9)	A/F

;sz=8q; Notes:

1. Decisions of the City Council are final and cannot be appealed.
2. Reserved.
3. Planning Commission primary design review responsibility is limited to concurrent review with another case for which the Planning Commission has approval authority (Refer to Section 19.710.035 - Review Responsibilities of Planning Commission or Community & Economic Development Department Director). Appeal of Planning Commission action on design review is by the full City Council.
4. See Section 19.650.020 C - Designated Approving Authority.
5. Appeal of an action on a Temporary Use Permit shall be to the City Manager. The City Manager's decision is final.
6. If denied by the Planning Commission, the action is final unless appealed to the City Council (See Section 19.680.020 B - Appeal Authority) with the exception of City-initiated General Plan Text/Map Amendments, Zoning ~~Code~~-Text/Map Amendments and Specific Plan Amendments where the Planning Commission is a Recommending Authority only.
7. Street vacations and traffic pattern modification measures require two actions at the City Council: adoption of a resolution of intent to hold a public hearing and a public hearing.
8. See Government Code Section 65864 for more information on Development Agreements.
9. All decisions by the Planning Commission to approve or deny a permit or action are by simple majority of the members present and voting, with the following exceptions:
 - a. Conditional Use Permits, including revocations, and Planned Residential Development Permits require approval by a 2/3 majority of the Planning Commissioners present and voting; and
 - b. Zoning Code Text/Map Amendments, General Plan Text/Map Amendments, and Specific Plan Amendments require a majority vote of not less than four Planning Commissioners present and voting.
10. All decisions of the City Council to approve or deny a permit or action are by a majority vote of those present and voting except that a 2/3 vote of the total membership (five votes minimum) is required to approve an appeal of a decision of the Airport Land Use Commission (ALUC).
11. All tied votes of the Planning Commission mean that an application failed to be approved and will be treated as a denial. When a tie vote exists before the City Council, the Mayor shall have the voting right as any member of the City Council and may cast a vote for or against an item to break a tie. In the Mayor's absence, in the event of a tie vote, the Mayor Pro Tempore shall not have the

right to cast a tie-breaking vote; in this instance the City Council vote shall be treated as a denial (Riverside City Charter - Article IV, Section 405).

12. Refer to Section 19.680.030 (E) for details regarding the ALUC appeal process

13. The final decision-making authority for PRD's in the RC Zone shall be the City Council.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 14(Exh. H), 2024; (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §24(Exh. E), 2021; (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. (<http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 2(Exh. A), 11-5-2019; Ord. 7331 §101, 2016; Ord. 7222 §5, 2013; Ord. 7163 §2, 2012; Ord. 7091 §6, 2010; Ord. 6966 §1, 2007)

19.650.030 Concurrent processing of Land Use Development Permits.

A. When a proposed project requires more than one permit application with more than one Approving or Appeal Authority, all project permits shall be processed concurrently as interrelated permits for a single project.

B. The highest designated Approving or Appeal Authority for all such requested permits shall take final action on applicant-initiated projects with multiple permits.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 15, 2024; (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §25, 2021; Ord. 7331 §101, 2016; Ord. 6966 §1, 2007)

Editor's note— (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. No. 7660, § 15, adopted March 12, 2024, amended the title of 19.650.030 to read as herein set out. The former 19.650.030 title pertained to ~~d~~Designated approving authority.

Chapter 19.660 GENERAL APPLICATION PROCESSING PROCEDURES

19.660.010 Purpose.

19.660.015 Initiation of applications.

19.660.020 Application submittal.

19.660.030 Eligible applicants.

19.660.040 Submittal requirements.

19.660.050 Initial application completeness review.

19.660.060 Environmental review.

19.660.070 Notice of decision.

19.660.080 Time limitation on reapplication after denial.

19.660.010 Purpose.

This ~~C~~chapter provides for standard procedures for administrative actions/permits, discretionary actions/permits and legislative actions. Unique processing procedures are listed in the individual permit chapters.

(Ord. 7331 §102, 2016; Ord. 6966 §1, 2007)

19.660.015 Initiation of applications.

- A. For all case types, the Community & Economic Development Department Director, or his/her designee, is authorized to initiate planning applications, notwithstanding any other section of this ~~T~~itle, for any project authorized under this ~~T~~itle.
- B. For General Plan Text/Map Amendment see Section 19.800.020 (Initiation of Amendment).
- C. For Zoning ~~C~~ode-Text/Map Amendment see Section 19.810.020 (Initiation of Map/Text Amendment).
- D. For Specific Plan/Specific Plan Amendments see Section 19.820.030 (Specific Plan Initiation).

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §26, 2021; Ord. 7331 §102, 2016; Ord. 6966 §1, 2007)

19.660.020 Application submittal.

All applications for land use and development permits and actions pertaining to ~~this Title~~~~the Zoning Code~~ shall be submitted to the Planning Division on a City application form, together with all fees, plans, maps, and any other information required by the Planning Division.

(Ord. 7331 §102, 2016; Ord. 6966 §1, 2007)

19.660.030 Eligible applicants.

A. Administrative and discretionary.

1. The owner(s) of the property, or the owner's authorized agent(s), or a plaintiff in an action of eminent domain with an order of possession shall make the application.
2. Any authorized agent shall be formally delegated as such in writing by the property owner.
3. The City Manager, or his/her designee, shall make the application for any City-initiated project.

B. Legislative.

1. The owner(s) or lessee(s) of the property, or the owner's authorized agent(s), or a plaintiff in an action of eminent domain with an order of possession shall make the application.
2. Any authorized agent shall be formally delegated as such in writing by the property owner.

3. The Community & Economic Development Department Director, or his/her designee, the Planning Commission or City Council may also initiate an application for a legislative action.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §27, 2021; Ord. 7331 §102, 2016; Ord. 6966 §1, 2007)

19.660.040 Submittal requirements.

A. Application for a Land Use or Development Permit.

1. Every application for a land use or development permit shall include a completed application form designated for the particular request.
2. Each application shall include particular maps, plans, and other data about the project development, project site and vicinity deemed necessary by the Community & Economic Development Department Director, or his/her designee, to provide the recommending and final Approving and Appeal Authorities with adequate information on which to base decisions.

B. Administrative adjustment.

1. Any application that may require minor, administrative adjustments from the standards set forth in this Title shall include a written request to the Community & Economic Development Department Director, or designee. Minor, administrative adjustments from the standards set forth in this Title shall include the following:

- a. A maximum increase of 10% in the allowed sign area and height.
- b. A maximum decrease of 20% in the required setbacks, except in no case shall this provision permit a setback of fewer than 5 feet.
- c. A maximum decrease of 20% in the required distance between structures on the same site on multifamily lots.
- d. A maximum decrease of 10% in the required parcel dimensions (area, depth, and width).
- e. A maximum decrease of 5% or 1 space, whichever is greater, in the required parking spaces.
- f. A maximum decrease of 10% in required landscaped dimensions (area, depth, or width).
- g. Any other standards not addressed by these provisions may be permitted up to a 10% adjustment as determined by the Community and Economic Development Department Director.

2. These provisions shall not apply in the Residential Conservation (RC) and Residential Agricultural (RA-5) zones, or in an industrial zone where located within 200 feet of a sensitive receptor as defined by Section 19.130.030.

3. The Community and Economic Development Department Director, or designee, may approve, conditionally approve, or deny the request.

C. Signature and fees required.

1. Applications will not be accepted by the Planning Division without required signed application forms.
2. Any owner or the owner's authorized representative may sign an application.

3. The City Manager, or his/her designee, may sign an application for City-initiated projects.
 4. Fees shall be those established by City Council Resolution and published in the Schedule of Fees available from the Planning Division.
- D. All applications requiring discretionary approval may be required to include a project-specific Water Quality Management Plan (WQMP) pursuant to the requirements of the Municipal Separate Storm Sewer System (MS4) Permit.

E. Indemnification.

1. With the submittal of any application, the owner and/or applicant agrees that upon approval of its application the owner and/or applicant shall defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action or proceeding against the City of Riverside, its agents, officers or employees, that attacks, set asides, voids, or annuls, any approval by the City concerning:
 - a. Any such approval of the City: and/or
 - b. An action taken to provide environmental clearance under the California Environmental Quality Act (CEQA), Public Resources Code § 21000 et seq., by its advisory agencies, appeal boards or City Council.
2. The owner and/or applicant shall execute an indemnification agreement in a form acceptable to the City Attorney.
3. In the event any claim, action or proceeding is brought, the City shall promptly notify the owner and/or applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this Section shall prohibit the City from participating in the defense of any proceeding.
4. In the event that the applicant is required to defend the City in connection with any proceeding described in this Section, the City shall retain the right to approve:
 - a. The counsel to so defend the City;
 - b. All significant decisions concerning the manner in which defense is conducted; and
 - c. Any and all settlements, which approval shall not be unreasonably withheld.
5. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §28, 2021; Ord. 7331 §102, 2016; Ord. 7235 §13, 2013; Ord. 6966 §1, 2007)

19.660.050 Initial application completeness review.

All applications filed with the Planning Division in compliance with this Title ~~the Zoning Code~~ shall be initially reviewed for application completeness as follows:

A. Complete applications.

1. Within 30 calendar days of application submittal, the Community & Economic Development Department Director, or his/her designee, or ~~Staff Application Review Team-Development Review Committee~~, as applicable, shall determine whether or not the application is complete.
2. The applicant shall be notified in writing of the determination either that all the submittal requirements have been satisfied and that the application has been accepted as complete or that the submittal requirements have not been satisfied and the application has been determined to be incomplete (see Section 19.660.050(B) - Incomplete Applications).

B. Incomplete applications.

1. Within 30 calendar days of application re-submittal, the Community & Economic Development Department Director, or his/her designee, or the ~~Staff Application Review Team-Development Review Committee~~, as applicable, shall determine whether or not the application is complete.
2. The applicant shall be notified in writing of the determination either that:
 - a. All the submittal requirements have been satisfied and that the application has been accepted as complete; or
 - b. Specific information and or materials are still necessary to complete the application.

The letter may also identify preliminary information regarding the areas in which the submitted plans are not in compliance with City standards and requirements.
3. The applicant may appeal the determination in accordance with Chapter 19.680 (Appeals) and the Permit Streamlining Act (California Government Code Section 659~~2043 et seq.~~).
4. The City, at its discretion, may withdraw any application that remains incomplete 180 calendar days from the date of the original submittal. The City shall notify the applicant of its intention to withdraw the stagnant application at least 30 calendar days prior to withdrawal.

C. Withdrawals.

1. *Submittal of withdrawals.* All withdrawal requests shall be submitted in writing to the Planning Division, identifying the application being withdrawn.
2. *Resubmittal of withdrawn applications.* Any resubmittal of a withdrawn application shall require submittal of a new application along with the appropriate fees and a new case number will be assigned.

- D. Mutual agreement to extension of time.* Nothing in this ~~S~~section precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this ~~S~~section (~~California Government Code Section 65943~~).

(<ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §29, 2021; Ord. 7331 §102, 2016; Ord. 7235 §14, 2013; Ord. 7091 §7, 2010; Ord. 6966 §1, 2007)

19.660.060 Environmental review.

After acceptance of a complete application, the project shall be reviewed in accordance with the environmental review procedures of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and the City's environmental guidelines (City Council Resolution No. 21106 as amended or most recent CEQA Resolution adopted by the City Council).

(Ord. 7331 §102, 2016; Ord. 6966 §1, 2007)

19.660.070 Notice of decision.

- A. A notice of decision shall be required for all discretionary and legislative permits/actions in accordance with the provisions of this Ssection.
- B. Within seven days from the final action on an application, the Community & Economic Development Department Director, or his/her designee, or the Staff Application Review Team-Development Review Committee, as applicable, shall send written notice of decision to the project applicant, other affected parties and anyone who has requested to be notified. The notice of decision shall identify the specific action of the Approving or Appeal Authority, including the date of action, applicable conditions and appeal period.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §30, 2021; Ord. 7331 §102, 2016; Ord. 7235 §15, 2013; Ord. 6966 §1, 2007)

19.660.080 Time limitation on reapplication after denial.

- A. *Time limitation.* Whenever an application or portion of an application has been denied or revoked and the denial or revocation becomes final, no new application for the same or similar request may be accepted within one year of the date of the action to deny or revoke, unless the Community & Economic Development Department Director, or his/her designee, determines that a new application is warranted due to a substantial change in land use on properties in the vicinity, improved infrastructure in the vicinity, altered traffic patterns, or any such similar change resulting in a changed physical environment.
- B. *Exemption for earlier reapplication.* Applications that have been denied without prejudice and applications where the denying resolution stipulates a reapplication time are exempt from Section 19.660.080 A.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §31, 2021; Ord. 7331 §102, 2016; Ord. 7235 §16, 2013; 6966 §1, 2007)

Chapter 19.670 PUBLIC HEARINGS AND NOTICE REQUIREMENTS

19.670.010 Generally.

19.670.020 Notice requirements for administrative discretionary permits with no public hearing.

19.670.030 Notice of hearing for discretionary actions requiring a public hearing.

19.670.040 Notice of hearing for legislative actions.

19.670.050 Traffic pattern modification measures and street, alley, and walkway vacations.

19.670.060 Content of notice.

19.670.070 Requests for notification.

19.670.080 Failure to receive notice.

19.670.090 Hearing procedure.

19.670.100 Notice and hearings for appeals and referrals.

19.670.110 Drive-thru facilities.

19.670.120 Cemeteries.

19.670.010 Generally.

The following procedures implement State Planning and Zoning Law under Government Code Sections 65090 through 65096 and govern the public hearing and notice requirements for consideration of a land use or development permit or action. Section 19.640.040 B—D (Discretionary Permits and Actions) and Table 19.650.020 (Approving and Appeal Authority), identify where public hearing and notice is required for all types of action authorized by ~~this Title~~ the Zoning Code.

In general, public hearings and public notice shall be required for certain discretionary and all legislative actions. Public hearings are not required for administrative discretionary actions, although public notice may be required. Where required, the hearing(s) shall be held before the designated Approving or Appeal Authority pursuant to Table 19.650.020 (Approving and Appeal Authority).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §32, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.020 Notice requirements for administrative discretionary permits with no public hearing.

A. Minor Conditional Use Permit, Administrative Planned Residential Development Permit, and Variance.

1. Public notice of the consideration of a proposed minor conditional use permit in all zones shall be provided by the Community & Economic Development Department Director, or his/her designee, by mailing such notice to the property owners and occupants within 300 feet of the exterior boundaries of the property under consideration;
2. Public notice of the consideration of a proposed variance in any zone or an administrative planned residential development permit in single-family residential zones shall be provided by the Community & Economic Development Department Director, or his/her designee, by mailing such notice to the property owners adjacent to the boundaries of the property under consideration. When the variance request is regarding a corner lot and will pertain to a rear or side yard setback, such notice shall be given to the owners of property directly across each street from the proposed side or rear yard encroachment as well as to the owners of abutting property.
3. For mailing purposes, the last known name and address of such owners and occupants as shown on the latest available equalized assessment roll of the County Assessor shall be used. Such notices shall identify the property under consideration and indicate the nature of the proposed permit.
4. The public notice shall:
 - a. Be sent no later than 14 days after acceptance of a complete and accurate application;
 - b. Invite interested persons to notify, in writing, the Planning Division of any concerns, comments or to make a request to be further notified of actions relating to the proposed variance or minor conditional use permit during a 15-day comment and review period commencing with the date of the notice;

- c. Specify that only those specifically requesting to be further notified of actions relating to the application will be so notified of decisions, appeals or requests for City Council review; and
 - d. Specify that, at the end of the 15-day comment and review period, the Community & Economic Development Department Director's or Staff Application Review Team's Development Review Committee's final report and recommendations will be issued, initiating a ten-day appeal period during which time any interested person may appeal to the decision the appropriate Appeal Authority.
5. For variances in any residential zone where the applicant has obtained the written approval of the adjacent property owners, no public notices, comment period or appeal period is required.
 6. The Community & Economic Development Department Director's decision is final, except that the applicant may appeal the decision within ten days of the mailing of written notice of decision.
 7. Noticing distance requirements for individual uses may vary. Refer to Article VII, Specific Land Use Provisions.

B. All other administrative, discretionary permits.

No notice is required for other administrative, discretionary actions without a public hearing, unless specified.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 15, 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §33, 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 §3, 11-5-2019; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.030 Notice of hearing for discretionary actions requiring a public hearing.

Notice of the hearing shall be given in all of the following ways:

- A. Notice of the hearing shall be mailed or delivered, at least ten days prior to the hearing, to:
 1. The owner of the subject real property or the owner's duly authorized agent, and the project applicant.
 2. Each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project.
 3. All owners of the subject real property on the latest County Assessor records and occupants within 300 feet.
 4. If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of at least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- B. The notice shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- C. Noticing distance requirements for individual uses may vary. Refer to Article VII, Specific Land Use Provisions.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>
web="yes">Ord. 7552 §34, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.040 Notice of hearing for legislative actions.

A. *General Plan amendments, Specific Plan amendments, Zoning ~~Code~~-Text/Map amendments and Zone changes not affecting the permitted uses or intensity of uses of real property.*

1. The notice shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.

B. *General Plan amendments, Specific Plans and Specific Plan amendments, Zoning ~~Code~~-amendments and Zone changes affecting the permitted uses or intensity of uses of real property and all development agreements.*

1. Notice of the hearing shall be given in all of the following ways:

- a. Notice of the hearing shall be mailed or delivered, at least ten days prior to the hearing, to:

- (1) The owner of the subject real property or the owner's duly authorized agent, and the project applicant.
 - (2) Each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project.
 - (3) All owners of real property on the latest records of the County Assessor within 300 feet of the real property.
 - (4) If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of at least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the hearing.

2. The notice shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.

C. *Annexations.* Notice of the hearing to adopt a resolution of application to annex shall be published in all of the following ways:

1. The notice shall be published in at least one newspaper of general circulation with the City at least 20 days prior to the hearing.
2. Notice of the hearing shall be mailed or delivered, at least 20 days prior to the hearing, to:
 - a. The owner of the subject real property(ies) and the project applicant, if other than the City.
 - b. Each local agency expected to provide water, sewage, streets, roads, schools or other essential facilities or services to the project.
 - c. All owners of real property on the latest records of the County Assessor within 300 feet of the real property(ies).
3. The notice shall be posted at the site where the public hearing will occur at least 20 days prior to the hearing and continue to the time of the hearing.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>
web="yes">Ord. 7552 §35, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.050 Traffic pattern modification measures and street, alley, and walkway vacations.

- A. Traffic pattern modification measures and street, alley, and walkway vacations require two actions at the City Council:
1. Adoption of a resolution of intent to hold a public hearing; and
 2. A public hearing.
- B. Pursuant to the California Streets and Highways Code (Section 8310 et seq.), the public hearing shall not be held less than 15 days after the adoption of the resolution of intent to hold a public hearing.
- C. Notice of the public hearing shall be published for at least two successive weeks prior to the public hearing.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §36, 2021; Ord. 7331 §103, 2016; Ord. 7118 §2, 2011)

19.670.060 Content of notice.

Notices given pursuant to Section 19.670.020 (Notice Requirements for Administrative Discretionary Permits with No Public Hearing), 19.670.030 (Notice of Hearing for Discretionary actions Requiring a Public Hearing) and 19.670.040 (Notice of Hearing for Legislative Actions) shall at a minimum include the date, time and place of the public hearing, the identity of the hearing body, a general explanation of the matter to be considered and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.

(Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.070 Requests for notification.³⁹

- A. Any person who requests inclusion on a mailing list for notice of hearing for a development project or projects shall submit such request in writing to the Planning Division where the request is for notice of hearing before the Planning Commission and to the City Clerk where the request is for notice of hearing before the City Council.

- B. The City may impose a reasonable fee for the purpose of recovering the cost of such notification."
~~Section 38: Section 19.670.090 of the Riverside Municipal Code is hereby amended as follows:~~

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §37, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.080 Failure to receive notice.

Pursuant to California Government Code Section 65093, failure of any person or entity to receive notice required by law of any hearing as required by ~~this Titlethe Zoning Code~~ shall not constitute grounds for

³⁹ **Sec. 19.670.070 Requests for notification.** Extraneous text should be stricken as shown. **(FOOTNOTE 350 IN EXHIBIT 2)**

any court to invalidate the actions of a designated Approving or Appeal Authority for which the notice was given.

(Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.090 Hearing procedure.

- A. Hearings as provided for in this [Chapter](#) shall be held at the date, time, and place for that notice has been given as required in this [Chapter](#).
- B. The designated Approving or Appeal Authority shall conduct the public hearing and hear testimony.
- C. The summary minutes shall be prepared and made part of the permanent file of the case.
- D. Any hearing may be continued, and no further public notice shall be required unless the hearing is not continued to a specific date/time, in which instance the hearing shall be re-noticed.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §38, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.100 Notice and hearings for appeals and referrals.

- A. Upon appeal or referral of a discretionary action with a public hearing or a legislative action, notice of a public hearing before the appeal authority (See Table 19.650.020 - Approving and Appeal Authority) shall be given in the same manner as for the original public hearing, except that in all cases the period of time for publishing or mailing the notice prior to the appeal hearing is not more than ten days. Proposed adoption of a negative declaration by the appeal authority does not extend the time beyond ten (10) days.
- B. Upon appeal or referral of an administrative discretionary action, notice of the appeal or referral shall be mailed to the applicant and all interested persons requesting such notice at least ten days in advance of consideration of the referral or appeal on the appeal or referral authority's discussion calendar agenda.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §39, 2021; Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.110 Drive-thru facilities.

Whenever a hearing is held regarding a discretionary permit or a legislative action for a drive-thru facility, notice shall also be provided to representatives on a list maintained by the Planning Division of the blind, aged and disabled communities.

(Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

19.670.120 Cemeteries.

Notice for any action that would permit all or any part of a cemetery, as defined by Section 8100 of the State Health and Safety Code, to be used for other than cemetery purposes, shall be provided pursuant Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing).

19.670.130 On-site notification signage for projects in the Industrial Zones.

Notice of filing for new development projects within the Business Manufacturing Park (BMP) & General Industrial (I) Zone shall also be made by posting of physical signage on the site by the applicant when a Minor Conditional Use Permit or Conditional Use Permit is being considered.

1. *Purpose:* The on-site notification signage requirement is intended to notify neighbors of the affected project area and the community at large early in the review process, allowing the applicant and the City to consider community input throughout all stages of project review.
2. *Specific plan requirements:*
 - a. In any specific plan district where specified industrial uses require a Minor Conditional Use Permit or Conditional Use Permit by the current industrial zoning designation, a Notice of Filing sign shall be required.
3. Sign criteria/maintenance: Posting of required on-site notification signage shall comply with the following:
 - a. *Sign size and specifications.*
 - i. Sign(s) shall be four feet high by eight feet wide.
 - ii. Sign(s) shall be attached by ground-mounted stake(s) or post(s) not less than 6 feet in height from ground surface.
 - iii. Signs shall not be affixed to buildings or other structures.
 - iv. Signs shall contain the following information:
 1. City of Riverside ~~I~~Logo;
 2. "Notice of Filing" lettering;
 3. Planning project case number;
 4. Brief project description;
 5. Project location including Assessors ~~Aeeessor~~ Parcel Number(s) (APNs);
 6. Project applicant name and contact information;
 7. Contact information for the City Planning Division; and
 8. Other information as determined to be necessary by the Community & Economic Development Director or designee, including but not limited to a standardized design template published by the Planning Division.

(Ord. 7331 §103, 2016; Ord. 6966 §1, 2007)

Chapter 19.680 APPEALS

19.680.010 Purpose.

19.680.020 Appeal authority.

19.680.030 Filing an appeal.

19.680.040 Notice and schedule of appeal hearings.

19.680.050 Appeal hearing and action.

19.680.010 Purpose.

This ~~C~~chapter identifies the procedures for filing and processing an appeal of actions of Approving Authorities, consistent with California Government Code Section 65904. Where the appeal provisions of this ~~S~~section conflict with other provisions of ~~this the Riverside Municipal~~ Code, the appeal provisions of this ~~C~~chapter shall apply with regard to planning and zoning matters.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 9(Exh. J), 2022; Ord. [7331](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank) § 104, 2016; Ord. 6966 § 1, 2007)

19.680.020 Appeal authority.

- A. Any person dissatisfied with an interpretation or action an Approving Authority made pursuant to this ~~A~~article may appeal such action to the designated Appeal Authority and ultimately to the City Council. Appeals must be filed in accordance with the procedures in Section 19.680.030 (Filing an Appeal). Table 19.650.020 (Approving and Appeal Authority) identifies the Appeal Authority for each of the City's land use and development permits and actions. Actions by the City Council are not subject to appeal.
- B. Legislative matters require the Planning Commission to hold a noticed public hearing and make a recommendation on the matter to the City Council. Where the Planning Commission denies legislative cases initiated by an applicant, the action is final unless appealed to the City Council. For City-initiated legislative cases, the Planning Commission is a recommending body and the City Council's action is final. (See Table 19.650.020 - Approving and Appeal Authority).

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 9(Exh. J), 2022; Ord. [7331](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank) § 104, 2016; Ord. 6966 § 1, 2007)

19.680.030 Filing an appeal.

- A. Any person aggrieved or affected by a decision of an Approving Authority may appeal that decision to the designated Appeal Authority. All appeals shall be submitted in writing to the Planning Division, in duplicate, identifying the action being appealed and specifically stating the basis or grounds of the appeal. For appeals of the decision of the Airport Land Use Commission (ALUC) see E below.
- B. Appeals shall be filed within ten calendar days following the date the Approving Authority announces its determination on the matter for which an appeal is made and shall be accompanied by a filing fee

as established by City Council resolution. If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day (Note: one exception to the ten-day appeal period is for temporary use permits where the appeal period is two business days).

- C. The filing of an appeal shall stay the action being appealed and the issuance of subsequent permit(s), such as grading or building permits.
- D. An appeal must be filed to exhaust all available administrative remedies.
- E. When filing an appeal of the decision of the Airport Land Use Commission (ALUC) the applicant shall provide the City with a copy of the ALUC staff report, notice of action and findings to support the override for the ALUC determination. In order to overrule the ALUC finding of inconsistency, the City Council must make specific findings that the proposal is consistent with the purposes of ALUC law "to protect public health, safety and welfare by ensuring (1) the orderly expansion of airports and (2) the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 9(Exh. J), 2022; Ord. [7552](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank) § 41, 2021; Ord. 7331 § 104, 2016; Ord. 6966 § 1, 2007)

19.680.040 Notice and schedule of appeal hearings.

An appeal hearing shall be conducted at a public meeting on a date mutually agreed upon by the person filing the appeal, the applicant and the City. Notice of hearing for the appeal shall be provided pursuant to noticing requirements of Chapter 19.670 (Public Hearings and Notice Requirements).

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 9(Exh. J), 2022; Ord. 7331 § 104, 2016; Ord. 6966 § 1, 2007)

19.680.050 Appeal hearing and action.

Each appeal shall be considered de novo (new), even if the appeal is withdrawn, and the Appeal Authority may reverse, modify or affirm the decision in regard to the entire project in whole or in part. In taking its action on an appeal, the Appeal Authority shall state the basis for its action. The Appeal Authority may approve (in full or in part), conditionally approve (in full or in part), modify or deny (in full or in part) and may modify, delete or add such conditions as it deems necessary. The Appeal Authority may also refer the matter back to the original Approving Authority for further action.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 9(Exh. J), 2022; Ord. 7331 § 104, 2016; Ord. 6966 § 1, 2007)

Chapter 19.690 EFFECTIVE DATES, TIME LIMITS, AND EXTENSIONS

19.690.010 Purpose.

19.690.020 Effective date of permits and actions.

19.690.030 Time limits.

19.690.040 Voiding.

19.690.050 Time extension.

19.690.060 Exercising permits or approvals.

19.690.070 Approvals to run with land.

19.690.080 Permit(s) on the site during construction.

19.690.010 Purpose.

This Chapter identifies the effective date of permit and other approvals and provides requirements (including time limits) for implementation and extension of approval time limits. Unique processing procedures are listed in the individual permit chapters.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.020 Effective date of permits and actions.

- A. *Community & Economic Development Department Director, or his/her designee, ~~Staff Application Review Team Development Review Committee~~ or Planning Commission Decisions on Discretionary Permits and Actions.* All decisions of the Community & Economic Development Department Director, or his/her designee, ~~Staff Application Review Team Development Review Committee~~ or Planning Commission acting as a final Approving Authority under Table 19.650.020 (Approving and Appeal Authority), shall be effective the first regular business day after the end of the ten day appeal period. Filing of an appeal stays the effective date pending action on the appeal.
- B. *City Council decisions on discretionary permits and actions.* All decisions of the City Council in granting or denying a discretionary permit shall become effective on the next City business day following City Council Action, unless the discretionary permit is being processed concurrently with and dependent upon any legislative action, in that case the effective date of the discretionary permit will be governed by Section 19.690.020(C).
- C. *Legislative actions.* A legislative approval granted by resolutions, such as a Specific Plan or General Plan amendment, is effective immediately upon adoption of the numbered resolution by the City Council. A legislative approval granted by ordinance, such as a zoning map amendment, is effective 30 days following the date of adoption of the ordinance by the City Council.
- D. *Temporary use permits.* Following a decision to approve, conditionally approve or deny a temporary use permit by the Community & Economic Development Department Director, or his/her designee, the applicant or any interested party shall have two business days to file an appeal with the City Manager or authorized designee. If not appealed, the permit is in effect the day following the end of the appeal period. If appealed, the City Manager or authorized designee shall make a decision on the appeal within five working days of its receipt and such action shall be final and the permit, if approved, shall be in effect immediately.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>)
Ord. 7552 §42, 2021; Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.030 Time limits.

- A. Any discretionary permit granted pursuant to ~~this Title the Zoning Code~~ shall become null and void if not exercised within the time limit specified in the approving document or within one year if no time has been specified.
- B. Unless an earlier expiration date appears on the face of the permit, any development permit which is issued in conjunction with a tentative subdivision map shall expire no sooner than the approved tentative map or any extension thereof whichever occurs later.
- C. Any legislative approval shall become null and void if not finalized within two years, unless otherwise specified in the conditions of approval.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.040 Voiding.

Any variance or permit granted pursuant to ~~this Title the Zoning Code~~ shall become null and void if the owner or owner's authorized representative of the property for which the variance or permit was granted requests, in writing, that the variance or permit be voided and the Approving or Appeal Authority having jurisdiction approves the request.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>)
 web="yes">Ord. 7552 §43, 2021; Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.050 Time extension.

- A. The period within which the exercise of a discretionary permit or other approval must occur may be extended by the Community & Economic Development Department Director, or his/her designee, as described in B—K below. A Temporary Use Permit may not be extended. An application for extension shall be filed, along with appropriate fees and necessary submittal materials pursuant to Chapter 19.660 (General Application Processing Procedures).
- B. Variances, administrative design review actions and Minor Conditional Use Permits may receive a maximum of two, one-year time extensions.
- C. Conditional use permits and Site Plan Review permits, not related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- D. For all planned residential development permits related to an implementing subdivision and/or legislative action, may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date prior to issuance of any building permits. Once a building permit has been issued the planned residential development will be considered vested and time extensions are no longer needed. At the exhaustion of Community & Economic Development Department Director approved

extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.030 (Notice of Hearing for Discretionary Actions Requiring a Public Hearing), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.

- E. Zoning Text/Map, General Plan and Specific Plan amendments may be granted time extensions by the Community & Economic Development Department Director, or his/her designee, up to a total of five years beyond the original approval expiration date. At the exhaustion of Community & Economic Development Department Director approved extensions, the original Approving or Appeal Authority following a public hearing noticed pursuant to Section 19.670.040 (Notice of Hearing for Legislative Actions), may grant one final permit extension of up to two years. A public hearing notification fee is required of the applicant in such case, in addition to a time extension fee.
- F. Any permit extension may be conditioned to comply with any development standards that may have been enacted since the permit was initially approved.
- G. The extension may be granted only when the Community & Economic Development Department Director or designated Approving or Appeal Authority finds that the original permit findings can be made and that there are no changed circumstances or that there has been diligent pursuit to exercise the permit that warrants such extension.
- H. Retroactive time extensions may be granted for a period not greater than specified in Sections 19.690.050 B, C, D and E F.
- I. A separate fee shall be required for each year of permit extension.
- J. Extensions related to the terms of nonconforming uses and structures are governed by Article III, Chapter 19.080 (Nonconformities).
- K. Time extensions for tentative maps are governed by Chapter 18.180 and State Law as it relates to automatic time extensions.
- L. The period of time specified in Chapter 19.690, including any extension granted by the Community & Economic Development Department Director, or his/her designee, shall not include the period of time during which a lawsuit involving the approval or conditional approval of the entitlement(s) is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Community & Economic Development Department Director. After service of the initial petition or complaint in the lawsuit upon the Community & Economic Development Department Director, the applicant may apply for a stay following the same procedures in Chapter 19.690. Within 40 days after receiving the application, the Community & Economic Development Department Director shall either stay the time period for up to five years or deny the requested stay.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 16, 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §44, 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 §2(Exh. B), 2020; Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.060 Exercising permits or approvals.

- A. The exercise of a permit occurs when the property owner has completed all conditions of the permit approval and incurred substantial liabilities.

- B. Unless otherwise provided, approvals that have not been exercised prior to a Zoning Code amendment that makes the approved use or structure of the approval nonconforming shall automatically be deemed invalid on the effective date of ~~this Title~~~~the Zoning Code~~ amendment. A new application is then required.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.070 Approvals to run with land.

Land use and development permits and approvals granted pursuant to the provisions of this ~~T~~title shall be transferable upon a change of ownership of the site, business, service, use or structures, provided that the use is in substantial conformance with the previously approved use and conditions of the original permit or approval are fully complied with, and the project is not modified or enlarged/expanded.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

19.690.080 Permit(s) on the site during construction.

A copy of all land use and development permits (including all corresponding stamped-approved plans) authorizing construction shall be kept on site at all times during construction and made available upon request by an official of the City.

(Ord. 7331 §105, 2016; Ord. 6966 §1, 2007)

Chapter 19.700 MODIFICATION AND REVOCATION OF PERMITS/VARIANCES AND OTHER APPROVALS

19.700.010 Modification of approvals.

19.700.020 Revocation.

19.700.010 Modification of approvals.

- A. Any person holding a permit or other approval granted under ~~this Title~~~~the Zoning Code~~ may request a modification or amendment to that permit or approval. For the purpose of this ~~S~~section, the modification of a permit or approval may include modification of the terms of the permit itself, project design, or the waiver or alteration of conditions imposed in the granting of the permit or approval.
- B. If the Community & Economic Development Director or his/her designee determines that a proposed project action is not in substantial conformance with the original approval, the Community & Economic Development Director or his/her designee shall notify the property owner of the requirement to submit a permit modification application for consideration and action by the same Approving or Appeal Authority as the original permit.
- C. A permit or approval modification may be granted only when the Approving or Appeal Authority makes all findings required for the original approval, and the additional finding that there are changed circumstances sufficient to justify the modification of the approval.
- D. Except as provided in Section 19.730.030, any permit or approval modification is subject to the same hearing and notice requirements as the original permit or approval.

(Ord. 7331 §106, 2016; Ord. 7235 §17, 2013; Ord. 6966 §1, 2007)

19.700.020 Revocation.

- A. The Planning Commission either of its own initiation or upon the direction of the City Council shall hold a public hearing to consider the revocation of any variance or permit (except temporary use permits) granted in accordance with the provisions of ~~this Title-the Zoning Code~~. Written notice of the date, time, place and purpose of such public hearing shall be served on the owner of the property for which the permit or variance was granted by registered mail, postage prepaid, return receipt requested, not less than ten days prior to the date of such hearing. Additional notice shall be given in the manner prescribed in ~~this Titlethe Zoning Code~~ governing notices of conditional use permits, minor conditional use permits and variances.
- B. Any variance or permit may be revoked if, from the facts presented at the public hearing or by investigation, the Planning Commission finds any one or more of the following grounds:
1. That the variance or permit approval was obtained by fraud;
 2. That the variance or permit granted is being or has been exercised contrary to the conditions of such permit or variance or in violation of any applicable licenses, permits, regulations, laws or Codes;
 3. That the use for which the variance or permit approval was granted is being or has been exercised as to be detrimental to the public health, safety or welfare so as to constitute a nuisance, hazard or detriment to the surrounding properties, neighborhood or City in general.
- C. Each decision by the Planning Commission to revoke a variance or permit shall be by a formal and numbered resolution adopted by the affirmative votes of at least two-thirds of the membership of the Planning Commission in the case of a conditional use permit or planned residential development permit and of at least a majority of the membership of the Planning Commission in the case of a variance, or minor conditional use permit, such membership in both cases being based upon membership present and voting. The Planning Commission shall make its findings, announce its decision and mail a notice of its decision to the owner of the property involved in the manner prescribed in ~~the Zoning Code~~ Section 19.660.070 (Notice of Decision) ~~of this Title~~. Any person aggrieved or affected by a decision of the Planning Commission in approving or disapproving a revocation of any variance or permit may appeal to the City Council in the manner prescribed in this ~~C~~chapter. The City Council may, after a public hearing has been held in the manner prescribed in ~~this Title-the Zoning Code~~, affirm, reverse or modify the decision of the Planning Commission.

(Ord. 7331 §106, 2016; Ord. 6966 §1, 2007)

Chapter 19.710 DESIGN REVIEW

19.710.010 Purpose.

19.710.020 Applicability.

19.710.030 Approval required.

19.710.035 Review responsibilities of Planning Commission or ~~Staff Application Review Team Development Review Committee~~ and Community & Economic Development Department Director.

19.710.040 Design review standards.

19.710.050 Citywide Design Guidelines and Sign Guidelines.

19.710.060 Drawings to be approved—Alterations to be approved.

19.710.065 Drawings to Be Submitted.

19.710.070 Appeals.

19.710.010 Purpose.

The City Council finds, determines and declares that the application of the design review procedures are necessary to preserve and promote the health, safety and general welfare of the community by achieving the following purposes:

- A. To protect and preserve the value of properties and to encourage high quality development thereof in areas where adverse effects will result from excessive uniformity, dissimilarity, poor exterior quality and appearance of buildings and structures, and from inadequate and poorly planned landscaping, and from failure to preserve where feasible natural landscape features, open spaces and the like, and will result in the impairment of the benefits of occupancy and use of existing properties in such areas;
- B. To recognize the interdependence of land values and aesthetics and to provide a method to implement this interdependence in order to maintain the values of surrounding properties and improvements, and to encourage excellence of development of property, compatible with the general plan for, and character of, the City, with due regard to the public and private interests involved;
- C. To ensure that the public benefits derived from expenditures of public funds for improvement and beautification of streets and public facilities shall be protected by the exercise of reasonable controls over the character and design of private buildings, structures and open spaces;
- D. To ensure the maintenance of high design standards in the vicinity of public buildings and grounds for the preservation of the architecture and general appearance in the areas of the City containing the buildings and grounds and to preserve the property values in the areas;
- E. To promote the maintenance of high design standards adjoining thoroughfares of Citywide importance to ensure that the community benefits from the natural growth and vegetation as much as possible, and from the natural terrain, and to preserve and stabilize the architecture and general appearance of buildings and grounds adjoining the thoroughfares; and to preserve and protect the property values in the areas; and
- F. To ensure the design of landscaping and irrigation that shades paved areas, buffers or screens undesirable views, compliments building architecture and that implements the purposes of Chapter 19.570 (Water Efficient Landscaping and Irrigation).

(Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.020 Applicability.

- A. The design review procedures set forth in this Cehapter shall apply to the following:
 - 1. All new buildings, structures and signs, and enlargements of existing buildings, structures and signs in the RC - Residential Conservation, Commercial and Office, Mixed-Use, Industrial and Downtown Specific Plan Zones, except as exempted in B and C below.
 - 2. Any project reviewed and approved via the conditional use, planned residential development permit or site plan review permit processes.
- B. Any structure or site requiring a design review that is also subject to Title 20 - Cultural Resources shall require an Administrative Design Review, approved by the Community & Economic Development Department Director, in addition to the requirements of Title 20.

C. The following types of projects are exempt from design review; however, the Planning Division will review them for compliance with ~~this Title~~~~the Zoning Code~~ and consistency with the Citywide Design Guidelines during the building permit plan check process:

1. Infill development consisting of a single-family residence or new residences and structures within an approved conventional residential subdivision (unless otherwise specified in the project specific conditions of approval).
2. Minor exterior modifications or renovations that do not expand the size of the building.
3. Accessory buildings and structures.
4. Outdoor dining areas (not including outdoor food preparation).
5. Minor site improvements or landscape modifications or renovations that are not subject to the Water Efficient Landscape Ordinance and/or do not require a Water Quality Management Plan (WQMP).

