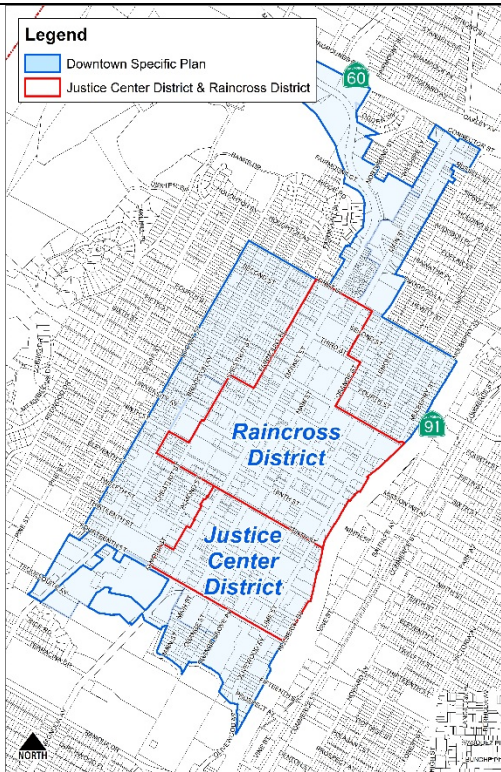




PLANNING COMMISSION HEARING DATE: APRIL 6, 2017

AGENDA ITEM NO.: 3

PROPOSED PROJECT

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| <i>Case Numbers</i> | P16-0854 (Downtown Specific Plan Amendment) | |
| <i>Request</i> | A proposal by the City of Riverside to amend the Downtown Specific Plan with regard to permitted and conditionally permitted land uses within the Raincross and Justice Center Districts. Proposed changes include, but are not be limited to, Assemblies of People – Entertainment, Assemblies of People – Non-Entertainment, Retail Sales, Brewpubs and Breweries. Other changes not related to permitted and conditionally permitted land uses may be considered that are minor in context, and are necessary for clarification or to remove redundancies. | |
| <i>Applicant</i> | City of Riverside, Community & Economic Development Department | |
| <i>Project Location</i> | Downtown Raincross and Justice Center Districts |  |
| <i>Ward</i> | 1 | |
| <i>Neighborhood</i> | Downtown | |
| <i>Specific Plan</i> | Downtown Specific Plan | |
| <i>General Plan Designation</i> | DSP-RC – Downtown Specific Plan Raincross District | |
| | DSP-JC – Downtown Specific Plan Justice Center District | |
| <i>Zoning Designation</i> | DSP-RC – Downtown Specific Plan Raincross District | |
| | DSP-JC – Downtown Specific Plan Justice Center District | |
| <i>Staff Planner</i> | Luke Seibert, Associate Planner; 951-826-5617; lseibert@riversideca.gov | |

RECOMMENDATIONS

Pursuant to Riverside Municipal Code Chapters 19.650 and Section 19.820.020, the Planning Commission shall review the proposed Specific Plan Amendment and make a recommendation to the City Council. Specifically, staff recommends that the City Planning Commission:

1. **RECOMMEND that the City Council DETERMINE** Planning Case P16-0854 (Specific Plan Amendment) is exempt from further California Environmental Quality Act review pursuant to Section 15061(b)(3), as it can be seen with certainty there is no possibility this proposed amendment to the Downtown Specific Plan will have a significant effect on the environment;
2. **RECOMMEND APPROVAL** of Planning Case Number P16-0854 (Specific Plan Amendment), based on the justification outlined in the staff report; and
3. **RECOMMEND ADOPTION** of a Resolution amending the Downtown Specific Plan as illustrated in Exhibits 2 and 3.

BACKGROUND

Adopted in 2002, the existing Downtown Specific Plan was created to facilitate development and improvements that realize the community's vision for Downtown, and reinforce Downtown Riverside as the cultural, arts, retail, and entertainment center of the Inland Empire. A map of the nine districts is provided as Exhibit 4 to this report.

On January 19, 2012, the Development Committee of the City Council approved a Downtown Retail & Entertainment Strategy that includes an analysis of Downtown's strengths and opportunities for growth. The Strategy recommends the following actions:

1. Encourage expansion of eating, drinking, and entertainment establishments;
2. Concentrate entertainment venues in a compact area;
3. Encourage the expansion of existing business and recruit local and regional retailers; and
4. Integrate multi-family housing into the Downtown land use mix.

In addition, staff conducted a Planning Commission workshop on May 7, 2015 regarding urban design concepts and trends (Exhibit 5). Staff identified opportunities to amend the Downtown Specific Plan, which included:

1. Identify and remove existing barriers to dining and entertainment uses;
2. Evaluate the permitting requirements for entertainment uses, particularly within the Justice Center District; and
3. Identify necessary restrictions to entertainment businesses to ensure they remain compatible with residential and office uses, and do not generate a negative perception of Downtown or burdens on downtown investment.

