

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. 7413, § 1(Exh. A), 2-20-2018; Ord. 7331 § 6, 2016; Ord. 7064 § 3, 2010)

19.120.030 - Site plan review permit and required findings.

New development in the Mixed-Use - Village (MU-V) and Mixed Use - Urban (MU-U) Zones is subject to a Site Plan Review Permit as set forth in Chapter 19.770 (Site Plan Review Permit) of the Zoning Code.

- A. The Planning Commission may approve a Site Plan Review Permit for new development in the MU-V and MU-U Zones upon making the following findings:
1. The proposed development is consistent with the General Plan, any applicable specific plans and the intent and purpose of the mixed-use zones (Section 19.120.010 - Purpose).
 2. 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.
 3. The proposed development is appropriate for the site and location by fostering a mixture and variety of land uses within the zone and the general vicinity and contributing to a synergistic relationship between uses.
 4. 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).

(Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.040 - 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 § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.050 - 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 <u>19.100.070</u> (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 <u>Section 19.120.070(K)</u> (Residential Useable Open Space)
Minimum Common Open Space	50 sq. ft./du	50 sq. ft./du	50 sq. ft./du	See Note 6 See <u>Section 19.120.070(K)</u> (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 section, Mixed-Use 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 the Municipal Code, Title 5, for business activities conducted within the live/work unit.

(Ord. 7592 § 3(Exh. C), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7487 § 11, 11-5-2019; Ord. 7413, § 1(Exh. A), 2-20-2018; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.070 - Design standards and guidelines.

The purpose of this section 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 chapter.

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:

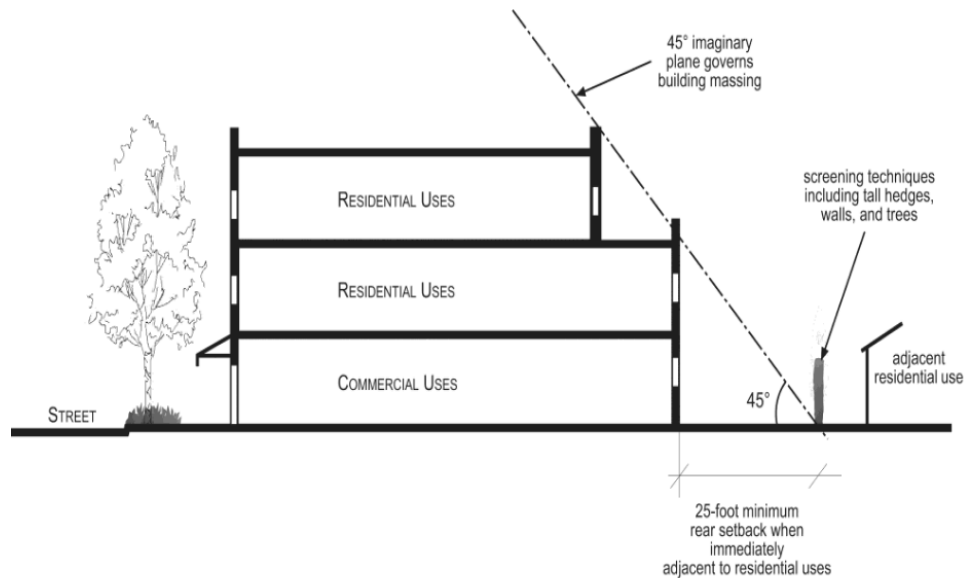
- a. Public right-of-way;
- b. Primary internal streets and pedestrian walkways, not including drive aisles;
- c. Common usable open space;
- d. Secondary internal streets or drive aisles.

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 19.120.070 C. Building step back



Setbacks and massing for buildings adjacent to residential uses.

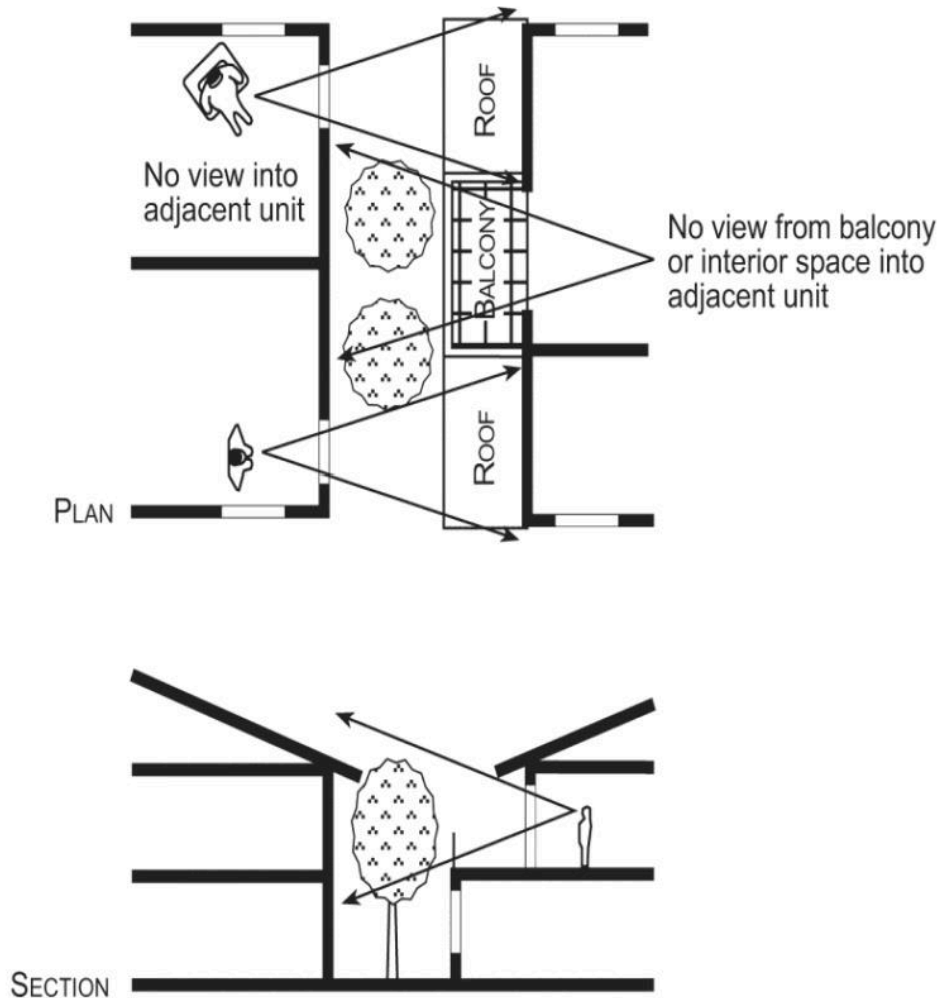
E. *Building appearance.*

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 19.120.070 E. Privacy for Residential Units



Plant appropriate trees and offset windows and balconies (or patios) to maintain privacy between residential units.

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 § 3(Exh. C), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.080 - 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.
 3. Any multi-family residential development or group home shall participate in the City's Crime Free Multi-Housing Program, or successor equivalent program.

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.

(Ord. 7592 § 3(Exh. C), 2022; Ord. 7573 § 1(Exh. A), 2021; Ord. 7331 § 6, 2016; Ord. 6966 § 1, 2007)

19.120.090 - Other regulations applicable to Mixed-Use Zones.

In addition to the requirements contained in this chapter, regulations contained in the following titles of the Riverside Municipal Code and other chapters of 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)