D. To facilitate the development of stand-alone multi-family or age-restricted senior residential housing throughout the City, consistent with California Government Code Section 65580, an administrative design review application shall be reviewed by the Community & Economic Development Department Director, or his/her designee, when the proposed development complies with all of the following criteria:

1. Development standards and regulations of ~~this the Riverside Municipal~~ Code, including, but not limited to, Title 7 (Noise), 16 (Building and Construction), 17 (Grading), 18 (Subdivision), 19 (Zoning) and 20 (Cultural Resources);
2. Water Quality Management Plan (WQMP) requirements;
3. No other discretionary review is required to approve the development proposal, with the exception of variances;
4. County's Airport Land Use Compatibility Plan (ALUCP), when applicable;
5. Mitigation measures of the Final Program Environmental Impact Report (FPEIR) certified for the City's 2014-2021 5th Cycle Housing Element (SCH # 2017041039), when applicable;
6. Mitigation measures of the FPEIR certified for the City's 2021-2029 6th Cycle Housing Element (SCH # 2021040089), when applicable; and
7. Completion of an operational Traffic Impact Analysis subject to City of Riverside Public Works Department Guidelines, when applicable.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §45, 2021; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 §1(Exh. A), 2020; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 §1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 18, 11-5-2019; Ord. 7408 §1, 2018; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.030 Approval required.

- A. Where applicable, no new building, structure or sign or exterior alteration or enlargement of an existing building, structure, sign or new landscaping and irrigation shall be commenced or installed until design review approval has been granted pursuant to this [Chapter](#).
- B. The restoration, rehabilitation, alteration, development, construction, demolition, removal or appearance change of any landmark, landmark structure, landmark site or any structure or site within a preservation district requires the granting of a permit by the Cultural Heritage Board or the City Council on appeal (see Title 20).

(Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

**19.710.035 Review responsibilities of Planning Commission or [Staff Application Review Team](#)
~~Development Review Committee~~ and Community & Economic Development Department Director.**

- A. The [Staff Application Review Team](#) ~~Development Review Committee~~ or Community and Economic Department Director or his/her designee, as applicable, may approve in full or in part, conditionally approve in full or in part, modify or deny:
 - 1. The plot plan and building elevations for all projects in zones requiring design review approval, that are not subject to separate approval by the Planning Commission.
 - 2. Sign plans in accordance with Citywide Design and Sign Guidelines.
 - 3. The landscape and irrigation plans for all projects that are subject to design review approval. An application will not be considered complete unless required Park and Recreation Department fees are included with the submittal.
 - 4. The plot plan, building elevations, landscape plans and irrigation plans for accessory buildings in zones requiring design review and for cargo container accessory buildings in any zone where they are permitted.
- B. The Planning Commission shall approve in full or in part, conditionally approve in full or in part, modify or deny:
 - 1. Plot plan and building elevations for projects related to a planning case subject to their separate approval including conditional use permits, planned residential development permits, and site plan review permits. This does not apply to cases involving only a legislative action, including rezoning or General Plan amendment.
- C. The Community & Economic Development Department Director or [Staff Application Review Team](#) ~~Development Review Committee~~, as applicable, may refer any Design Review application to the Planning Commission.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank>
web="yes">Ord. 7552 §46, 2021; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.040 Design review standards.

- A. In addition to the general purposes set forth in Section 19.710.010 (Purpose), the design review procedures established by this [Chapter](#) shall be applied according to and in compliance with the following standards, when applicable:

1. Sites shall be graded and developed with due regard for the aesthetic qualities of the natural terrain and landscape, and trees and shrubs shall not be indiscriminately destroyed.
2. Buildings, structures and signs shall be properly related to their sites and consistent with the character of the neighborhood and surrounding sites and shall not be detrimental to the orderly and harmonious development of their surroundings and of the City.
3. Open spaces, parking areas, pedestrian walks, signs, illumination and landscaping (including water efficient irrigation facilities) shall be adequately related to the site and arranged to achieve a safe, efficient and harmonious development.
4. Sites shall be developed to achieve a harmonious relationship with existing and proposed adjoining developments, avoiding both excessive variety and monotonous repetition, but allowing, when feasible, similarity of style or originality of design.
5. When feasible, electrical and similar mechanical equipment, and trash and storage areas shall be effectively screened from public view. The use of harmonious or related colors and materials shall be encouraged.
6. The design review process shall endeavor to eliminate the ugly, the garish, the inharmonious, the monotonous, and the hazardous, and shall endeavor to ensure that proposed improvements will not impair the desirability of investment or occupancy nearby; but originality in site planning, architecture, landscaping and graphic design shall not be suppressed.
7. Review shall include exterior design, materials, textures, colors, means of illumination, signing, landscaping and irrigation.

(<ulink class="ordbank" print="yes" url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §47, 2021; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.050 Citywide Design Guidelines and Sign Guidelines.

All applicable development shall comply with the City Council-adopted Citywide Design Guidelines or successive document.

(<ulink class="ordbank" print="yes" url="http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §48, 2021; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.060 Drawings to be approved—Alterations to be approved.

- A. No building permit for a new building, structure, or sign, and no building permit for an exterior alteration or enlargement of an existing building, structure, or sign, that is subject to design review as provided in this Cchapter shall be issued until the drawings required by Section 19.710.065 (Drawings to Be Submitted) have been approved pursuant to this Cchapter, and no certificate of occupancy shall be issued unless the construction and property comply with said approved drawings. Said buildings, structures, or signs shall be maintained thereafter in substantial conformance with said approved drawings.
- B. If alterations to approved drawings are desired by the applicant, said drawings shall be resubmitted and processed according to the procedures established in this Cchapter for approval of the original drawings.

(Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.065 Drawings to Be Submitted.

The drawings submitted as part of the design review application shall be provided in accordance with the latest design review submission checklist available at the Planning Division, which is updated from time to time.

Any other drawings or additional information necessary, as determined by the Community & Economic Development Department Director, or their designee, to adequately consider the drawings set forth herein above and to determine compliance with the purposes of this Cchapter shall be provided.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §49, 2021; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

19.710.070 Appeals.

A. Appeals.

1. Appeal of the Community & Economic Development Department Director or Staff Application Review Team ~~Development Review Committee~~ Decision: Any person aggrieved or affected by a decision of the Community & Economic Development Department Director, or their designee or the Staff Application Review Team ~~Development Review Committee~~, as applicable, in granting or denying a design review application may appeal to the Planning Commission at any time within ten calendar days after the date upon which the Community & Economic Development Department Director, or their designee or the Staff Application Review Team ~~Development Review Committee~~, as applicable, makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of appeal, and the appropriate fee with the Planning Division. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the next available agenda meeting of the Planning Commission. The Planning Commission decision is final unless appealed to the City Council.
2. Appeal of the Planning Commission Decision: Any person aggrieved or affected by a decision of the Planning Commission in granting or denying a design review application may appeal to the City Council at any time within ten calendar days after the date upon which the Planning Commission makes a decision. An appeal to the Planning Commission shall be taken by filing a letter of appeal, and the appropriate fee with the Planning Division. Such letter shall set forth the grounds upon which the appeal is based. Upon such appeal the matter shall be placed on the next available agenda meeting of the Land Use Committee of the City Council. The Land Use Committee may continue the matter for more information and upon review of that information shall consider the appeal and make a recommendation to the City Council for consideration at the next regularly scheduled City Council meeting. Any items that, because of scheduling irregularities of the Land Use Committee, cannot be heard by the Land Use Committee within 20 business days of the appeal deadline, shall be referred directly to the City Council unless the applicant requests or consents to a continuance to allow Land Use Committee review. The City Council may affirm, reverse or modify the decision of the Land Use Committee or Planning Commission.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §50, 2021; Ord. 7331 §107, 2016; Ord. 6966 §1, 2007)

Chapter 19.720 VARIANCE

19.720.010 Purpose.

19.720.020 Applicability.

19.720.030 Procedures.

19.720.040 Required findings.

19.720.050 Conditions of approval/guarantees.

19.720.010 Purpose.

California Government Code Section 65906 establishes the authority of the City to grant variances to the development standards and provisions of ~~this Title the Zoning Code~~ in cases where, because of special circumstances applicable to the property, the strict application of ~~this Title the Zoning Code~~ deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zones.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 10(Exh. K), 2022; Ord. 7331 § 108, 2016; Ord. 6966 § 1, 2007)

19.720.020 Applicability.

- A. A variance application shall be filed whenever any deviation from the development standard provisions of ~~this Title the Zoning Code~~ is proposed, including, but not limited to, those standards related to height, lot area, yards, open spaces, setbacks, lot dimensions, signs and parking, unless such deviations qualify as administrative adjustments according to Chapter 19.660 (General Application Processing Procedures).
- B. Variances may not be approved for uses or activities not otherwise expressly authorized by ~~this Title the Zoning Code~~. A variance is not a substitute for a zone change, zone text amendment, or conditional use permit.
- C. Financial hardship does not represent grounds on which to file a variance application.
- D. Variances to use provisions of ~~this Title the Zoning Code~~ are prohibited.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank> web="yes">7592 § 10(Exh. K), 2022; Ord. 7331 § 108, 2016; Ord. 6966 § 1, 2007)

19.720.030 Procedures.

- A. *General process.* Variance applications shall be processed in accordance with the discretionary processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title the Zoning Code~~.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 10(Exh. K), 2022; Ord. 7331 § 108, 2016; Ord. 6966 § 1, 2007)

19.720.040 Required findings.

- A. The Director of Community & Economic Development Department, Planning Commission or the City Council may approve a variance when special circumstances applicable to the property, including size, shape, topography, location or surroundings, deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification.
- B. The following findings are required:
 - 1. The variance does not grant or authorize a use or activity that is not otherwise allowed in the zone.
 - 2. There are practical difficulties or unnecessary hardships created with the strict application of the Code because of the physical circumstances and characteristics of the property that are not shared by other properties in the zone.
 - 3. The variance does not grant special privileges which are not otherwise available to surrounding properties and will not be detrimental to the public welfare or to the property of other persons located adjacent to the subject property and in the vicinity.
- C. Failure to make all of the required findings shall require denial of the variance.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 10(Exh. K), 2022; Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 4, 11-5-2019; Ord. 7331 § 108, 2016; Ord. 6966 § 1, 2007)

19.720.050 Conditions of approval/guarantees.

- A. In granting a variance, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of ~~this Titlethe Zoning Code~~ shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located.
- B. The conditions attached to variance may include such provisions concerning height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation characteristic, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction authorized, revocation dates, and other conditions the Director of Community & Economic Development Department or Planning Commission may deem appropriate and necessary to carry out the purposes of ~~this Titlethe Zoning Code~~ and Chapter.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 10(Exh. K), 2022; Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 5, 11-5-2019; Ord. 7331 § 108, 2016; Ord. 6966 § 1, 2007)

Chapter 19.730 MINOR CONDITIONAL USE PERMIT

19.730.010 Purpose.

19.730.020 Procedures.

19.730.030 Applicability and permit requirements.

19.730.040 Required findings.

19.730.050 Conditions of approval/guarantees.

19.730.060 Minor modifications to approved minor conditional use permits.

19.730.090 Review for compliance and revocation.

19.730.100 Limited term approval.

19.730.110 Voiding of minor conditional use permits.

19.730.010 Purpose.

- A. Uses listed in ~~this Title~~the Zoning Code as requiring a minor conditional use permit are deemed to possess location, use, building or traffic characteristics of such unique and special form as to make impractical or undesirable, their automatic inclusion as permitted uses.
- B. In granting a minor conditional use permit, certain conditions may be required to protect the public health, safety, convenience, and general welfare and to assure that the purposes of ~~this Title~~the Zoning Code shall be maintained with respect to the location, use, building, traffic and other impacts of the proposed use and its relationship with other existing and proposed uses in the surrounding area. The conditions may relate to use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, general character, appearance, time limits, revocation dates, and other conditions necessary to comply with the findings listed in Chapter 19.730.040 (Required Findings) and all applicable site location, operation and development standards.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.020 Procedures.

- A. *General process.* Minor Conditional Use Permit (MCUP) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.030 Applicability and permit requirements.

- A. The Approving or Appeal Authority may grant a minor conditional use permit, in accordance with the procedures stated in this ~~A~~article, for any of the uses specifically listed in ~~this Title~~the Zoning Code as permitted subject to the granting of a minor conditional use permit. Tables 19.150.020.A and B summarize those uses requiring a minor conditional use permit and the applicable base zones.

- B. The ~~Staff Application Review Team Development Review Committee~~ may grant an amendment to a previously approved conditional use permit by approval of a MCUP for the following types of additions and expansions:
1. Any building expansion not exceeding 25 percent of the gross floor area of the building area occupied by the conditional use, up to a maximum of 2,000 square feet; and
 2. Any expansion of a day care center, club, lodge, educational institution, board and care facility or other similar use, not exceeding 25 percent of the approved occupancy, up to a maximum of 25 occupants.
- C. The cumulative total of all additions and expansions grantable by the ~~Staff Application Review Team Development Review Committee~~ under Section 19.730.030 B. may not exceed the figures listed in this ~~S~~section over the life of the minor conditional use permit. Any cumulative addition or expansion that causes any of these figures to be exceeded must be filed as a revised conditional use permit, requiring a new public hearing.

(Ord. 7331 §109, 2016; Ord. 7235 §18, 2013; Ord. 6966 §1, 2007)

19.730.040 Required findings.

The ~~Staff Application Review Team Development Review Committee~~ may grant a minor conditional use permit, in whole or in part, and including appropriate conditions of approval if, from the facts available in the application and determined by investigation, all of the following written findings can be made:

- A. The proposed use is substantially compatible with other uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts.
- B. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area.
- C. The proposed use will be consistent with the purposes of ~~this Title~~the Zoning Code.
- D. The proposed use is in conformance with specific site location, development and operation standards as may be established in ~~this Title~~the Zoning Code for the particular use.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.050 Conditions of approval/guarantees.

- A. In granting a minor conditional use permit, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of ~~this Title~~the Zoning Code shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and traffic characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located.
- B. The conditions attached to minor conditional use permits may include such provisions concerning use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation characteristic, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction or use authorized, revocation dates, and other conditions

the ~~Staff Application Review Team Development Review Committee~~ may deem appropriate and necessary to carry out the purposes of ~~this Title~~~~the Zoning Code~~ and Chapter.

- C. The ~~Staff Application Review Team Development Review Committee~~ may require bonds or other forms of guarantees for the minor conditional use permit to ensure compliance with this ~~C~~chapter and other applicable provisions of ~~the this Title~~~~Zoning Code~~, and to prevent adverse or detrimental impact to the surrounding neighborhood.
- D. The conditions of approval must be kept on site and be made available for inspection on demand by a City representative.
- E. Minor Conditional Use Permits granted pursuant to the provisions of this ~~T~~title shall be transferable upon a change of ownership of the site, business, service, use or structures, provided that the use is in substantial conformance with the previously approved use and conditions of the original permit or approval are fully complied with, and the project is not modified or enlarged/expanded.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.060 Minor modifications to approved minor conditional use permits.

Minor modifications to approved minor conditional use permits pursuant to Section 19.730.030 may be approved by the ~~Staff Application Review Team Development Review Committee~~.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.090 Review for compliance and revocation.

A. *Compliance investigation.* The City may conduct an investigation to ensure that the permittee is maintaining the use as applied for and has not converted or modified the use. Failure to operate in accordance with the conditions of the minor conditional use permit is grounds for setting the matter for public hearing to consider revocation of the permit. The City may also pursue any other option permitted by law to require compliance with the conditions of the permit.

B. *Revocation of minor conditional use permits.*

1. The Planning Commission shall hold a public hearing to consider the revocation of a minor conditional use permit granted in accordance with the provisions of this ~~C~~chapter and over which such Commission has jurisdiction.
2. Written notice of the date, time, place and purpose of such public hearing shall be served on the owner of the property for which the permit was granted by registered mail, postage prepaid, return receipt requested, not less than ten days prior to the date of such hearing. Additional notice shall be given in the manner prescribed in this ~~C~~chapter governing notices of minor conditional use permits. The public hearing and investigations shall be conducted and hearing records maintained in the manner prescribed in this ~~C~~chapter.
3. A minor conditional use permit may be revoked if, from the facts presented at the public hearing or by investigation, the Planning Commission finds any one or more of the following grounds:
 - a. That a permit approval was obtained by fraud;
 - b. That the permit granted is being or has been exercised contrary to the conditions of such permit or in violation of any applicable licenses, permits, regulations, laws, or ordinances; or

c. That the use for which the permit approval was granted is being or has been exercised as to be detrimental to the public health or safety or so to constitute a nuisance.

4. Each decision by the Planning Commission to revoke a minor conditional use permit shall be by a formal and numbered resolution adopted by the affirmative votes of at least two-thirds of the membership of the Planning Commission, such membership being based upon membership present and voting. The Planning Commission shall make its findings, announce its decision and mail a notice of its decision to the owner of the property involved in the manner prescribed in this ~~C~~chapter. Any person aggrieved or affected by a decision of the Planning Commission in approving or disapproving a revocation of a minor conditional use permit may appeal to the City Council in the manner prescribed in this ~~C~~chapter. The City Council may, after a public hearing has been held in the manner prescribed in this ~~S~~section, affirm, reverse or modify the decision of the Planning Commission.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.100 Limited term approval.

If the Planning Commission determines based upon written findings that it is necessary to protect the public health, safety or general welfare, the Planning Commission may limit the term of the permit.

(Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

19.730.110 Voiding of minor conditional use permits.

A. Any minor conditional use permit granted by the ~~Staff Application Review Team Development Review Committee~~ or by the Planning Commission or City Council on appeal shall become null and void if:

1. The construction or use authorized by such permit is not commenced within the time limit specified in such permit and such construction is not pursued diligently to completion; provided, however, that the Community & Economic Development Director may extend the time limit if a written application showing good cause for such time extension is submitted to the Planning Division prior to the expiration of the time limit.
2. The owner or owners authorized representative of the property for which the permit was granted requests in writing that the permit be partially or fully voided and the Community & Economic Development Director approves such request.

B. Conditions of a minor conditional use permit related to Assemblies of People - Entertainment that is granted by the ~~Staff Application Review Team Development Review Committee~~, the Planning Commission, or City Council may be voided by the Director of Community & Economic Development Department, or his or her designee, if an Entertainment Permit, as defined in Title 5, is issued.

(Ord. [7487](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) [7487](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 6, 11-5-2019; Ord. 7331 §109, 2016; Ord. 6966 §1, 2007)

Chapter 19.740 TEMPORARY USE PERMIT

19.740.010 Purpose.

19.740.020 Applicability.

19.740.040 Exemption.

19.740.050 Development, operational and location standards.

19.740.060 Limitations of approval.

19.740.070 Temporary outdoor storage and loading.

19.740.080 Application and permit issuance.

19.740.090 Revocation of temporary use permits.

19.740.100 Appeal.

19.740.010 Purpose.

The purpose of a Temporary Use Permit (TUP) is to regulate those uses and activities of a temporary nature that may affect the public peace, health, safety, and general welfare.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.020 Applicability.

- A. Temporary uses shall be permitted on private property with the issuance of a Temporary Use Permit (TUP) as specified in Tables 19.150.020.C (Temporary Use Table) and 19.740.020 (Temporary Uses) in zones where the temporary use is permitted.
- B. Temporary uses shall be limited to the maximum number of contiguous days each use is allowed per event, the maximum number of occurrences each use is allowed and the maximum number of days per calendar year on each property or commercial complex as listed below.
- C. Non-City Sponsored events or uses located within the Public Right-of-Way, Public Park or other City owned land shall be subject to Chapter 2.28 of ~~this the Riverside Municipal~~ Code and the granting of a Special Events Permit issued by the Arts and Cultural Affairs Division of the City of Riverside. Events which occur on both Public and Private Property (i.e. a Marathon using a public street but starting or ending at a privately owned shopping center) would be governed by the Special Event Permit provisions of Chapter 2.28 of ~~this the Riverside Municipal~~ Code and not subject to a Temporary Use Permit.
- D. Temporary uses listed in Table 19.740.020A below shall obtain a TUP for each event.
- E. A filing fee established by City Council Resolution shall be required prior to the issuance of a Temporary Use Permit.
- F. Temporary Uses shall comply with all applicable development, operational and location standards listed in Chapter 19.740.050, obtain all applicable Department approvals, and the applicant shall be responsible for payment of the associated filing fee.
- G. Minor Temporary Uses, as identified in Table 19.740.020, that do not comply with all applicable standards may be processed under the Major Temporary Use Permit process provided the Community & Economic Development Director or his/her designee and all applicable Departments approve the request; the applicant shall be responsible for payment of the associated Major Temporary Use filing fee.
- H. Events sponsored and sanctioned by an IRS recognized 501(c)(3) organization and contained entirely on-site shall obtain, at no fee, a Temporary Use Permit provided:
 - 1. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which may require additional permits.

2. Events which utilize adjacent sidewalks, streets, or other public property shall be subject to a Special Events Permit.

- I. Other uses not listed. The Community & Economic Development Director or their designee may determine that a use is similar to, and no more detrimental than, a listed Temporary Use. The maximum number of days and occurrences shall be at the discretion of the Community & Economic Development Director or their designee.
- J. Determination of City departments and other agencies whose approval is required prior to each occurrence will be determined by the Planning Division as part of the TUP review process with respect to each proposed temporary use.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 §§ 20, 21(Exh. F), 11-5-2019; Ord. 7408 §1, 2018; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

Table 19.740.020
Temporary Use Permit

Temporary Use	Maximum Number of Consecutive Days per Event ¹	Maximum Number of Occurrences per Calendar Year ¹	Maximum Number of Days Per Calendar Year ¹	Type of Temporary Use Permit
Car Show	3	16	48	Minor
Caretaker Living Quarters - Temporary During Construction	Initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted.			Minor
Christmas Tree and Pumpkin Sales (Seasonal)	30	2	60	Minor
Circus or Carnival (With or without Tent)	7	1	7	Major
Dwelling Unit (Motor Home, RV, Camper, etc.)	30	4	60	Minor
Fair, Concert, Exhibit or Similar Uses	7	2	14	Minor
Fruit Stands	4	8	32	Minor
Garage Sales	Garage Sales are Regulated by Chapter 5.49 of ~~this the~~ Riverside Municipal Code			N/A
Mobile Medical Units for Humans	7	2	14	Minor

Non-Commercial Car Wash	Contact Public Works Department for requirements for temporary Car Washes			N/A
Non-Commercial Tent Meetings	10	1	10	Minor
Outdoor Preparation of Food (Temporary), Food and Drink Festivals, or Similar Uses	3	6	18	Minor
Outdoor Sales in Conjunction with a Permanent Land Use (Parking Lot Sale)	5	8	40	Minor
Outdoor Sales Event not in Conjunction with a Permanent Land Use (Swap Meet)	4	4	16	Major Minor parking lot sales exempt from TUP, see 19.740.040.E
Special Events (Events on Public Properties including streets, schools, or parks)	Special Events are administered by the Arts and Cultural Affairs Division pursuant to Chapter 2.28 of ~~this the~~ ~~Riverside Municipal~~ Code			N/A
Subdivision Sales Trailer or Office During Construction	Initial period of no more than one year from the date of the initial siting may be granted.			Minor
Temporary Emergency Shelter	-	-	180	Major
Temporary Holiday Storage Containers	45	1	45	Minor
Vapor Recovery Operations	-	-	-	Major

;sz=8q; ¹ An applicant or property owner may request an increase in the maximum number of days per event, number of occurrences, or days per calendar year by requesting consideration of a Temporary Use Permit to the City Manager and paying all applicable filing fees.

19.740.040 Exemption.

- A. Any temporary uses allowed by this ~~C~~chapter proposed to be located within the boundaries of the Riverside Convention Center shall be exempt from the TUP process. Any proposed tents or structures shall be reviewed and approved by the Building and Safety Division and/or Fire Department which

may require additional permits. Events which utilize adjacent sidewalks or other public property shall be subject to the granting of a Special Events Permit.

- B. Activities clearly incidental to a Public K-12 School, College or University (UCR and RCC) regulated and funded by a public governmental agency, such as graduation and sporting events, contained entirely on-site (including all parking) shall be exempt from the TUP process.
- C. Activities clearly incidental to a private K-12 school, college or university (CBU and LSU), such as graduation and sporting events, contained entirely on-site (including all parking) shall be exempt from the TUP process provided there is an active Conditional Use Permit (CUP) or Campus-Wide Specific Plan for the institution. Fairs, concerts, etc. which rely on on-street parking or path of travel shall not be included in this exception. Vocational and training schools are not included in this exemption.
- D. Events sponsored and sanctioned by the Master Property Association or Property Manager for Regional Shopping Centers which are 20 acres or larger located within the CR - Commercial Retail, CG - Commercial General or CRC - Commercial Retail Center Zone shall be exempt from the TUP process provided the entire event occurs on managed or owned properties.
- E. Minor parking lot sales not in conjunction with a permanent land use, on properties zoned CR-Commercial Retail, CG-Commercial General, and CRC-Commercial Regional Center are permitted and exempt from the TUP process provided that sales occur with written permission from the property owners. Sales shall occur up to four times a year for up to four days at a time. *Minor parking lot sales* shall be defined as those that do not require parking or drive aisle circulation space; are limited to a single vendor; and sell floral, holiday, and graduation gifts only.

(Ord. <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 22, 11-5-2019; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.050 Development, operational and location standards.

- A. Any use which is prohibited by state or federal law is also strictly prohibited.
- B. All events must comply with Title 7 of ~~this the Riverside Municipal~~ Code (Noise).
- C. Temporary uses listed in Table 19.740.020 above shall comply with the following development standards:
 - 1. Car show
 - a. The parking of vehicles shall occur on improved surfaces only (i.e. asphalt or concrete).
 - b. The event shall not occupy more than 30 percent of a required parking area and shall not substantially alter the existing circulation pattern of the site.
 - c. The event shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
 - d. The event shall not block or modify any fire lane or fire hydrant.
 - e. No stage shall be permitted.
 - f. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
 - 2. *Caretaker living quarters—Temporary during construction.* For development standards for caretaker living quarters used during construction review Article XII Chapter 19.465.

3. *Christmas tree and pumpkin sales (seasonal)*. Christmas tree and pumpkin sales lots are subject to compliance with the following criteria as set forth below:

- a. Christmas tree or pumpkin sales within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site. The temporary sales area shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- b. Christmas tree and pumpkin sales lots located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- c. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- d. Incidental sales of Christmas tree lights, tree decorations and stands may be permitted in conjunction with a Christmas tree sales lot, but sales of gift items are excluded; and
- e. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

4. *Circus or carnival (with or without tent)*.

- a. A circus or carnival within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. A circus or carnival located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or his/her designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- e. The circus or carnival shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
- f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

5. *Dwelling Unit (Motor Home, RV, camper, etc.)*.

- a. A dwelling unit may only be permitted on a residentially used parcel.
- b. The vehicle may not be parked within the public right-of-way, overhang into the public right-of-way, block any sidewalk or path of travel and may be no closer than five feet from any interior property line.
- c. The vehicle must be parked on a concrete pad or driveway.
- d. Generators may only be permitted between the hours of 7:00 a.m. and 10:00 p.m. as permitted by Title 7 of ~~this~~the Riverside Municipal Code.

6. *Fair, concert, exhibit or similar uses.*

- a. A fair, concert, exhibit or similar use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. A fair, concert, exhibit or similar use located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- e. The fair, concert, exhibit or similar use shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
- f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

7. *Mobile medical units for humans.*

- a. Mobile medical units shall not be located within any required front or street side yard. An interior side or rear yard where off-street parking is allowed may be occupied by a mobile medical unit.
- b. Mobile medical units shall not be placed within, disrupt or displace any required accessible path of travel or fire lane.

8. *Non-commercial tent meeting.*

- a. A non-commercial tent meeting within an existing retail or industrial center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;

- c. A non-commercial tent meeting located on vacant property shall provide adequate vehicular access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- d. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- e. The non-commercial tent meeting shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
- f. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

9. *Outdoor preparation of food (temporary).*

- a. The requirements for the outdoor preparation of food apply only when in conjunction with a permanent indoor restaurant and does not pertain to the outdoor preparation of food in association with legally established school or assemblies of people—non-entertainment, street fairs, carnivals or push carts that are regulated separately.
- b. For development standards for the temporary outdoor preparation of food the standards for outdoor dining and food preparation (permanent) shall apply, Chapter 19.495.
- c. No tents, canopies or other temporary structures with an individual area of 120 square feet shall be permitted.
- d. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

10. *Outdoor sales event in conjunction with a permanent land use.*

- a. An outdoor sales event in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event must be in conjunction with, and clearly incidental to, an existing permanent use on site. Outdoor sales on vacant lots is not permitted (see outdoor sales event not in conjunction with a permanent land use below).
- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- e. The event shall not block or modify any fire lane or fire hydrant.
- f. No stage shall be permitted.

11. *Outdoor sales event not in conjunction with a permanent land use.*

- a. An outdoor sales event not in conjunction with a permanent land use within an existing retail center or business may not occupy more than ten percent of a required parking area and may not substantially alter the existing traffic circulation pattern of the site.
- b. The event shall not obstruct any existing handicap accessible parking space. Sidewalks shall be maintained at a minimum width of four feet to provide for handicap access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee;
- c. An outdoor sales event not in conjunction with a permanent land use located on vacant property shall provide adequate on-site parking spaces and access. A site plan shall be submitted for approval by the Community & Economic Development Director or their designee. Upon approval, the sales lot shall be clearly marked in accordance with the approved site plan;
- d. The applicant shall provide and maintain all state and federal disabled access requirements including, but not limited to parking, path of travel, sanitation facilities, etc.
- e. The event shall not block or modify any fire lane or fire hydrant.
- f. No stage shall be permitted.
- g. Hours of operation, including the use of generators and lot lighting, excluding security lighting, shall be limited to 9:00 a.m. to 10:00 p.m., unless other hours are specified by written approval issued by the Community & Economic Development Director or their designee. Security lighting shall be shielded to prevent light spillage onto adjacent properties;
- h. the Outdoor sales area and Parking Lot shall be located a minimum of 100 feet from any residentially zoned or utilized property unless otherwise specified by written approval issued by the Community & Economic Development Director or their designee.
- i. Other conditions to mitigate potential land use impacts and public safety can be required on a case-by-case basis as deemed necessary and appropriate by the Community & Economic Development Director or their designee.

12. *Subdivision sales trailer or office during construction.*

- a. The temporary unit shall be located on-site and in the rear half of the lot, unless otherwise approved by the Community & Economic Development Director or their designee. In no instance shall the temporary unit be located within public right-of-way.
- b. The temporary unit shall be located at least five feet from all property lines. For side and rear property lines adjoining an existing residential use, the setback of the underlying zone shall apply.
- c. The temporary unit shall be connected to water and electric utilities. Where required by the Public Works Department, the unit shall be connected to the sewer system.
- d. The unit shall be allowed to remain on the site for an initial period of no more than six months, except that individual extensions of up to three months each with a maximum of one year from the date of the initial siting may be granted by the Community & Economic Development Director or their designee. There shall be no fee for these time extensions. In considering whether to grant a time extension, the Community & Economic Development Director or their designee may consider evidence of any land use compatibility related complaints from surrounding residents and property owners.
- e. No later than seven days following the issuance of a certificate of occupancy for the permanent building, the temporary unit shall be removed from the site.

- f. An active building permit shall be in effect prior to locating the temporary unit on-site and at all times that the unit remains on-site. The unit is to be removed within seven days of expiration of the building permit.

13. *Temporary emergency shelter with assemblies of people-non-entertainment.*

- a. A temporary emergency shelter may be permitted in conjunction with an assemblies of people-non-entertainment use.
- b. A written management and security plan shall be provided for review and approval by the Community & Economic Development Director or their designee.
- c. A site maintenance and operations plan for ongoing property cleaning, noise control, and odor, dust, and litter control shall be submitted for review and approval of the Community & Economic Development Director or their designee prior to commencement of operations.
- d. The placement of beds are temporary and limited to the maximum number of days identified in Table 19.740.020.
- e. Temporary emergency shelters shall be consistent with applicable airport land use compatibility plans. See Chapter 19.149 - Airport Land Use Compatibility.

14. *Temporary holiday storage containers.*

- a. A maximum of four temporary holiday storage containers may be permitted for retail outlets with 15,000 square feet or more of gross floor area for overstock of products and goods.
- b. A maximum of two temporary holiday storage containers may be permitted for retail outlets with 10,000 to 15,000 square feet of gross floor area for overstock of products and goods.
- c. A maximum of one temporary holiday storage containers may be permitted for retail outlets with 5,000 to 10,000 square feet or more of gross floor area for overstock of products and goods.
- d. The containers shall be located behind the building to minimize the visual impact from public view.
- e. The containers shall not be located within any building setback area.
- f. The containers shall maintain the minimum building setback from all property lines as determined by the California Building Code or 10 feet whichever is greater.
- g. The containers shall not be located within a fire lane nor block any fire hydrant.

15. *Vapor recovery operation.* Vapor recovery operations for fuel-contaminated soil are subject to the site location criteria, operation and development standards below:

- a. Site location criteria.
 - (1) All equipment shall be located as far as possible, but not closer than ten feet, to any property with a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
 - (2) The location on the site shall not disrupt the flow of traffic onto and off of the site.
 - (3) Whenever possible, the facility shall not displace required parking. If this is not possible, the Community & Economic Development Director or his/her designee may grant a temporary displacement of required parking for the time the vapor recovery operation is in operation.
- b. Operation and development standards.

- (1) All equipment shall be screened with landscaping, block walls or opaque fencing consistent with landscaping and/or physical improvements in the area.
- (2). Sound emanating from machinery shall be muffled so as not to exceed 60 dBA at the nearest property line of any nonresidential use and 45 dBA at the nearest property line of a residential use or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
- (3) The Community & Economic Development Director or their designee may limit the hours of operation to between 9:00 a.m. and 10:00 p.m. where vapor recovery operations are located near residential uses or other uses designed for overnight human habitation, such as motels, hotels, hospitals or group homes.
- (4) Approval from all applicable governmental agencies shall be obtained.
- (5) At the conclusion of the vapor recovery operation, all machinery and improvements shall be completely removed from the site and the previously existing improvements shall be replaced in accordance with all local standards. The Community & Economic Development Director or their designee may require suitable documentation guaranteeing such removal and repairs.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 16, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank> web="yes">7487 § 23, 11-5-2019; Ord. 7408 §1, 2018; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.060 Limitations of approval.

Each permitted temporary use shall be limited to the maximum number of days and the maximum number of occurrences allowed per calendar year by Table 19.740.020 (Temporary Uses) of this [Chapter](#) unless extended by the Community & Economic Development Director or their designee. When either the maximum number of days or the maximum number of occurrences has been reached the temporary use shall not be permitted on the property for the duration of the calendar year. A commercial complex shall be considered as one property for purposes of determining the maximum number of occurrences allowed. A commercial complex is defined as a group of two or more commercial uses on a single parcel or contiguous parcels that utilize common off-street parking and access.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.070 Temporary outdoor storage and loading.

In all zones for those businesses or other authorized uses that ordinarily receive and/or send out merchandise, products and the like, articles to be loaded or unloaded may be temporarily stored outside for a period not to exceed two hours within specifically designated loading areas. No articles so stored shall be advertised or marked for sale at or from the loading area nor shall the loading area be used for merchandise display.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.080 Application and permit issuance.

A. Major temporary use permit.

1. A least five working days prior to commencement of the event, the owner of the property proposed to be occupied by a temporary use or the owner's authorized representative:
 - i. Verify and obtain approval from any required Department necessary for the specific event.
 - ii. File the application for a temporary use permit with the Planning Division.
2. The Community & Economic Development Director or their designee shall review the temporary use permit application for compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) of this **C**hapter and shall approve or deny the application within five working days of receipt of a complete application. The applicant, having obtained all of the required City department and agency signatures, must obtain any additional required permits before operation of the temporary use. Approval of a temporary use permit does not constitute approval of any other required permits.
3. If in the judgment of the Community & Economic Development Director or their designee, a proposed temporary use, even if in compliance with Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) of this **C**hapter may have a substantial adverse impact on public health, safety or welfare, the Community & Economic Development Director or their designee may elect not to approve a temporary use permit and may refer the application for disposition by the City Council at its next regularly scheduled meeting.
4. Failure to comply with the limitations contained in Sections 19.740.020 (Applicability) and 19.740.050 (Development and operational standards) shall be grounds for denial and/or revocation of a temporary use permit.

B. Minor temporary use permit.

1. Prior to the commencement of the event, a minor temporary use permit shall be obtained from the Planning Division.
2. The applicant shall:
 - i. Obtain written authorization from the property owner or authorized representative.
 - ii. Verify that the TUP event complies with all applicable development standards established in 19.740.050.
 - iii. Submit for a Minor TUP at least five working days prior to the commencement of the event.
 - iv. If an event does not comply with the prescribed site location and operation criteria specified in Section 19.740.050 for those uses eligible for a Minor TUP (See Table 19.740.020) then the applicant shall apply for a Major TUP as listed in Section 19.740.080.A above.
3. In the event a Minor TUP is reviewed by staff and determined to not be in compliance with all applicable development standards, staff will inform the applicant that a Major TUP is required.

C. Failure to comply with any of the provisions of this **S**ection shall authorize the Community & Economic Development Director or authorized designee to issue a stop work order and upon issuance of the stop work order, the temporary use shall cease until continuation is authorized by the Community & Economic Development Director or authorized designee.

D. Copies of the Temporary Use Permit (major and minor) shall be made available to City Staff upon request.

(Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 24, 11-5-2019; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.090 Revocation of temporary use permits.

- A. If the Community & Economic Development Director or their designee determines that a temporary use is being operated contrary to the terms and conditions of a temporary use permit, or if circumstances under which the temporary use permit was issued have changed, such in the opinion of the Community & Economic Development Director or their designee, operation of the temporary use poses a negative impact on the public health, safety or general welfare, the Community & Economic Development Director or their designee shall issue an order to immediately cease and desist such operation. Upon receipt of the order, such operation of a temporary use shall immediately cease and desist.
- B. The Community & Economic Development Director or their designee's order to revoke a temporary use permit may be appealed in writing within two working days of its receipt. The City Community & Economic Development Director or his/her designee shall act on the appeal within five working days of the receipt of a properly filed appeal. In any case, the temporary use must immediately cease and desist pending consideration of the appeal.

(Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 25, 11-5-2019; Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

19.740.100 Appeal.

Appeals of the Community Development Director's Decision may be filed pursuant to Sections 19.680.030.B (Filing an Appeal) and 19.690.020.D (Effective Date of Permits and Actions) for action by the City Manager.

(Ord. 7331 §110, 2016; Ord. 7211 §1, 2013; Ord. 6966 §1, 2007)

Chapter 19.760 CONDITIONAL USE PERMIT

19.760.010 Purpose.

19.760.020 Procedures.

19.760.030 Applicability and permit requirement.

19.760.040 Required findings.

19.760.045 Conditions of approval/guarantees.

19.760.050 Voting approval requirements.

19.760.060 Minor modifications to approved conditional use permits.

19.760.070 Review for compliance and revocation.

19.760.080 Limited term approval.

19.760.090 Voiding of conditional use permits.

19.760.010 Purpose.

- A. The City recognizes that certain uses, due to the nature of use, intensity, or size, require special review to determine if the use proposed, or the location of that use, is compatible with surrounding uses, or through the imposition of development and use conditions, can be made compatible with surrounding uses. The conditional use permit is provided for this purpose.
- B. To ensure compatibility with zoning regulations and surrounding properties, conditional uses require special consideration. The Planning Commission is empowered to grant and deny applications for conditional use permits and to impose reasonable conditions upon the granting of such permit.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.020 Procedures.

- A. *General process.* Conditional Use Permit (CUP) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings) and 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.030 Applicability and permit requirement.

- A. The Approving or Appeal Authority may grant a conditional use permit, in accordance with the procedures stated in this article, for any of the uses specifically listed in ~~this Title~~the Zoning Code as permitted subject to the granting of a conditional use permit. Tables 19.150.020.A and B summarize those uses requiring a conditional use permit and the applicable base zones.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.040 Required findings.