PROPOSED AMENDMENT

The proposed text amendments affect the Raincross and Justice Center Districts of the Downtown Specific Plan. The proposed changes are intended to support the approval of uses consistent with the vision and strategies supported by the Planning Commission and City Council. The following summarizes the proposed changes:

1. The Justice Center and Raincross Districts currently allow retail uses, but limits them to "*Business Supply Retail Uses*" and "*Specialty Retail Uses*." These uses however are not clearly defined within the Specific Plan, and restricting retail to specific product types is contrary to the vision of a vibrant and active Downtown. Staff proposes these permitted use categories be revised to "*Retail Sales*," which is defined by the Zoning Code and allows a broad range of retail activities, thereby more responsive to changes in the market.
2. The Downtown Specific Plan does not identify *Microbreweries*, *Wineries*, *Brewpubs* or similar uses; whereas the Zoning Code specifically regulates these uses under Chapter 19.272. Staff proposes these uses be permitted with the issuance of a Minor Conditional Use Permit (MCUP) in the Raincross and Justice Center Districts, consistent with other zones outside Downtown.
3. The Raincross District currently allows "*Entertainment Establishments as defined in the Zoning Code*." However, "*Entertainment Establishments*" is not a defined use in the Zoning Code. Rather, the Code regulates entertainment under the category of "*Assemblies of People – Entertainment*." Likewise, the Raincross District allows "*Places of Worship*" with a CUP, which is inconsistent with the Zoning Code's terminology of "*Assemblies of People – Non-Entertainment*." Staff proposes that the "*Entertainment Establishments as defined in the Zoning Code*" and "*Places of Worship*" be changed to the "*Assemblies of People*" categories in order to make the Specific Plan definitions consistent with the Zoning Code. Furthermore, staff recommends removing "*Clubs and Lodges*" from the Specific Plan's conditionally permitted use section, as "*Clubs and Lodges*" are listed examples in the Zoning Code's definition of *Assemblies of People – Non-Entertainment*. The proposal also recommends that the *Assembly of Peoples* use categories be permitted in the Justice Center, subject to a Conditional Use Permit.
4. Staff proposes a change to the Raincross District to clarify an inconsistency related to mixed-use projects. Currently mixed-use development projects are listed in the uses section of the Raincross District as being permitted by right. However, the Raincross District's mixed-uses section states that a mixed-use project requires a CUP. Staff is therefore proposing the sentence requiring the CUP be removed, which would clarify mixed-use development projects are permitted by right.

ANALYSIS

The proposed Specific Plan amendment is consistent with the Goals of General Plan 2025 which includes Objective LU-47 which strives to make Downtown a regional employment, governmental, arts and entertainment center with unique and interrelated districts offering a variety of opportunities for residential lifestyles, work environments, shopping, entertainment, learning, culture and the arts. This proposed amendment would also further Policy LU-47.1, which strives for the City to recognize and build unique characteristics and interrelationships of Downtown's districts. Also, the amendment would maintain consistency with the Downtown Retail & Entertainment Strategy. The proposed text amendment will encourage a vibrant and active Downtown, provide clarity to customers, and remove barriers to investment and development.

ENVIRONMENTAL REVIEW

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3), as it can be seen with certainty there is no possibility this proposed amendment to the Downtown Specific Plan will have a significant effect on the environment. As such, no additional environmental review is necessary.

PUBLIC NOTICE AND COMMENTS

Public hearing notices were posted in the paper and mailed to property owners within a 300 feet buffer of the Raincross and Justice Center Districts at least 10 days prior to the Planning Commission meeting. As of the publication of this report, no responses have been received by staff.

APPEAL INFORMATION

Actions by the City Planning Commission, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Department Public Information Section, 3rd Floor, City Hall.

EXHIBITS LIST

1. Staff Recommended Findings
2. Proposed Amendments to DSP Chapter 6 – Raincross District
3. Proposed Amendments to DSP Chapter 7 – Justice Center District
4. Map of Downtown Specific Plan Districts
5. Planning Commission Workshop Staff Report – May 7, 2015

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| Report and Recommendations Prepared by: | Luke Seibert, Associate Planner |
| Report and Recommendations Reviewed by: | Jay Eastman, Principal Planner |
| Report and Recommendations Approved by: | Ted White, City Planner |



EXHIBIT 1 – STAFF RECOMMENDED FINDINGS

PLANNING CASES: P16-0854 (Downtown Specific Plan Amendment)

Specific Plan Amendment Findings consistent with Chapter 19.820 and pursuant to 19.810 of the Zoning Code.

- a. The proposed Specific Plan Amendment is consistent with the General Plan 2025 and the intent and purpose of the Downtown Specific Plan (DSP) land use designation, as the changes to the specific plan encourage a vibrant and active Downtown by clarifying that entertainment, brewery, and restaurant uses are activities allowed within the Raincross and Justice Center Districts;
- b. Any changes brought about by the proposed Specific Plan Amendment will not have a substantial adverse effect 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 Specific Plan Amendment includes uses that are substantially compatible with other existing and allowed uses in the Downtown Specific Plan area, including factors relating to the nature of their location, operation, building design, site design, traffic characteristics, and environmental impacts; and
- d. The proposed Specific Plan Amendment will not be materially detrimental to the health, safety and general welfare of the public or otherwise injurious to the environment or to the properties or improvements within the area, in that the changes to the Raincross and Justice Center District serve to create clarity and provide consistency between the Zoning Code and the Downtown Specific Plan.