The Planning Commission may grant a conditional use permit in whole or in part, and including appropriate conditions of approval if, from the evidence presented at the public hearing, the following written findings can be made:

- A. The proposed use is substantially compatible with other existing and proposed uses in the area, including factors relating to the nature of its location, operation, building design, site design, traffic characteristics and environmental impacts;
- B. The proposed use will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the property or improvements within the area; and
- C. The proposed use will be consistent with the purposes of ~~this Title~~the Zoning Code and the application of any required development standards is in the furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.045 Conditions of approval/guarantees.

- A. In granting a conditional use permit, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of ~~this Title the Zoning Code~~ shall be maintained with respect to the particular use on the particular site and in consideration of the location, use, building and traffic characteristics and environmental impact of the proposed use and of existing and potential uses within the general area in which such use is proposed to be located.
- B. The conditions attached to conditional use permits may include such provisions concerning use, height, area, yards, open spaces, setbacks, parking, loading, signs, improvements, site design, operation characteristics, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction or use authorized, revocation dates, and other conditions the Planning Commission may deem appropriate and necessary to carry out the purposes of ~~this Title the Zoning Code~~ and Chapter.
- C. The Planning Commission may require bonds or other forms of guarantees for the conditional use permit to ensure compliance with this ~~C~~chapter and other applicable provisions of ~~this Title the Zoning Code~~, and to prevent adverse or detrimental impact to the surrounding neighborhood.
- D. The conditions of approval must be kept on site and be made available for inspection on demand by a City representative.
- E. Conditional use permits granted pursuant to the provisions of this ~~T~~itle shall be transferable upon a change of ownership of the site, business, service, use or structures, provided that the use is in substantial conformance with the previously approved use and conditions of the original permit or approval are fully complied with, and the project is not modified or enlarged/expanded.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.050 Voting approval requirements.

- A. The decision of Planning Commission to grant a conditional use permit shall require an affirmative vote of two-thirds of the membership present and voting.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.060 Minor modifications to approved conditional use permits.

Minor modifications to approved conditional use permits pursuant to Section 19.730.030 may be approved by the ~~Staff Application Review Team~~ ~~Development Review Committee~~.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.070 Review for compliance and revocation.

- A. *Compliance investigation.* The City may conduct an investigation to ensure that the permittee is maintaining the use as applied for, in compliance with all conditions, and has not converted or modified the use. Failure to operate in accordance with the conditions of the conditional use permit shall be the subject of an enforcement action and administrative civil penalties as provided for under Chapter 1.17 of ~~this the Riverside Municipal~~ Code and/or grounds for setting the matter for public hearings to

consider revocation of the permit. The election of administrative civil penalties shall in no way act as a waiver of the revocation of the permit. The City may also pursue any other option permitted by law to require compliance with the conditions of the permit.

B. Revocation of conditional use permits.

1. The Planning Commission shall hold a public hearing to consider the revocation of a conditional use permit granted in accordance with the provisions of this Cchapter and over which such Commission has jurisdiction.
2. Written notice of the date, time, place and purpose of such public hearing shall be served on the owner of the property for which the permit was granted by registered mail, postage prepaid, return receipt requested, not less than ten days prior to the date of such hearing. Additional notice shall be given in the manner prescribed in this Cchapter governing notices of conditional uses permits. The public hearing and investigations shall be conducted and hearing records maintained in the manner prescribed in this Cchapter.
3. A conditional use permit may be revoked if, from the facts presented at the public hearing or by investigation, the Planning Commission finds any one or more of the following grounds:
 - a. That the permit approval was obtained by fraud;
 - b. That the permit granted is being or has been exercised contrary to the conditions of such permit or in violation of any applicable licenses, permits, regulations, laws, or ordinances; and
 - c. That the use for which the permit approval was granted is being or has been exercised as to be detrimental to the public health or safety or so as to constitute a nuisance.
4. Each decision by the Planning Commission to revoke a conditional use permit shall be by a formal and numbered resolution adopted by the affirmative votes of at least two-thirds of the membership of the Planning Commission, such membership being based upon membership present and voting. The Planning Commission shall make its findings, announce its decision and mail a notice of its decision to the owner of the property involved in the manner prescribed in this Cchapter. Any person aggrieved or affected by a decision of the Planning Commission in approving or disapproving a revocation of a conditional use permit may appeal to the City Council in the manner prescribed in this Cchapter. The City Council may, after a public hearing has been held in the manner prescribed in this Ssection, affirm, reverse or modify the decision of the Planning Commission.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.080 Limited term approval.

If the Planning Commission determines based upon written findings that it is necessary to protect the public health, safety or general welfare, the Planning Commission may limit the term of the permit.

(Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

19.760.090 Voiding of conditional use permits.

- A. Any conditional use permit granted by the Planning Commission or by the City Council on appeal shall become null and void if:
 1. The construction or use authorized by such permit is not commenced within the time limit specified in such permit, and such construction is not pursued diligently to completion; provided, however,

that the Planning Commission may extend the time limit if a written application showing good cause for such time extension is submitted to the Planning Division prior to the expiration of the time limit; or

2. The owner or owner's authorized representative of the property for which the permit was granted requests in writing that the permit be partially or fully voided and the Community & Economic Development Director approves such request.

B. Conditions of a conditional use permit related to Assemblies of People - Entertainment that is granted by the Planning Commission or City Council may be voided by the Director of Community & Economic Development Department, or his or her designee, if an Entertainment Permit, as defined in Title 5, is issued.

(Ord. [7487](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 7, 11-5-2019; Ord. 7331 §111, 2016; Ord. 6966 §1, 2007)

Chapter 19.770 SITE PLAN REVIEW PERMIT

19.770.010 Purpose.

19.770.020 Procedures.

19.770.030 Applicability and permit requirements.

19.770.040 Conditions of approval.

19.770.050 Findings

19.770.010 Purpose.

The site plan review permit process is established to meet certain community goals that include the following:

- A. To ensure that the highest quality of land planning is incorporated into development projects;
- B. To ensure that new projects are compatible with existing neighborhoods in terms mass, scale and functionality;
- C. To ensure that development occurs with due regard to environmental factors;
- D. To provide for public improvements necessitated by the development; and
- E. To promote orderly, attractive and harmonious development, and promote the general welfare by preventing the establishment of uses or erection of structures that are not properly related to or that would adversely impact their sites, surroundings, traffic circulation or environmental setting.

(Ord. [7573](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

19.770.020 Procedures.

- A. *General process.* Site plan review permit (SPR) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority),

19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable chapters of [this Titlethe Zoning Code](#).

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank"
web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

19.770.030 Applicability and permit requirements.

The following commercial or mixed-use projects require a site plan review permit:

- A. *Commercial*. In addition to any other permits required by [this Titlethe Zoning Code](#), no new building, structure, exterior alteration or enlargement of an existing building or structure exceeding 10,000 square feet shall be commenced in the Commercial Regional Center Zone (CRC) (Chapter 19.110) until a Site Plan Review Permit has been granted pursuant to this [Chapter](#).
- B. *Mixed-Use*. In addition to any other permits required by [this Titlethe Zoning Code](#), no new building, structure or exterior alteration or enlargement of an existing building or structure exceeding 20,000 square feet of nonresidential space or 20 residential units, whichever is greater, shall be commenced in any Mixed-Use Village or Urban Zones (Chapter 19.120) until a site plan review permit has been granted pursuant to this [Chapter](#).
- C. *Planning Commission requirement*. The Planning Commission, at its discretion, may require a site plan review permit as a condition for any project.
- D. *Exemption*.
 - 1. Any site plan review included as part of the review for conditional use permits, minor conditional use permits and planned residential development permits and design review is subject to the requirements of Chapters 19.730 (Minor Conditional Use Permit), 19.760 (Conditional Use Permits) and 19.780 (Planned Residential Development Permit) and is therefore exempt from the requirement of a separate site plan review permit unless such site plan review is deferred at the time of approval of such permits.
 - 2. Stand-alone multi-family or age-restricted senior residential uses in any Mixed-Use zone are permitted by right subject to Chapter 19.710 - Design Review, and do not require a Site Plan Review.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank"
web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. <ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank"
web="yes">7487</ulink> § 26, 11-5-2019; Ord. 7408 §1, 2018; Ord. 7331 §112, 2016; Ord. 7235 §19,
2013; Ord. 7091 §13, 2010; Ord. 6966 §1, 2007)

19.770.040 Conditions of approval.

In order to achieve the purposes of this [Chapter](#), the approving or appeal authority may require reasonable conditions of approval on a site plan review permit including, but not limited to the following.

- A. Special conditions or requirements to revise the site plan, that are more restrictive than the development standards in the underlying base zone or including, but not limited to, the following:

1. Building height, bulk or mass;
2. Setbacks;
3. Lot coverage;
4. Lighting;
5. Private and common open space and/or recreational amenities;
6. Screening, including garages, trash receptacles, or mechanical equipment;
7. Landscaping;
8. Fencing plans;
9. Parking, access and on-site circulation;
10. Pedestrian circulation;
11. Grading;
12. Street dedication and improvements;
13. Public improvements either on or off the subject site that are needed to service the proposed development;
14. Project phasing;
15. Any other revisions to the site plan or operational conditions deemed necessary to further the purposes of this [Title](#).

B. Reduced development standards for affordable housing projects in accordance with the provisions of Chapter 19.545 (Density Bonus).

19.770.050 Findings.

The Planning Commission may approve a Site Plan Review for development upon making the following findings:

- A. The proposed development is consistent with the General Plan, any applicable specific plans and the intent and purpose of the base zone.
- B. The proposed development, as conditioned, will not have substantial adverse effects on the surrounding property or uses, and will be compatible with the existing and planned land use character of the surrounding area.
- C. The proposed development is appropriate for the site and location. In mixed-use zones, the proposed development fosters a mixture and variety of land uses within the zone and the general vicinity and contributes to a synergistic relationship between uses.
- D. Buildings within a mixed-use development project must be compatible with each other and be designed as an integrated, unified project. All proposed development must meet the design standards and guidelines in Section 19.120.070 (Design Standards and Guidelines).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 17, 2024; (<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 §112, 2016; Ord. 6966 §1, 2007)

Chapter 19.780 PLANNED RESIDENTIAL DEVELOPMENT PERMITS

19.780.010 Purpose.

19.780.020 Applicability and permit requirements.

19.780.030 Procedures.

19.780.040 Permitted uses.

19.780.050 Density and findings for single-family residential zones.

19.780.055 Density and findings for Small Lot PRD.

19.780.060 Development standards.

19.780.070 Common ownership—Land or improvements.

19.780.010 Purpose.

A. These Planned Residential Development (PRD) regulations are established to allow for flexibility and creativity in design of single-family residential developments, and for the application of unique development standards that reflect special property conditions. Specifically, Planned Residential Development Permits are intended to achieve the following:

1. In all applicable zones:

- a. Address the need to provide mechanisms to assist in producing a diversity of single-family residential housing and product types;
- b. Provide an incentive for clustered property development of environmentally and topographically constrained land in order to minimize the impacts of development on more environmentally sensitive portions of that land, particularly in the RC Zone;
- c. Allow the development of small-lot infill subdivisions in existing neighborhoods, thereby allowing a more efficient and creative use of often difficult to develop properties when the proposed development is designed in a manner that is compatible with all existing development in the vicinity;
- d. Encourage and allow more creative and imaginative project design by allowing increased development densities. In return, planned residential developments are required to incorporate open space, amenities for recreational and visual enjoyment and superior design features, which are encouraged, but not required of standard single-family residential developments;
- e. To provide increased opportunities for home ownership consistent with the objectives of the City's General Plan; and
- f. Assist in the preservation and enhancement of valuable natural areas, where appropriate and especially in the RC Zone.

2. In the RC Zone: PRD's in the Residential Conservation Zone (RC) shall be established consistent with General Plan objectives and voter approved initiatives (Proposition R and Measure C) to protect prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic conditions that warrant sensitive development from adverse development practices, and specifically, to achieve the following objectives:

- a. To promote clustering of lots on less sensitive portions of the property to preserve valuable open space and wildlife habitat;

- b. To provide each individual lot with its own private open space areas preserving natural open space areas and features in common open space areas pursuant to Proposition R and Measure C; and
- c. To promote the preservation of viewscales and low impact development.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 18, 2024; Ord. 7331 §113, 2016; Ord. 7027 §3, 2009; Ord. 6966 §1, 2007)

19.780.020 Applicability and permit requirements.

A Planned Residential Development is permitted according to the following permit types:

- 1) *Planned Residential Development Permit.*
 - a) Permitted in single-family residential zones except the RA-5 zone.
 - b) Consists of any number of dwelling units.
- 2) *Minor Planned Residential Development Permit (Minor PRD).*
 - a) Permitted in single-family residential zones except the RC and RA-5 zone.
 - b) Consists of five to 16 dwelling units.
- 3) *Administrative Planned Residential Development Permit (Admin PRD).*
 - a) Permitted in single-family residential zones except the RC and RA-5 zone.
 - b) Consists of four or fewer parcels.
- 4) *Small Lot Subdivision Planned Residential Development Permit (Small Lot PRD).*
 - a) Permitted in multi-family (R-3) residential zones except for R-4.
 - b) Consists of 16 or fewer dwelling units.

The Approving Authority shall review and evaluate a proposed project, including plot plans, architectural plans, grading plans, tract or parcel map, and proposed amenities, and shall approve, conditionally approve, or deny the proposed project, based on the findings and criteria indicated in Section 19.780.050.A for single-family residential zones or Section 19.780.055.B for R-3 zones.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 19, 2024; Ord. 7331 §113, 2016; Ord. 6966 §1, 2007)

19.780.030 Procedures.

A. *General process.* All Planned Residential Development Permit (PRD) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.640 (General Permit Provisions), 19.650 (Approving and Appeal Authority), 19.660 (General Application Processing Procedures), 19.670 (Public Hearings and Notice Requirements), 19.680 (Appeals), 19.690 (Effective Dates, Time Limits, and Extensions) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

- B. *Map required.* The application shall be accompanied by a tentative map that shall be filed with the Planning Division in accordance with procedures set forth in Chapter 18.080 of Title 18 (Subdivision Code).
- C. *Phasing.* If a Planned Residential Development is proposed to be constructed in phases, the proposed phasing schedule is subject to approval by the Director of Community & Economic Development.
- D. *Planned Residential Development permit expiration.* Time limits and extensions shall be the same as for the related subdivision, consistent with the provisions of Title 18 (Subdivision Code) prior to issuance of the first building permit. After the first building permit has been pulled the Planned Residential Development Permit is vested.
- E. *Voting approval requirements.* The decision of Planning Commission to grant a Planned Residential Development Permit shall require an affirmative vote of 2/3 of the membership present and voting.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank"
web="yes">Ord. 7683</ulink>, § 20, 2024; Ord. 7331 §113, 2016; Ord. 6966 §1, 2007)

19.780.040 Permitted uses.

- A. Single-family dwellings attached or detached.
- B. Tiny home (foundation) in a tiny home community, except in the RC Zone.
- C. Related recreation and community facilities for the use of residents of the development and their guests.
- D. Natural open spaces.
- E. Golf courses.
- F. Multipurpose trails.
- G. Other uses as may be permitted as part of the planned residential development.
- H. In the single-family residential base zones, uses required by State law to be permitted in conjunction with a single-family residential use.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank"
web="yes">Ord. 7528</ulink> §1(Exh. A), 2020; Ord. <ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank"
web="yes">7520</ulink> §1(Exh. A), 2020; Ord. 7408 §1, 2018; Ord. 7331 §113, 2016; Ord. 7027 §4,
2009; Ord. 6966 §1, 2007)

19.780.050 Density and findings for single-family residential zones.

- A. *Benchmark density and findings for approval.* In all single-family residential zones, densities up to the densities shown in Table 19.780.050 B (PRD Benchmark and Bonus Densities) for the underlying zone in which the project is located may be approved with the granting of a Planned Residential Development Permit, Minor Planned Residential Development Permit, or Administrative Planned Residential Development Permit, provided that the Approving Authority determines, based on demonstrated evidence, the project complies with the following criteria and findings, and the intent, standards, and requirements of this Cchapter. Additional density up to the limit of the bonus density

shown in Table 19.780.050.B may be considered if the project meets all the requirements stated in Section 19.780.050.E - Density Bonus for Superior Design.

Compliance with the following criteria shall be demonstrated for a proposed project to be approved, and the benchmark density to be granted. Failure to substantially meet or exceed all these standards shall result in disapproval of the project, or a lower density than the benchmark density.

1. In all single-family residential zones, other than RA-5 and RC Zone:

- a. The property is well served by public infrastructure;
- b. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
- c. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required;
- d. The project complies with the purpose and standards of this [Chapter](#), demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
 - i. Varied placement of buildings demonstrating sensitivity to the natural topographic features of the site;
 - ii. Relatively level land is set aside for active recreational pursuits;
 - iii. Open space is distributed on the site and accessible to all units
 - iv. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways;
 - v. Sensitivity to surrounding community and attention to the edge conditions, creating areas of transition from surrounding existing development to the proposed development; and
 - vi. Where front porches are consistent with the style of the development, a minimum of two-thirds ($\frac{2}{3}$) of the total units shall provide front porches;
- e. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity;
- f. The project provides amenities in compliance with this [Chapter](#), and that the amenities are consistent with the size and scale of the project, the project density, and neighborhood characteristics.

2. In the RC Zone:

- a. Retention of unique natural features, including arroyos, hillsides and rock outcroppings, in natural open space areas consistent with the grading ordinance;
- b. Placement of buildings demonstrating sensitivity to the natural topographic and habitat features of the site, including clustering of homes in less sensitive and less steep locations in order to preserve such natural features and valuable natural open space, both for wildlife habitat and visual aesthetic purposes;
- c. Provision of other amenities consistent with the RC Zone and as deemed appropriate for the project;

- d. Provision that the development will not introduce non-native plants as defined by Table 6-2 of the Multiple Species Habitat Conservation Plan (MSHCP) into the landscape adjacent to the City's arroyos in perpetuity;
- e. Maintenance and management of all open space easements by a single entity for the entire project with an appropriate natural open space management plan;
- f. Superior design of individual dwelling site plans and building architecture, including such features as porches and garages set back from the street in comparison to the house, and detailed four sided, building treatments. Many of the desirable features are found in the adopted Citywide Design and Sign Guidelines. The design of custom homes will be reviewed as individual homes are submitted for design review approval prior to building permit issuance;
- g. Sensitivity to impacts of the development on surrounding uses, including linkages to natural open space areas where appropriate; and
- h. Streets serving the development shall be capable of accommodating the anticipated traffic.

B. *Maximum density.* The maximum density of a PRD project shall be consistent with this Chapter, the underlying General Plan land use designation(s), any applicable Specific Plan(s), as well as Table 19.780.050 B below.

Table 19.780.050.B

PRD Benchmark and Bonus Densities

Single Family Residential Zone	Benchmark Density - Dwellings per Gross Acre ⁽¹⁾	Maximum Bonus Percent % ⁽²⁾	Maximum Density with Bonus - Dwellings Per Gross Acre ⁽¹⁾⁽²⁾
RC	0.5 ⁽³⁾	25	0.63
RR	3.0	10	3.3
RE	3.0	10	3.3
R-1-7000	7.3	10	8.0
R-1-8500	6.3	10	6.9
R-1-10500	5.5	10	6.0
R-1-13000	4.8	10	5.3
R-1-1/2 acre	3.0	10	3.3

Notes:

- (1) Density per gross acre is calculated including new public and private streets.
- (2) This is the maximum density bonus and any bonus less than the maximum may be granted based on the degree to that the project meets the criteria specified in 19.780.050.A and B.
- (3) The actual benchmark density shall be determined by the preparation of a conventional subdivision map in conformance with the RC Zone standards to show the actual number of lots that could be achieved based on the average natural slope (ANS), as defined by 19.100.050.C.

C. No PRD shall be granted approval if the project's base zone and General Plan land use designation are inconsistent, pursuant to General Plan Tables LU-5, LU-6 and LU-7.

D. *Transfer of density.* When two or more General Plan land use designations or base zones exist within a planned residential development, the density may be transferred between designation and/or zones within the same development as necessary to provide for a superior development based upon good planning principles, and to promote the general welfare of the neighborhood and maximum benefit to the natural environment. In particular, such transfers are desirable where density is transferred from steep, hillside land to flatter, less visually sensitive properties where significantly less grading is required. In the case of such a density transfer, the overall maximum density shall not exceed that otherwise permitted by the General Plan designation(s) (See 19.780.050.B). The only exception is that density cannot be transferred from a non-RC zoned property to an RC zoned property. For purposes of this **Section**, a project may consist of more than one underlying legal parent parcel; however, such parcels must be contiguous unless separated by an existing public or private street.

E. *Density bonus for superior design.* A PRD project may qualify for a density bonus up to the maximum shown in Table 19.780.050.B, provided that it meets the standards of Section 19.780.050.A, and satisfies the following criteria beyond those in 19.780.050.A.

1. All single-family residential zones, other than RA-5 and RC:

a. Except for Small Lot PRD projects, evidence that the project can be certified in LEED, National Green Building Standard, or an equivalent standard; and

b. Evidence shall be provided to document that the project includes a minimum of three of the following for Administrative PRDs, four of the following for Minor PRD, and five of the following for the PRD permit:

(1) Designate all streets, sidewalks and trails that are built as part of the project or serving the project directly as available for general public use and not gated. Gated areas and enclaves are NOT considered available for public use.

(2) Design the building orientation for solar design, including the following provisions:

a. The glazing area on the north- and south-facing walls of the building is at least 50 percent greater than the sum of the glazing area on the east- and west-facing walls.

b. The east-west axis of the building is within 15 degrees of due east-west.

c. The roof has a minimum of 450 square feet of south-facing area that is oriented appropriately for solar applications.

d. At least 90 percent of the glazing on the south-facing wall is completely shaded (using shading, overhangs, etc.) at noon on June 21 and unshaded at noon on December 21.

(3) Locate the project within a one-quarter mile of 11 basic community resources (Table 19.780.050.A), within a one-half mile of 14 basic community resources (Table 19.780.050.A) and within a one-half mile of a major transit stop, as defined in California Public Resource Code Section 21064.3.

Table 19.780.050 A
Basic Community Resources

Arts and entertainment center

Bank

Community or civic center

Convenience store

Daycare center
Fire station
Fitness center or gym
Laundry or dry cleaner
Library
Medical or dental office
Pharmacy
Police station
Post office
Place of worship
Restaurant
School
Supermarket
Other neighborhood-serving retail
Other office building or major employment center
Note: Up to two of each type of community resource may be counted. For example, two restaurants within one-quarter mile may be counted as two community resources; four restaurants also count as two.

- (4) Locate trees or other plantings to provide shading for at least 50 percent of sidewalks, patios and driveways. Shading should be calculated for noon on June 21, when the sun is directly overhead, based on five year's growth.
- (5) Install light-colored high-albedo materials or vegetation for at least 50 percent of sidewalks, patios and driveways.
 - a. Acceptable strategies include the following:
 - i. White concrete;
 - ii. Gray concrete;
 - iii. Open pavers (counting only the vegetation, not pavers); and
 - iv. Any material with a solar reflectance index (SRI) of a least 29.
- (6) Design the lot such that at least 70 percent of the built environment, not including area under roof, is permeable and designed to capture water runoff for infiltration on-site. Area that can be counted toward the minimum includes the following:
 - a. Vegetative landscape (e.g., grasses, trees, shrubs, etc.).
 - b. Permeable paving, installed by an experienced professional. Permeable paving must include porous above-ground materials (e.g., open pavers, engineered products) and a six-inch porous sub-base, and the base layer must be designed to ensure proper drainage away from the home.

- c. Impermeable surfaces that are designed to direct all runoff toward an appropriate permanent infiltration feature (e.g., vegetated swale, on-site rain garden, or rainwater cistern).

(7) Design and install one of the following permanent erosion control measures:

- a. If portions of the lot are located on a steep slope, reduce long-term runoff effects through use of terracing and retaining walls.
- b. For every 500 feet of disturbed lot area (including the area under the roof), one tree, four 5-gallon shrubs, or 50 square feet of native groundcover shall be planted.

(8) Design and install one or more of the following runoff control measures:

- a. Install permanent stormwater controls in the form of vegetated swales, on-site rain garden, dry well, or rain-water cistern, or equivalent designed to manage runoff from the homes.
- b. Install a vegetated roof to cover 50 percent or more of the roof area.
- c. Have the site designed by a licensed or certified landscape design or engineering professional such that it is demonstrated that all water runoff for the home is managed through an on-site design element.

(9) Design and install a rainwater harvesting and storage system (including surface runoff and/or roof runoff) for landscape irrigation use. The storage system must be sized to hold all the water from a one-inch rainfall event (equivalent to 0.62 gallons per square foot of roof area used for capture), taking into consideration the size of the harvest system (i.e., 50 percent of total roof area).

(10) Design the plumbing with irrigation system water supplied with municipal recycled water.

(11) Construct the project to exceed Title 24 requirements by 20 percent or more.

2. In the RC Zone: To protect prominent ridges, hilltops and hillsides, slopes, arroyos, ravines and canyons, and other areas with high visibility or topographic conditions that warrant sensitive development from adverse development practices, thus furthering the intent of Proposition R and Measure C and promoting clustering, all of the following are required:

- a. Require all designated open space areas to be managed and maintained under the stewardship of a recognized conservation group as approved by the Approving Authority, with an endowment to fund such stewardship entirely;
- b. The project shall provide at least six of the items listed in Section 19.780.050.E.1.b above; and
- c. The project shall provide evidence that unique natural features and steeper portions of the property are being preserved in open space, with lots clustered in the less steep portions of the site.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 21, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=979504&datasource=ordbank> web="yes">7481 § 2, 2019; Ord. 7331 §113, 2016; Ord. 7027 §5, 2009; Ord. 6966 §1, 2007)

19.780.055 Density and findings for Small Lot PRD.

- A. *Maximum density.* The maximum density of a Small Lot PRD project shall be consistent with the underlying General Plan land use designation and any applicable Specific Plan.
- B. *Minimum density.* Small Lot PRD projects shall provide a minimum of 50 percent of the density of the underlying General Plan land use designation.
- C. *Findings.* Compliance with the following criteria shall be demonstrated for a proposed project to be approved. Failure to substantially meet or exceed all these standards shall result in disapproval of the project.
 - 1. The property is well served by public infrastructure;
 - 2. The project enjoys good access to public services, including schools, shopping and public and semipublic facilities;
 - 3. The site is located on streets capable of accommodating the anticipated traffic. A traffic study may be required;
 - 4. The project complies with the purpose and standards of this [Chapter](#), demonstrates substantial compliance with the provisions of the Citywide Design and Sign Guidelines, and is in accordance with City Codes, which may include deviations by variances when required findings are made. Additional criteria used in evaluating the design of the project shall include, but shall not be limited to, the following:
 - a. Open space is distributed on the site and accessible to all units;
 - b. An efficient circulation system consisting of both vehicular lanes and pedestrian walkways; and
 - c. Sensitivity to surrounding community and attention to the edge conditions.
 - 5. The project proposes development in an environmentally and topographically sensitive manner in order to minimize the impacts of development on adjacent properties, and is designed in a manner that is compatible with the adjacent and existing development in the vicinity.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank>)
web="yes">Ord. 7683, § 22, 2024)

19.780.060 Development standards.

- A. *Relationship to base zone development standards.* The development standards set forth in this [Section](#), if in conflict with the development standards of the underlying base zone, shall supersede the development standards of the underlying base zone, except in the RC Zone the underlying development standards still apply. This [Section](#) shall not supersede the development standards of any applicable overlay zone. In cases where a standard is not addressed in this [Chapter](#), the standard of the base zone or any applicable overlay zone shall apply. The standards set forth herein are the minimum required for a PRD to qualify for the benchmark density.
- B. *Standards for all Planned Residential Developments - RR, RE, and all R-1 Zones.*
 - 1. *Lot size and coverage.* Minimum lot size and maximum lot coverage requirements to be determined by the Approving Authority on a case specific basis in part based on product type, characteristics of the property and surrounding uses.

2. Setbacks.

	RE, RR & R-1-½ Ac.	R-1 Zones (except R-1-1/2)
Setbacks from Project Perimeters (May be modified in conjunction with the PRD):		
Adjacent to a Public Street - reverse frontage lots	Same as base zone. The setback shall be fully landscaped and fences or walls may encroach up to 5 feet into the required setback area.	
Adjacent to a Public Street - street frontage lots	15 ft. Street-facing garages shall be setback a minimum of 20 feet from the front property line.	
Adjacent to Perimeter Property Lines ¹	20 ft.	15 ft.
Setbacks within Project Boundaries (May be modified in conjunction with the PRD):		
Front Yard Setback	15 ft.	10 ft.
Side Yard Setback	5 ft.	5 ft.
Rear Yard Setback	15 ft.	10 ft.

¹ Except for Administrative PRD and Minor PRD projects which shall provide perimeter property line setbacks applicable to primary dwellings consistent with the Zone.

3. Usable open space and recreational facilities

a. Planned Residential Development Permit.

- (1) A minimum of 500 square feet of usable common open space per dwelling unit is required. The number and type of desirable amenities for a project will be determined on a case-by-case basis in proportion to the size and design of the project. Desirable common open space amenities include, but are not limited to, the following:
 - a. Multiple enclosed tot lots with multiple play equipment. The tot lots shall be conveniently located throughout the site. The number of tot lots and their location shall be subject to Planning Commission review and approval;
 - b. Pool and spa;
 - c. Multi-purpose room equipped with kitchen, defined areas for games, exercises, recreation, private gathering of residents, etc.;
 - d. Barbeque facilities equipped with multiple grills, picnic benches, etc. The barbecue facilities shall be conveniently located throughout the site. The number of barbeque facilities and their locations shall be subject to Planning Commission review and approval;
 - e. Court facilities (e.g. tennis, volleyball, basketball, etc.);
 - f. Jogging/walking trails with exercise stations;
 - g. Community garden;
 - h. Theater;

- i. Computer room;
- j. Exercise room;
- k. Golf course, putting green, etc.;
- l. Passive recreational facilities tied to existing topographical features, with gazebos, benches, etc.;
- m. Art pieces; and
- n. Water features.

(2) *Private open space.*

- a. A minimum of 200 square feet per dwelling unit is required, with no dimension less than ten feet.

b. *Minor Planned Residential Development Permit*

- (1) A minimum of 500 square feet of usable open space per dwelling unit is required. The usable open space may be provided in any combination of common open space and private open space.

c. *Administrative Planned Residential Development Permit*

- (1) A minimum of 300 square feet of usable open space per dwelling unit is required. The usable open space may be provided in any combination of common open space and private open space.

4. *Reserved.*

5. *Parking.* Parking shall be in accordance with Chapter 19.580 (Parking and Loading) with the following exceptions and additions:

a. *Planned Residential Development Permit projects.*

- (1) A minimum of two fully enclosed (garage) spaces are required per dwelling unit.
- (2) A minimum of one guest space per three dwelling units is required. On-street parking may be credited toward this requirement. On-street parking is only allowed on a curb to curb street width of 28 feet or greater. Driveway spaces above shall not be counted toward these required guest spaces.
- (3) *Recreational vehicle parking.* Recreational vehicle parking is prohibited on a residential lot. A separate recreational vehicle parking lot is permitted, subject to requirements for adequate screening, including a required eight-foot high block wall, and five-foot landscape planters on all sides.

b. *Administrative PRD and Minor PRD projects.*

- (1) A minimum of one guest space per three dwelling units is required. Interior on-street parking may be credited toward this requirement. On-street parking is only allowed on a curb to curb street width of 28 feet or greater. Driveway spaces may be counted toward these required guest spaces for Administrative PRD projects.
- (2) Recreational vehicle parking is prohibited.

6. *Building height.*

- a. Per the underlying zone.
- b. For Administrative PRD and Minor PRD, the number of stories may be increased to three.

C. Standards for RC Zone planned residential development.

1. *Lot size.* In order to promote clustering, lots shall be a minimum of one-half acre in size and clustered in the less steep portions of the site.
2. *Lot coverage maximum lot coverage requirements* to be determined by the Planning Commission on a case specific basis based, in part, on product type, characteristics of the property and surrounding uses.
3. *Height.* Same as RC Zone (See Section 19.100.040, Residential Development Standards).
4. *Setbacks.* Same as RC Zone (See Section 19.100.040, Residential Development Standards).
5. *Common natural open space and clustering.* Section 19.780.050 A (Benchmark Density) sets forth the criteria for a PRD to qualify for the benchmark density in the RC Zone, including provision of valuable natural open space and wildlife habitat and a site plan layout sensitive to the natural topography, both for wildlife habitat and resource conservation as well as visual aesthetic purposes. There is no minimum standard, although each development is encouraged to set aside a substantial portion of the site toward natural open space.
6. *Parking.* A minimum of two fully enclosed (garage) spaces are required per dwelling unit.

D. Standards for Small Lot Subdivision Planned Residential Developments - all R-3 Zones.

1. *Lot size and coverage.* Minimum lot size and maximum lot coverage requirements to be determined by the Planning Commission on a case specific basis in part based on product type, characteristics of the property and surrounding uses.
 - a. In no instance shall a lot resulting from a Small Lot PRD project be larger than 5,499 square feet.
2. *Height and Stories.* Small Lot PRD projects shall have a maximum height of 35 feet and three stories.
3. *Setbacks.* Setbacks shall be determined by lot size in accordance with the following but may be modified in conjunction with a PRD permit:

Minimum Setbacks	Lot Size (square feet)		
	1,500—2,999	3,000—4,499	4,500—5,499
Front	10 ft.	10 ft.	10 ft.
Interior Side	0/5 ft.	3/5 ft.	5 ft.
Street Side	10 ft.	10 ft.	10 ft.
Rear	10 ft.	10 ft.	15 ft.

4. *Privacy Considerations.* Small Lot PRD projects that abut the RA-5, RC, RR, RE, or R-1 Zone shall adhere to the following:
 - a. Windows within 30 feet of a structure on another parcel shall not directly align with the windows of the neighboring structure.
 - b. Upper story unenclosed landings, decks, and balconies that face or overlook an adjoining RA-5, RC, RR, RE, or R-1 Zoned property shall be located a minimum of 15 feet from the interior lot lines.

5. *Usable open space and recreational facilities.*

- a. Usable open space shall be provided pursuant to Table 19.100.070 (Usable Open Space Standards: Multi-Family Residential Zones).
- b. The usable open space may be provided in any combination of common open space and private open space.

6. *Parking.*

- a. Parking shall be in accordance with Chapter 19.580 (Parking and Loading).
- b. Recreational vehicle parking is prohibited.

E. *Private streets.* Refer to private street standards in Title 18.210.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank> web="yes">Ord. 7683, § 23(Exh. I), 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 1(Exh. A), 2020; Ord. 7331 §113, 2016; Ord. 7027 §6, 2009; Ord. 6966 §1, 2007)

19.780.070 Common ownership—Land or improvements.

A. *Planned Residential Development projects.*

1. *Covenants, conditions and restrictions (CC&R's).* Where a Planned Residential Development contains any land or improvement proposed to be held in common ownership, the applicant shall submit a declaration of covenants, conditions and restrictions (CC&R's) with the final map establishing a Home Owner's Association subject to City's Planning Division and the City Attorney's Office approval. Such declaration shall set forth provisions for maintenance of all common areas, payment of taxes and all other privileges and responsibilities of the common ownership. The CC&R's shall include provisions prohibiting the homeowners' association (HOA) from quitclaiming, selling or otherwise transferring the land held in common ownership to private property owners.
2. *Amendments to CC&R's.* The provisions of approved CC&R's shall not be amended without the prior approval of the Community Development Director or his/her designee and City Attorney who at his or her discretion may refer the matter to the Planning Commission. Requests for amendments to existing CC&R's shall be submitted to the Planning Division.
3. *Maintenance.* All private streets, walkways, parking areas, landscaped areas, storage areas, screening, sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use shall be maintained by the property owners. Provisions acceptable to the affected City Departments shall be made for the preservation and maintenance of all such improvements prior to the issuance of building permits.
4. *Failure to maintain constitutes a public nuisance.* All commonly-owned lots, improvements and facilities shall be preserved and maintained in a safe condition and in a state of good repair. Any failure to so maintain is unlawful and a public nuisance endangering the health, safety and general welfare of the public and a detriment to the surrounding community.

B. *Administrative PRD, Minor PRD, and Small Lot PRD projects.*

1. *Maintenance agreement required.* An agreement for access and maintenance for all facilities used in common shall be submitted as part of the Subdivision Map. The agreement shall be approved

by the City Attorney and recorded with the Riverside County Assessor-County Clerk-Recorder prior to the sale of any unit.

2. The maintenance agreement shall be composed of and executed by all property owners to maintain all private streets, walkways, parking areas, landscaped areas, storage areas, screening, sewers, drainage facilities, utilities, open space, recreation facilities and other improvements not dedicated to public use.
3. The maintenance agreement shall run with the land. Each owner and future property owners shall automatically become members of the agreement and shall be subject to a proportionate share of the maintenance and related costs.
4. A final copy of the maintenance agreement, once recorded, shall be submitted to the Planning Division and Public Works Department for placement in the PRD and subdivision files.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1310591&datasource=ordbank" web="yes">Ord. 7683</ulink>, § 24, 2024; Ord. 7331 §113, 2016; Ord. 7235 §20, 2013; Ord. 6966 §1, 2007)

Chapter 19.785 TRAFFIC PATTERN MODIFICATION MEASURES

19.785.010 Purpose.

19.785.020 Traffic pattern modification measures.

19.785.030 Procedures.

19.785.040 Required findings.

19.785.050 Conditions of Approval.

19.785.010 Purpose.

The City declares its purpose to encourage through traffic to use freeways and arterial streets rather than local residential streets. In order to achieve this purpose, The City may implement traffic pattern modification measures to discourage the use of local residential streets where reasonably warranted.

(Ord. 7331 §114, 2016; Ord. 6966 §1, 2007)

19.785.020 Traffic pattern modification measures.

The following traffic pattern modification measures may be implemented subject to the procedures and findings contained in this Cchapter:

- A. Converting two-way streets into one-way streets;
- B. Street closures;
- C. Addition of raised medians for traffic diverters and/or traffic circles to existing streets; and
- D. Any other modification measure consistent with the intent and purpose of this Cchapter.

(Ord. 7331 §114, 2016; Ord. 6966 §1, 2007)

19.785.030 Procedures.

Traffic pattern modification measures applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings) and 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

(Ord. 7331 §114, 2016; Ord. 6966 §1, 2007)

19.785.040 Required findings.

The Planning Commission may approve a traffic pattern modification measure, including conditions of approval if, from the evidence presented at the public hearing, the following written findings can be made:

- A. The measure will provide for the health and safety of the citizenry and will not substantially impair the rendering of emergency and public services;
- B. The measures will not unreasonably interfere with general traffic circulation via the public rights-of-way designated as major and secondary streets in the circulation element of the General Plan;
- C. There is sufficient evidence to indicate that one or more of these conditions exist:
 - 1. An abnormally high percentage of traffic is unrelated to the local neighborhood and is merely passing through;
 - 2. Street design or conditions permit excessive vehicular speeds;
 - 3. There is a separate street from the general neighborhood circulation pattern to preserve the unique character or adjacent properties, to encourage pedestrian, equestrian or non-motorized vehicular travel and/or to discourage crime, noise, air pollution, and other hazards to public safety and welfare; and
 - 4. In the case of street closure, a separate factual finding must be made that the street is no longer needed as contemplated by the California Vehicle Code Section 21101.
- D. The measures will not unreasonably restrict access to adjacent properties nor impair the constitutionally guaranteed rights of any individual or group. Releases may be acquired as determined by the City Attorney.
- E. The measures will not create an unacceptable internal circulation system characterized by any excessively long dead-end or cul-de-sac street, poor aesthetics, poor drainage, difficult maintenance requirements or poor street design geometry.

(Ord. 7331 §114, 2016; Ord. 6966 §1, 2007)

19.785.050 Conditions of Approval.

- A. In approving a traffic pattern modification measure case, certain safeguards may be required and certain conditions established to protect the public health, safety, convenience and general welfare and to assure that the purposes of ~~this Title~~the Zoning Code shall be maintained with respect to the proposal, traffic characteristics and environmental impacts of the proposal within the general area the proposal is to be located.

- B. The conditions attached to the traffic pattern modification measure case may include such provisions concerning improvements, design, operation characteristic, land use compatibility, general character, appearance, environmental impact, time limits for commencing the construction authorized, revocation dates, and other conditions the Planning Commission may deem appropriate and necessary to carry out the purposes of ~~this Title~~the Zoning Code and Chapter.

(Ord. 7331 §114, 2016; Ord. 6966 §1, 2007)

Chapter 19.790 CONDOMINIUM CONVERSION PERMITS

19.790.010 Purpose.

19.790.020 Procedures.

19.790.030 Applicability and permit requirements.

19.790.040 Definitions.

19.790.050 Guidelines and standards.

19.790.060 Additional permit processing requirements.

19.790.070 Implementation.

19.790.010 Purpose.

The purpose of these provisions is to promote greater individual choice in type, quality, price and location of housing; to provide for the housing needs of all segments of the population; to provide increased home ownership opportunities of all segments of the population; to provide a method to approve separate ownership of units within nonresidential multiple-unit buildings or upon a parcel of land containing more than one unit; to mitigate the hardship caused by displacement of tenants, particularly those in low to moderate housing, those who are elderly, families with minor dependent children, the handicapped and the disabled; to promote the safety of condominium conversion projects and the correction of building Code violations in such projects; to maximize the availability of pertinent information for intelligent decision-making by public officials and potential buyers; and to generally regulate projects in accordance with State law, the General Plan, any applicable specific plans and with the public health, safety and welfare.

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.020 Procedures.

- A. *General process.* Condominium Conversion Permit (CCP) applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.030 Applicability and permit requirements.⁴⁰

- A. *Condominium Conversion Permit required.* No subdivision map shall be approved for the purpose of a conversion to a common interest development, as defined by Section ~~1351~~ 4100 of the California Civil Code and Section Article X (Definitions), unless a condominium conversion permit is processed pursuant to this ~~C~~chapter and granted prior to or concurrently with such approval. No dwelling unit or mobile home space shall be the subject of a condominium conversion unless a condominium conversion permit is granted prior to such conversion.
- B. *Conversion of existing development with an existing condominium map.* Condominium conversions with existing Condominium maps are also subject to the provisions of this ~~C~~chapter.
- C. *Subdivision map.* If applicable, a tentative subdivision map to implement the conversion shall be filed and considered simultaneously with the application for a condominium conversion permit. The two applications shall be jointly approved, continued or denied by the Planning Commission. The expiration date of the map, including any subsequent extensions of time, shall apply to the condominium conversion permit as well.
- D. *Additional application materials.* The application for a condominium conversion permit shall include but not be limited to the following:
 - 1. A list certified by the applicant of the names and addresses of all the tenants of the project at the time of the application; and
 - 2. A project analysis and inspection report, complete with an inter-unit acoustical report, certified by a competent expert or experts acceptable to the Planning Division, prepared pursuant to the requirements of the applicable resolution, describing in detail the physical characteristics and condition of the subject project, including all buildings, open spaces, parking facilities and appurtenances. The certification shall be accompanied by a fully-detailed plot plan drawn to scale. The inter-unit acoustical report shall not be required for mobile home park conversions nor nonresidential conversions.

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.040 Definitions.⁴¹

For the purposes of this ~~C~~chapter the following terms have the meanings as defined in Section ~~1351~~ 4100 of the California Civil Code and are as follows:

- A. *Association* means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.
- B. *Common area* means the entire common interest development except the separate interests therein. The estate in the common area may be a fee, a life estate, an estate for years or any combination of the foregoing. However, the common area for a planned development specified in ~~P~~paragraph (2) of ~~S~~subdivision (k) may consist of mutual or reciprocal easement rights appurtenant to the separate interests.
- C. *Condominium site plan* means a plan consisting of (1) a description or survey map of a condominium project, which shall refer to or show monumentation on the ground, (2) a three-dimensional description

⁴⁰ **Sec. 19.790.030 Applicability and permit requirements.** Civil Code § 1351 was renumbered as shown in 2014. **(FOOTNOTE 351 IN EXHIBIT 2)**

⁴¹ **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. **(FOOTNOTE 352 IN EXHIBIT 2)**

of a condominium project, one or more dimensions of which may extend for an indefinite distance upwards or downwards, in sufficient detail to identify the common areas and each separate interest, and (3) a certificate consenting to the condominium conversion signed and acknowledged by the record owner of the property.

- D. *Declarant* means the person or group of persons designated in the declaration as declarant, or if no declarant is designated, the person or group of persons who sign the original declaration or who succeed to special rights, preferences, or privileges designated in the declaration as belonging to the signator of the original declaration.
- E. *Declaration* means the document, however denominated, that contains the information required by Section 4200 ~~1353~~ (Ca. Civil Code).
- F. *Exclusive use common area* means a portion of the common areas designated by the declaration for the exclusive use of one or more, but fewer than all, of the owners of the separate interests and which is or will be appurtenant to the separate interest or interests.
 - 1. Unless the declaration otherwise provides, any shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, patios, exterior doors, doorframes, and hardware incident there to, screens and windows or other fixtures designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common areas allocated exclusively to that separate interest.
 - 2. Notwithstanding the provisions of the declaration, internal and external telephone wiring designed to serve a single separate interest, but located outside the boundaries of the separate interest, are exclusive use common areas allocated exclusively to that separate interest.
- G. *Governing documents* means the declaration and any other documents, such as bylaws, operating rules of the association, articles of incorporation, or articles of association, that govern the operation of the common interest development or association.
- H. *Planned development* means a development (other than a community apartment project, a condominium project, or a stock cooperative) having either or both of the following features:
 - 1. The common area is owned either by an association or in common by the owners of the separate interests who possess appurtenant rights to the beneficial use and enjoyment of the common area.
 - 2. A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment that may become a lien upon the separate interests in accordance with Section 5740 ~~1367~~ or 4040 ~~1367.1~~ (Cal. Civil Code).

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.050 Guidelines and standards.

The following guidelines and standards prescribe minimum desirable characteristics of residential properties intended for condominium conversion; however, the approval of any conversion will not necessarily be contingent upon compliance or non-compliance with all of the prescribed guidelines. Mandatory standards are so designated. Only Subsections D, H, I, J, L and M shall apply to mobile home park conversions.

- A. *Unit size (mandatory)*. Each dwelling unit shall contain a minimum of 600 square feet.

- B. *Parking*. A minimum of two covered parking spaces meeting established access, size and improvement standards should be provided for each dwelling unit in the project. At least 50 percent of the units shall have a completely enclosed, one car garage.
- C. *Private open space*. All multi-family condominium conversions shall comply with the usable open space requirements of the R-3 Zones.
- D. *Landscaping*. All open areas should be well landscaped with plant material suitable to climate and location consistent with the provisions of Chapter 19.570 (Water Efficient Landscaping and Irrigation). Said areas should be watered by a full-coverage, automated irrigation system in good working order.
- E. *Noise (mandatory)*. Common walls and ceilings of all units shall be constructed or upgraded using techniques to limit noise transmission as specified by the current Building Code or equivalent.
- F. *Fire suppression (mandatory)*. Smoke detectors meeting the current Building and Fire Codes shall be installed in all residential units and other enclosed common areas such as hallways, recreation rooms and utility rooms. Additional fire suppression equipment such as alarm systems, fire extinguishers and sprinklers shall also be provided as recommended by the Fire Department.
- G. *Energy conservation*. The project should include substantial energy and resource conservation measures such as high efficiency thermal insulation, high efficiency heating and cooling equipment, limited window area or double glazing, water flow restrictors, solar water heating and the like.
- H. *Structural condition (mandatory)*. All buildings shall be in sound structural condition, pest and vermin-free, watertight and have paint in adequate condition so as to not require repainting for at least five years from the date of issuance of the condominium conversion permit. All amenities and mechanical appurtenances shall be in sound working order. The applicant shall provide an inspection report subject to the approval of the Building Official, demonstrating compliance with this requirement.
- I. *Domestic facilities (mandatory)*. Each dwelling shall be provided with its own clothes washer and dryer hookups and garbage disposal facilities.
- J. *Utilities (mandatory)*. All utilities, plumbing and sewage disposal systems shall be in sound, safe and fully-operable condition. Each dwelling or mobile home space shall be provided with its own utility meters. A single water meter for the entire project is permitted.
- K. *Disabled facilities*. Condominium conversions shall comply with the current State law regarding access and accommodations for persons with disabilities.
- L. *Mobile home parks*. The minimum desirable characteristics for mobile home parks shall be the standards established under Chapter 19.210 (Mobile Home Park Overlay Zone).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank>)
 web="yes">Ord. 7660, § 18, 2024; Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.060 Additional permit processing requirements.

- A. *Public hearing notice to tenants*. In addition to the notice required by Chapter 19.670 (Public Hearings and Notice Requirements), if the proposed subdivision is a conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, the notice shall also be given by the City by United States mail to each tenant of the subject property, and shall also include notification of the tenant's right to appear and be heard. The requirements of this Subdivision, in accordance with Section 66451.3 (State Government Code) may be satisfied by service of the notice in compliance with the requirements for service of legal process by mail.

B. *Report served on subdivider and tenants.* Any report or recommendation on a tentative map by the staff of the City to the Approving or Appeal Authority or City Council on appeal or referral shall be in writing and a copy thereof served on the subdivider and on each tenant of the subject property; in the case of a proposed conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, at least three days prior to any hearing or action on such map by such advisory agency or legislative body.

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

19.790.070 Implementation.

Prior to recordation of the implementing subdivision map, the applicant shall provide a covenant acceptable to the City Attorney's Office, binding upon the applicant and the applicant's heirs, successors and assigns, guaranteeing that all of the following will occur prior to sale of any condominium unit:

- A. Provision of required notice of intent to convert to a condominium as required by State laws;
- B. Provision of the right of first refusal for all existing tenants at the time of conversion to purchase their individual units at offered terms or better;
- C. Creation of a condominium owners' association;
- D. Provision of covenants, conditions and restrictions subject to approval by the Planning Division and the City Attorney's Office;
- E. Guarantee the establishment of a fund for the operation and maintenance of the condominium and its association; the amount of said fund shall equal or exceed either the Subdivision Map Act or the Department of Real Estate requirements;
- F. Establishment of and participation in a relocation program for existing tenants who do not choose to purchase units. The relocation program shall be established and operated pursuant to the regulations and standards adopted by resolution of the City Council;
- G. Provision of a covenant requiring the owner to give written notice of all variances granted from the guidelines and standards listed in Section 19.790.050 (Guidelines and Standards) to each buyer; and
- H. Re-inspection of the project in the same manner as required by Subsection C 2 of Section 19.790.030 (Applicability and permit requirements) immediately prior to sale of the dwelling units or mobile home spaces and correction of all unsatisfactory, unsafe or unlawful conditions prior to commencement of sale.

(Ord. 7331 §115, 2016; Ord. 6966 §1, 2007)

Chapter 19.795 ACCESSIBILITY APPEALS

19.795.010 Purpose.

19.795.020 Applicability.

19.795.030 Procedure.

19.795.010 Purpose.

This ~~C~~chapter is established as a cross-reference to Chapter 2.40 of ~~this the Riverside Municipal~~ Code.

(Ord. 7331 §116, 2016; Ord. 6966 §1, 2007)

19.795.020 Applicability.

The Planning Commission shall have the power and duty to hear the appeal of any person aggrieved by any order, act or determination of the Building Official regarding accessibility issues. In such capacity the Planning Commission is not vested with legislative authority and must act within the framework of existing ordinances. The Planning Commission is authorized, upon appeal, to approve or disapprove interpretations and enforcement actions taken by the Building Official relating to access.

(Ord. 7331 §116, 2016; Ord. 6966 §1, 2007)

19.795.030 Procedure.

The appeal procedure is set forth in Section 2.40.030 of ~~this the Riverside Municipal~~ Code.

(Ord. 7331 §116, 2016; Ord. 6966 §1, 2007)

Chapter 19.800 GENERAL PLAN TEXT/MAP AMENDMENT

19.800.010 Purpose.

19.800.020 Initiation of amendment.

19.800.030 Reserved.

19.800.040 Procedures.

19.800.010 Purpose.

Government Code Section 65358 authorizes and specifies procedures for amendments and modifications to a City's General Plan. City resolution No. 20561 sets forth procedures for the adoption of policies and procedures for amending the General Plan. Amendments are considered appropriate in response to changing in conditions.

(Ord. 7331 §117, 2016; Ord. 6966 §1, 2007)

19.800.020 Initiation of amendment.

General Plan amendments, pursuant to Section 19.660.015(A) (Initiation of Applications), may be initiated in any one of the following manners:

- A. Upon minute action of the City Council.
- B. Upon minute action of the Planning Commission.
- C. By Community & Economic Development Department Director, or his/her designee; or
- D. Upon application by a property owner or owners of any parcel subject to the General Plan.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §51, 2021; Ord. 7331 §117, 2016; Ord. 6966 §1, 2007)

19.800.030 Reserved.

~~Editor's note — <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §52, adopted in 2021, repealed §19.800.030, which pertained to the frequency of the general plan and derived from Ord. 7331 §117, adopted in 2016 and Ord. 6966 §1, adopted 2007.~~

19.800.040 Procedures.*A. General process.***1. City-initiated General Plan Text/Map amendments.**

- a. City-initiated General Plan Text/Map amendments shall be processed in accordance with the provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of this Title~~the Zoning Code~~.
- b. The Planning Commission shall make a recommendation to the City Council to approve, deny or modify staff's recommendation.
- c. If General Plan Text/Map Amendments are referred to the Planning Commission by the City Council, failure of the Planning Commission to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed to be approval of staff's recommendation.
- d. The City Council is the final Approving Authority with a simple majority vote required for approval.

2. Applicant-initiated General Plan Text/Map amendments.

- a. Applicant initiated General Plan Text/Map amendments shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of this Title~~the Zoning Code~~.
- b. Voting/approval requirement.
 - (1) Approval of a General Plan Text/Map amendment requires the affirmative vote of at least four Planning Commission members, or a majority, whichever is greater.
 - (2) The Planning Commission's denial of a General Plan amendment is final unless appealed to the City Council.
 - (3) If approved by the Planning Commission or appealed to the City Council, the City Council is the final approving authority with a simple majority vote required for approval.

~~(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §53, 2021; Ord. 7331 §117, 2016; Ord. 6966 §1, 2007)~~

*Chapter 19.810 ZONING ~~CODE~~ TEXT/MAP AMENDMENT***19.810.010 Purpose.**

19.810.020 Initiation of ~~t~~Text/~~m~~Map amendment.

19.810.030 Procedures.

19.810.040 Required findings for Zoning Code amendment.

19.810.010 Purpose.

Government Code Section 65853 allows amendments to any provisions of ~~this Title~~the Zoning Code. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may, amend, supplement or change the regulations, zone boundaries or zoning classifications of property established by ~~this Title~~the Zoning Code.

(Ord. 7331 §118, 2016; Ord. 6966 §1, 2007)

19.810.020 Initiation of ~~t~~Text/~~m~~Map amendment.

Amendments to the provisions of ~~this Title~~the Zoning Code, pursuant to Section 19.660.015(A) (Initiation of Applications), may be initiated in any one of the following manners:

- A. Upon minute action of the City Council;
- B. Upon minute action of the Planning Commission;
- C. By the Community & Economic Development Department Director, or his/her designee; or
- D. Upon application by a property owner or owners of any parcel subject to requirements of ~~this Title~~the Zoning Code.

(~~url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank"~~
web="yes">Ord. 7552</del> §54, 2021; Ord. 7331 §118, 2016; Ord. 7235 §21, 2013; Ord. 7091 §15, 2010; Ord. 6966 §1, 2007)

19.810.030 Procedures.

A. General process.

1. City-initiated Zoning ~~Code~~-Text/Map amendments.
 - a. City-initiated Zoning ~~Code~~-Text/Map amendments shall be processed in accordance with the provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.
 - b. The Planning Commission shall make a recommendation to the City Council that they approve, deny or modify staff's recommendation.
 - c. If Zoning ~~Code~~-Text/Map Amendments are referred to the Planning Commission by the City Council, failure of the Planning Commission to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed to be an approval of the proposed modification.
 - d. The City Council is the final approving authority with a simple majority vote required for approval.

2. Applicant-initiated Zoning ~~Code~~-Text/Map amendments.

a. Applicant-initiated Zoning ~~Code~~-Text/Map amendments shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of this Title~~the Zoning Code~~.

b. Voting/approval requirement.

- (1) Approval of a Zoning ~~Code~~-amendment requires the affirmative vote of at least four Planning Commission members, or a majority, whichever is greater.
- (2) The Planning Commission's denial of a Zoning ~~Code~~-amendment is final unless appealed to the City Council.
- (3) If approved by the Planning Commission, or appealed to the City Council, the City Council is the final approving authority with a simple majority vote required for approval.

3. Notwithstanding the above, application and removal of the CR (Cultural Resources) Overlay Zone shall be approved directly by the City Council.

B. *Notice.* The Planning Commission shall hold a public hearing on any proposed rezone or amendment to this Title~~the Zoning Code~~. Notice of the hearing shall be given pursuant to Section 19.670.040(A) (Notice of Hearing for Legislative Actions) and if the proposed rezone or amendment to this Title~~the Zoning Code~~ affects the permitted uses of real property, notice shall also be given pursuant to Section 19.670.040(B) (Notice of Hearing for Legislative Actions).

C. *Adoption.*

1. Zoning ~~Code~~-Text/Map amendments shall be adopted by ordinance of the City Council that constitutes final action.
2. Ordinances to amend the Zoning ~~Code~~-Text/Map are subject to referendum and, therefore, become effective 30 days after their adoption.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §55, 2021; Ord. 7331 §118, 2016; Ord. 7091 §§16, 17, 2010; Ord. 6966 §1, 2007)

19.810.040 Required findings for Zoning ~~Code~~-amendment.

In acting to approve any amendment to the Zoning ~~Code~~ text or map, the City Council shall be required to make the following findings:

- A. That the proposed Zoning ~~Code~~-text or map amendment is generally consistent with the goals, policies, and objectives of the General Plan;
- B. That the proposed Zoning ~~Code~~-text or map amendment will not adversely affect surrounding properties; and
- C. That the proposed Zoning ~~Code~~-text or map amendment promotes public health, safety, and general welfare and serves the goals and purposes of this Title~~the Zoning Code~~.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §56, 2021; Ord. 7331 §118, 2016; Ord. 7091 §18, 2010; Ord. 6966 §1, 2007)

*Chapter 19.820 SPECIFIC PLAN/SPECIFIC PLAN TEXT/MAP AMENDMENTS **

~~*Editor's note—<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §57, adopted in 2021 amended Ch. 19.820 by changing the title from "Specific Plan/Specific Plan Amendments" to "Specific Plan/Specific Plan Text/Map Amendments," as set out herein.~~

19.820.010 Purpose.

19.820.020 Procedures.

19.820.030 Specific Plan initiation.

19.820.040 Specific Plan requirements.

19.820.010 Purpose.

As set forth in Government Code Sections 65450 through 65457, the Specific Plan provides a means to establish more specific land use regulations and design standards for properties requiring special attention and treatment. A Specific Plan serves as a policy and regulatory document, with policy direction and project development concepts consistent with the General Plan. The Specific Plan (SP) Overlay Zone (see Chapter 19.220) allows provisions of a Specific Plan to be applied as zoning regulations.

(Ord. 7331 §119, 2016; Ord. 6966 §1, 2007)

19.820.020 Procedures.

A. General process.

1. City Initiated Specific Plan/Specific Plan Text/Map Amendments.

- a. City Initiated Specific Plan/Specific Plan Text/Map amendments shall be processed in accordance with the provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.
- b. The Planning Commission shall make a recommendation to the City Council that they approve, deny or modify staff's recommendation.
- c. If a Specific Plan/Specific Plan Text/Map Amendment is referred to the Planning Commission by the City Council, failure of the Planning Commission to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed to be an approval of the proposed modification.
- d. The City Council is the final approving authority with a simple majority vote required for approval.

2. Applicant initiated Specific Plan/Specific Plan Text/Map Amendments.

- a. Applicant initiated Specific Plan/Specific Plan Text/Map amendments shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~Chapters of this Title~~the Zoning Code.
- b. Voting/approval requirement.
 - (1) Approval of a Specific Plan/Specific Plan Text/Map amendment requires the affirmative vote of at least four Planning Commission members, or a majority, whichever is greater.
 - (2) The Planning Commission's denial of a Specific Plan/Specific Plan Text/Map amendment is final unless appealed to the City Council.
 - (3) If approved by the Planning Commission, or appealed to the City Council, the City Council is the final approving authority with a simple majority vote required for approval.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §58, 2021; Ord. 7331 §119, 2016; Ord. 6966 §1, 2007)

19.820.030 Specific Plan initiation.

A Specific Plan and/or Text/Map amendment, pursuant to Section 19.660.015(A) (Initiation of Applications), may be initiated in any one of the following manners:

- A. Upon minute motion of the City Council
- B. Upon minute motion of the Planning Commission;
- C. By the Community & Economic Development Department Director, or his/her designee; or
- D. Upon application by a property owner or owners of any parcel subject to requirements of ~~this Title~~the Zoning Code.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank> web="yes">Ord. 7552 §59, 2021; Ord. 7331 §119, 2016; Ord. 7235 §22, 2013; Ord. 6966 §1, 2007)

19.820.040 Specific Plan requirements.

A. Relationship to other adopted regulations.

1. Specific Plans may either supplement or supersede all land use regulations applicable to the subject property, including all previously adopted ordinances, standards, and guidelines.
2. In the event an inconsistency or conflict exists between standards adopted within a Specific Plan and comparable provisions of this Title, the Specific Plan shall prevail through application of the Specific Plan (SP) Overlay Zone.
 - a. The distribution, location and extent of the uses of land, including open space, within the area covered by the plan.

- b. The proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste, disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
- c. Standards and criteria by which development will proceed and standards for the conservation, development, and utilization of natural resources, where applicable.
- d. A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the provisions of the preceding three paragraphs.
- e. Any other subjects that, in the judgment of the planning agency, are necessary or desirable for the general plan implementation.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1081723&datasource=ordbank" web="yes">Ord. 7552</ulink> §60, 2021; Ord. 7331 §119, 2016; Ord. 6966 §1, 2007)

Chapter 19.840 ANNEXATIONS

19.840.010 Purpose.

19.840.020 Procedures.

19.840.030 Temporary classification.

19.840.010 Purpose.

California Government Code Section 56000 et.seq. authorizes the expansion of the boundaries of local agencies (such as the City of Riverside) to promote orderly development. The Section ~~chapter~~ establishes local procedures to implement the relevant sections of the Government Code.

(Ord. 7331 §120, 2016; Ord. 6966 §1, 2007)

19.840.020 Procedures.

- A. *Resolution of intention/consent.* Prior to City Council adoption of a resolution of intention to annex uninhabited territory or a resolution of consent to commence inhabited proceedings, the City Council shall request a report from the Planning Commission.
- B. *Planning Commission report.* The Planning Commission shall consider the desirability of annexing the territory and the zoning to be placed thereon in the event of annexation to the City. Upon completion of such consideration, the Planning Commission shall, after holding a public hearing, make its report and recommendation to the City Council.
- C. *City Council action.* Upon receipt of the Planning Commission report, the City Council may accept in whole or in part or reject, modify or amend any recommendation as to zoning classification and the resolution of intention or resolution of consent may specify such proposed zoning classification for the territory as the City Council may determine. The City Council shall include any such zone consideration within any notice of hearing concerning the annexation of the property involved and a hearing on the matter of zoning shall be held in conjunction with any public hearing required by law to be held by the City Council in connection with the annexation proceeding.

Concurrently with final annexation of the territory, the City Council may, by ordinance, classify the property for zoning purposes in accordance with its determination.

D. *Notice.* The Planning Commission shall hold a public hearing on the proposed rezone or amendment to ~~this Title~~~~the Zoning Ordinance~~. Notice of the hearing shall be given pursuant to Section 19.670.040 C and if the proposed prezone or amendment to the zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 19.670.040 C.

The City Council, upon receipt of the recommendation of the Planning Commission, shall hold a public hearing to consider the matter. However, if the matter under consideration is an amendment to change property from one zone to another, and the Planning Commission has recommended against the adoption of such amendment, the City Council is not required to hear the matter except on appeal or upon request of a Council member or the Mayor. Notice of the City Council hearing shall be given pursuant to Section 19.670.040.C.

(Ord. 7331 §120, 2016; Ord. 6966 §1, 2007)

19.840.030 Temporary classification.

In the event the City Council does not determine or adopt a zoning classification for the territory to be annexed as provided in Section 19.840.020, the territory shall be classified in the RE Zone until a change is initiated and adopted in the manner provided for zone changes in Chapter 19.810.

(Ord. 7331 §120, 2016; Ord. 6966 §1, 2007)

Chapter 19.850 FAIR HOUSING AND REASONABLE ACCOMMODATION

19.850.010 Purpose.

19.850.020 Definitions.

19.850.030 Procedure.

19.850.040 Approval/referral.

19.850.050 Additional findings required.

19.850.010 Purpose.

It is the purpose of this ~~C~~chapter, in compliance with the Fair Housing Laws, to provide a procedure to evaluate requests for reasonable accommodation related to specific applications of the zoning law in order to assure that no person is discriminated against because of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income, or ancestry by being denied an equal opportunity to use and enjoy a dwelling and to authorize the approval of exceptions to the zoning law if warranted.

(Ord. 7331 §121, 2016; Ord. 6966 §1, 2007)

19.850.020 Definitions.

The following words and phrases, whenever used in this ~~C~~chapter, shall have the following meanings, unless from the context an alternative meaning is clearly intended.

- A. *Applicant* means the person, business, or organization that has applied to the City for a permit for a project on the subject property and that is making a request for an exceptions.
- B. *Disability or handicap* means physical or mental impairment that substantially limits one or more of a person's major life activities or a record of having such an impairment, but such term does not include current, illegal use of or an addiction to a controlled substance.
- C. *Dwelling occupant* means the person who will occupy the subject property and who is protected under the Fair Housing Laws.
- D. *Fair Housing Laws* means Section 42 United States Code Section 3604(f)(3)(B) and California Government Code Sections 12927c(1) and 12955(1) as those provisions now exist and as they shall be amended from time to time.

(Ord. 7331 §121, 2016; Ord. 6966 §1, 2007)

19.850.030 Procedure.

- A. *Application*. Application shall be made and processed pursuant to Chapter 19.660 (General Application Processing Procedures). In addition, the applicant shall provide:
 1. A description of how the property will be used by the dwelling occupant;
 2. The basis for the claim that the individual is considered protected by the Fair Housing Laws (applicant should submit a letter from a medical doctor, handicapped license, or other similar supportive evidence);
 3. The reason the accommodation is necessary to make the specific housing available to the dwelling occupant; and
 4. A filing fee, in the amount established by City Council resolution, shall be paid at the time of filing an application under this Chapter.
- B. *Notice*. Notice of the application shall be pursuant to Section 19.670.020 (Notice Requirements for Administrative Discretionary Permits with No Public Hearing).
- C. *Notice of decision*. Within 45 days after acceptance of a complete application by the Planning Division for administrative review by the Staff Application Review Team ~~Development Review Committee~~ or, if referred to the Planning Commission, within ten days after the Planning Commission's decision, the Planning Division shall provide the applicant with written notification of the decision regarding the request, including any reasonable conditions.
- D. *Appeals*. Any person aggrieved or affected by a decision of the Planning Commission or Staff Application Review Team ~~Development Review Committee~~ in granting or denying a request for reasonable accommodations may appeal the decision to the City Council pursuant to the procedures contained in Chapter 19.680 (Appeals).

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 8, 2022; Ord. 7331 §121, 2016; Ord. 6966 §1, 2007)

19.850.040 Approval/referral.

The request for reasonable accommodation will be considered by the Staff Application Review Team ~~Development Review Committee~~ who may deny, approve, or conditionally approve the request. The Staff

~~Application Review Team Development Review Committee~~ may also refer the request, if it is determined to be significantly controversial, to the Planning Commission. The request shall be placed on the next regularly scheduled meeting agenda.

(Ord. 7331 §121, 2016; Ord. 6966 §1, 2007)

19.850.050 Additional findings required.

The following additional findings shall be made in order to approve an application under this ~~C~~chapter:

- A. The persons who will use the subject property are protected under the Fair Housing Laws;
- B. The requested exception to the zoning law is necessary to make specific housing available to a dwelling occupant;
- C. The requested exception will not impose an undo financial or administrative burden on the City; and
- D. The requested exception will be in compliance with all applicable Building and Fire Codes and will not require a fundamental alteration of the zoning laws and procedures.

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 9, 2022; Ord. 7331 §121, 2016; Ord. 6966 §1, 2007)

~~Chapter 19.860 RESERVED *~~

~~*Editor's note [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank), §2, adopted Aug. 4, 2020 and Ord. [7520](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank) §1(Exh. A), adopted July 21, 2020, repealed §§19.860.010 and 19.860.020 as set out in Ch. 19.860, which pertained to Day Care Permit for Large Families and derived from Ord. 7331 §122, adopted in 2016 and Ord. 6966 §1, adopted in 2007.~~

Chapter 19.870 RECYCLING CENTER PERMIT

19.870.010 Purpose.

19.870.020 Procedures.

19.870.010 Purpose.

The purpose of this ~~C~~chapter is to provide a procedure to permit reverse bulk vending machines and mobile recycling units in a manner that encourages recycling activities that are compatible with surrounding uses.

(Ord. 7331 §123, 2016; Ord. 6966 §1, 2007)

19.870.020 Procedures.

- A. *Application.* The owner of the property proposed to be occupied by a recycling center or the owner's authorized representative, such as a property manager, leasing agent, or manager of the sole business on the site shall file an application for a Recycling Center Permit (RCP) with the Planning Division at least 30 working days prior to the proposed commencement of the use. Applications shall be filed upon forms and accompanied by such data and information, including a site plan, necessary to properly evaluate and process the application as may be required for that purpose by the Planning Division.
- B. *Approval.* The Community & Economic Development Director or their designee has final approval authority to approve, or deny a Recycling Center Permit (see Table 19.650.020 - Approving and Appeal Authority).
- C. *Renewal.*
1. A Recycling Center Permit is effective for a period of one year from the date of issuance and is required to be renewed on an annual basis thereafter. The applicant for renewal shall demonstrate full compliance with the provisions of Chapter 19.385 (Recycling Facilities).
 2. Any existing Recycling Center approved with either a previous Recycling Center Permit or other process prior to the effective date of this ordinance shall be deemed approved as of the effective date of this ordinance and subject to standards in Chapter 19.385 and Renewal requirements per this Chapter. Such renewals shall be required every year thereafter.
- D. *Referral.* The Community & Economic Development Director or their designee may refer action on a Recycling Center Permit to the City Council.
- E. *Appeals.* Any decision of the Community & Economic Development Director or their designee may be appealed within ten days after written notice of the decision is given.

(Ord. [7487](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 29, 11-5-2019; Ord. 7331 §123, 2016; Ord. 6966 §1, 2007)

Chapter 19.880 TRANSPORTATION DEMAND MANAGEMENT REGULATIONS

19.880.010 Purpose.

19.880.020 Definitions.

19.880.030 Applicability to new employment.

19.880.040 Trip reduction plans.

19.880.050 Trip reduction plan submittal requirements.

19.880.060 Noncompliance.

19.880.010 Purpose.

The purpose of this Chapter is to provide regulations to protect the public health, safety and welfare by reducing air pollution caused by vehicle trips and vehicle miles traveled.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

19.880.020 Definitions.

For the purposes of this Chapter the following words and phrases shall have the following meanings respectively ascribed to them by this Section:

- A. *Alternative work schedule* means a variation from the traditional five-day/forty-hour work week to either a four-day/forty-hour or nine-day/eighty-hour work schedule.
- B. *Applicable development* means any use that requires a building permit or a tenant improvement permit.
- C. *Flex-time* means allowing employees to alter regular hours of work by extending the work day in the morning or evening or both to accommodate vehicle trip mode shifts from single occupancy vehicles.
- D. *Parking management* means an action taken to alter the supply, operation and/or demand of parking facilities to force a shift from the single occupant vehicle to carpool, vanpool or other transportation mode.
- E. *Rideshare* means a transportation mode with multiple occupants per vehicle.
- F. *Telecommuting* means the employee foregoes a trip to the normal work site and instead works from home or from a satellite office near home.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

19.880.030 Applicability to new employment.

Applicable development as defined above shall be screened to determine if it will generate one hundred or more employees and be subject to the requirements of this Chapter. For screening purposes, the table below states the amount of gross building square footage in the various land use categories needed to generate one employee.

LAND USE CATEGORY	GROSS SQUARE FEET/EMPLOYEE
Retail Commercial	500 square feet/employee
Office/Professional	250 square feet/employee
Industrial/Manufacturing	500 square feet/employee
Warehouse	1,000 square feet/employee
Hotel/Motel	.5 employee/guest room
Hospital	300 square feet/employee

For mixed-use developments the project employment factor shall be based upon the proportion of the development devoted to each land use.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

19.880.040 Trip reduction plans.

The owner or representative of all businesses generating 100 or more employees as determined by Section 19.880.030 (Applicability to New Employment) shall prepare and submit to the City of Riverside Planning Division a trip reduction plan to reduce work-related vehicle trips by six and one-half percent from the number of trips related to the project as indicated in the most current edition of the Trip Generation Handbook published by the Institute of Traffic Engineers (ITE) (increasing to 20 percent by the year 2000 and to 30 percent by the year 2006). Quantification of applicable trip reduction measures shall be determined by utilizing the most current version of the AQMD's Implementation of Transportation Demand Management Actions document or other acceptable methodology.

A. Methods to achieve vehicle reduction targets. Any combination of the following methods may be incorporated into trip reduction plans to achieve the required vehicle reduction targets:

1. Alternative work schedules/flex-time;
2. Preferential parking for carpool vehicles;
3. Bicycle parking and shower facilities;
4. Information center for transportation alternatives;
5. Rideshare vehicle loading areas;
6. Vanpool vehicle accessibility;
7. Bus stop improvements;
8. On-site child care facilities;
9. Facilities and equipment to encourage tele-commuting;
10. Telecommuting programs;
11. Local transportation management and roadway improvements;
12. Contributions to funds for regional facilities such as park-and-ride lots, multi-modal transportation centers, satellite work centers, etc.;
13. On-site amenities such as cafeterias, restaurants, automated teller machines and other services that would eliminate the need for additional trips;
14. Transit incentives for employees such as subsidy of bus passes, additional pay for carpoolers, flexible work times, etc.;
15. Elimination of free parking for employees;
16. Video-conferencing facilities and equipment (additional credit will be given if policies are included to make facilities available to other businesses);
17. Purchase and use of low and/or ultra-low fleet vehicles for applicable companies;
18. Plans for delivery of goods at off-peak times for applicable businesses; or
19. Plans and facilities for centralized deliveries of goods for multi-tenant facilities.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

19.880.050 Trip reduction plan submittal requirements.

For applicable businesses, trip reduction plans shall be submitted to the Planning Division before the City will issue a certificate of occupancy for the development. Should the applicant and the Community & Economic Development Director or their designee fail to reach agreement on the trip reduction plan, the owner or representative of the business may file appeal to the Planning Commission through the established procedure.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

19.880.060 Noncompliance.

Noncompliance with the provisions of this Chapter shall result in the withholding by the City of the certificate of occupancy for such new business.

(Ord. 7331 §124, 2016; Ord. 6966 §1, 2007)

Chapter 19.890 STREET, ALLEY AND WALKWAY VACATIONS

19.890.010 Purpose.

19.890.020 Procedures.

19.890.010 Purpose.

- A. The purpose of this Chapter is to establish procedures for vacating unneeded rights-of-way for streets, alleys and pedestrians walkways. Two types of vacations are hereby established: standard vacations and summary vacations.
- B. Summary vacations may occur when: (1) the street has been superseded by relocation, unless such vacation would either cut off all access to a person's property that, prior to relocation adjoined the street, or terminate a public street; (2) the street has been expended for impassable for vehicular travel for five years and no public money has been expended for maintenance during such period; (3) excess right-of-way is no longer needed for street purposes; or (4) a portion of a street lies within property under one ownership and does not continue through such ownership or end touching the property of another. Summary vacations are not available if there are in-place utility facilities that are in use that would be affected by the said vacation.
- C. Any vacation not considered summary vacation shall be deemed a standard vacation.

(Ord. 7331 §125, 2016; Ord. 6966 §1, 2007)

19.890.020 Procedures.*A. Application.*

- 1. The application for a requested street, alley or walkway vacation shall be submitted to the Planning Division in accordance with the provisions of 19.660 (General Application Processing Procedures).
- 2. In addition to any application requirements set forth in Chapter 19.660 (General application Processing Procedures), applications shall include an environmental information form, plat map,

hazardous site review, hazardous materials questionnaire and a petition signed by 60% of the adjacent and affected property owners requesting the vacation.

B. Vacation process.

1. Standard vacation requests and summary vacation requests shall be processed in conformance with the discretionary processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title the Zoning Code~~.
2. In addition to the procedures specified above, additional administrative review procedures may apply as established by the City's Administrative Manual: Street, Alley and Walkway Vacation Procedures.

(Ord. 7331 §125, 2016; Ord. 6966 §1, 2007)

Chapter 19.895 ROOM RENTAL PERMIT

19.895.010 Purpose.

19.895.020 Procedures.

19.895.010 Purpose.

The purpose of this ~~C~~chapter is to provide a procedure to permit owners of single-family residential properties to rent a room or rooms in the primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit, to more than two but not to exceed four individuals through a room rental permit process. The Room Rental Permit is only applicable to the RR, RE and R1 Zones.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 11(Exh. L), 2022; Ord. 7331 § 126, 2016; Ord. 7325 § 1, 2016; Ord. 7222 § 6, 2013)

19.895.020 Procedures.

The following procedures apply to applications for a Room Rental Permit:

- A. *Application.* Owners of a single-family residential property that includes a primary dwelling or dwellings, accessory dwelling unit and/or junior accessory dwelling unit wishing to rent a room or rooms to more than two, but not more than four individuals shall make written application to the Community & Economic Development Department Director or his/her designee, including all the material deemed necessary to demonstrate compliance with the provisions for this use in Chapter 19.520 (Rental of Rooms), including, a signed copy of the Room Rental Permit Agreement to meet the requirements for additional rentals.
- B. *Approval.* Upon receipt of a complete application, the Community & Economic Development Director or their designee shall grant the permit if all requirements of Chapter 19.520 (Rental of Rooms) are met. The Community & Economic Development Director or their designee shall approve the application unless findings are made that the approval would otherwise adversely affect the residential character of the neighborhood.

C. *Renewal*. A Room Rental Permit Agreement is effective for a period of one year from the date of issuance and is required to be renewed on an annual basis thereafter. Renewal of a Room Rental Permit Agreement is subject to the Room Rental Permit Requirements of this ~~C~~chapter.

D. *Appeal*. Any person may appeal the decision of the Community & Economic Development Director to the Planning Commission. A notice of public hearing for the appeal shall be provided pursuant to Section 19.670.030.

The decision of the Planning Commission may be appealed to the City Council. In the event of an appeal to the Planning Commission or City Council notice shall be given in the same manner as the Planning Commission appeal. The decision of the City Council shall be final.

E. *Revocation*. Three or more violations of any of the operational requirements of Section 19.520.030.B (Operation and Development Standards) including extraordinary police service or response complaints as defined by Chapter 9.60 of ~~this the Riverside Municipal~~ Code or citations for violations related to noise or property use or maintenance within any running 12-month period, shall be grounds for revocation of the Room Rental Permit Agreement. Refer to Section 19.700.020 for revocation procedures.

A revoked Room Rental Permit Agreement may not be reissued for a minimum of one year from the revocation date. If a Room Rental Permit Agreement issued to the same owner for the same property is revoked a second time a Room Rental Permit Agreement may not be reissued for the subject property as long as it belongs to the same owner.

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 11(Exh. L), 2022; Ord. 7331 § 126, 2016; Ord. 7325 § 1, 2016; Ord. 7222 § 6, 2013)

Chapter 19.900 STREET NAME CHANGE

19.900.010 Purpose.

19.900.020 Initiation of street name change.

19.900.030 Procedures.

19.900.040 Street name change criteria.

19.900.010 Purpose.

The purpose of this ~~C~~chapter is to establish procedures to change street names that may be perceived to be confusing, that are displeasing to property owners, or that are duplicated elsewhere in the City.

(Ord. 7331 §127, 2016; Ord. 7163 §3, 2012)

19.900.020 Initiation of street name change.

A street name change may be initiated in any one of the following manners:

- A. Upon minute action of the City Council.
- B. Upon minute action of the Planning Commission.

- C. Upon application by 51 percent of the adjacent and affected property owners requesting the Street Name Change.

(Ord. 7331 §127, 2016; Ord. 7163 §3, 2012)

19.900.030 Procedures.

A. General process.

1. Requests shall be processed in conformance with the discretionary processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable ~~c~~Chapters of ~~this Title~~the Zoning Code.

- B. *Voting/approval requirement.* Approval of a Street Name Change requires the affirmative vote of a majority of the Planning Commission members present and voting. The Planning Commission's denial of a Street Name Change is final unless appealed to the City Council. If approved by the Planning Commission or appealed to the City Council, the City Council is the final approving authority. A simple majority vote of the City Council is required for approval.

(Ord. 7331 §127, 2016; Ord. 7163 §3, 2012)

19.900.040 Street name change criteria.

In concurrence with the United States Post Office and the Riverside Fire Department, the Planning Division will use the following criteria in evaluating a proposed street name. The Planning Division will assign an appropriate suffix or prefix to proposed street names, such as "Drive," "Way," "Place," "Avenue," "Boulevard," "Camino," "Via," or "Calle."

- A. The first and last names of living persons shall not be permitted.
- B. Proposed street names that are similar sounding or that have a similar spelling to existing street names shall not be permitted. This is applicable to existing streets found in:
 1. The City of Riverside;
 2. The Riverside postal service area, including Rubidoux, Pedley, Glen Avon, Highgrove, Woodcrest, Glen Valley, Lake Hills, March Air Reserve Base, and certain other nearby unincorporated areas; and
 3. Within five miles of the City of Riverside city limits, including portions of the ~~c~~Cities of Corona, Norco, Perris, or Moreno Valley.
- C. Obscene, frivolous, egotistic, or otherwise inappropriate names shall not be permitted.
- D. To the extent possible, short names of five letters or less shall be used for short streets or cul-de-sacs of 300 feet or less in length.
- E. Proposed street names that are too difficult to pronounce or spell shall not be permitted.

(Ord. 7331 §127, 2016; Ord. 7163 §3, 2012)

ARTICLE X: DEFINITIONS

Chapter 19.910 - DEFINITIONS

Chapter 19.910 DEFINITIONS

19.910.010 Purpose and applicability.

19.910.020 "A" Definitions

19.910.030 "B" Definitions.

19.910.040 "C" Definitions

19.910.050 "D" Definitions

19.910.060 "E" Definitions.

19.910.070 "F" Definitions.

19.910.080 "G" Definitions.

19.910.090 "H" Definitions.

19.910.100 "I" Definitions.

19.910.110 "J" Definitions.

19.910.120 "K" Definitions.

19.910.130 "L" Definitions.

19.910.140 "M" Definitions.

19.910.150 "N" Definitions.

19.910.160 "O" Definitions.

19.910.170 "P" Definitions.

19.910.180 "Q" Definitions.

19.910.190 "R" Definitions.

19.910.200 "S" Definitions.

19.910.210 "T" Definitions.

19.910.220 "U" Definitions.

19.910.230 "V" Definitions.

19.910.240 "W" Definitions.

19.910.250 "X" Definitions.

19.910.260 "Y" Definitions.

19.910.270 "Z" Definitions.

19.910.010 Purpose and applicability.

For the purposes of ~~this Title~~~~the Zoning Code~~, certain words, phrases and terms used herein shall have the meaning assigned to them by this ~~A~~ article, except that definitions derived from State and Federal regulations that are referenced herein shall have the meaning contained in the referenced regulations.

For general terminology used throughout ~~this Title~~~~the Zoning Code~~, refer to Section 19.060.030.A (Rules and Interpretations - Terminology). For terminology used in ~~this Title~~~~the Zoning Code~~ but not defined in

this ~~title~~, the definitions used elsewhere in ~~this the Riverside Municipal~~ Code, the Uniform Building Code or accepted dictionaries of the English language shall govern.

(Ord. 6966 §1, 2007)

19.910.020 "A" Definitions

Abandon means to cease to use, operate or occupy.

Abandoned sign. See "sign, abandoned."

Accessory building or structure means a building, part of a building or structure, portable building including a cargo container, pool, spa fence or wall that is subordinate to, and the use of which is incidental to, that of the main building, structure or use on the same lot.

[GRAPHIC]

Accessory dwelling unit. See "dwelling unit, accessory."

Accessory living quarters means living quarters within an accessory building located on the same premises with the main building, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling unit.

Accessory use means a use incidental to and customarily associated with a specific principal use, located on the same lot or parcel.

Acoustical Structure means a structure that would reduce noise emitted so as to be consistent with Title 7 - Noise Control of ~~this the Municipal~~ Code

Acreage, gross means the total land area in acres within a defined boundary including any area for public rights-of-way, public streets and dedications of land for public use. See definition in the General Plan.

Acreage, net means that portion of gross acreage exclusive of public streets, rights-of-way and dedications of land for public uses. See definition in the General Plan.

Actual cost of removal means the cost incurred by the City for all costs associated with removal of private party signs from City-owned property and the public right-of-way, including City staff time as calculated and described in the City Fees and Charges Study and related Fees and Charges Schedule for City Services. (P07-0313)

Adult arcade. See 9.40.020.

Adult bookstore. See 9.40.020.

Adult cabaret. See 9.40.020.

Adult Day Care Facility. See Day Care Facility - Adult

Adult Day Care Home. See Day Care Home - Adult

Adult hotel/motel. See 9.40.020.

Adult motion picture theater. See 9.40.020.

Adult theater. See 9.40.020.

Adult-oriented business means any business as defined in Chapter 19.250 of ~~this Title~~the Zoning Code and Chapter 9.40 of Title 9.

Advertising statutory. See sign, advertising statutory.

Affordable housing means housing for which the allowable housing expenses paid by a qualifying household shall not exceed a specified fraction of the county median income, adjusted for household size. This shall include housing designated for extremely low-, very low-, low-, and moderate-income households.

Agricultural field office means a building or mobile coach used to perform administrative and support services associated with the conducting of commercial agricultural enterprises on- or off-site, said services including bookkeeping, telephone and mail contact, employee dispatching and meeting, security and similar activities, but excluding residential use. This definition does not include similar uses conducted in the residence or a Agricultural field office permitted accessory building by the occupant of an agricultural property for the management of agriculture principally on that property.

Agricultural stand means, in the RA-5 Zone, a stand for the sale of agricultural products produced or raised on the same premises, excluding cannabis and hemp.

Agricultural use means the use of land for the commercial or non-commercial purpose of planting, growing, raising, and harvesting of crops, livestock, or poultry; all of which shall be subject to any applicable state license, to a conditional use permit where required under this Code, and to the limitations and exclusions presented in this definition or as set forth for specific zones created under this Code. For the purpose of this definition, crops shall not include cannabis or hemp. "Agricultural use" includes employee housing as defined by California Health and Safety Code Section 17021.6.

Alcohol and drug free residential recovery home (sober living home) means the use of a residential, dwelling structure or unit for a cooperative living arrangement to provide an alcohol and drug free environment for persons recovering from alcoholism or alcohol and/or drug abuse who seek a living environment in which to remain clean and sober; and which demonstrates each of the following identifying characteristics that shall serve to distinguish the alcohol and drug free residential recovery home and sober living home, as a use of residential property, from similar land uses such as drug treatment facilities or community case facilities that are subject to state licensing requirements and from all other uses of residential property:

1. All residents, including live-in managers, operators, or owners, are recovering from alcohol and/or drug abuse;
2. All residents actively participate in legitimate programs, including, but not limited to, Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) programs, and maintain current records of meeting attendance;
3. All owners, managers, operators, and residents observe and promote a "zero tolerance" policy regarding the consumption or possession of alcohol and controlled substances, except for prescription medications obtained and used under direct medical supervision;
4. There is a written policy dealing with the use of drugs or alcohol;
5. Owners, operators, managers and residents do not provide on-site any of the following services as they are defined by Section 10501(a)(6) of Title 9, California Code of Regulations:
 - a. Detoxification;

- b. Educational counseling;
 - c. Individual or group counseling sessions;
 - d. Treatment or recovery planning;
 - e. Treatment or recovery planning;
6. The number of residents subject to the sex offender registration requirements of Penal Code Section 290 does not exceed the limit set forth in Penal Code Section 3003.5, and does not violate the distance provisions set forth in Penal Code Section 3003;
 7. Residents do not require non-medical care and/or supervision as those terms are defined at Health and Safety Code Section 1503.5 and Section 80001(c)(3) of Title 22 of the California Code of Regulations;
 8. The operators and/or residents maintain current membership in a recognized nonprofit organization of sober living homes that provide a credible quality assurance service for applicants or members or have received a sober living home certification from the State of California Department of Alcohol and Drug Programs; and
 9. Owners, managers, operators, and residents ensure that the property and its use comply with all applicable state and local laws.

Alcohol or Drug Abuse Recovery or Treatment Facility means any facility, building or group of buildings which maintained and operated to provide 24-hour residential nonmedical alcoholism or drug abuse recovery or treatment services.

Alcohol Sales - Off-sale means the sale of beer and wine (off-sale beer and wine) or of all types of alcoholic beverages, including beer and wine (off-sale general), in their original, sealed containers for consumption off the premises.

Alcohol Sales - On-sale means the sale of beer and wine (on-sale beer and wine) or of all types of alcoholic beverages, including beer and wine (on-sale general), for consumption on the premises.

Alley means a public or City approved private way permanently reserved as a secondary means of access to abutting property.

Animal, domestic means a small animal of the type generally accepted as a pet, including dog, cat, rabbit, songbird, rodent, and the like, but specifically excluding chickens, ducks, geese, hoofed animals, swine (except pot-bellied pigs) and any other non-domestic animal.

Animal, Non-domestic means any animal other than a domestic animal typically kept in a coop, corral, stable, or pen, including but not limited to equine (e.g., horses, donkeys and llamas), bovine, porcine and ratite (e.g., ostrich, emu and rhea) species and any variety of fowl.

Antenna means a system of wires, poles, rods, reflecting discs or similar devices used for the transmission, reception or both of electromagnetic radiation waves.

Antenna, amateur radio means any antenna used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communication Commission (FCC).

Antique Store means a place offering, antiques for sale. An antique, for the purposes of this Code, shall be a work of art, piece of furniture, decorative object, or the like, of or belonging to the past, at least 30 years old.

Apartment house means any building, or portion thereof, that is designed, built, rented, leased, let or hired out to be occupied, or that is occupied as a home or residence of two or more households living independently of each other and doing their own cooking in an independent unit of said building, and shall include flats and apartments. See also dwelling unit, multi-family.

Apartment project, community. See community apartment project.

Approving Authority means the designated authority responsible for the review and action on land use and development permits and approvals.

Appurtenance means a subordinate or adjunct portion of a structure.

Arcade means an establishment containing four or more electronic amusement devices, such as video games, pinball machines, internet computer cafes and the like. This definition shall not apply to restaurants or recreational premises, such as bowling alleys or skating rinks, where an arcade is clearly incidental to the primary use and providing less than 25% of its gross revenue.

Architectural element means a design element incorporated into a freestanding sign for the purpose of making the sign reflect the architecture of the building(s) that house(s) the establishments(s) it identifies.

Area median income means the annual median household for Riverside County, adjusted for household size, as published periodically in the California Code of Regulations, Title 25, Section 6932, or its successor provision.

Area of a sign. See sign, area.

Article of information. See sign, article of information.

Articulation means clear and distinct separation between design elements such as materials, walls and architectural details. See definition in Citywide Design Guidelines.

Assemblies of people—entertainment means a use or indoor facility, not specifically identified in Table 19.150.020 A (Permitted Uses), that provides for the gathering of more than ten people on a regular or intermittent basis, whereby the purpose of the use or facility is a specified activity or activities—for a fee or for no fee—for those people so assembled. Examples include but are not limited to assembly halls, banquet halls, live theaters, movie theaters, sports facilities, exhibitions and convention halls, auditoriums not associated with another primary permitted use and dance facilities. (See also Entertainment—Incidental). (Ordinance No. 6919)

Assemblies of people—non-entertainment means a use or indoor facility that provides for gathering of more than ten people on a regular or intermittent basis, whereby the purpose of the use or facility is to provide a location for meetings or congregations for those people so assembled. Examples include, but are not limited to, religious assemblies, clubs, fraternal service organizations and similar activities not including schools.

Assemblies of people—non-entertainment - Storefront means an assemblies of people—non-entertainment located within an existing building in a multi-tenant industrial, commercial or office-complex where such tenant space does not exceed 4,000 square feet.

Assembly hall means a structure for groups of people to gather for an event or regularly scheduled program. Places of public assembly include but are not limited to arenas, religious institutions, lecture halls, banquet facilities and similar facilities.

Assisted living facility means a special combination of housing, supportive services, personalized assistance and health care designed to respond to the individual needs of persons who need help with activities of daily living. A facility with a central or private kitchen, dining, recreational and other facilities with separate bedrooms or living quarters, where the emphasis of the facility remains residential. See definition in General Plan.

Association means a nonprofit corporation or unincorporated association created for the purpose of managing a common interest development.

Attic means the uninhabitable space between the upper surface of the top floor and the roof above. An attic is not a covered story.

Auction house means a business operating either as a full time enterprise or temporary use, involved in the public sale of property to the highest bidder.

Auditorium means a stand-alone room, hall, or building used for public gatherings. For the purpose of this definition, an auditorium associated with a permitted educational facility is not considered a stand-alone room, hall, or building.

Average natural slope means the average natural inclination of the ground surface of a lot or parcel expressed as a percent and as measured by the following formula:

$$S = \frac{(0.002296 \times I \times L)}{A}$$

A

Where:

S = average natural slope in percent

I = natural contour interval in feet

L = length of natural contours in feet

A = acres of property (parcel of record existing on November 13, 1979)

0.002296= constant that converts square feet into acres and expresses slope in percent

The average natural slope shall be computed from photogrametric maps, grading permit plans and other data or evidence approved by the Public Works Department.

Aviary means any place where more than 15 domestic and/or non-domestic birds are kept outside.

(Ord. [7652](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 14, 2023; Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 8, 2023; Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 10, 2022; Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. [905806](http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank))

web="yes">7431</ulink> § 7, 2018; Ord. 7408 §1, 2018; Ord. 7331 §128, 2016; Ord. 7235 §22, 2013; Ord. 7158 §17, 2012; Ord. 7110 §5, 2011; Ord. 6985 §1, 2008; Ord. 6966 §1, 2007)

19.910.030 "B" Definitions.

Bail bonds facilities means a facility that provides bail bonds, documents that ensure to the court system that a person facing charges, and who typically is in jail, will appear for future court appointments if released.

Banner. See sign, banner.

Bar means an area primarily devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.

Basement means a building story partly or totally underground. For purposes of building height regulations contained in this Title, a basement is not considered a story if the ceiling of the basement is four feet or less above the elevation of the lowest point of the surface of the land at the perimeter of the structure.

[GRAPHIC]

Bathroom means a room equipped with a toilet, sink and shower or bathtub.

Bathroom, half means a bathroom which contains only a toilet and sink, and does not contain a bathtub or shower.

Batting cages means a structure that needs to comply with all Code requirements (i.e., setbacks, design of light standards).

Bed and breakfast inn means a building or buildings originally constructed for residential purposes, managed and occupied by the owner of record for the property, in which paying guests may be lodged, including meal service, for up to 30 days.

Bedroom means any habitable room, with or without a closet, along an exterior wall, regardless of its designation on building plans that functions as, or may function as, a sleeping quarters and meets the minimum requirements of the Uniform Building Code for sleeping quarters or bedrooms. Offices, dens, studies, studios, lofts, game rooms, and any other conditioned rooms along an exterior wall will be considered to be bedrooms. This definition does not include living rooms, family rooms, dining rooms, kitchens, foyers, or bathrooms.

Bench sign. See "sign, bench."

Beer. See "brewery, beer."

Beverage container means any individual bottle, can, jar, carton or similar receptacle that is redeemable pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986 and any other aluminum beverage container.

Beverage container, recycling facility. See "recycling facility, beverage container."

Billboard. See "sign, billboard."

Billiard parlors means a building or portion thereof having within its premises three or more pool tables or billiard tables, or combination thereof, regardless of size, and whether activated manually or by the insertion of a coin, token or other mechanical device.

Block means an area of land within a subdivision entirely bounded by streets, or bounded in part by streets and in part by the exterior boundary of the subdivision. See definition in Title 18.

Boardinghouse means the rental of a residence/dwelling, other than a hotel/motel/long-term stay, wherein a room or rooms, with or without individual or group cooking facilities, are rented to five or more individuals under separate rental agreements or leases, either written or oral, or implied, with an owner; an owner's agent, representative or manager; a tenant; resident; or occupant; whether or not an owner, an owner's agent, representative or manager, or family thereof is in residence. The definition does not include assisted living facility where medical services are involved or group housing or homes.

Boarding of animals means any kennel where pet animals owned by another person are temporarily boarded for pay, trade, barter, commission or remuneration of any sort; provided, however, this definition shall not apply to zoos or to animal hospitals operated by veterinarian duly licensed under the law

Body piercing means the creation of an opening in the body of a human being for the purpose of inserting jewelry or other decoration. This includes, but is not limited to, piercing of an ear, lip, tongue, nose, naval or eyebrow. Body piercing does not include piercing an ear with a disposable single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear a method commonly used in jewelry and department stores to pierce ears.

Brew-on-premises. See "brewery, brew-on-premises."

Brewpub. See "brewery, brewpub."

Brewery means a facility that produces beer.

Brewery, beer means an alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer but does not include sake, known as Japanese rice wine. (Section 23006 Business and Professions Code)

Brewery, brew-on-premises means a do-it-yourself brewery (facility) where customers produce craft style beer or wine on the premises of a brewery or microbrewery. Clients may purchase the ingredients, rent the equipment, time and space, and are provided assistance by the on-site brewmasters. Beer brewed and/or Wine made by a customer may not be sold and must be used by the customer for personal or family use.

Brewery, brewpub means a restaurant with a microbrewery as an accessory use where the beer it produces is sold in draft form exclusively at its own premises. This operation may sell other supplier's beer, including other hand - crafted or micro - brewed beers as well as wine to patrons for consumption on its premises. The premises is defined as a "bona fide public eating place" by the State of California Department of Alcoholic Beverage Control. Off-sale of alcoholic beverages shall be limited to beers brewed on-site.

Brewery, distilled spirits means an alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof. (Section 23005 Business and Professions Code).

Brewery, distillery means a facility which manufactures distilled spirits.

Brewery, homebrew means the manufacturing of beer for personal or family use, not for sale, within a private residence by a person over 21 years of age. The aggregate amount of beer with respect to any household shall not exceed the limits established by Section 23356.2 Business and Professions Code, currently (1) 200 gallons per calendar year if there are two or more adults in the household or (2) 100 gallons per calendar year if there is only one adult in the household.

Brewery, micro-brewery means a small-scale brewery (facility) that produces 15,000 barrels of beer per year or less. Its beer products are primarily intended for local and/or regional consumption. These operations are solely dedicated to the production of specialty or craft beers.

Brewery, wine means an alcoholic beverage obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name and which does not contain more than 15 percent added flavoring, coloring, and blending material and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake, known as Japanese rice wine. (Section 23007 Business and Professions Code)

Brewery, winery means a facility that engaged in the conversion of grapes, berries, or other fruit into wine and is engaged in the production of wine.

Building. See the definition of "building" as defined in Title 16.

Building area means the sum in square feet of the ground area occupied by all buildings and structures on a lot.

Building frontage. See "frontage, building."

Building height means the vertical distance measured from the highest point of the roof or parapet wall of the uppermost story to the average elevation of the highest and lowest point of the ground covered by the foundation of the building.

[GRAPHIC]

Building line. See setback building line, front, setback building line, rear or setback, building line, side.

Building materials supply stores (wholesale with ancillary retail sales) means any facility specializing in the wholesale of building and construction materials (e.g. lumber, irrigation, plumbing, electrical, etc.) with ancillary retail sales in an area not to exceed 20,000 square feet or 50 percent of the total area of the primary building or lease space, whichever is less.

Building pad means a relatively flat site, having a grade of five percent or less, that is designed to be occupied by buildings and is prepared by artificial means, including grading, excavating, filling or any combination thereof.

Building principal. See "principal, building."

Building projection means part of a building or structure that is allowed to encroach into the required setback.

Building setback line, front. See "setback building line, front."

Building setback line, rear. See "setback building line, rear."

Building setback line, side. See "setback, building line, side."

Building sign. See "sign, building."

Building site. See "site, building."

Building step back means a line prescribed for the full width of a facade, above which the facade is stepped back (or set back) a minimum distance of six feet at the fifth floor throughout the ID Overlay Zone in EE and HE Sub-Districts. Its height is determined by the desired height-to-width ratio of the typical street in front of the building. The step back permits greater overall building height than would be otherwise determined by desired density or access to view.

Building story. See "story, building."

Building wall means the vertical, exterior surface of a building or structure. See definition in Design and Sign Guidelines. For purposes of Chapter 19.620 (General Sign Provisions) and Chapter (19.625 Private Party signs on City-owned property and the public right-of-way) an exterior building wall is any wall or element that defines the exterior boundaries or courts of a building and that has a slope of 60 degrees or greater with the horizontal plane.

Bulk storage means the warehousing of materials or finished goods in an enclosed structure.

Business day means a day on which City Hall is open to the public.

Bus stop means a bus stop is generally characterized as a single point of access to and from a local bus line that stops to pick up or deposit passengers at regular and generally short time periods or headways, and is not completely enclosed.

Bus terminal means a passenger station for publicly or privately operated bus lines. A bus terminal is generally a major destination point and characterized as a transfer point between local bus lines or other modes of transportation and intercity and interstate bus operations. A bus terminal may or may not include indoor operational facilities. A bus stop is not a bus terminal.

Business means any lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease or exchange of goods and/or the provision of services.

Buy-back recycling center. See "recycling center, buy-back."

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank" web="yes">Ord. 7573</ulink> § 1(Exh. A), 2021; Ord. 7408 §1, 2018; Ord. 7331 §128, 2016; Ord. 7302 §3, 2015; Ord. 7235 §23, 2013; Ord. 7185 §4, 2012; Ord. 7071 §3, 2010; Ord. 6966 §1, 2007)

19.910.040 "C" Definitions

California beverage container recycling center. See "recycling center, California beverage container."

Cannabis shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis cultivation, commercial shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis cultivation, personal means cannabis cultivation inside a lawfully existing and fully enclosed and secure private residence, or inside a lawfully existing and fully enclosed and secure accessory structure to a private residence that is located on the same parcel as the private residence for the exclusive personal use of a resident of the residence who is 21 years of age or older, as permitted by California Health and Safety Code ~~S~~sections 11362.1 and 11362.2.

Cannabis distribution shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis non-storefront retail shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis products shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis storefront retail shall have the same meaning as defined in Section 5.77.060 of this Code.

Cannabis testing laboratory shall have the same meaning as defined in Section 5.77.060 of this Code.

Canopy means a fixed overhead shelter used as a roof that may or may not be attached to a building. See definition in Design and Sign Guidelines and the Downtown Specific Plan.

Canopy sign. See "sign, canopy."

Caretaker living quarters, agricultural means a dwelling unit located on a property that is a subsidiary use to the principal dwelling unit situated on that property

Caretaker living quarters, dwelling unit means a single-family dwelling unit accessory to an agricultural, professional, commercial or industrial use for occupancy by the owner/caretaker.

Caretaker living quarters, during construction means temporary living quarters located on a property whereon a building permit has been lawfully issued to construct a permanent building. The temporary quarters may be used for residential or sleeping purposes during construction and may be situated in a trailer, motor home or mobile home.

Cargo container means a standardized, reusable vessel that is or appears to be: (1) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; or (2) designed for or capable of being mounted or moved on a rail care; or (3) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Carport means an accessory building open on at least one side designed or used for shelter or storage of vehicles.

Carwash. See "vehicle wash facility."

Cattery-commercial means any public or private facility where ten or more cats are temporarily kept, boarded or trained, with payment of a fee, for the off-premises owners of such animals. This definition does not include zoos or animal hospitals operated by a veterinarian duly licensed under the law.

Cattery-residential means any building, structure, enclosure or premises located in a residential zone whereupon, or within which, ten or more cats, four months of age or older, are kept or maintained only for the personal use of persons living on the premises, and shall not include commercial kennels or the boarding for off-premise owners of animals.

Cemetery means any property used for the burial or internment of the dead, including crematories, mausoleums, columbaria, mortuaries or chapels operated in connection with and located within the cemetery grounds.

Center, multi-tenant site or center. See "complex, commercial."

Center, shopping. Same as "complex, commercial."

Check cashing facilities means a person or business that for compensation engages, in whole or in part, in the business of cashing checks, payday advances, warrants, drafts, money orders or other commercial paper serving the same purpose. "Check cashing facilities" do not include a State or Federally chartered bank, savings association, credit union or industrial loan company. "Check cashing facilities" do not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money order for minimum flat fee as a service that is incidental to its main purpose or business.

Child care center. See "day care center."

Christmas tree lot means a retail sales operation, generally conducted wholly outdoors, that offers for sale on a temporary, limited basis Christmas trees and related holiday items such as wreaths and Christmas tree stands.

Church. See "religious assembly."

Circus means a temporary outdoor amusement center, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales or small-scale games.

Clean energy use means an industry or commercial use that uses sustainable resources to ensure that all processes, products, and manufacturing activities address current environmental concerns. This could include businesses that incorporate principles of sustainability in business decisions, supply environmentally friendly products or services, and make an enduring commitment to environmental principles in their business operations. Transport of materials/goods to and from a clean energy use may be by means of vehicle that meets current emissions standards; however, the final product, service, activity, etc., rendered by a clean energy use must incorporate principles of sustainability.

Clear visibility triangle means an area of clear cross-visibility at an intersection unobstructed by structures or landscaping. Clear-visibility triangles are located at any corner formed by the intersection of two streets. The required clear cross-visibility area shall be a triangle having two sides 15-feet long extending along the curb line of each street.

Clinic, medical or dental means as used in this Title, "clinic" is defined in Sections 1200-1209 (California Health and Safety Code). A clinic is an organized outpatient health facility that provides direct medical, surgical, dental, optometric, podiatric, psychological advice, services, or treatment to patients who remain less than 24 hours, and that may also provide diagnostic or therapeutic services to patients in the home as an incident to care provided at the clinic facility.

Closet means an ancillary area within a dwelling that is clearly intended for storage.

Club means a nonprofit association of persons who are bonafide members paying dues, use of premises being restricted to members and their guests, but not including "nightclub" groups organized primarily to render a service that is customarily carried on as a business.

Coach, commercial. See "commercial coach."

Combustible. See Fire Code.

Commerce. See "business."

Commercial coach means a vehicle with or without motive power designed and equipped for human occupancy for professional, commercial or industrial purposes, including a mobile home.

Commercial complex. See "complex, commercial."

Commercial mascot means a person or animal costumed or decorated to function as a commercial advertising device. Includes sign twirlers, sign clowns and persons or animals holding or supporting signs.

Commercial message. See "message, commercial."

Commercial speech. See "message, commercial."

Commercial sign. See "sign, commercial."

Commercial storage means a commercial land use consisting of the rental of space for the storage of personal property (mini-warehouse or self-storage) and the storage of recreational vehicles. An industrial warehouse is not considered commercial storage.

Common area means land amenities, parts of buildings, central services and utilities and any other elements, facilities or spaces owned and used by all unit owners and designated in the master deed as common elements.

Common living area means a common area or communal space within a residential unit that is intended to be shared by all occupants. Common Living Area is the dwelling area of a structure, not including hallways, storage areas, bathrooms, and bedrooms.

Common interest development means any of the following: 1) a community apartment project; 2) a condominium project; 3) a planned development; or 4) a stock cooperative.

Common usable open space means open areas within a multiple-family or planned residential development project that are to be used for scenic or recreational purposes by all the residents of the project. Common usable open space does not include land occupied by streets, driveways, parking areas, service areas, required landscape areas or required front and street side yards; provided, however, that land occupied by recreational structures and facilities may be counted as common usable open space.

Community apartment project means a development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon ~~(California Civil Code § 1351 (d)). See definition in Title 18.~~

Community & Economic Development Director means the individual designated to act as the Administrator for certain matters according to the procedures set forth in the California Government Code and this ~~T~~title.

Complex, commercial means a group of three or more commercial uses on a single parcel or contiguous parcels that function as a common commercial area including those which utilizing common off-street parking and access.

Complex, industrial means a group of three or more industrial uses on a single parcel or contiguous parcels, that function as a common industrial area including those which utilizing common off-street parking and access.

Complex, office means a group of two or more office uses on a single parcel or contiguous parcels, that function as a common office area including those utilizing common off-street parking and access.

Conditional use means a use that, because of special requirements or characteristics, may or may not be allowed in a particular zoning district only after review by the Approving Authority and the granting of conditional use permit approval imposing such conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity. Conditional use permits are issued for uses of land and may be transferrable from one owner of the land to another.

Conditional use permit means a discretionary permit issued by the City authorizing establishment and operation of a conditional use at a particular location.

Condominium means an estate in real property consisting of an undivided interest in common in a portion of a parcel in real property, together with a separate interest in the space in a residential, industrial or commercial building on such real property such as an apartments, office or store. See definition in Title 18 and the General Plan.

Condominium conversion means the conversion and/or subdivision of a single-ownership parcel of existing improved real property into a form of ownership for residential, commercial or industrial purposes involving the right of exclusive occupancy or separate ownership of individual units, including but not limited to condominiums, community apartments, stock cooperatives or planned unit developments. This includes any single-ownership parcel whose individual units are presently or at any time in the past were rented or leased individually. See definition in Title 18 and the General Plan.

Condominium project means a development consisting of condominium units established in conformance with State law. See definition in Title 18 and the General Plan.

Condominium subdivision plan means the drawings attached to the master deed for a condominium subdivision project that describe the size, location, area, horizontal and vertical boundaries, and volume of each condominium unit contained in the condominium subdivision project as well as the nature, location and size of common elements. See definition in Title 18.

Construction caretaker housing. See "caretaker living quarters during construction."

Construction period sign. See "sign, construction period."

Convalescent home means a facility that provides nursing services and custodial care on a 24-hour basis for individuals who for reasons of illness, physical infirmity or advanced age, require such services.

Convenience store. See "store, mini-mart."

Convenience zone means any geographic area designated by the California Department of Conservation as requiring the presence of one or more recycling facilities, mobile recycling units or reverse vending machines pursuant to the California Beverage Container Recycling and Litter Reduction Act of 1986.

Corner lot. See "lot, corner."

Corridor access lot. See "lot, flag."

Court means an uncovered area partly or wholly enclosed by buildings or walls and used primarily for supplying access, light, and air to abutting buildings.

Covenants, conditions and restrictions (CC&RS) means a set of private agreements written and agreed to by a group of property owners that sets down certain rules and regulations governing the development and use of their properties. The CC&R's may also reflect certain conditions and restrictions imposed and enforced by the City.

Crowing fowl means any rooster, peacock, goose, duck, guinea fowl, or any other fowl which by their sound or cry unreasonably disturb the peace and quiet of the neighborhood.

Crowing Rooster means any male chicken two months of age or older.

Cul-de-sac means a street having only one outlet for vehicular traffic and ending in a turnaround. See definition in Title 18 and the General Plan.

[GRAPHIC]

Curb line means the line of the face of a curb nearest to the street or roadway.

Cyber café. See "arcade."

(Ord. [7630](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) [§ 9, 2023](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank); Ord. [7573](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) [§ 1\(Exh. A\), 2021](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank); Ord. [7462](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank) [§ 2\(Exh. A\), 2019](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank); Ord. [7431](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank) [§ 8, 2018](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank); Ord. 7331 §128, 2016; Ord. 7302 §4, 2015; Ord. 7105 §7, 2010; Ord. 6966 §1, 2007)

19.910.050 "D" Definitions

Day care center - child means a child day care facility other than a family day care home, including infant centers, extended day care facilities and school-age child care centers. ~~(see California Health and Safety Code Section 1596.76).~~

Day care center - adult means a facility that provides supervision and non-medical care for more than six adults, including elderly persons, on a less than 24-hour basis.

Day care home - adult means a home that provides supervision and non-medical care to six or fewer adults, including elderly persons, in the provider's own home, on a less than 24-hour basis.

Department store. See "store, department."

Design flood. See "flood, design."

Designated floodway. See "floodway, designated."

Development means as used in this Title, "Development" has the meaning of Section 65927 (California Government Code or CGC) and is also any human-caused change to improved or unimproved real estate

that requires a permit or approval from any agency of the City or County, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations and storage of materials. "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations that are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code). As used in this Section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. "Development" does not mean a "change of organization", as defined in Section 56021 (CGC) or a "reorganization", as defined in Section 56073 (CGC). See definition in the General Plan.

~~*Development Review Committee ("DRC") means the pre-designated group of City departments or divisions involved in the process of reviewing projects involving new construction, re-construction and/or other entitlement applications, each of which shall conduct administrative functions authorized by the Zoning Code. The DRC includes any three or more of the following Divisions and Departments: Planning, Building and Safety, Public Works, Public Utilities, Parks and Recreation, Police and Fire. The DRC process shall be chaired by the Planning Division.*~~

Directional sign. See "sign, directional."

Directory sign. See "sign, directory."

Disabled veteran means the same as defined in Government Code Section 18541, any veteran as who is currently declared by the United States Veterans Administration to be ten percent or more disabled as a result of service in the armed forces. Proof of such disability shall be deemed conclusive if it is of record in the United States Veterans Administration.

Discretionary decision means decisions that require the exercise of judgment or deliberation when the Approving Authority decides to approve or disapprove a particular activity, as distinguished from situations where the City individual, Board, Committee, Commission or Council merely has to determine whether there has been conformity with applicable statutes, ordinances or regulations.

Distilled Spirits. See "brewery, distilled spirits."

Distillery. See "brewery, distillery."

Domestic animal. See "animal, domestic."

Donation collection bin means an outdoor receptacle made of metal, steel or a similar product, designed to allow the general public to donate unwanted but reusable items for charitable purposes.

Dormitory means a building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions.

Downtown Arts and Entertainment District means an area intended to serve as a major, concentrated center of cultural and entertainment uses serving the City and surrounding communities. It consists of all commercially zoned land within an area bounded by properties south of Third Street, west of State Route 91 (the Riverside Freeway), north of properties fronting both sides of Fourteenth Street and east of properties fronting both sides of Market Street.

[GRAPHIC]

Drive-thru business means a business (such as a bank or restaurant) that is designed so that customers can be served while remaining in their cars.

Driveway means a private roadway providing access for vehicles to a parking space, garage, dwelling or other structure. See definition in Title 18.

Driveway, Hollywood means driveway with a middle planting strip to minimize paved access. See definition in the Downtown Specific Plan.

Drop-off recycling center. See "recycling center, drop-off."

Drug store means a business where drugs, medicines and other sundries are dispensed and sold.

Dwelling means a building or portion thereof designed for or occupied exclusively for residential purposes, including single-family and multiple family dwellings, but not including hotels, motels, boarding and lodging houses.

Dwelling area means the total combined floor area of a dwelling unit intended for human habitation. Dwelling area shall not include garages, carports, patios, sheds, or other similar spaces.

Dwelling unit means two or more rooms in a dwelling designed for or occupied by one family for living or sleeping purposes and having only one kitchen. See definition in the General Plan.

Dwelling unit, accessory (ADU) means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence that shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

- A. An efficiency dwelling unit, as defined in Section 1207.4 of the California Building Code; or
- B. A manufactured home, as defined in Section 18007 of the Health and Safety Code.

Dwelling unit, caretaker. See "caretaker living quarters."

Dwelling unit, junior accessory (JADU) means a unit contained entirely within an existing or proposed single-family structure that may include separate or shared sanitation facilities.

Dwelling unit, manufactured means a manufactured house intended for occupancy by a single-family installed on a permanent foundation in conformance with applicable ~~z~~Zoning regulations.

Dwelling unit, mobile. See "mobile home."

Dwelling unit, motor home, RV, camper, trailer, etc. means a structure standing on wheels used for short term human occupation.

Dwelling unit, movable accessory (MADU) means a complete independent living facility that provides for one or more persons and is located on a lot with a proposed or existing primary residence that shall include provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated and meets the following requirements:

- A. Meets the American National Standards Institute (ANSI) 119.5 requirements or the National Fire Protection Association (NFPA) 1192 standards, is certified for ANSI or NFPA compliance; and is certified by a 3rd party inspection agency (Design Approval Agency/Quality Assurance Agency) that the MADU meets this requirement;
- B. Is licensed and registered with the California Department of Motor Vehicles;
- C. Cannot move under its own power;
- D. Is no larger than allowed by California State Law for movement on public highways; and
- E. Is no smaller than 150 and no larger than 430 square feet as measured within the exterior faces of the exterior walls.

Dwelling unit, multi-family means a building, or portion thereof, designed for occupancy by two or more families living independently of each other and containing two or more dwelling units. See also apartment house. See definition in the Downtown Specific Plan and the General Plan.

Dwelling unit, single-family means a dwelling designed for occupancy by one family and located on one lot delineated by front, side and rear lot lines. See definition in the Downtown Specific Plan.

Dwelling unit, single-family, attached means two or more dwelling units, each owned in fee and located on individual lots but joined along a single lot line, each of which is totally separated from the other by an unpierced wall extending from ground to roof. See definition in the Downtown Specific Plan and the General Plan.

Dwelling unit, single-family, detached means a dwelling unit owned in fee and located on an individual lot that is not attached to any other dwelling unit by any means. See definition in the General Plan.

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 11, 2022; Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 12(Exh. M), 2022; Ord. [7528](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) § 1(Exh. A), 2020; Ord. [7520](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1111636&datasource=ordbank) § 1(Exh. A), 2020; Ord. [7487](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 8, 11-5-2019; Ord. [7457](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=947646&datasource=ordbank) § 1(Exh. A), 2019; Ord. 7408 § 1, 2018; Ord. 7331 § 128, 2016; Ord. 7302 § 5, 2015; Ord. 7185 § 5, 2012; Ord. 7158 § 18, 2012; Ord. 6966 § 1, 2007)

19.910.060 "E" Definitions.

Easement means a recorded right or interest in the land that belongs to someone else, that entitles the holder thereof to some use, privilege or benefit out of or over said land. See definition in the General Plan.

Efficiency dwelling unit. See "dwelling unit, accessory."

Electronic message center sign. See "sign, electronic message center."

Emergency shelter. See "shelters, emergency."

Encroachment means a break in the plane of a vertical or horizontal regulatory limit with a structural element, so that the structural element extends into a setback or above a height limit.

Entertainment. Has the same meaning as the definition and requires a permit as provided in Chapter 5.80 of Title 5 (Business Taxes, Licenses and Regulations).

Entertainment, incidental. Has the same meaning as the definition provided in Chapter 5.80 of Title 5 (Business Taxes, Licenses and Regulations).

Equipment (large) sales and rentals means establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements and similar industrial equipment and the rental of mobile homes. Included in this use type is incidental storage, maintenance and servicing of such equipment.

Equipment (small) sales and rental means establishments primarily engaged in the sale or rental of small hand operated and human driven tools, compressors, agricultural implements and similar industrial equipment. Included in this use type is incidental storage, maintenance and servicing of such equipment.

Establishment means a nonresidential use of land involving structures that are subject to a building permit requirement. By way of example and not limitation, "establishment" includes businesses, schools, churches, hospitals, factories, houses of worship, professional offices, etc.

Explosive. See the Fire Code as currently adopted by the City.

Exterior building wall. See "building wall."

(Ord. [7592](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 12(Exh. M), 2022; Ord. [7573](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7408 § 1, 2018; Ord. 7331 § 128, 2016; Ord. 7064 § 10, 2010; Ord. 6966 § 1, 2007)

19.910.070 "F" Definitions.

Facade means the exterior wall of a building exposed to public view. See definition in the Design and Sign Design Guidelines.

Family means any individual or group of individuals living together, in a dwelling unit as a single housekeeping unit. Family does not include larger institutional group living situations, such as in a boarding house or hotel/motel/long-term stay.

Family day care home means a facility that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or

guardians are away, and is either a large family daycare home or a small family daycare home as defined in Section 1596.78 of the Health and Safety Code as may be amended from time to time.

- A. "Large family daycare home" means a facility that provides care, protection, and supervision for 7 to 14 children, inclusive, including children under 10 years of age who reside at the home.
- B. "Small family daycare home" means a facility that provides care, protection, and supervision for eight or fewer children, including children under 10 years of age who reside at the home.
- C. Family day care homes include detached single-family dwellings, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a covered multifamily dwelling in which the underlying zoning allows for residential uses where the daycare provider resides and includes a dwelling or a dwelling unit that is rented, leased, or owned.

Farm means property used for growing or raising agricultural products, including related structures and living quarters and dwellings thereon.

Farmers market, certified means a marketplace, either indoors or out-of-doors, that has been issued a direct marketing certificate by the County Agricultural Commissioner indicating that the marketplace is a certified farmers' market.

Fence means a solid or open barrier, other than a wall, located above ground and intended to enclose, screen or mark a boundary.

Financial institution means an establishment or facility for the custody, loan, exchange or issue of money, for the extension of credit and for transmission of funds.

Flag. See "sign, flag."

Flag lot. See "lot, flag."

Flammable. See the Fire Code as currently adopted by the City.

Flood, design means the selected flood against which protection is provided, or eventually will be provided, by means of flood protective or control works.

Flood, one-hundred-year. See "one-hundred-year flood."

Flood-proofing means any combination of structural and nonstructural additions, changes or adjustments to properties and structures, primarily for the reduction or elimination of flood damage to lands, water and sanitary facilities, structures and contents of buildings.

Floodway, designated means the channel of a stream and that portion of the adjoining floodplain required to reasonably provide for the construction of a project for passage of the design flood including the lands necessary for construction project levees.

Floor-area means the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls, or from the centerline of walls separating two buildings. "Floor area" includes the area of basements when used for residential, commercial or industrial purposes, but need not include a basement or portion of a basement used for storage or the housing of mechanical or central heating equipment.

Floor-area ratio (FAR) means the floor area of the building or buildings on a site or lot divided by the area of the site or lot. Parking Structures are not included in the floor area calculation. For projects within the Downtown Specific Plan Area, see definition in the Downtown Specific Plan.

[GRAPHIC]

Examples of floor area ratios

Exhibit from DSP

Fluorescent colors means the range of colors created through a synthetic pigmentation process in which ultraviolet light is absorbed and emitted at a different range within the color spectrum of the individual colors. The prohibited colors are listed on the fluorescent color chart as adopted by the City, are kept on file in the Planning and Building Department. The colors shown below represent a wider range of fluorescent shades. See definition in the Downtown Specific Plan.

[GRAPHIC]

For an accurate representation of these colors see the sample board on file in the Planning and Building Department under case AM-008-945. A sample board is kept for reference at the public information counter.

Food service business. See "restaurant, food service business."

For sale, rental or lease sign. See "sign, for sale, rental or lease."

Fraternity or sorority house means a building rented, occupied or owned by a general or local chapter of some regularly organized college fraternity or sorority or by or on its behalf by a building corporation or association composed of members or alumni thereof, and occupied by members of the local chapter of such fraternity or sorority as a place of residence.

Freeway means a divided highway for through traffic with full control of access, with grade separations at all intersections and in respect to which the owners of abutting lands have no direct right or easement of access to or from their abutting land. A freeway is not a street for the purposes of this Title. A road is not excluded from this definition if a toll is charged to enter or leave it. See definition in Title 18.

Freeway exit means any location along a freeway where an exit ramp or exit ramps exist.

Front lot line. See "lot line, front."

Frontage means that portion of a structure facing a public street and from that the address is normally taken. See definition in the Design Guidelines.

Frontage line. See "lot-line, front."

Frontage, building. For the purpose of calculating sign areas, "building frontage" means the linear measurement of exterior walls enclosing interior spaces that are oriented to and most nearly parallel to public streets, public alleys, parking lots, malls or freeways. See definition in the Sign Design Guidelines.

Frontage, major street means the street frontage from which the majority of the pedestrian or vehicular traffic is drawn or toward which the building or buildings are oriented for primary visual impact. Each commercial complex or shopping center shall be allowed to designate only one major street frontage. Where no single street frontage can be identified as the major street frontage, or in cases of dispute as to which street frontage is the major street frontage, the Community & Economic Development Director or his/her designee shall designate the major street frontage in conjunction with the review of proposed signs.

Frontage, secondary street means a street frontage other than a major street frontage.

Fuel systems - private (above ground tanks) means that portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed for private use.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">Ord. 7573 § 1(Exh. A), 2021; <http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">Ord. 7528 § 1(Exh. A), 2020; Ord. <http://newwords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 § 1(Exh. A), 2020; Ord. 7331 § 128, 2016; Ord. 7158 § 19, 2012; Ord. 6966 § 1, 2007)

19.910.080 "G" Definitions.

Garage, private means a completely enclosed accessory building or accessory portion of the main building used for shelter or storage of vehicles.

General Plan means the General Plan of the City of Riverside, adopted pursuant to the California Government Code Section 65301 et seq. and adopted by the Riverside City Council. See definition in the General Plan.

Glare means any brightness within the field of vision of such a character as to cause annoyance, discomfort, interference with vision, or loss in visual performance and visibility.

Granny Flat. See "accessory living quarters."

Gross acreage. See "acreage, gross."

Group housing or home means any living situation including motels and hotel buildings that are not for temporary use, that accommodates unrelated individuals, and may include but not be limited to the following types of facilities: (1) licensed alcohol and drug treatment facilities; (2) licensed board and care homes for the elderly including convalescent or rest homes and nursing homes; (3) licensed homes for minor children; (4) licensed homes for mental patients; (5) licensed homes for the developmentally disabled; and (6) single- room occupancy (SRO) projects. Group housing would typically involve a living arrangement where either support services are provided to the occupants, where cooking, living or support sanitary facilities are shared in common between the occupants or where there is a formal program establishing rules of conduct and purpose of the facility. See definition in the General Plan.

Guest house. See "accessory - living quarters."

(Ord. 7408 § 1, 2018; Ord. 7331 § 128, 2016; Ord. 6966 § 1, 2007)

19.910.090 "H" Definitions.

Habitable floor area, as defined in the Building Code as currently adopted by the City.

Hardscape means decorative elements within yards that may be combined with landscaping. Hardscape includes patios, decks, fountains, walls, art work, walkways, etc. See definition in the Downtown Specific Plan.

Height, building. See "building height."

Helicraft terms means:

1. *Approach/departure path.* A clear path selected for flight, extending upward and outward from the edge of the landing and take-off area.
2. *Helicopter.* A rotary wing aircraft that depends for its support and motion in the air principally upon the lift generated by one or more power-driven rotors rotating on substantially vertical axis.
3. *Heliport.* An area, either at ground level or elevated on a structure, that is used or intended to be used for the landing and take-off of helicopters, and includes some or all of the various facilities useful to helicopter operation such as helicopter parking, waiting room, fueling and maintenance equipment.
4. *Helistop.* A heliport, either at ground level or elevated on a structure, for the landing and take-off of helicopters, but without auxiliary facilities such as waiting room, hangar, parking, maintenance or fueling equipment.
5. *Take-off/landing area.* The area of the heliport where the helicopter actually lands and takes off.
6. *Temporary site.* A site for helicraft take-offs and landings to be used on a limited basis not to exceed 48 hours.

Historic resources. See Title 20 for definitions and regulations.

Hobby activity means a noncommercial avocation carried on by the occupant of a dwelling as a secondary use, in connection with which there is no stock in trade nor commodities sold upon the premises, no person employed and no mechanical or business equipment used, except such as is customarily incidental to domestic uses.

Home improvement, sales, and service (hardware, lumber and building material stores)—Retail means a commercial land use consisting of any facility that caters to the general public by providing a broad range of home repair and maintenance goods like hardware, tools, plumbing and electrical goods, lumber and structural material. Those facilities that focus on a specific area like flooring, wall coverings or lumber, are excluded from this category.

Home occupation means any use of a dwelling unit and related property for employment or occupational purposes that is incidental to the residential use of the dwelling unit. The cultivation, manufacturing, distribution, transport, or sale of cannabis or cannabis products is not a permitted home occupation.

Homebrew. See "brewery, homebrew."

Homeless persons means the same as defined in Section 11302 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Ch. 119).

Hospital, as defined in Section 1250 California Health and Safety Code, a health care facility with a duly constituted governing body with overall administrative and professional responsibility and an organized medical staff that provides 24-hour inpatient care, including the following basic services: medical, nursing, surgical, anesthesia, laboratory, radiology, pharmacy, and dietary services.

Hospital, mental, as defined in Section 1250 California Health and Safety Code, a health facility having a duly constituted governing body with overall administrative and professional responsibility and an organized medical staff that provides 24-hour inpatient care for mentally disordered, incompetent, or other patients referred to in Division 5 (commencing with Section 5000) or Division 6 (commencing with

Section 6000) of the Welfare and Institutions Code, including the following basic services: medical, nursing, rehabilitative, pharmacy, and dietary services.

Hotel/motel, adult. See 9.40.020.

Hotel/motel, long term stay means a hotel or motel designed and operated to accommodate travelers whose guest stays may exceed 30 days but no more than 180 consecutive days within a calendar year.

Hotel, transient means a facility offering transient lodging accommodations to the general public with access to guest rooms provided by interior corridors. All of the accommodations in a hotel shall be for the use of transients. For the purpose of this Title, transients shall be defined as any person who exercises occupancy or is entitled to occupancy or is entitled to occupancy by reason of concession, permit, right of access, renting accommodations or by other agreement of whatever nature, for a period of 30 consecutive calendar days. Up to a maximum of five percent of the total number of units can be occupied by guests that exceed these occupancy limits at any given time. The limitations on occupancy shall not apply to hotels with National Historic Landmark status and during the existence of a public emergency or natural disaster requiring the provision of emergency public shelter. Hospitals, sanitariums or orphanages, asylums, detention homes, jails, prisons, transitional shelters/housing, bed and breakfast, group housing or similar buildings where human beings are housed or detained under legal restraint or part of a treatment or other regulated program are specifically excluded. See definition in the Downtown Specific Plan.

Household. See "single housekeeping unit."

Household hazardous waste means a waste, or combination of wastes, that because of its quantity, concentration, or physical, chemical, or infectious characteristics may do either of the following: (1) cause, or significantly contribute to, an increase in serious irreversible, or incapacitating reversible illness; (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, or otherwise managed. Household hazardous waste includes waste oil, antifreeze, paint, car/household batteries, herbicides, pesticides, solvents, and pool chemicals.

Hydrozone means a portion of a planted area where plants are grouped according to similar water need.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1284848&datasource=ordbank> web="yes">Ord. 7660, § 19, 2024; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank> web="yes">7630 § 10, 2023; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank> web="yes">7609 § 12, 2022; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank> web="yes">7431 § 9, 2018; Ord. 7331 §128, 2016; Ord. 7185 §6, 2012; Ord. 7071 §4, 2010; Ord. 6966 §1, 2007)

19.910.100 "I" Definitions.

Improvement means any construction, building, paving or landscaping that materially adds to the value of a facility, substantially extends its useful life, adapts it to new uses or enhances its physical attributes. It also refers to the construction of streets and related appurtenances as noted in Title 18.

Indoor collection recycling center. See recycling center, indoor collection.

Industrial complex. See "complex, industrial."

Installed means erected, constructed, posted, painted, printed, tacked, glued, or otherwise fastened, fixed, or made visible in any manner whatsoever.

Interior lot. See "lot, interior."

Internet café. See "arcade."

Interpretive historic sign. See "sign, interpretive historic."

(Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.110 "J" Definitions.

Junk means any scrap, waste, reclaimable material, or debris, whether or not stored or used in conjunction with dismantling, processing, salvage, storage, bailing, disposal or other use or disposition.

Junk yard. See "salvage yard."

(Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.120 "K" Definitions.

Kennel-commercial means any public or private facility where five or more dogs are temporarily kept, boarded or trained, with payment of a fee, for the off-premises owners of such animals. This definition does not include zoos or animal hospitals operated by a veterinarian duly licensed under the law.

Kennel-residential means any building, structure, enclosure or premises located in a residential zone whereupon, or within which five or more dogs, four months of age or older, are kept or maintained only for the personal use of persons living on the premises, and shall not include commercial kennels or the boarding off-premises owners of animals.

Key lot. See "lot, key."

Kiosk means a free-standing structure upon which temporary information and/or posters, notices or announcements are posted.

Kitchen means any room used, intended or designed to be used, for cooking or the preparation of food.

(Ord. [7462](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=952729&datasource=ordbank), § 2(Exh. A), 2019; Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.130 "L" Definitions.

Laboratory means a building or portion of a building that contains facilities for testing and analysis of a product, person, animal or portion thereof.

Landscaping means landscaping includes but is not limited to grasses, ground cover, trees, shrubs and/or other planting, decorative rock or bark.

Legislative means a land use decision that applies to an entire zoning district or a large number of individuals or properties or that establishes or modifies policy or procedure.

Lighted sign. See "sign, lighted."

Live/work unit means a residential occupancy, by a single housekeeping unit, or one or more rooms or floors in a building that includes: (1) cooking space and sanitary facilities in conformance with City building standards; and (2) adequate working space accessible from the living area, reserved for, and regularly used by, one or more persons residing therein. See definitions in the Downtown Specific Plan and the Design Guidelines.

Loading space means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise of materials and which abuts upon a street, alley or other appropriate means of access.

Lodging house. See "boarding house."

Logo means a graphical symbol that represents a concept, idea, or identifier.

Logistics use. See "Warehousing and distribution facility."

Lot means a legally recognized parcel of land abutting on one or more streets. See definitions in the Title 18 and the General Plan.

Lot area means the total horizontal area within the lot lines of a lot, excluding any street or right-of-way area, except that in the RA-5 Zone, "lot area" includes that portion of the adjoining street or streets measured from the street centerline or centerlines.

Lot, corner means a lot situated at the intersection of two or more streets, having an angle of intersection of not more than 135 degrees.

[GRAPHIC]

Lot, corridor access. See "lot, flag."

Lot coverage means the area of a lot that is covered by a building(s) or structure(s), expressed as a percentage of the total lot area (excluding pools, fences, and walls). Lot coverage is measured from the exterior wall or post of the building(s) or structure(s) (including lattice, trellis, or solid roof).

Lot depth means the horizontal distance between the front and rear lot lines, measured from the midpoint of the front lot line to the midpoint of the rear lot line.

Lot, flag means a lot with access to a street by means of a corridor having less than the required lot width. The term also includes corridor access lot and panhandle lot. See definition in Title 18.

[GRAPHIC]

Corridor Access Lot

Lot, interior means a lot other than a corner lot.

Lot, key means the first lot to the rear of a reversed corner lot and not separated by an alley.

[GRAPHIC]

Lot, panhandle. See "lot, flag."

Lot, planned residential development (PRD) means a designated portion of or division of land, air space or combination thereof within the boundaries of a planned residential development that does not meet the definition of a lot. A PRD lot may be approved by the Approving Authority as part of a planned residential development permit. A PRD lot, if so approved, need not have frontage on a public street or otherwise comply with the requirements of the underlying zone, or Title 18, except as provided by this **T**itle.

Lot, reversed corner means a corner lot, the side street line of which is substantially a continuation of the front line of the lot line of the lot to its rear.

Lot, through means a lot having frontage on two parallel or approximately parallel streets, excluding where access has been relinquished along one of the frontages.

Lot width means the horizontal distance between the side lot lines, measured at right angles to the lot depth at the building setback line for regular lots, and the horizontal distance between the side lot lines measured by a straight line drawn at one-third the required minimum lot depth on each side lot line for cul-de-sac lots, and knuckle lots.

Lot-line means a line defining an exterior boundary of a lot.

[GRAPHIC]

Lot-line, front means the line separating the lot from the street. In the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except in those cases where the latest tract deed restrictions specify another line as the front lot line. The Community & Economic Director may, on a case-by-case basis, identify the front lot line of corner lots based on the orientation of the dwelling, provided that the existing structure(s) comply with all applicable setbacks.

Lot-line, rear means a lot line that is opposite and most distant from the front lot line and, in the case of an irregular, triangular or gore-shaped lot, a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet.

Lot-line, side means any boundary line not a front lot line or a rear lot line.

Lot-line, zero. See "zero lot line."

Low barrier navigation center means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

Lower-income student means, for the purpose of determining a projects eligibility for a density bonus pursuant to Chapter 19.545, a student who has a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth Education Code Section 69432.7(k)(1). The eligibility of a student to occupy a unit for lower income students under this **S**ection shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education in which the student is enrolled or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver from the college or university, the California Student Aid Commission, or the federal government.

(Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 13, 2022; Ord. [7573](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank) § 1(Exh. A), 2021; Ord. 7331 §128, 2016; Ord. 7027 §7, 2009; Ord. 6966 §1, 2007)

19.910.140 "M" Definitions.

Major street frontage. See "frontage, major street."

Major transit stop has the same meaning as defined in [Subdivision](#) (b) of Section 21155 of the Public Resources Code. It means a site containing an existing rail or bus rapid transit station; or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less at the morning and afternoon peak commute hours. It also includes planned major transit stops that are included in the regional transportation plan.

Mall means a shopping center where stores front on both sides of a pedestrian way that may be enclosed or open. Malls are typically enclosed, with a climate-controlled walkway between two facing strips of stores. The term represents the most common design mode for regional and superregional centers and has become an informal term for these types of centers. Any concentration of retail stores or service establishments that share customer-parking areas and are located within an enclosure having public walkways whereby a customer in one store or establishment may walk to another store or establishment without leaving the enclosure. For purposes of Chapter 19.620 (General Sign Provisions) and Chapter 19.625 (Private Party Signs on City-Owned Property and the Public Right-of-Way) a mall is defined as an open area located adjacent to urban buildings and designed primarily for pedestrian traffic, featuring walkways, trees and shrubs, and places to sit.

Mansard roof means a sloped, decorative roof element attached to the face of a building wall. See definitions in the Design and Sign Design Guidelines.

Manufacture means to assemble, fabricate, compound, treat, etc. in order to produce something.

Manufactured dwelling unit: Manufactured home. See "dwelling unit, manufactured and dwelling unit, accessory dwelling unit for incidental uses."

Marijuana. See "cannabis."

Massing means the unified composition of a structure's volume, affecting the perception of density and bulk. See definition in the Downtown Specific Plan.

Material processing facility (MPF) means a facility where source separated (presorted) recyclable materials are further sorted and separated, then bulked or converted for reprocessing, by hand or by use of machinery.

Material recovery facility (MRF) means a solid waste facility where mixed municipal solid waste is sorted or separated, by hand or by use of machinery, for the purpose of recovering recyclable materials.

Message center sign, electronic. See "sign, electronic message center."

Message commercial means a message on a sign that pertains primarily to the economic interests of the sign sponsor and/or the viewing audience. Such messages typically concern proposals for economic transactions and/or the engagement of professional services. (Contrast: non-commercial messages.)

Message non-commercial means a message displayed on a sign that does not qualify as commercial. By way of example only and not limitation, such messages typically concern debatable matters of public concern, such as expression on religion, politics and social commentary. (Contrast: commercial message.)

Microbrewery. See "brewery, microbrewery."

Mini-mart. See "store, mini-mart."

Mini-warehouse. See "commercial storage."

Mixed use development means a single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas. See definitions in the General Plan, Design Guidelines and Downtown Specific Plan.

Mobile home means a State licensed or registered moveable or transportable vehicle, other than a motor vehicle, designed as a permanent structure intended for occupancy by one family, and having no foundation other than jacks, piers, wheels or skirtings in accordance with applicable standards and meeting the requirements of the California Department of Housing and Community Development.

Mobile home, building line means a line parallel with the front mobile home space line or access drive and distance therefrom the depth of the required front yard.

Mobile home park means a lot or contiguous group of lots intended for residential use where residence is in mobile homes exclusively or where ownership is by condominium association, in lieu of mobile homes, said development is occupied exclusively by factory-built dwellings approved by the State of California and established on permanent foundations.

Mobile home, space means a plot of ground within a mobile home park abutting one or more access drives, designed for the accommodation of one mobile home.

Mobile medical unit means medical equipment contained within a van, motorized coach or trailer capable of being transported from place to place.

Mobile recycling unit. See "recycling unit, mobile."

Model homes means an unoccupied residential unit in a residential subdivision, typically located in a residential structure ultimately planned for sale as part of the subdivision, used for the temporary marketing and sales of homes within the subdivision. Attached condominium and townhouse units may also be used as a model home.

Modulation means a stepping back or projecting forward of portions of a building face within specified intervals of building width and depth, as a means of breaking up the apparent bulk of a structure's continuous exterior walls.

Monitored electrified security fence system means a perimeter alarm system that transmits a signal intended to alert the business utilizing the system and/or an alarm monitoring service in response to an intrusion or burglary with an assembly of battery powered equipment, including but not limited to:

1. A monitored alarm device and energizer which is intended to periodically deliver pulses to a security fence;
2. A battery charging device used exclusively to charge the system's battery; and

3. Other integrated components.

Monument sign. See "sign, monument."

Motel, long term stay. See "hotel/motel, long term stay."

Motel, transient means a facility offering transient lodging accommodations to the general public with access to guest rooms provided by exterior walkways. All of the accommodations in a motel shall be for the use of transients. For the purposes of this Title, transients shall be defined as any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, renting accommodations or by other agreement of whatever nature, for a period of 30 consecutive calendar days or less, or a total of no more than 60 calendar days within a 180 consecutive calendar day period. Up to a maximum of five percent of the total number of rooms can be occupied by guests that exceed these occupancy limits at any given time. The limitations on occupancy shall not apply during the existence of a public emergency or natural disaster requiring the provision of emergency public shelter. Hospitals, sanitariums or orphanages, asylums, detention homes, jails, prisons, transitional shelters/housing, group housing or similar buildings where human beings are housed or detained under legal restraint or part of a treatment or other regulated program are specifically excluded. See definition in the Downtown Specific Plan.

Multi-family dwelling unit. See "dwelling unit, multi-family."

Multi-tenant indoor sales center means any store where merchandise is offered or displayed for sale or exchange and in which the sales area has been subdivided to allow for individual sales booths that are available for lease to individual tenants. For purposes of this definition, areas bounded by permanent floor-to-ceiling walls or windows, in which all entryways are capable of being closed and locked, shall be considered separate stores and not subdivisions of one store. No store in which one vendor occupies at least 80 percent of the floor area used for sale of goods shall be considered a multi-tenant indoor sales center. For purposes of this definition, a vendor is each person offering goods for sale in a store who is subject to a permit from the State Board of Equalization to engage in or conduct business as a seller at that store. Each such vendor shall be deemed a tenant in that store. The term multi-tenant indoor sales center is interchangeable with and applicable to flea markets, swap meets or other similarly named or labeled activities; but the term does not include the usual grocery supermarket operations, antique malls, second hand/thrift stores or department stores.

Multi-tenant site. See "center, multi-tenant site or center."

Mural means a commissioned artistic rendering that does not in any way advertise a product, service or business logo or contain copy that includes a business name or logo. See definition in the Sign Design Guidelines.

(Ord. [7630](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1207080&datasource=ordbank) § 11, 2023; Ord. [7617](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1191455&datasource=ordbank) § 3, 2022; Ord. [7609](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 14, 2022; Ord. [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) §1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank) §1(Exh. A), 2020; Ord. [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) §1(Exh. A), 2020; Ord. [7520](http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank) §1(Exh. A), 2020; Ord. [7528](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank) §1(Exh. A), 2020; Ord. 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url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=905806&datasource=ordbank" web="yes">7431</ulink> § 10, 2018; Ord. 7331 §128, 2016; Ord. 7316 §3, 2016; Ord. 7185 §7, 2012; Ord. 7105 §8, 2010; Ord. 6966 §1, 2007)

19.910.150 "N" Definitions.

Neon sign. See "sign, neon."

Net acreage. See "acreage, net."

Nightclub means an establishment characterized by any or all of the following as a principal use: (1) live, recorded or televised entertainment including, but not limited to, performance by magicians, musicians or comedians; (2) dancing. "Nightclub" does not include activities associated with another primary permitted use such as a bar or restaurant subject to the provisions of Chapter 5.80 (Entertainment Permit).

Non-commercial message. See "message, non-commercial."

Non-commercial sign. See "sign, non-commercial."

Non-commercial speech. See "message, non-commercial."

Non-conforming lot means a lawfully established parcel of land that does not conform with the current standards of the zone in which it is located, including lot area, lot width and lot depth.

Nonconforming structure means a lawfully built structure that does not conform with current standards of the zone in which it is located, including front setback, side setback, rear setback, height, coverage, distances between structures and parking facilities.

Nonconforming use means a lawfully established use of a building or land, that use was lawfully established, but that does not conform to the current regulations. See definition in the General Plan.

Nuisance means an act or condition, when performed or existing upon a parcel of land or structure, that is considered dangerous or potentially dangerous to public health, safety or welfare, degrades the appearance and value of surrounding properties or can cause damage to public rights-of-way.

(Ord. <ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank" web="yes">7505</ulink> § 1(Exh. A), 2020; Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.160 "O" Definitions.

Off-premises sign. See "sign, off-premises."

Office complex. See "complex, office."

On-premises sign. See "sign, on-premises."

One-hundred-year flood means the highest level of flooding that, on the average, is likely to occur once every 100 years. The term also means that level of flooding having a one percent chance of occurring each year.

Open space, common usable. See "common usable open space."

Open space, private usable. See "private usable open space."

Orchard. See "farm."

Outdoor dining means dining facilities consisting of tables, chairs and similar furniture located out-of-doors.

Outdoor display of incidental plant material means live plant materials displayed outdoors in conjunction with a primary business.

Outdoor food preparation means food preparation facilities consisting of equipment for the cooking of food and preparation located out-of-doors adjacent to an indoor eating establishment.

Outdoor sales means the display and sales of products or services primarily outside a structure and limited to those items generally stored, used and/or inspected outdoors.

Outdoor sales display means an outdoor arrangement of objects, items, products or other materials, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product or service.

Outdoor storage means an outdoor arrangement of objects, items, products or other materials, typically not in a fixed position and capable of rearrangement. (See also Storage Yard).

(Ord. 7331 §128, 2016; Ord. 7235 §24, 2013; Ord. 6966 §1, 2007)

19.910.170 "P" Definitions.

Pad, building. See "building pad."

Painted sign. See "sign, painted."

Panhandle lot. See "lot, flag."

Parapet wall means the portion of the exterior building wall that extends entirely above the roof line. See definitions in the Design Guidelines and the Downtown Specific Plan.

Parking area, public means an open area, other than a street, alley or place, used for the temporary parking of more than four vehicles and available for public use whether free, for compensation, or as an accommodation for clients or customers.

Parking garage means a structure or building designed and maintained exclusively for the temporary parking or storage of more than four vehicles and available for public use, whether free, for compensation, or as an accommodation for clients or customers.

Parking lot sale means outdoor sale, conducted by the proprietor, of products normally sold inside a retail establishment on the property.

Parking space, vehicle means an off-street space available for the parking of one motor vehicle conforming to the typical parking lot standards.

Parolee means an individual as follows:

- A. Convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a federal probation/parole officer; or
- B. Who is serving a period of supervised community custody as defined by State Penal Code 3000, following a term of imprisonment in a State prison or County jail, and is under the jurisdiction of the California Department of Corrections, Division of Adult Parole Operations; or
- C. An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer; or
- D. An adult or juvenile offender released from county jail or state prison after October 1, 2011, on Post Release Community Supervision.

Parolee/probationer home means any residential structure or unit, including any hotel or motel except as provided herein, whether owned and/or operated by an individual or for-profit or non-profit entity, that houses two or more parolees/probationers, unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary consideration given and/or paid by the parolee/probationer and/or any individual or public/private entity on behalf of the parolee/probationer, excluding parolees/probationers who reside in alcohol and/or drug free recovery home as defined in this ~~Title~~. Notwithstanding this definition or any other provision of ~~this the Riverside Municipal~~ Code, hotels and motels with 14 rooms or less cannot provide transient lodging services or accommodations to more than three parolees during any 30 consecutive-day period regardless of the length of their respective stays; and hotels and motels with 15 rooms or more cannot provide transient lodging services or accommodation to more than five parolees during any 30 consecutive-day period regardless of the length of their respective stays.

Pawn shop means an establishment wherein the business of a pawnbroker is conducted. A pawnbroker shall be any person who lends or advances money or other things for profit on the pledge and possession of personal property, or other valuable things, other than securities or written or printed evidences of indebtedness; or, who deals in the purchasing of personal property or other valuable things on condition of selling the same back to the seller at a stipulated price.

Pedestrian Mall is established and is described as follows: Main Street between the southerly line of Sixth Street and the northerly line of Tenth Street but excluding from the mall the intersections of Main Street with Mission Inn Avenue (formerly known as Seventh Street), University Avenue (formerly known as Eighth Street), and excluding from the mall Ninth Street. See definition in the Sign Design Guidelines. (Ordinance No. 6929)

[GRAPHIC]

Pedestrian Mall sidewalk sign. See "sign, Pedestrian Mall sidewalk."

Pennant. See "sign, pennant."

Permit means a document issued by the Planning and Building Department allowing a person to begin an activity provided for in ~~this Title~~ the Zoning Code.

Personal services means establishments providing nonmedically related services, including but not limited to beauty and barber shops; hair stylists; estheticians; pet grooming; dry cleaning pick-up stores; self-service laundry; massage; shoe repair shops; tailoring; tanning salons; and tattoo and body piercing parlors. These uses may also include accessory retail sales of products related to the services provided.

Planned residential development means two or more dwelling units together with related land, buildings and structures planned and developed as a whole in a single development or a programmed series of

developments that require discretionary approval and involve the creation of a Home Owners Association to provide for maintenance of common facilities within the development in accordance with the requirements of Chapter 19.780.

Plant nursery means any site or facility where nursery plants and related gardening materials and supplies are sold within a defined, approved, physically enclosed area.

Plant nursery, wholesale means a business whose primary purpose is the growing, propagation and storage of plants, typically in containers, for sale to other businesses for resale. Incidental uses may include an office, caretaker's unit, storage buildings, shade houses, green houses, irrigation materials, reservoirs, soil and related materials, containers for potting, and vehicles needed to move materials from one location to another.

Play areas incidental to a restaurant means an improved and equipped area for small children to play in.

Plot plan. See "site plan."

Pole sign. See "sign, pole."

Political sign. See "sign, political."

Portable sign. See "sign, portable."

Post release community supervision parolee. See "parolee."

Principal, building means a building in which the primary use of the lot on which the building is located is conducted.

[GRAPHIC]

Private usable open space means open areas devoted exclusively to the private recreation and leisure use of one dwelling unit, contiguous to the unit, delineated by a wall, fence, or as otherwise approved.

Probationer means a person who has been convicted of a felony or misdemeanor and who has received a suspension in the imposition or execution of their sentence and has received conditional and revocable release in the community under the supervision of a probationer officer, as provided under California Penal Code Section 1203 or any successor provision thereof.

Projecting sign. See "sign, projecting."

Projection means the distance as established by this Code by which a sign extends beyond the building wall or the street property line. See definition in the sign Design Guidelines.

Public property means land or other property owned by the City, or in that City holds the present right of possession or control, or land or other property that the City holds in trust, as well as all public rights-of-way.

Public, right-of-way. See "right-of-way."

Public use of public property means the use of property owned by a government entity for any governmental purpose or for any activity available to the public, including any recreational, civic, educational, cultural, or public utility use.

Pumpkin sales lot means a retail sales operation, generally conducted wholly outdoors, that offers for sale on a temporary, limited basis, pumpkins and related holiday items.

(Ord. [7652](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1248964&datasource=ordbank) § 15, 2023; Ord. [7505](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank) § 1(Exh. A), 2020; Ord. 7408 §1, 2018; Ord. 7331 §128, 2016; Ord. 7158 §20, 2012; Ord. 6966 §1, 2007)

19.910.180 "Q" Definitions.

Quasi-judicial (discretionary). See "discretionary decision."

(Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.190 "R" Definitions.

Readerboard sign. See "sign, readerboard."

Real estate sign. See "sign, real estate."

Rear lot line. See "lot line, rear."

Recreational vehicle. See "vehicle, recreational."

Recycle means the process of collecting, sorting, cleansing, treating and reconstituting materials that would otherwise become solid waste, and return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products that meet the quality standards necessary to be used in the marketplace.

Recycling center, buy-back means a facility that pays a fee for the delivery and transfer of ownership to the facility of source separated materials for the purpose of recycling or composting.

Recycling center, California beverage container means a facility designed to only recycle California beverage containers (e.g., reverse vending machines).

Recycling center, drop-off means a facility that accepts delivery or transfer of ownership of source separated materials for the purpose of recycling or composting without paying a fee.

Recycling center, indoor collection means a beverage container recycling facility located within a completely enclosed building operating solely for the purpose of collecting, sorting, temporarily storing and redeeming beverage containers as defined by this [Title](#).

Recycling facility, beverage container means a site where beverage containers as defined in this [Title](#) may be redeemed for cash or other compensation. Said facility may be a reverse vending machine(s), mobile recycling unit or indoor collection center.

Recycling unit, mobile means a properly licensed automobile, truck, trailer or van that is used for the collection of recyclable beverage containers. Also included in this definition are bins, boxes or containers transportable by said vehicles.

Religious assembly means a use located in a permanent building and providing regular organized religious worship and related incidental activities, except primary or secondary schools and day care facilities. See also "assemblies of people—non-entertainment."

Rental of rooms means the rental of a room or rooms in a single family residence/dwelling for occupancy of not more than four individuals per single family residence/dwelling.

Residential care facility. See "group housing or home."

Rest home. See "convalescent home."

Restaurant, sit down means an establishment maintained, operated and/or advertised or held out to the public as a place where food and beverage are prepared on-site and served to the public on demand from a menu during stated business hours, to be consumed on the premises primarily inside the building at tables, booths or counters, with chairs, benches or stools.

Restaurant, take-out means a facility that sells prepared food from inside a building for consumption primarily off the site.

Retail sales means a commercial enterprise that provides goods and/or services directly to the consumer, where such goods are normally available for immediate purchase and removal from the premises by the purchaser.

Reverse vending machine means an automated mechanical device that accepts one or more types of empty beverage containers including but not limited to aluminum cans, glass and plastic bottles and issues a cash refund or redeemable credit voucher for not less than the redemption value of the container as determined by the state. A reverse vending machine may sort and process containers mechanically provided the entire process is enclosed within the machine.

Reverse vending machine, bulk type means a reverse vending machine occupying more than 50 square feet or a group of two or more machines occupying an aggregate of 100 square feet or more or a single machine or group of machines having an overall height of ten feet or more.

Reversed corner lot. See "lot, reversed corner."

Riding Stable and Academy means any place where horses and ponies, not to exceed the number allowed in the base zone, are boarded, cared for, or hired for riding or instruction.

Right-of-way, public means any place that is dedicated to use by the public for pedestrian and vehicular travel, and includes, but is not limited to, a street, sidewalk, curb, gutter. Crossing, intersection, parkway, median, highway, alley, lane, mall, court, way, avenue, boulevard, road, roadway, viaduct, subway, tunnel, bridge, thoroughfare, park square and other similar public way. See definitions in Title 18 and the General Plan.

Roof means the cover of any building, including the eaves and similar projections.

Roof line means in the case of a flat roof, the uppermost line of the roof of a building; in the case of a pitched roof, the lower edge of the eave; or in the case of an extended facade or parapet, the uppermost height of the said facade or parapet.

Roof sign. See "sign, roof."

(Ord. [7487](http://newords.muniCode.com/readordinance.aspx?ordinanceid=988206&datasource=ordbank) § 27, 11-5-2019; Ord. 7331 §128, 2016; Ord. 6966 §1, 2007)

19.910.200 "S" Definitions.

Saloon. See "bar."

Salvage yard means any area, lot, parcel, building, or part thereof used for the storage, collection, processing, purchase, sale, or abandonment of wastepaper, rags, scrap metal, or other scrap or discarded materials, machinery, or other types of junk. Such uses include baling of cardboard and other paper materials.

Scale means proportionate size judged in relation to an external point of reference. See definition in the Downtown Specific Plan.

School means any institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, or university. This definition does not include any day care center or family day care home, regardless of size (see separate definitions for all day care facilities).

School, professional institution of higher education means a post-secondary institution for higher learning that grants associate or bachelor degrees and may also have research facilities and/or professional schools that grant master and doctoral degrees. This may also include community colleges that grant associate or bachelor degrees or certificates of completion in business or technical fields.

School, vocational means a specialized instructional establishment that provides on-site training of business, commercial and/or trade skills such as accounting, data processing and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

Secondary street frontage. See "frontage, secondary street."

Secondhand store means a retail or wholesale business in which the largest portion of merchandise is used. This classification does not include secondhand motor vehicle parts or accessories.

Semi-public means a use owned or operated by a private non-profit, religious or charitable institution that provides educational, cultural, recreational, religious or similar types of programs to the general public.

Senior housing means a housing facility or development the occupancy of which is limited to persons 55 years of age or older pursuant to Section 51.3 of the California Civil Code.

Sensitive receptor means a residential zone or use; K-12 public, private and charter school; designated parks and open space; adult and child day care facilities; assisted living facilities, nursing homes, hospices and hospitals. Sensitive receptor shall be consistent with California Government Code § 65098.

Separate interest. Has the following meanings:

1. In a community apartment project, "separate interest" means the exclusive right to occupy an apartment, as specified in 19.790 Subdivision (d).
2. In a condominium project, "separate interest" means an individual unit, as specified in 19.790 Subdivision (f).
3. In a planned development, "separate interest" means a separately owned lot, parcel, area or space.
4. In a stock cooperative, "separate interest" means the exclusive right to occupy a portion of the real property, as specified in 19.790 Subdivision (m).

Unless the declaration or condominium plan, if any exists, otherwise provides, if walls, floors, or ceilings are designated as boundaries of a separate interest, the interior surfaces of the perimeter walls, floors, ceilings, windows, doors and outlets located within the separate interest are part of the separate interest and any other portions of the walls, floors or ceilings are part of the common areas.

The estate in a separate interest may be a fee, a life estate, an estate for years, or any combination of the foregoing.

Service station. See "vehicle fuel station."

Setback means the distance from a defined point or line governing the placement of buildings, structures, parking or uses on a lot. See definition in the General Plan.

Setback building line, front means a line parallel with the front lot line or planned street line and located at the required front yard setback for regular lots and a line parallel with the street measured one third the lot depth back for cul-de-sac lots and knuckle lots.

Setback building line, rear means a line parallel with the front lot line or planned street line and located at the required rear yard setback.

Setback, building line, side means a line parallel with the front lot line or planned street line and located at the required side yard setback.

Shared parking means the provision that two or more uses that are within close proximity may share parking facilities to fulfill their individual parking requirements because their prime operational hours do not overlap.

Shelters, emergency. Has the same meaning as defined in Subdivision C of Section 50801 of the Health and Safety Code except as allowed with a Temporary Use Permit with assemblies of people—non-entertainment.

Shopping center. Same as "complex, commercial."

Short-term rental, as regulated in Title 5 of ~~this the Riverside Municipal~~ Code, means the rental of a dwelling, or a portion thereof, by the owner to another person or group of persons for occupancy, dwelling, lodging or sleeping purposes for a period of less than 30 consecutive calendar days. The rental of units within city-approved hotels, motels, and bed-and-breakfast inns shall not be considered to be a short-term rental.

Showroom means an area for the display of goods/merchandise in conjunction with a permitted use on the site.

Side lot line. See "lot line, side."

Sign. See Chapter 19.620 - General Sign Provisions, Section 19.620.150 Definitions for sign definitions.

Single-family, attached, dwelling unit. See "dwelling unit, single family, attached."

Single-family, detached, dwelling unit. See "dwelling unit, single family, detached."

Single-family dwelling unit. See "dwelling unit, single family."

Single housekeeping unit means one household where all the members have common access to and common use of all living, kitchen, and eating areas within the dwelling unit, and household activities and responsibilities such as meals, chores, expenses, and maintenance of the premises are shared or carried out according to a household plan or other customary method. If all or part of the dwelling unit is rented, the lessees must jointly occupy the unit under a single rental agreement or lease, either written or oral, or implied with an owner; an owner's agent, representative or manager or family thereof is in residence.

Single room occupancy means a multi-unit housing development for very low income persons that typically consists of a single room and shared bath, also may include a shared common kitchen and common activity area.

Site means a parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street. A lot. See definition in the General Plan.

Site, building means the ground area of a building or group of buildings together with all open spaces as required by this [Title](#).

Site plan means a plan drawn to scale, showing uses and structures proposed for a property.

Smart growth can be defined as, but not limited to, seeking to identify a common ground where developers, environmentalists, public officials, citizens and financiers can find ways to accommodate growth. It promotes compact, mixed-use urban-style development that offers a high-quality living and working environment and encourages a choice of travel mode - walking, cycling and transit, while protecting environmental features and resources.

Smoke shops/tobacco stores means a business with sales of tobacco, either loose or prepared as cigarettes and products for the smoking of tobacco constituting more than 30 percent of gross sales and/or 30 percent of net lease area.

Solid waste means all putrescible and non-putrescible solid, semi-solid, and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated, or chemically fixed sewage sludge that is not hazardous waste, manure, vegetable or animal solid and semi-solid wastes, and other discarded solid and semi-solid wastes. See definition in the General Plan.

Sorority house. See "Fraternity or sorority house."

Spandrel sign. See "sign, Spandrel."

Special boulevard means a boulevard so designated by the City of Riverside General Plan Circulation Element Map, Figure CCM-4, "Master of Plan Roadways".

Specific plan means a tool authorized by Government Code §65450, et. seq. for systematic implementation of the General Plan for a defined portion of a community's planning area. A specific plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development and use of natural resources and a program of implementation measures, including financial measures pursuant to Government Code 65451. [See definition in Title 18.](#)

Stable, private means a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

Stable, public means a stable other than a private stable.

Staff Application Review Team ("START") means the group of City departments or divisions assembled for the process of reviewing projects involving new construction, re-construction and/or other entitlement applications, each of which shall conduct administrative functions authorized by this Title. The START includes any three or more of the following Divisions and Departments: Planning, Building and Safety, Public Works, Public Utilities, Parks and Recreation, Police and Fire. The START process shall be chaired by the Planning Division.

Statuary means a three-dimensional representation of a person, animal or object produced by sculpturing, modeling, casting or other means.

Stealth wireless telecommunication facility. See "Wireless telecommunication facilities—Stealth facility."

Stock cooperative means a development in which a corporation hold Title to, either in fee simple or for a term of years, improved real property, a majority of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property. The owners' interest in the corporation, whether evidenced by a share of stock, a certificate of membership, or otherwise, shall be deemed to be an interest in a common interest development and a real estate development for purposes of Subdivision (f) of Section 25100 of the Corporations Code.

A "stock cooperative" includes a limited equity housing cooperative that is a stock cooperative that meets the criteria of Civil Code § 817 ~~Section 33007.5 of the Health and Safety Code.~~⁴² ~~See definition in Title 18.~~

Storage yard means an area where work tools, scrap materials, etc. used in the repair and maintenance of equipment commonly used in individual types of manufacturing or maintenance business are stored, whether inside or outside. Storage yards may also include buildings or structures for uses such as offices and repair facilities.

Store, department means a retail facility that sells clothing, appliances, furniture or other household items through a variety of separate departments, owned by a single corporate entity and operated entirely within one building or structure as one commercial use.

Store, mini-mart means a retail establishment that provides a limited volume and variety of commonly consumed goods and intended to provide quick service.

Story, building means a space in a building between the surface of any floor and the surface of the next floor above, or if there is no floor above, the space between such floor and the ceiling or roof above; provided, however, where the ceiling of the first floor level is four feet or less above the elevation of the lowest point of the land surface at the structure perimeter, the space shall be considered a basement (see basement).

[GRAPHIC]

⁴² **Sec. 19.910.200 "S" Definitions.** Health and Safety Code § 33007.5 was repealed in 2009. See suggested correction. **(FOOTNOTE 353 IN EXHIBIT 2)**

Street means a public or City approved private way designed primarily for vehicular traffic, whether designated as a street, arterial, highway, thoroughfare, road, avenue, boulevard, lane, place or other designation, but not including an alley. See definition in Title 18.

Street line means the boundary line between a street and abutting property.

Street, side means that street bounding a corner lot and which is generally parallel to the side lot line.

Structural alterations. See "Building Code as adopted by the City."

Structure. See "Building Code as adopted by the City."

Structure, nonconforming. See "nonconforming structure."

Student housing means a structure specifically designed for a long-term stay by students of a college or university for the purposes of providing rooms for sleeping purposes.

Studio unit means a dwelling unit consisting of one room with kitchen facilities and with a private bath designated for occupancy by one household.

Sub-district means one of the five defined areas on the zoning map regulated as part of the Innovation District Overlay Zone, IE, EE, HE, ET, and CS.

Subdivision means the division of any improved or unimproved land, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section ~~4125~~ ~~1350~~⁴³ of the California Civil Code, or a community apartment project, as defined in Section 11004 of the California Business and Professions Code. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for purposes of computing the number of parcels. "Subdivision" shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings, mobile home parks or trailer parks; mineral, oil or gas leases; or land dedicated for cemetery purposes under the Health and Safety Code of the State.

For purposes of Chapter 19.620 (General Sign Provisions) and Chapter 19.625 (Private Party Signs on City-Owned Property and the Public Right-of-Way) a subdivision is all lots under a parent subdivision number. In the case of a phased subdivision, all phases combined under the parent number are considered to be a single subdivision. See definitions in Title 18 and the General Plan.

Subdivision sales trailer means temporary sales office on a property whereon a final map has been lawfully issued to construct a permanent building. The temporary quarters may be used for construction office may be situated in a trailer, motor home or mobile home.

Substantial improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the actual cash value of the structure either:

- A. Before the improvement is started; or
- B. If the structure has been damaged and is being restored, before the damage occurred.

⁴³ **Sec. 19.910.200 "S" Definitions.** Civil Code § 1350 was moved and renumbered in 2014. See suggested correction. **(FOOTNOTE 354 IN EXHIBIT 2)**

Substantial improvement is started when the first alteration of any structural part of the building commences.

Supportive housing. Has the same meaning as defined in Subdivision (b) of Section 50675.14 of the Health and Safety Code.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1116112&datasource=ordbank> web="yes">7573 § 1(Exh. A), 2021; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1034308&datasource=ordbank> web="yes">7528 §1(Exh. A), 2020; Ord. <http://newords.muniCode.com/reordinance.aspx?ordinanceid=1111636&datasource=ordbank> web="yes">7520 § 1(Exh. A), 2020; Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1004442&datasource=ordbank> web="yes">7505 § 2(Exh. B), 2020; Ord. 7408 § 1, 2018; Ord. 7331 § 128, 2016; Ord. 7300 § 2, 2015; Ord. 7158 § 21, 2012; Ord. 7105 § 9, 2010; Ord. 7064 § 11, 2010; Ord. 7027 § 8, 2009; Ord. 6966 § 1, 2007)

19.910.210 "T" Definitions.

Tattoo/body piercing parlor. See "personal services."

Tattooing means to insert a pigment under the surface of the skin of a human being, by pricking with a needle or otherwise, to produce an indelible mark resulting in a design, picture or words visible through the skin. Tattooing does not include those services performed by a physician licensed in the State of California to perform this type of work or beauty salons/spas that perform incidental permanent cosmetic procedures, limited to the application of permanent eyeliner, eye shadow, eyebrows and lip color.

Tavern. See "bar."

Telecommuting means the act of an individual conducting any business activity from the individual's usual place of residence via telephone, computer, modem, facsimile machine and/or similar means of communication in the capacity of an employee where the employer's business is regularly conducted from a location other than the individual's place of residence.

Telephone, outdoor pay means a telephone for hire located on private property, not within a building used for additional purposes with controlled access by means of a door or doors that may be locked.

Temporary use means a land use of short duration, either indoor or outdoor, for commercial or noncommercial purposes, that is not specifically permitted in the zoning district in which the property is located, but which by general community consensus is an acceptable activity due to its close relationship to a permitted use, its positive effect on public health, safety or welfare and/or its close relationship with the social or cultural fabric of the City and may be permitted with a temporary use permit.

Thrift store means an establishment primarily engaged in the sale of used clothing, household goods, furniture or appliances. This definition does not include antique stores.

Through lot. See "lot, through."

Tiny home (chassis). See *mobile home*.

Tiny home community means a group of tiny homes, constructed either on a chassis or on a foundation, that are arranged in common relationship to one another, usually surrounding a shared common open space area.

Tiny home (foundation) means a dwelling unit that is factory or site-built on a permanent foundation in accordance with applicable building Codes, laws and standards.

Total units means, for the purpose of determining eligibility for a density bonus, the number of dwelling units in a residential development project, excluding the density bonus dwelling units awarded pursuant to Chapter 19.545 or any other applicable law or ordinance granting a greater density bonus.

Townhouse means a dwelling unit occupying its own lot, but which is physically attached to at least one other dwelling unit. See definition in the General Plan.

Traffic pattern modification means a modification that occurs when an existing roadway traffic flow and/or speed is changed by such means as one-way streets, raised medians, speed humps or terminated through means of a cul-de-sac.

Transfer station means a collection and transportation facility used by persons and route collection vehicles to deposit collected solid waste from off-site into a larger transfer vehicle for transport to a solid waste handling facility. Transfer stations may also include recycling facilities.

Transitional foster youth means the same as defined in [Section 66025.9](#) of the Education Code.

Transitional housing and transitional housing development. Has the same meaning as defined in [Subdivision \(h\)](#) of [Section 50675.2](#) of the Health and Safety Code.

Trash. See "solid waste."

Truck and Trailer Storage means the storage or parking of any truck and/or towable trailer designed primarily for transportation of goods for extended periods of time as a primary use. For the purposes of this [Title](#), truck and trailer storage shall not include trucks or trailers parked or stored incidentally to another primary permitted land use i.e., manufacturing, warehousing, etc.

Tutoring center means a tutoring center is an educationally oriented facility that provides personalized academic assistance on a relatively high teacher to student ratio. The facilities themselves are not schools.

(Ord. [7652](#) [§ 16](#), 2023; Ord. [7609](#) [§ 15](#), 2022; Ord. [7592](#) [§ 12](#)(Exh. M), 2022; Ord. [7528](#) [§ 1](#)(Exh. A), 2020; Ord. [7520](#) [§ 1](#)(Exh. A), 2020; Ord. [7408](#) [§ 1](#), 2018; Ord. [7331](#) [§ 128](#), 2016; Ord. [7064](#) [§ 12](#), 2010; Ord. [6966](#) [§ 1](#), 2007)

19.910.220 "U" Definitions.

University. See "school, professional institution of higher education."

Unobstructed access means a resident is able to access a major transit stop without encountering natural or constructed impediments, which include, but are not limited to, freeways, rivers, mountains, and bodies of water, but do not include residential structures, shopping centers, parking lots, or rails used for transit.

Urban lot split means a subdivision as defined by Chapter 18.260 (Definitions) ~~of this Code of the Subdivision Code~~, pursuant to Section 66411.7 of the California Government Code.

Use means the purpose for which land or a building is designed, arranged, or intended, or for which the land or building may be occupied or maintained. See definition in the General Plan.

Use, nonconforming. See "nonconforming use."

(Ord. [7609](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1181101&datasource=ordbank) § 16, 2022; Ord. [7592](http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1169189&datasource=ordbank) § 12(Exh. M), 2022; Ord. 7331 § 128, 2016; Ord. 6966 § 1, 2007)

19.910.230 "V" Definitions.

Vapor recovery operations means an operation for cleaning up fuel-contaminated soils.

Variance, pursuant to Section 65906 of the Government Code, a land use action that allows for deviation from the terms of ~~this Title the Zoning Code~~ under specified conditions and specifically, when, because of special circumstances applicable to a property, including size, shape, topography, location, or surroundings, the strict application of ~~this Title the Zoning Code~~ would deprive that property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Vehicle means any self-propelled or towable (trailer) unit designed primarily for transportation of persons or goods on land, water or air.

Vehicle fuel station means vehicle fuel stations, include outdoor fuel dispensing and indoor facilities for lubrication, battery and brake service, tire repair, minor adjustments and repair, and the sale of food, non-alcoholic beverages, beer, wine and sundry items of convenience to the motorist, but excluding painting, body work, steam cleaning, major repairs, mechanical washing facilities, utility truck or trailer rental.

Vehicle impound or tow yard means an open area used exclusively for the storage of automobiles, motor vehicles and recreational vehicles impounded or towed pursuant to order of a public law enforcement agency or insurance organization licensed to conduct business in the State, and stored for the purposes of law enforcement investigation, insurance investigation, title clearance and transfer and/or litigation. This definition does not include the dismantling or disassembly of vehicles except pursuant to litigation, the sale of vehicle parts nor the storage of non-impounded vehicles or their parts.

Vehicle, recreational means a vehicle for non-commercial, recreational use, including a motor home, travel trailer, camper, fifth wheel, boats, water craft, race cars, off road vehicles, horse trailer or trailers designed to carry recreational vehicles such as water craft or off-road vehicles.

Vehicle repair facility, major means any facility offering any of the vehicle repair and improvement services as defined in Vehicle Repair Facility (Minor) and also including engine and transmission overhauls, vehicle restorations, upholstery, convertible top repairs and installations, paint and body work, heavy duty truck and tractor repair and other similar services as determined by the Community & Economic Development Director or his/her designee.

Vehicle repair facility, minor means any facility that offers minor vehicle repairs and improvements, including lubrication, battery service, brake and wheel service, accessory and tire installation and service, engine adjustments, tune-ups, electrical work, front-end alignment, exhaust system repair, brake servicing, stereo installation, vehicle detailing, window tinting, spray-on bed lining, the repair and servicing of transmissions, but only when such transmission service and repair facility is located within an automobile service center complex as defined in ~~this Title~~ *the Zoning Code*, and other similar services as determined by the Community & Economic Development Director or his/her designee.

Vehicle sales means the use of any building or portion thereof, or other premises or portion thereof, for the display, sale, rental or lease of two or more new or used vehicles.

Vehicle wash facility means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment open to the public and not associated with private fleet maintenance that are incidental to fleet use.

Vehicle wholesale business means the wholesale of automobiles with on-site incidental indoor or outdoor storage of vehicles. A vehicle wholesale business may also include incidental vehicle repair and/or inspections as allowed under the underlying zone of the business.

Vehicle wrecking means the dismantling or wrecking of used vehicles, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts, either indoor or outdoor.

Vehicular storage yard means any lot, area, parcel, building, structure or part thereof, used for the storage, collection or abandonment of vehicles.

Veterinary clinic, small animal hospital means a place for the medical treatment of common household pets with no provisions made for boarding, outside runs or kennels, except that overnight care incidental to medical treatment and short-term boarding is permitted. This use may be incidental to pet store services.

(Ord. 7331 § 128, 2016; Ord. 7235 § 25, 2013; Ord. 7151 § 4, 2012; Ord. 6966 § 1, 2007)

19.910.240 "W" Definitions.

Wall means a physical barrier constructed largely of masonry, brick, concrete, stucco, concrete block or any combination thereof and intended to mark a boundary and/or enclose an area.

Wall, building. See "building wall."

Wall, parapet. See "parapet wall."

Warehouse means a building or portion thereof used for the storage, receiving, shipping, or wholesaling of goods and merchandise, and any incidental or accessory activities. A warehouse is not "commercial storage" as defined in this ~~T~~ *title*.

Warehousing storage, i ~~Incidental~~ means a building or portion thereof which is incidental to a principally permitted industrial use for the storage of goods and merchandise. For example, a manufacturing,

research laboratory, or other type of commercial or industrial use which stores and distributes the goods or components that are produced or contained on-site.

Warehousing and distribution facility means a building, structure or other facility primarily used for the warehousing, storage, sorting, packing, staging, shipping, receiving, distributing or holding of goods and merchandise of any kind, typically which are not manufactured, processed or otherwise produced in the same facility, for any length of time. A warehousing and logistics facility shall have the same meaning as a "logistics use" as defined by California Government Code § 65098. Warehousing and distribution facilities include but are not limited wholesale distribution, distribution centers, moving and transfer storage, cross-dock facilities, package handling centers, order fulfillment centers, or logistics centers and facilities.

Wet bar means any room or area of a room used, intended or designed to be used, for the occasional preparation of food. A wet bar may include a single sink or basin, bar height refrigerator, bar height cabinets and hookups for cold water. This definition does not include amenities such as multiple basin sinks, full height refrigerators, hot water hookups, 220 amp electrical service, above counter cabinets, cooking apparatus including, but not limited to, stoves, ranges, hot tops, and microwaves, or any other amenities that would comprise a kitchen.

Wholesale means the sale of goods by bulk for resale purposes and not for direct use or consumption.

Wine. See "brewery, wine."

Winery. See "brewery, winery."

Worm farm means the growing of earthworms for commercial or noncommercial purposes in worm beds or other delineated areas or structures, and the use of certain appurtenant structures such as sunshades and packing shades that are utilized in the operation of a worm farm.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1055983&datasource=ordbank> web="yes">7541, § 13, 2020; Ord. 7331 § 128, 2016; Ord. 7235 § 26, 2013; Ord. 7185 § 8, 2012; Ord. 7105 § 10, 2010; Ord. 6966 § 1, 2007)

19.910.250 "X" Definitions.

Xeriscape means a water-conserving method of landscaping in arid or semiarid climates.

(Ord. 7331 § 128, 2016; Ord. 6966 § 1, 2007)

19.910.260 "Y" Definitions.

Yard means an open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this [Title](#).

Yard, front means a yard extending across the full width of the lot located between the front lot line or planned street line and the front building setback line. For corridor access lots the front yard means a yard extending across the full width of the lot as measured from the building setback line.

Yard, level means a yard with a slope of no more than five percent.

Yard, rear means a yard extending across the full width of the lot located between the rear lot line and the rear building setback line.

Yard, side means a yard between the main building and the side lot line, extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest part of the side lot line toward the main building.

(Ord. 7331 § 128, 2016; Ord. 6966 § 1, 2007)

19.910.270 "Z" Definitions.

Zero lot line means the location of a building on a lot in such a manner that one or more of the building's walls is situated directly on the lot line or property line.

[GRAPHIC]

Zoning means a police power measure, enacted primarily by units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement and other development standards. ~~This Title~~ **The Zoning Code** consists of a map and text. See definition in the General Plan.

Zoning Administrator means Community & Economic Development Director or his or her designee who is authorized to act as the Zoning Administrator according to the procedures set forth in the California Government Code and this ~~T~~**title**. See definition in Title 18.

(Ord. 7408 § 1, 2018; Ord. 7331 § 128, 2016; Ord. 7300 § 2, 2015; Ord. 7235 § 27, 2013; Ord. 6966 § 1, 2007)

Title 20

CULTURAL RESOURCES

Chapter 20.05 - PURPOSE

Chapter 20.10 - AUTHORITY AND RESPONSIBILITIES

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Chapter 20.25 - CERTIFICATES OF APPROPRIATENESS

Chapter 20.26 - ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES

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Chapter 20.45 - AMENDMENT ~~AND SEVERABILITY~~

Chapter 20.50 - DEFINITIONS

Chapter 20.05 PURPOSE

20.05.010 Purpose.

20.05.010 Purpose.

The purpose of this **Title** is to promote the public health, safety and general welfare by providing for the identification, protection, enhancement, perpetuation and use of improvements, buildings, structures, signs, objects, features, sites, places, areas, districts, neighborhoods, streets, works of art, natural features and significant permanent landscaping having special historical, archaeological, cultural, architectural, community, aesthetic or artistic value in the City for the following reasons:

- A. To safeguard the City's heritage as embodied and reflected in such resources;
- B. To encourage public knowledge, understanding and appreciation of the City's past;
- C. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of cultural resources;
- D. To promote the enjoyment and use of cultural resources appropriate for the education and recreation of the people of the City;
- E. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the City's history and to encourage complementary contemporary design and construction;
- F. To enhance property values and to increase economic and financial benefits to the City and its inhabitants;
- G. To protect and enhance the City's attraction to tourists and visitors, thereby stimulating business and industry;
- H. To identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses;
- I. To integrate the preservation of cultural resources and the extraction of relevant data from such resources into public and private land management and development processes;
- J. To conserve valuable material and energy resources by ongoing use and maintenance of the existing built environment.
- K. To implement the City's General Plan.
- L. To work in concert with the City's **zoning regulations Code**.
- M. To establish procedures relating to the California Environmental Quality Review Act (CEQA) and Section 106 of the National Historic Preservation Act (NHPA) compliance.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 1, 2024; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

Chapter 20.10 AUTHORITY AND RESPONSIBILITIES

20.10.010 Board created—Membership.

20.10.020 Powers and duties of Board.

20.10.030 Historic Preservation Officer.

20.10.010 Board created—Membership.

Pursuant to the provisions of Article VIII of the City Charter, a Cultural Heritage Board has been created by the City Council. The Board shall be composed of nine members appointed by the Mayor and the City Council. Board members shall have the duties and functions set forth in this **Chapter title**.

- A. All members must have a prior demonstrated interest, competence, or knowledge of historic preservation.
- B. No less than two members should be professionals in architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture, urban planning, American studies, American civilization or cultural geography, to the extent that such professionals are available in the community.
- C. The Board shall elect officers and establish its own rules and regulations which shall be consistent with the Charter, the City Council meeting rules, and this Code. The Planning Division shall provide the necessary staff and support to administer the activities of the Board. The Board shall keep a copy of its procedures with the Planning Division.

(Ord. 7108 §1, 2010; Ord. 6765 §1; 2004, Ord. 6566 §1, 2001; Ord. 6263 §1 (part), 1996)

20.10.020 Powers and duties of Board.

A. The Cultural Heritage Board shall:

- 1. Make recommendations to the City Council regarding surveys of cultural resources within the City, in conformance with State Office of Historic Preservation survey standards and guidelines;
- 2. Recommend to the City Council the designation of Landmarks, Historic Districts, Structures or Resources of Merit, and any additional matters pursuant to the provisions of this **Title**;
- 3. Have discretionary authority to review and approve applications and actions to alter, relocate or demolish cultural resources pursuant to the provisions of this **Title**;
- 4. Hear appeals from the Historic Preservation Officer or Qualified Designee's determinations on Administrative Certificates of Appropriateness or the Historic Preservation Fund Committee's recommendations;
- 5. Accept referrals from the Historic Preservation Officer or Qualified Designee;
- 6. Hear appeals taken from formal interpretations made by the Historic Preservation Officer or Qualified Designee;
- 7. Hear appeals from the Historic Preservation Fund Committee's recommendations;
- 8. Adopt standards including preservation guidelines to be used by the approval authority, as defined in this **Title**, in reviewing applications for permits to preserve, alter, relocate or demolish any cultural resource;
- 9. Work for the continuing education of the citizens of Riverside about the heritage of the City and its cultural resources;
- 10. At the direction of the City Council, seek means and resources to protect, retain and preserve cultural resources, such as suggesting legislation and seeking financial support from individuals and local, state and federal governments;
- 11. Consult with and advise the City Council about the Board's duties and functions;
- 12. Assume the responsibilities and duties assigned to it by the City Council under the Certified Local Government Provisions of the National Historic Preservation Act of 1966; such as National Environmental Protection Act ("NEPA") and California Environmental Quality Act ("CEQA") compliance;
- 13. As part of the Board's CEQA review responsibilities, the Board shall identify and advise appropriate City departments and governmental entities of known historical, cultural and

archaeological resources; assess and advise the City Council whether any proposed project would have an adverse effect on the significance of such Cultural Resources; and recommend to the City Council appropriate action in compliance with the City's adopted CEQA procedures; and

14. Encourage public participation in the Cultural Resources program to identify and inventory significant cultural resources in the City;

B. The Cultural Heritage Board may:

1. Recommend zoning and general plan amendments for cultural resources preservation;
2. Conduct an awards program to recognize and encourage public participation in Cultural Resource efforts; and
3. Nominate eligible City-owned cultural resources to the National Register of Historic Places, and encourage, advise, and guide persons in nominating cultural resources to the National Register of Historic Places.
4. By a consensus of the Board, request a workshop to discuss topics under the purview of this [Title](#).

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 2, 2024; Ord. 7206 §1, 2013; Ord. 7108 §1, 2010; Ord. 6765 §1; 2004, Ord. 6566 §1, 2001; Ord. 6263 §1 (part), 1996)

20.10.030 Historic Preservation Officer.

The Historic Preservation Officer or Qualified Designee, in concert with or at the direction of the Community and Economic Development Director, shall:

- A. Provide professional support to the Board.
- B. Administer the Cultural Resources program;
- C. Manage the Boards Certificate of Appropriateness process;
- D. Execute the Administrative Certificate of Appropriateness process;
- E. Coordinate the activities with Riverside County, the State of California, and the federal government;
- F. Compile and maintain a current inventory of all designated Cultural Resources and maintain a database of other properties as appropriate.
- G. Advise the City Council on historic preservation easements, transfer of development rights, property tax incentives, or other Cultural Resource preservation mechanisms;
- H. Assist and support the Board in meeting Certified Local Government requirements; and
- I. Establish criteria for and provide a continuing comprehensive survey of Cultural Resources within the City, conforming with State Office of Historic Preservation Survey Standards and guidelines, and to publicize and periodically update the survey results.
- J. Determine when Cultural Resource reports for specific projects are required for this [Title](#) and/or CEQA.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 3, 2024; Ord. 7248 §1, 2014; Ord. 7206 §2, 2013; Ord. 7108 §1, 2010)

Chapter 20.15 APPROVALS AND HEARINGS

20.15.010 Approval authority.

20.15.020 California Environmental Quality Act (CEQA) Approval.

20.15.030 Public hearing and notice.

20.15.040 Meeting and notice for Certificates of Appropriateness by Board.

20.15.050 Meeting and notice for Administrative Certificates of Appropriateness.

20.15.055 Notice for Demolition Permit Review.

20.15.060 Meeting and notice for Mills Act Applications.

20.15.070 Meeting and notice for Structure Relocations.

20.15.080 Meeting and notice for Cultural Resource Surveys.

20.15.090 Appeals and Referrals.

20.15.100 Effective date.

20.15.110 Time limits.

20.15.120 Time extensions.

20.15.130 Approvals to run with land.

20.15.140 Approval(s) on site during construction.

20.15.010 Approval authority.**Table 20.15.010****Approving and Appeal Authority**

Table 20.15.010 Approving and Appeal Authority					
Type of Permit or Action	Approving and Appeal Authority				
	City Historic Preservation Officer (HPO)	City Cultural Heritage Board	City Council Consent (1,2)	City Council Discussion (1)	City Council Public Hearing (1,2)
<i>Administrative Discretionary Permits/Actions (No Public Hearing Required)</i>					
Administrative Certificate of Appropriateness	F	A/AR/F		A/F	
<i>Discretionary Permits and Actions (Public Meeting or Hearing Required)</i>					
Board Certificate of Appropriateness		F ⁽³⁾		A/F	
<i>Legislative Actions (Public Hearing Required)</i>					
Mills Act Application			F		
Designation of a Structure or		R			A/F

Resource of Merit					
Designation of a Landmark		R			A/F
Designation of a Historic District		R			A/F
R = Recommending Authority; F = Final Approving Authority (unless appealable); A = Appeal Authority; AR = Approving Authority as HPO on Referral;					
Notes: (1) Decisions of the City Council are final and cannot be appealed. (2) An item pulled from the City Council Consent Calendar which was originally heard at a public hearing will need to be re-advertised for a public hearing prior to being heard, otherwise it will be a discussion item. (3) The Cultural Heritage Board is the final authority unless an EIR is being processed, in which case the final authority is City Council					

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 4(Exh. A), 2024; Ord. 7108 §1, 2010; Ord. 7042 §1, 2009; Ord. 6786 §9, 2005; Ord. 6263 §1 (part), 1996)

20.15.020 California Environmental Quality Act (CEQA) Approval.

A. Environmental Impact Report (EIR) Required for CEQA Approval:

1. If an EIR is prepared for any Certificate of Appropriateness, designation, modification, or de-designation, or other action under this Title, final approval of that action is with the City Council.
2. In such cases, the Board shall review the Draft EIR, as it relates to Cultural Resources, and shall make a recommendation to the City Council regarding the following items:
 - a. Whether the Draft EIR has been completed in compliance with CEQA;
 - b. Whether the project will have a significant effect on Cultural Resources; and, if so;
 - c. Whether the changes or alterations proposed for the project, together with any changes or alterations that come forth as a part of the public hearing on the Draft EIR, will avoid or substantially lessen the significant environmental effects as identified in the Draft EIR.
 - d. A recommendation that the project be approved or denied.
3. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.

B. Environmental Impact Report (EIR) Not Required for CEQA Approval

1. If an EIR is not prepared, and a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is prepared, the following shall apply:
 - a. Board Final Approval Authority:
 - i. The Board may adopt the ND or MND, and approve, approve with modification, or deny the project.
 - ii. If the Board's decision is not timely appealed or referred, then the decision becomes final.

- iii. If the decision is timely appealed or referred, it becomes final upon the City Council's disposition of the appeal.

b. City Council Final Approval Authority

- i. The Board shall review the Draft ND or MND, as it relates to Cultural Resources only, and provide comments, together with its recommendation that the project be approved, approved with modifications, or denied.
- ii. The City Council shall consider the Board's comments and recommendation, and may accept, accept with modification, or decline the Board's recommendation.

C. CEQA Appeals. To the extent this Title authorizes the Board or HPO to take action on the adequacy of the CEQA review, said action shall be appealable to the City Council consistent with Pub. Res. Code § 21151(c) provided that: (1) All administrative appeals were exhausted; (2) Appeal is filed within ten days of the decision becoming final; and (3) The appeal is filed in a form and manner required by the Planning Division.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>, § 5, 2024; Ord. 7206 §3, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.15.030 Public hearing and notice.

A. All designations, modifications of designations, and/or dedesignations require a public hearing ("Hearing").

B. All recognitions and derecognitions require a Hearing.

C. Upon the filing of a complete application, a matter shall be set for hearing before the Board within 90 days. The Board may continue a hearing.

D. *Notice of hearing.*

1. Notice of the hearing shall be mailed or delivered at least ten days prior to the hearing to:

- a. The owner of the subject real property or the owner's duly authorized agent, and the project applicant; and
- b. All owners and occupants of real property on the latest records of the County Assessor within 300 feet of the real property. If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of a least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- c. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notices. The City may require requests for notices to be annually renewed.

2. The notice shall be published in at least one newspaper of general circulation within the City at least ten days prior to the Hearing.

3. Neither failure to send any notice by mail to any property owner whose address is not a matter of public record, nor the non-receipt of any notice mailed pursuant to this Cchapter, shall invalidate that Hearing or any part of the proposed designation.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>, § 6, 2024; Ord. 7206 §4, 2013; Ord. 7108 §1, 2010)

20.15.040 Meeting and notice for Certificates of Appropriateness by Board.

- A. *No public hearings are required for Certificates of Appropriateness by Board.* The application shall be set as a discussion calendar item for the Board meeting.
- B. Upon the filing or referral of a complete application, a matter shall be set for a Board meeting within 90 days. The Board may continue a matter as it deems appropriate.
- C. Notice shall be mailed or delivered, at least ten days prior to the meeting, to:
 - 1. The owner of the subject real property or the owner's duly authorized agent, and the project applicant.
 - 2. All owners and occupants of real property within 300 feet of the real property. If the number of owners to whom notice would be mailed or delivered is greater than 1,000, the City may, in lieu of mailing or delivering the notice, provide notice by placing an advertisement of at least one-eighth page in at least one newspaper of general circulation within the City at least ten days prior to the meeting.
 - 3. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.
- D. If a Board Certificate of Appropriateness is referred to the Board by the City Council, failure of the Board to report to the City Council within 90 days, or within the time specified by the City Council, shall be deemed as an approval by the Board.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>, § 7, 2024; Ord. 7108 §1, 2010)

20.15.050 Meeting and notice for Administrative Certificates of Appropriateness.

- A. *No public hearings are required for Administrative Certificates of Appropriateness.* The application shall be considered by the Historic Preservation Officer or Qualified Designee administratively.
- B. Within 60 days, the Historic Preservation Officer or Qualified Designee must act upon a complete application or refer the application to the Board.
- C. Except as otherwise provided in this Title, notice shall be mailed or delivered, at least ten days prior action to:
 - 1. The property owner of the subject real property or the owner's duly authorized agent, and the project applicant.
 - 2. Owners and occupants of adjacent properties or those across a street or alley.
 - 3. Any person or entity that has filed a request for notice to the Planning Division. To the extent permitted under state and local law, the City may use electronic mail as a means to providing notice.
- D. Projects mandated by state law to be reviewed ministerially are exempt from all noticing requirements.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank>
web="yes">Ord. 7657, § 8, 2024; Ord. 7206 §5, 2013; Ord. 7108 §1, 2010)

20.15.055 Notice for Demolition Permit Review.

A. Demolition permit for the primary structure(s) of a property Designated or Eligible Cultural Resource, properties within a Historic District, or contributors to a Neighborhood Conservation Area—Notice shall be given at least 30 days prior to action pursuant to the following:

1. In accordance with Section 20.15.040;
2. Posting a Notice of Application - Demolition Request of durable, weather-resistant material on the property in a conspicuous place within five feet of the front property line. The notice shall specify:
 - a. Date of the demolition application;
 - b. The date of demolition application, applicant, project description, case number, staff contact information, means to submit comments, and applicable public meeting information;
 - c. The placard shall be a minimum of 11" × 17" in size with black block-style letters on contrasting background white or color paper. Project sites with greater than 100 feet of street frontage may require a placard larger than 11" × 17" in size and/or multiple placards, depending on the number of street frontages and width.

B. Noticing is not required for the demolition of accessory structures such as patio covers, gazebos, garages, etc.

(<http://newwords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank>
web="yes">Ord. 7684, § 1, 2024)

20.15.060 Meeting and notice for Mills Act ~~a~~Applications.⁴⁴

A. No public hearing is required for Mills Act applications.

B. The City Council shall approve or deny the application as a consent item or discussion item. (See also Section 20.30.020.)

C. Notice of City Council meeting shall be sent to the property owner.

(Ord. 7206 §6, 2013; Ord. 7108 §1, 2010)

20.15.070 Meeting and notice for Structure Relocations.

A. Structure relocations require a Certificate of Appropriateness.

B. Joint notices for any structure relocations shall made concurrently with and in the same manner required by Chapter 16.20. The area noticed shall be as required by Chapter 16.20, or a 450-foot radius at the destination site, whichever is greater.

⁴⁴ **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. **(FOOTNOTE 355 IN EXHIBIT 2)**

(Ord. 7108 §1, 2010)

20.15.080 Meeting and notice for Cultural Resource Surveys.

- A. No public hearing is required for Cultural Resource Surveys.
- B. The City Council shall approve or deny the Cultural Resource Survey findings as a consent item or discussion item.
- C. Notice of the City Council action taken shall be sent to owners of affected properties.

(Ord. 7108 §1, 2010)

20.15.090 Appeals and Referrals.

A. Appeals.

1. Administrative Action

- a. Any person aggrieved or affected by an Administrative Certificate of Appropriateness decision may appeal that decision to the Board within ten days of the Historic Preservation Officer or Qualified Designee's decision.
- b. The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution.
- c. If the tenth day is on a weekend or holiday, the appeal is extended to the end of the next regular business day.
- d. The letter shall set forth the grounds for the appeal.
- e. To the extent feasible, the appeal shall be scheduled on a Board meeting date mutually agreed upon by the person filing the appeal, the applicant and the City.
- f. The Board may recommend affirming reverse or modify the underlying Historic Preservation Officer or Qualified Designee's decision to the City Council.
- g. Board decisions are final unless appealed or referred to City Council within ten days of the Board action.
- h. For appeal of Administrative actions, notice of the time and place of the Cultural Heritage Board meeting shall be sent to the Applicant and Appellant, and as set forth in this Title.

2. Board Action

- a. Any person affected by the Board action may appeal to the City Council within ten calendar days after the date of the Board's decision.
- b. The appeal must be made by filing a letter of appeal with the Planning Division and shall be accompanied by a filing fee as established by City Council resolution.
- c. If the tenth day is on a weekend or holiday the appeal is extended to the end of the next regular business day.
- d. The letter shall set forth the grounds for the appeal.
- e. The appeal shall be scheduled for a City Council meeting date mutually agreed upon by the person filing the appeal, the applicant and the City.
- f. City Council decisions are final.

g. For appeals of Cultural Heritage Board actions, notice of the time and place of the City Council meeting shall be the same as for the original action.

B. Referral of Board action.

1. The Mayor or any member of the City Council may refer any action taken by the Cultural Heritage Board for consideration on the City Council's discussion calendar agenda by notifying the Community & Economic Development Director.
2. If not referred by the Mayor or City Council, or otherwise appealed within ten days of the Board action, the action of the Board is final.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 9, 2024; Ord. 7206 §8, 2013; Ord. 7108 §1, 2010)

20.15.100 Effective date.

- A. Certificates of Appropriateness shall be effective the first regular business day after the end of the ten day appeal period. Filing of an appeal or referral stays the effective date pending action on the appeal.
- B. Designation, modification, and dedesignation shall be effective on the next City business day following City Council action.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 10, 2024; Ord. 7108 §1, 2010)

20.15.110 Time limits.

Any Certificate of Appropriateness shall become null and void if not exercised within the time limit specified in the approving document or within one year if no time has been specified.

(Ord. 7108 §1, 2010)

20.15.120 Time extensions.

The Historic Preservation Officer or Qualified Designee may administratively extend the term of a Certificate of Appropriateness for one year, no more than twice.

(Ord. 7206 §9, 2013; Ord. 7108 §1, 2010)

20.15.130 Approvals to run with land.

Certificates of Appropriateness and other approvals under this **Title** are transferred upon a change of ownership of the site, business, service, use or structures, provided that the conditions of the original Certificate or approval are fully complied with, and the project is not modified.

(Ord. 7108 §1, 2010)

20.15.140 Approval(s) on site during construction.

A copy of all Certificates of Appropriateness or any other approval under this **Title** shall be kept on site at all times during construction and made available upon request by an official of the City.

(Ord. 7108 §1, 2010)

Chapter 20.20 DESIGNATION

20.20.010 Designation criteria.

20.20.020 Designation application.

20.20.030 Factual investigation.

20.20.040 Board recommendation.

20.20.050 City Council; resolution.

20.20.060 Notice of City Council action.

20.20.070 Recording resolutions.

20.20.080 Overlay Zone.

20.20.090 Landmark plaques and covenants.

20.20.100 Dededesignation.

20.20.110 Appeal.

20.20.120 Reserved.

20.20.010 Designation criteria.

The criteria to designate, modify the status of, or dedesignate Landmarks, Structures or Resources of Merit and Historic Districts, and to modify or dedesignate Neighborhood Conservation Areas, are set forth in their definitions in Chapter 20.50.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.020 Designation application.

The Board, City Council, or any person may apply for the designation, modification, or dedesignation of a landmark, structure or resource of merit, Historic District, or modification or dedesignation of Neighborhood Conservation Area status. Applications for designation, modification, or dedesignation shall be on forms provided by the Planning Division.

No structure may be designated as a landmark or a structure or resource of merit, nor may any designation be modified or repealed (dedesignated), without the prior written consent of the owner. Consent of property owner(s) is not required, but properties cannot be designated over the objection of a property owner(s). Property owner(s) shall be notified by mail within thirty (30) days of application submittal of a designation request. Any property owner in objection to the application shall submit a notarized letter of objection.

The City no longer allows designation of Neighborhood Conservation Areas.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.030 Factual investigation.

The Historic Preservation Officer or Qualified Designee and/or the Planning Division shall make a factual investigation for the designation, modification, or dedesignation as it deems appropriate.

(Ord. 7206 §10, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.040 Board recommendation.

At a public hearing the Board shall make written a recommendation based upon the applicable criteria from Chapter 20.50. The Board shall forward its recommendation to the City Council.

(Ord. 7206 §11, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.050 City Council; resolution.

Based upon the facts before it and the criteria in Chapter 20.50, the City Council may accept, modify, or reject the Board's recommendation. The City Council, in its discretion, based upon the facts and findings before it, shall designate, dedesignate, or modify the status of a Landmark, Structure or Resource of Merit, or Historic District, or modify or dedesignate a Neighborhood Conservation Area, by a numbered resolution setting forth the relevant facts, criteria and findings supporting its actions.

(Ord. 7206 §12, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.060 Notice of City Council action.

A notice of the City Council action shall be sent to the property owner(s). The Planning Division shall update the City's Historic Resources Inventory Database and maps to show the designation, modification, or dedesignation status.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.070 Recording resolutions.

The City Clerk shall record all designation-, modification-, or dedesignation-related resolutions with the Riverside County Recorder.

(Ord. 7108 §1, 2010; Ord. 6263 § 1 (part), 1996)

20.20.080 Overlay Zone.

- A. Pursuant to Title 19 [of this Code](#), upon any designation, the Cultural Resources Overlay Zone applies to the subject property or parcel.
- B. Upon adoption of a historic district resolution by the City Council, the Planning Division shall initiate a rezoning case to apply the CR-Cultural Resources Overlay ~~Z~~zone to the properties within the district. This process shall follow the requirements outlined in Title 19 [of this Code](#).

(<ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank" web="yes">Ord. 7684</ulink>, § 2, 2024; Ord. 7108 §1, 2010; Ord. 6263 § 1 (part), 1996)

20.20.090 Landmark plaques and covenants.

All landmarks shall display and maintain a plaque identifying the Landmark, as provided in a covenant and agreement, recorded with the County Recorder.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.100 Dededesignation.

The procedure to modify or repeal the designation of designated Landmarks, Structures or Resources of Merit, Historic Districts, and modify or repeal the designation of Neighborhood Conservation Areas is the same procedure used to designate those resources, as set forth in this [Chapter](#).

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.20.110 Appeal.

For appeals of a Board recommendation on any designation, modification, or dedesignation under this [Chapter](#), see Section 20.15.090(B). City Council actions are final and non-appealable.

(Ord. 7206 §13, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

~~20.20.120 Reserved.~~

~~**Editor's note** — <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank> web="yes">Ord. No. 7684, § 3, adopted September 17, 2024, repealed § 20.20.120. Former § 20.20.120 pertained to designation process in flow chart form and derived from Ord. 7108, § 1, adopted 2010 and Ord. 7248, § 2, adopted 2014.~~

CHAPTER 20.21 RECOGNITION

20.21.010 Recognition criteria.

20.21.020 Recognition application.

20.21.030 Factual Investigation.

20.21.040 Board recommendation.

20.21.050 City Council; resolution.

20.21.060 Notice of City Council action.

20.21.070 Point of cultural interest plaques.

20.21.080 Derecognition.

20.21.090 Appeal.

20.21.010 Recognition criteria.

The criteria to recognize a point of cultural interest are set forth in the definition in Chapter 20.50.

(Ord. 7344 §1, 2016)

20.21.020 Recognition application.

The Board, City Council, or any Person may apply for the recognition, modification, or derecognition of a point of cultural interest. Applications for recognition, modification, or derecognition shall be on forms provided by the Planning Division.

(Ord. 7344 §1, 2016)

20.21.030 Factual Investigation.

The Historic Preservation Officer or Qualified Designee and/or the Planning Division shall make a factual investigation for the recognition, modification, or derecognition as it deems appropriate.

(Ord. 7344 §1, 2016)

20.21.040 Board recommendation.

At a public hearing the Board shall make written a recommendation based upon the applicable criteria from Chapter 20.50 [of this Title](#). The Board shall forward its recommendation to the City Council.

(Ord. 7344 §1, 2016)

20.21.050 City Council; resolution.

Based upon the facts before it and the criteria in Chapter 20.50 [of this Title](#), the City Council may accept, modify, or reject the Board's recommendation. The City Council, in its discretion, based upon the facts and findings before it, shall recognize, derecognize, or modify the recognition of a Point of Cultural Interest, by a numbered resolution setting forth the relevant facts, criteria and findings supporting its actions.

(Ord. 7344 §1, 2016)

20.21.060 Notice of City Council action.

A notice of the City Council action shall be sent to the owner(s) of property within the point of cultural interest. Notice shall be given according to Section 20.15.030: Public Hearing and Notice. Though not a cultural resource, for the convenience of Planning Department Staff and the public, the Planning Division shall update the City's Historic Resources Inventory Database and maps to show the recognition, modification, or derecognition of interest.

(Ord. 7344 §1, 2016)

20.21.070 Point of cultural interest plaques.

A plaque, or other interpretive device satisfactory to the City, shall erected to recognize and explain the point of cultural interest.

(Ord. 7344 §1, 2016)

20.21.080 Derecognition.

The procedure to modify or repeal the recognition of a point of cultural Interest is the same procedure used to recognize those resources, as set forth in this [Chapter](#).

(Ord. 7344 §1, 2016)

20.21.090 Appeal.

For appeals of a Board recommendation on any recognition, modification, or derecognition of a point of cultural interest under this [Chapter](#), see Section 20.15.090(B). City Council actions are final and non-appealable.

(Ord. 7344 §1, 2016)

Chapter 20.25 CERTIFICATES OF APPROPRIATENESS

20.25.010 Certificates of Appropriateness, Required.

20.25.015 Certificates of Appropriateness Not Required.

20.25.020 Application.

20.25.025 Board Certificates of Appropriateness.

20.25.030 Administrative Certificates of Appropriateness.

20.25.040 Referral to the Cultural Heritage Board.

20.25.050 Principles and standards of site development and design review.

20.25.060 Appeals.

20.25.070 Application of the State Historic Building Code.

20.25.080 Reserved.

20.25.010 Certificates of Appropriateness, Required.

A. In addition to any and all other City permit requirements a Certificate of Appropriateness is required before any person restores, rehabilitates, alters, develops, constructs, demolishes, removes, or changes the appearance of any:

1. Designated Cultural Resource;
2. Eligible Cultural Resource; or
3. Any element in a geographic Historic District (contributing and non-contributing) or contributor to Neighborhood Conservation Area (contributor).

B. Alterations that require Certificates of Appropriateness include changes to the exterior, unless otherwise designated per the designating resolution or per the requirements of the Secretary of Interior's Standards for the Treatment of Historic Properties.

C. Non-contributors and Non-contributing Features in Historic Districts and individually significant properties are subject to the Certificate of Appropriateness requirements; however, the principles, issues and standards are different than for Contributing features.

D. For the demolition of structures not previously identified as Cultural Resources, the Community & Economic Development Director and Historic Preservation Officer may require a Cultural Resources Report be prepared pursuant to Section 20.26.010 [of this Title](#) for the demolition of structures not previously identified as Eligible Cultural Resources, but may meet designation criteria, to determine if the structure is eligible for designation. If the subject property is found eligible for designation, a Certificate of Appropriateness and associated CEQA review is required pursuant to this [Chapter](#).

E. When granting a demolition permit for a Designated or Eligible Cultural Resource, a property within an Historic District, or contributors within a Neighborhood Conservation Area, additional conditions may be added by the Historic Preservation Officer/Board, as appropriate.

(<ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank"

web="yes">Ord. 7684</ulink>, § 4, 2024; <ulink class="ordbank" print="yes"

url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank"

web="yes">Ord. 7657</ulink>, § 11, 2024; Ord. 7206 §14, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.25.015 Certificates of Appropriateness Not Required.

No Certificate of Appropriateness is required for:

A. Dangerous Condition:

1. Modifications to a Cultural Resource does not require a Certificate of Appropriateness, if the Building Official has determined that structure presents an unsafe or dangerous condition constituting an imminent threat as defined in the California Building Code: or
2. A dangerous building as defined by the Uniform Code for the Abatement of Dangerous Buildings, and the proposed action is necessary to mitigate the unsafe or dangerous condition.
3. Before any physical work on any such unsafe structure, the Building Official shall make all reasonable efforts to consult with the Historic Preservation Officer or Qualified Designee to seek feasible alternatives to the proposed action that will adequately protect the public health and safety.

B. Structures found ineligible for historic designation in an adopted Cultural resource survey, Section 20.50.010, or a Cultural Resource Report, Section 20.26.010.

C. Non-contributors and Non-contributing features in Neighborhood Conservation Areas are not subject to the Certificate of Appropriateness requirements.

(<ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>, § 15, 2024)

20.25.020 Application.

A. Submittal requirements.

1. Applications for a Certificate of Appropriateness shall be made on forms provided by the Planning Division. Applications shall include:
 - a. Plans and specifications showing the design, materials, colors, landscaping, and irrigation relating to the proposed improvements.
 - b. Where required, applications shall also show the relationship of the proposed work to the surrounding environs.
 - c. Applications for new construction in a Historic District or Neighborhood Conservation Area shall also include such relevant information as how the new improvement relates to the existing architectural style, scale, massing, site, streetscape, landscaping, and signage.
 - d. The Planning Division may require any additional information deemed necessary to make an informed judgment of the proposed work according to the standards of this Chapter.
2. *Signature and fees required.*
 - a. Applications will not be accepted by the Planning Division without required signed application forms and permit.
 - b. Any owner, owner's authorized representative or the City Manager, or his/her designee, may sign an application.

- c. Applicable fees shall be those established by City Council Resolution and published in the Schedule of Fees available from the Planning Division.

3. *Indemnification.*

- a. With the submittal of any application, the owner and/or applicant agrees that upon approval of its application the owner and/or applicant shall defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action or proceeding against the City of Riverside, its agents, officers or employees, that attacks, set asides, voids, or annuls, any approval by the City concerning:
 - i. Any such approval of the City; and/or
 - ii. An action taken to provide environmental clearance under CEQA by its advisory agencies, appeal boards or City Council.
- b. The owner and/or applicant shall execute an indemnification agreement in a form acceptable to the City Attorney.
- c. In the event any claim, action or proceeding is brought, the City shall promptly notify the owner and/or applicant of the existence of the proceeding and the City will cooperate fully in the defense of the proceeding. Nothing in this Section shall prohibit the City from participating in the defense of any proceeding.
- d. If the applicant is required to defend the City in connection with any proceeding described in this Section, the City shall retain the right to approve:
 - i. The counsel to so defend the City;
 - ii. All significant decisions concerning the manner in which defense is conducted; and
 - iii. Any and all settlements, which approval shall not be unreasonably withheld.
- e. The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the applicant in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City.

B. *Application Completeness Review:* All applications filed with the Planning Division in compliance with this Title shall be initially reviewed by the Historic Preservation Officer, or Qualified Designee. The application shall be processed as follows:

- 1. *Complete applications.* The applicant shall be notified in writing of the determination either that all the submittal requirements have been satisfied and that the application has been accepted as complete.
- 2. *Incomplete applications.* The applicant shall be notified in writing of the determination that specific information and or materials are still necessary to complete the application. The letter may also identify preliminary information regarding the areas in which the submitted plans are not in compliance with the principles and standards as set forth in this ~~T~~title.

3. *Withdrawals.*

- a. Submittal of withdrawals. All withdrawal requests shall be submitted in writing to the Planning Division, identifying the application being withdrawn.
- b. Resubmittal of withdrawn applications. Any resubmittal of a withdrawn application shall require submittal of a new application along with the appropriate fees and a new case number will be assigned.

4. *City inactivity determination.*

- a. The City, at its discretion, may deem any application inactive if it remains incomplete for 180 calendar days from the date of the original submittal and no meaningful progress has been taken by the applicant in response to deficiencies with the application.
- b. The City shall notify the applicant in writing of its intention to deem the application inactive at least 30 calendar days prior to determination.
- c. Subsequent to an application being deemed complete, the City may terminate an application due to inactivity consistent with the above procedures.

5. *Mutual agreement to extension of time.* Nothing in this Section precludes the applicant and the City from mutually agreeing to an extension of any time limit provided by this Section.

C. *Relationship to other Discretionary Approvals:* If a project requires other Entitlements under Title 19 in addition to a Board Certificate of Appropriateness, the Cultural Heritage Board meeting shall occur prior to the meeting for associated ~~e~~Entitlements.

([ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank" web="yes">Ord. 7684</ulink>](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank), § 5(Exh. A), 2024; Ord. 7108 §1, 2010; Ord. 6263 § 1 (part), 1996)

20.25.025 Board Certificates of Appropriateness.

Except as set forth in this Chapter, Certificates of Appropriateness shall be reviewed by the Cultural Heritage Board.

([ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank), § 13, 2024)

20.25.030 Administrative Certificates of Appropriateness.

The Historic Preservation Officer or Qualified Designee may administratively approve, approve with conditions, refer to the Board, or deny a Certificate of Appropriateness as follows:

A. For any cultural resources, including landmarks (designated and eligible):

1. New or replacement fences, walls, awnings, and/or exterior lightings.
2. The in-kind replacement of historically-correct architectural features or building elements, including windows, doors, exterior siding, roofs, porches, cornices, balustrades, stairs, and the like, that are deteriorated, damaged beyond restoration, or previously removed.
3. The in-kind replacement of historically correct site, or contributing landscape features that are deteriorated, damaged beyond restoration, or previously removed.
4. Removal or alteration of landscape features, such as walkways, planter walls, fountains, and in certain circumstances mature foliage, that contribute to the historic character of the resource but are not designated or listed as contributing to a designated resource.
5. The removal of inappropriate additions or alterations to restore the original appearance of a structure.
6. Paving for driveways, walkways and/or patios, and the addition of or alteration to driveway approaches, subject to WQMP requirements.

7. Exterior painting of commercial properties and/or designated landmarks, including only those surfaces allowed to be painted include only those that were originally intended to be painted and exclude all other surfaces, such as brick, concrete, and stone.

B. For any cultural resources, excluding landmarks:

1. One-story additions to a single-story structure, less than 50 percent of the size of the existing main structure (or 1,000 square feet area, whichever is smaller, for residential), with limited or no visibility from public streets.
2. Two-story Accessory Dwelling Unit (ADU) and second-story additions to existing single-story structures, auxiliary structures (excluding attached garages) for an ADU, when the main residence is at least two-stories in height.
3. Demolition of a, or the replacement of a previously existing, one-story, detached garage and construction of a new one-story, detached garage that is architecturally compatible with the existing residence and character-defining features of the existing neighborhood and the area devoted to parking does not exceed 400 square feet, or the minimum size for a two-car garage as required by the City ~~z~~Zoning ~~regulations-Code~~, whichever is greater. Maximum size of the structure shall not exceed City ~~z~~Zoning ~~Code~~ requirements.

C. For non-contributing features and non-contributors in a Historic District, all actions except:

1. Demolition.
2. New and in-fill construction.
3. Large additions (increasing floor area by 50 percent or more).
4. Increasing the number of stories (e.g., adding a second story to a single-story structure).

D. Under A, B and C above, the Historic Preservation Officer or Qualified Designee may waive noticing requirements and/or formal application forms for cases that are immediately determined to meet all required findings because they involve alterations deemed insignificant or having no impact on the significance or integrity of the Cultural Resources, such as fences, landscaping, like-for-like repair, or similar.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 14, 2024; Ord. 7206 §15, 2013; Ord. 7108 §1, 2010; Ord. 6263 § 1 (part), 1996)

20.25.040 Referral to the Cultural Heritage Board.

The Historic Preservation Officer or Qualified Designee may, in its sole discretion, decline to administratively review any application and refer the application to the Board.

(Ord. 7206 §16, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.25.050 Principles and standards of site development and design review.

The Board and Historic Preservation Officer or Qualified Designee shall make findings of the following standards when applicable to approving or denying a Certificate of Appropriateness.

- A. For proposed projects involving individually significant Cultural Resources (i.e. City Landmarks, Structures of Merit, etc.), the proposed project should demonstrate:

1. Consistency or compatibility with the architectural period and the character-defining elements of the historic building, such as colors, textures, materials, fenestration, decorative features, details, height, scale, massing, and method of construction;
 2. The proposed project does not destroy or pose a substantial adverse change to an important architectural, historical, cultural or archaeological feature or features of the Cultural Resource;
 3. Compatibility with context considering the following factors: grading; site development; orientation of buildings; off-street parking; landscaping; signs; street furniture; public areas; relationship of the project to its surroundings;
 4. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties; and
 5. As applicable, consistency with other federal, state, and/or local guidelines.
- B. For proposed projects involving contributors or contributing feature within Historic Districts and Neighborhood Conservations Areas, the proposed project should demonstrate:
1. Compatibility with the height, scale, or massing of the contributor (or contributing feature) the Cultural Resource;
 2. Compatibility with colors, textures, materials, decorative features of the contributor (or contributing feature) to the Cultural Resources;
 3. The proposed change does not destroy or pose a substantial adverse change to an important architectural, historical, cultural or archaeological feature or features within boundary of the Cultural Resource;
 4. Compatibility with the context of the Cultural Resource regarding grading, site development, orientation of buildings, landscaping, signs, or public areas;
 5. Consistency with the Citywide Residential Historic District Design Guidelines, approved guidelines for each Historic District, and/or any other applicable Design Guidelines; and
 6. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- C. For non-contributors in a Historic District, the proposed project should demonstrate:
1. Compatibility with the height, scale, or massing of contributors within the Historic District, and as allowed by Title 19-Zoning;
 2. Compatibility with the colors, textures, roof forms, and materials of contributors or the architectural period within the Historic District;
 3. That the proposed project does not pose an adverse change to the Historic District or its context;
 4. Consistency with the Citywide Residential Historic District Design Guidelines and the Historic District guidelines; and
 5. Consistency with the principles of the Secretary of the Interior's Standards for the Treatment of Historic Properties.

([ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank"](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank)
web="yes">Ord. 7657</ulink>, § 15, 2024; Ord. 7206 §17, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1
(part), 1996)

20.25.060 Appeals.

Section 20.15.090 shall apply for appeals of any approval, conditional approval or denial of a Certificate of Appropriateness under this ~~C~~chapter.

(~~<ulink class="ordbank" print="yes"~~
~~url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank"~~
~~web="yes">Ord. 7657</ulink>~~, § 16, 2024; Ord. 7206 §18, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1
 (part), 1996)

20.25.070 Application of the State Historic Building Code.

Pursuant to the California Health and Safety Code, the Building Official may apply the State Historic Building Code in permitting repairs, alterations and additions necessary for the preservation, restoration, rehabilitation, moving, or continued use of a designated cultural resource.

(Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

~~20.25.080 Reserved.~~

~~**Editor's note**—<ulink class="ordbank" print="yes"~~
~~url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank"~~
~~web="yes">Ord. No. 7684</ulink>~~, § 6, adopted September 17, 2024, repealed § 20.25.080. Former §
 20.25.080 pertained to certificate of appropriateness process in flow chart form and derived from Ord.
 6263, § 1(part), adopted 1996; Ord. 7108, § 1, adopted 2010 and Ord. 7248, § 3, adopted 2014.

Chapter 20.26 ARCHAEOLOGICAL AND TRIBAL CULTURAL RESOURCES

20.26.010 Cultural Resources Reports.

20.26.020 Tribal Consultation.

20.26.010 Cultural Resources Reports.

A Cultural Resources Report, meeting the requirements established by the Planning Division, may be required for any discretionary action that meets at least one on the following criteria, as determined by the Historic Preservation Officer or Qualified Designee:

- A. The proposed project has the potential to impact a Cultural Resource (designated or eligible) as defined in this ~~T~~itle.
- B. The proposed project has the potential to impact a structure that is over 50 years of age or may be eligible for City, State or National Designation.
- C. The project is located near a known archeological site such as:
 1. Within 1,000 feet of a documented site; or
 2. Within or adjacent to an area of high archeological sensitivity as defined by the City's General Plan.
- D. Contains site features such as:
 1. Steep slopes that are undeveloped;
 2. Canyons;
 3. Arroyos;

4. Rivers or streams and/or adjacency;
5. Rock outcroppings: and/or
6. Undeveloped land at the base of steep slopes.

E. The Eastern Information Center determination that a Phase 1 Archeological Study is necessary.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank>
web="yes">Ord. 7657, § 17(Exh. C), 2024)

20.26.020 Tribal Consultation.

When required, Tribal Consultation shall be completed in accordance with CEQA.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank>
web="yes">Ord. 7657, § 17(Exh. C), 2024)

Chapter 20.30 PRESERVATION INCENTIVES

20.30.010 Preservation incentives.

20.30.020 Mills Act Program.

20.30.010 Preservation incentives.

The City Council may establish preservation incentives to encourage owners to designate, maintain, preserve, rehabilitate, and improve cultural resources. Only properties designated as cultural resources pursuant to the provisions of ~~this Title~~[Riverside Municipal Code Title 20](#) shall be eligible to apply for preservation incentives.

(Ord. 7108 §1, 2010; Ord. 6778 § 1, 2004; Ord. 6566 §2, 2001; Ord. 6263 §1 (part), 1996)

20.30.020 Mills Act Program.

Pursuant to Government Code ~~S~~section 50280 et seq. ("the Mills Act"), the City Council has established, by Resolution 20825 (as amended) a Mills Act Program providing for contractual agreement with an owner of a historic property as designated by the City Council or listed on any official federal, state, or county register for the purpose of preservation, rehabilitation, and maintenance of a designated historic resource. A Mills Act Agreement allows an owner to receive a reduction in property taxes in exchange for the property owner's commitment to specific repair, restoration and/or rehabilitation improvements and satisfactory maintenance of the Historic Property. A Mills Act Agreement is for a minimum period of ten years, renewed annually, unless a notice of non-renewal or cancellation is filed. Mills Act applications will be accepted between January 1 and May 31 of the calendar year. A Mills Act application will be acted upon by the City Council before the end of the calendar year during which it was submitted.

(Ord. <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1185576&datasource=ordbank>
web="yes">7611 § 1, 2022; Ord. 7206 §19, 2013; Ord. 7108 §1, 2010; Ord. 6566 §2, 2001; Ord. 6263 §1 (part), 1996)

Chapter 20.35 DUTY TO MAINTAIN

20.35.010 Duty to maintain.

20.35.020 Relationship to other provisions.

20.35.010 Duty to maintain.

Every person in possession or control, and the owner, of a Cultural Resource or a building, structure, object or site within a Historic District or Neighborhood Conservation Area shall maintain and keep in good repair the exterior of that resource, and all interior portions necessary to prevent loss or deterioration of any cultural or structural integrity. "Good repair" means that level of maintenance and repair which clearly furthers the continued viability of a resource and/or premises for lawful reasonable uses and prevents loss or deterioration of the resource and/or premises. Such maintenance shall be in compliance with all applicable Codes, laws and regulations governing the maintenance of property. In addition to any other remedies available to the City, this ~~Section~~ shall also be enforceable by the Code Enforcement Division of the Community and Economic Development Department to the full extent permissible by law. Failure to maintain a Cultural Resource may result in a Determination of Nuisance and Summary Abatement.

([ulink class="ordbank" print="yes" url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank" web="yes">Ord. 7657</ulink>](http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank), § 19, 2024; Ord. 7108 §1, 2010; Ord. 6775 §1, 2004 (part); Ord. 6263 §1 (part), 1996)

20.35.020 Relationship to other provisions.

Any duties or obligations set forth in this ~~Title~~ are in addition to those set forth in Title 6 of this Code, including Chapters 6.11 ("Maintenance and Rehabilitation of Vacant and Neglected Buildings"), 6.14 ("Property Maintenance"), and 6.15 ("Abatement of Public Nuisances"). If there is any conflict between this ~~Title~~ and any other provision of ~~this the Municipal~~ Code, except as provided herein, Title 20 shall prevail.

(Ord. 7108 §1, 2010; Ord. 6775 §1, 2004 (part))

Chapter 20.40 ENFORCEMENT AND PENALTIES

20.40.010 Violations.

20.40.020 Criminal penalties.

20.40.030 Nuisance.

20.40.040 Stop work orders.

20.40.050 Remedies.

20.40.060 Moratoriums.

20.40.070 Legal actions.

20.40.080 Code Enforcement Updates.

20.40.010 Violations.

No person shall alter or demolish a Cultural Resource or a building, structure, object or site within a Historic District or Neighborhood Conservation Area in violation of this ~~Title~~, either actively or passively, including through neglect.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank>
web="yes">Ord. 7657, § 20, 2024; Ord. 7108 §1, 2010; Ord. 6263 § 1 (part), 1996)

20.40.020 Criminal penalties.

Any person who violates a requirement of this [Title](#) or fails to obey an order issued by the City, including the Historic Preservation Officer or Qualified Designee and the Board, and/or or comply with a condition of approval of any certificate or permit issued under this [Title](#), shall be guilty of a misdemeanor.

(Ord. 7206 §21, 2013; Ord. 7108 §1, 2010)

20.40.030 Nuisance.

Any alteration or demolition of a cultural resource in violation of this [Title](#) is declared to be a nuisance.

(Ord. 7108 §1, 2010)

20.40.040 Stop work orders.

The Community & Economic Development Director or designee has the authority to issue a stop work order for any violation or threatened violation of this [Title](#). A stop work order shall be written in the format deemed appropriate by the issuer. The stop work order shall remain in effect until written notice of rescission by the Community & Economic Development Director or designee, or until City Council action to remove or modify the order, in addition to any other enforcement under any other provision of the Municipal Code or law.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank>
web="yes">Ord. 7657, § 21, 2024; Ord. 7206 §22, 2013; Ord. 7108 §1, 2010)

20.40.050 Remedies.

A. Remedies shall apply to any violation of this [Chapter](#). All remedies shall be cumulative to each other and not exclusive.

B. Remedies are at the sole discretion of the City and may include one or more of the following:

1. Administrative Certificate of Approvals and Non-contributors in a Historic District:

- a. A retroactive Certificate of Appropriateness as defined in this Title shall be required; and
- b. All conditions of the Certificate of Appropriateness shall be satisfied.

2. Board Issued Certificate of Appropriateness - Retroactive compliance.

- a. A retroactive Certificate of Appropriateness as defined in this Title shall be required; and
- b. All conditions of the Certificate of Appropriateness shall be satisfied.

3. *Restoration.*

- a. A violation may be abated by restoring or reconstructing the Cultural Resource to its original condition prior to the violation.
- b. The violator must obtain a Certificate of Appropriateness prior to restoration.

- c. Restoration shall use as much of the original material as possible. The City can compel the violator to perform or provide for the restoration, or the City may perform or provide the restoration and recover all of its costs from the violator.
- d. The City may place a lien on the property as provided for in ~~Municipal Code~~ Chapter 6.15 of this Code.

4. *Civil penalty.*

- a. If, in the sole judgment of the City, Restoration is not feasible, the City Council may impose a civil penalty equal to the cost of restoring the cultural resource to its pre-violation condition, and all administrative and enforcement fees.
- b. The City shall fix the costs through appraisals or by soliciting bids.
- c. All collected funds shall be set aside and used only for CLG duties and required responsibilities.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank"
web="yes">Ord. 7657</ulink>, § 22, 2024; Ord. 7108 §1, 2010)

20.40.060 Moratoriums.

In addition to Section 20.40.050 above, the City Council may impose up to a five-year moratorium on any City approvals and permits in response to a violation. The purpose of the moratorium is to provide the City an opportunity to study and determine appropriate mitigation measures for the alteration or removal of the Cultural Resource, and to ensure measures are incorporated into any future development plans and approvals for the subject property. Mitigation measures as determined by the City shall be imposed as a condition of any subsequent permit for development of the subject property. All time periods are calculated from the date the City actually learns of the violation. Permits for City-approved restoration of the resource or property are exempt from the moratorium.

If a project is proposed for a site under a moratorium, the City Council may reconsider and expunge or modify the moratorium. Expungement will require, at a minimum, retroactive compliance with the Certificate of Appropriateness Process, and CEQA (including mitigation), and an expungement levy of up to treble damages of the penalty defined in Section 20.40.050.C.

(Ord. 7108 §1, 2010)

20.40.070 Legal actions.

The City Attorney may maintain an action for injunctive relief to restrain a violation, or seek restoration and/or penalties. The City Attorney may also pursue any other action or remedy authorized under ~~this the Municipal Code~~, state statutes and/or in equity for any violation of this ~~T~~title. Civil remedies shall be in addition to any criminal prosecution and penalty, or any other remedy provided by law.

(Ord. 7108 §1, 2010)

20.40.080 Code Enforcement Updates.

The Board may request an update from the HPO regarding any matter subject to an enforcement action pursuant to this Chapter.

(<ulink class="ordbank" print="yes"
url="http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank"
web="yes">Ord. 7657</ulink>, § 23, 2024)

Chapter 20.45 AMENDMENT ~~AND SEVERABILITY~~

20.45.010 Amendment.

20.45.020 Procedures.

~~20.45.030 Severability.~~**20.45.010 Amendment.**Amendments to this ~~T~~title may be initiated in any one of the following manners:

- A. Upon minute action of the City Council.
- B. Upon minute action of the Cultural Heritage Board.
- C. Upon the written request of the Community and Economic Development Director or designee.
- D. Upon application by a property owner or owners of any parcel subject to this ~~T~~title and subject to payment of a fee.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 24, 2024; Ord. 7206 §23, 2013; Ord. 7108 §1, 2010; Ord. 6263 §1 (part), 1996)

20.45.020 Procedures.

- A. *Recommendation and approval.* Any proposed amendment to this ~~T~~title must first be sent to the Board for review and recommendation. The Board shall recommend that the City Council amend, not amend, or amend the proposal as modified by the Board. The City Council is the final approving authority.
- B. *Notice.* The Cultural Heritage Board shall hold a public hearing on any amendment. Notice of the hearing shall be published in at least one newspaper of general circulation within the City at least ten days prior to the hearing.
- C. *Adoption.* Amendments of this ~~T~~title shall be adopted by ordinance of the City Council, which constitutes final action.
- D. *Required findings.* In acting to approve an amendment, the City Council shall make the following findings:
 - 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 ~~T~~title.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 25, 2024; Ord. 7108 §1, 2010)

~~20.45.030 Severability.~~⁴⁵

~~If any section, sentence, clause, or phrase of this title is for any reason held to be invalid by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this title. The City Council declares that it would have passed this ordinance and adopted this title, and~~

⁴⁵ Sec. 20.45.030. Severability. Text duplicative of Title 1 general provisions should be stricken as shown.
(FOOTNOTE 356 IN EXHIBIT 2)

~~each section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.~~

~~(Ord. 7108 §1, 2010)~~

Chapter 20.50 DEFINITIONS

20.50.010 Definitions.

20.50.020 Interpretation.

20.50.010 Definitions.

For the purposes of this ~~T~~**T**itle, these terms are defined as follows:

Alteration means any change, modification, or demolition, through public or private action, to the character-defining or significant physical features of properties affected by this ~~T~~**T**itle. Such changes may be: changes to, or modifications of, structural or architectural details or visual characteristics; grading; surface paving; the addition of new structures; the cutting or removal of designated trees, landscapes or other natural features; the disturbance of archaeological sites or areas; or the placement or removal of any significant objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings, or landscape accessories affecting the significant visual and/or historical qualities of the Cultural Resource.

Board means the Cultural Heritage Board.

Certificate of Appropriateness means a certificate, issued by the Board or Historic Preservation Officer or Qualified Designee that approves plans, specifications, or statements of work for any proposed alteration, removal, relocation or demolition of any cultural resource.

Certified Local Government (CLG) means a local government certified under federal law by the California State Office of Historic Preservation for the purpose of more direct participation in federal and State historic preservation programs.

Character defining features means the overall shape of the building, its materials, craftsmanship, decorative details, architectural features, and the various aspects of its site and environment.

Contributing feature means a site, improvement, or natural feature that within a Historic District, Neighborhood Conservation Area, or an individually significant property that provides appropriate historic context, historic architecture, historic association, or historic value, or is capable of yielding important information about the period including, but not limited to: streets, curbs, sidewalks, streetlights, street furniture, signs, landscaping, monuments, and works of art, gutters, setbacks, signage, parkway, alleys, walls, fencing, and gates.

Contributor means a building structure within a Historic District or Neighborhood Conservation Area that provides appropriate historic context, historic architecture, historic association or historic value, or is capable of yielding important information about the period.

Cultural landscape means a geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with a historic event, activity, or person or exhibiting other cultural or aesthetic values.

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 ~~this Title~~**Title 20** is expressly not under this definition. Cultural resource has the same meaning as historic resource pursuant to the California Government Code.

Cultural ~~R~~esources Overlay Zone means a Title 19 zoning category applied to a property identified as a Designated Cultural Resource.

Cultural resources survey means a project that surveys and identifies properties within the City according to the standards set forth in National Register Bulletin #24. Completed surveys shall have findings adopted by City Council, as a consent or discussion item.

Demolition of a cultural resource means the removal, over a 5-year period, of more than 25 percent of the wall(s) and roof forms on the primary elevation and/or facing a public street(s) or 50 percent of entire structure.

Demolition by neglect means the practice in which the owner of a cultural resource, or designee, allows the continued deterioration of a resource over a period of time as a result of lack of maintenance, failure to protect the resource from pests or vandals, and/or failure to take reasonable measures to prevent ingress of water or wind through the roof, walls, or apertures of the resource, leading to deterioration and/or structural failure that results in complete or partial demolition (50% or more), the loss of character-defining features, and/or that constitutes a threat to public health and safety.

Design guidelines means the document approved by the Board which illustrates appropriate and inappropriate methods of alteration and construction. The purpose of design guidelines is to promote appropriate design and decision-making and to preserve the integrity and character defining features of cultural resources. The Secretary of the Interior's Standards for the Treatment of Historic Properties shall serve as design guidelines where there exist no other established design guidelines.

Designated cultural resource means any cultural resource that has been designated a City landmark, structure or resource of merit, Historic District, or Neighborhood Conservation Area (prior to 2006); County Landmark, County Historic Preservation District, a California Point of Historical Interest or Historical Landmark; a National Heritage Landmark; or is listed in the National Register of Historic Places or the California Register of Historical Resources.

Eligible cultural resource means a cultural resource or Historic District which has been determined by the Historic Preservation Officer or Qualified Designee, Board, or City Council to meet the City's designation criteria pursuant to a survey prepared by a professional meeting the Secretary of the Interior's standards which either documents the resource, records the resource on the State Department of Parks and Recreation survey forms, or has been so designated by the California State Historic Preservation Officer.

Historic District means an area which contains:

- A. A concentration, linkage, or continuity of cultural resources, where at least 50 percent of the structures or elements retain significant historic integrity, (a "geographic Historic District") or
- B. A thematically-related grouping of cultural resources which contribute to each other and are unified aesthetically by plan or physical development, and which have been designated or determined eligible for designation as a Historic District by the Historic Preservation Officer or Qualified Designee, Board, or City Council or is listed in the National Register of Historic Places or the California Register of Historical Resources, or is a California Historical Landmark or a California Point of Historical Interest (a "thematic Historic District").

In addition to either A. or B. above, the area also:

- 1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- 2. Is identified with persons or events significant in local, State, or national history;
- 3. Embodies distinctive characteristics of a style, type, period, or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
- 4. Represents the work of notable builders, designers, or architects;
- 5. Embodies a collection of elements of architectural design, detail, materials or craftsmanship that represent a significant structural or architectural achievement or innovation;
- 6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning;
- 7. Conveys a sense of historic and architectural cohesiveness through its design, setting, materials, workmanship or association; or

8. Has yielded or may be likely to yield, information important in history or prehistory.

Historic Preservation Officer is the person selected by the Community Development Director for the City of Riverside and appointed by the City Manager to administer the cultural resources program, including professional support to the Board, management of both the Board's Certificate of Appropriateness process, and execution of the Administrative Certificate of Appropriateness process. The Historic Preservation Officer shall meet the requirements of the Department of the Interior, National Park Service as set forth in Appendix A to Title 36, Part 61 (Professional Qualification Standards).

Improvement means any building, structure, fence, gate, wall, landscaping, planted tree, work of art, or other man-made physical feature of real property, or any part of such feature which is not a natural feature.

In-kind replacement means to match the old in material, design, color, and texture, when sufficient information is known about the original to be replaced. Refer to the Secretary of Interior Standards for Historic Properties for more specific information on in-kind replacement as applies to the appropriate level of treatment (i.e.: preservation, rehabilitation, restoration, or reconstruction). If sufficient information is not known about the original to be replaced, in-kind replacement is not possible.

Integrity means the ability of a cultural resource to convey its significance. To retain integrity a cultural resource must retain most of the aspects that closely relate to the resource's significance including location, design, setting, materials, workmanship, feeling, and association.

Land Use Committee means the Land Use, Sustainability, and Resilience Committee.

Landmark means:

- A. Any improvement or natural feature that is an exceptional example of a historical, archaeological, cultural, architectural, community, aesthetic or artistic heritage of the City, retains a high degree of integrity; and
- B. Meets one or more of the following criteria:
 1. Exemplifies or reflects special elements of the City's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
 2. Is identified with persons or events significant in local, state or national history;
 3. Embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
 4. Represents the work of a notable builder, designer, or architect, or important creative individual;
 5. Embodies elements that possess high artistic values or represents a significant structural or architectural achievement or innovation;
 6. Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning, or cultural landscape;
 7. Is one of the last remaining examples in the City, region, State, or nation possessing distinguishing characteristics of an architectural or historical type or specimen; or
 8. Has yielded or may be likely to yield, information important in history or prehistory.

An improvement or natural feature meeting one or more of the above criteria, yet not having the high degree of integrity to qualify as a landmark, may qualify as a structure or resource of merit (see Subsection "Secretary of Interior's Standards for the Treatment of Historic Properties," below).

An improvement or natural feature meeting one or more of the above criteria, yet not formally designated as a landmark by the City Council, may be an eligible landmark.

Moratorium means a suspension of an ongoing or planned development activity or permits.

Natural feature means any naturally-occurring tree, plant life, habitat, geographical or geological site or feature, but does not include Improvements.

Neighborhood conservation area means an area that:

- A. Provides a contextual understanding of the broader patterns of Riverside's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history;
- B. Represents established and familiar visual features of a neighborhood, community, or of the City;
- C. Reflects significant development or geographical patterns, including those associated with different eras of settlement and growth; or
- D. Conveys a sense of historic or architectural cohesiveness through its design, setting, materials, workmanship or association.

Designation of Neighborhood Conservation Areas is no longer allowed. Those designated prior to May 2006 shall remain in effect and subject to this ~~T~~itle, and may be modified or dedesignated.

Non-contributing feature of a Historic District, Neighborhood Conservation Area, or individually significant property means a site, improvement, or natural feature within a Historic District or Neighborhood Conservation Area that does not provide appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that element:

- A. Was not present during the district's or area's period of historic significance; or
- B. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
- C. Does not independently meet the designation criteria as defined in this ~~T~~itle.

Non-contributor to either a Historic District or a Neighborhood Conservation Area means a building structure within a Historic District or Neighborhood Conservation Area that does not provides appropriate historic context, historic architecture, historic association or historic value, or is not capable of yielding important information about the period, because that building structure:

- A. Was not present during the district's or area's period of historic significance; or
- B. No longer possesses integrity due to alterations, disturbances, additions, or other changes; and
- C. Does not independently meet the designation criteria as defined in this ~~T~~itle.

Person means any natural person, property owner, or occupant; association, company, corporation or other legal entity; local, city, county, or federal agency.

Point of cultural interest means

- A. *Criteria.* Point of historical interest means a site, of local significance, meeting one or more of the following criteria:
 - 1. Has anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value;
 - 2. The original physical feature(s) no longer exist to an appreciable extent; and
 - 3. Is found to not qualify as a recognized cultural resource or an eligible cultural resource.
- B. *Not cultural resources.* Points of cultural interest are recognized, not designated, and do not qualify as a cultural resource by virtue of their recognition.
- C. *Intent.* The purpose of points of cultural interest is to recognize otherwise-intangible historic facts about a place in the City. Points of cultural interest are strictly informational in nature.
- D. *Relationship with other laws.* Points of cultural interest are specifically and expressly intended to not have any significance under the California Environmental Quality Act ("CEQA") (Public Resources Code ~~S~~ection 21000 et seq.) or the State CEQA Guidelines (14 Cal. Code Regs.

Section 15000 et seq.), the National Environmental Protection Act, or any other environmental law, statute, or regulation.

Preservation means the identification, study, protection, restoration, rehabilitation, and/or acquisition of cultural resources.

Qualified designee means the person(s) designated by the Historic Preservation Officer who meets the requirements of the Department of the Interior, National Park Service as set forth in Appendix A to Title 36, Part 61 (Professional Qualification Standards).

Resource of Merit See "Structure (or Resource) of Merit," below.

Secretary of Interior's Standards for the Treatment of Historic Properties means the guidelines prepared by the National Park Service for preserving, rehabilitating, restoring, and reconstructing historic buildings and the standards for historic preservation projects prepared by the National Park Service with the most current guidelines for applying the standards.

Structure (or Resource) of Merit means:

- A. 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; and:
- B. Meets one or more of the following criteria:
 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.

(<http://newords.muniCode.com/readordinance.aspx?ordinanceid=1315589&datasource=ordbank> web="yes">Ord. 7684, § 7, 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1277065&datasource=ordbank> web="yes">Ord. 7657, § 26(Exh. D), 2024; <http://newords.muniCode.com/readordinance.aspx?ordinanceid=1036431&datasource=ordbank> web="yes">Ord. 7531 §16, 2020; Ord. 7248 §5, 2014; Ord. 7206 §24, 2013; Ord. 7108 §1, 2010)

20.50.020 Interpretation.

The Historic Preservation Officer or Qualified Designee has the discretion to interpret the above terms, in addition to any other term in applying this **Title**. In applying this **Title**, the Historic Preservation Officer or Qualified Designee may, in its discretion, request from the Board a definition, interpretation, or an opinion regarding any defined term, or any other term.

(Ord. 7344 §§ 2, 3, 2016; Ord. 7206 §25, 2013; Ord. 7108 §1, 2010)