



City of Arts & Innovation

City Council Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: MAY 16, 2017**

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARD: 1**
DEPARTMENT

SUBJECT: PLANNING CASE P16-0854 (DOWNTOWN SPECIFIC PLAN AMENDMENT) – A PROPOSAL BY THE CITY OF RIVERSIDE TO AMEND THE DOWNTOWN SPECIFIC PLAN, RAINCROSS AND JUSTICE CENTER DISTRICTS

ISSUES:

Adoption of a resolution amending the Downtown Specific Plan to modify the list of permitted and conditionally permitted land uses within the Raincross and Justice Center Districts, and other minor clarifications.

RECOMMENDATIONS:

That the City Council:

1. Determine the proposed project 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. Approve Planning Case P16-0854; and
3. Adopt the attached Resolution amending the Downtown Specific Plan to modify the list of permitted and conditionally permitted land uses within the Raincross and Justice Center Districts (Attachment 1).

PLANNING COMMISSION RECOMMENDATION:

On April 6, 2017, the City Planning Commission recommended approval of Planning Case P16-0854 by a vote of 9 ayes, 0 no and 0 abstentions. The staff report and minutes are Attachment 2 and 3 to this report, respectively.

BACKGROUND:

On January 19, 2012, the Development Committee of the City Council approved a Downtown Retail & Entertainment Strategy, which includes an analysis of Downtown's strengths and opportunities for growth. The Strategy recommended actions to encourage entertainment, dining,

and drinking establishments within a concentrated area, and to further integrate multi-family housing into the Downtown land use mix.

On May 7, 2015 the Planning Commission held a workshop regarding urban design concepts and land use trends. During the workshop staff identified potential changes to the Downtown Specific Plan that would remove existing barriers to dining and entertainment uses.

DISCUSSION:

The proposed amendment to the permitted land uses in the Raincross and Justice Center Districts of the Downtown Specific Plan are intended to support the approval of uses consistent with the policy directions provided by the City Council and Planning Commission. The proposed changes are highlighted in Attachment 4 to this report and summarized as follows:

1. The Justice Center and Raincross Districts currently limit retail uses to “Business Supply Retail Uses” and “Specialty Retail Uses.” However, these uses are not defined within the Specific Plan, which results in confusion about the meaning of these terms. In addition, restricting retail sales to these specific types limits opportunities for businesses to invest in Downtown. This amendment would eliminate “Business Supply Retail Uses” and “Specialty Retail Uses” as permitted land use types in the Raincross and Justice Center Districts, and replace them with “Retail Sales,” which is a defined term in the Zoning Code that provides for a broad range of retail activities, and is more responsive to market changes.
2. The Downtown Specific Plan does not identify Microbreweries, Wineries, Brewpubs or similar businesses as permitted uses; however, the citywide Zoning Code does regulate these uses. This amendment would clarify that these uses are permitted in the Raincross and Justice Center Districts with the issuance of a Minor Conditional Use Permit, consistent with other commercial and mixed-use zones in the City.
3. In order to make definitions in the Specific Plan consistent with the citywide Zoning Code, this amendment would eliminate the terms “Entertainment Establishments” and “Places of Worship” and replace them with “Assemblies of People – Entertainment” and “Assemblies of People – Non-Entertainment”, respectively. The term “Clubs and Lodges” would also be eliminated because they would be permitted under the land use category “Assemblies of People – Non-Entertainment”.
4. Currently, the Justice Center District does not permit any type of “Assemblies of People” land uses. This amendment would modify the permitted land uses in the Justice Center District to include “Assemblies of People – Entertainment” and “Assemblies of People – Non-Entertainment”, subject to the approval of a Conditional Use Permit. In addition, this amendment would change “Assemblies of People – Non-Entertainment” from requiring a Conditional Use Permit to requiring a Minor Conditional Use Permit in the Raincross District in order to be consistent with the entitlements required for an “Assemblies of People – Entertainment”-type use. This clarification is required because places of religious assembly must be treated equally with places of non-religious assembly under federal law.
5. Mixed-use development projects are listed in the uses section of the Raincross District as permitted “by right”. However, there is an inconsistency in the standards section of the District that states that mixed-use development projects require a conditional use permit. For clarification, this amendment would eliminate the reference in the standards section indicating that a conditional use permit is required. This approach is consistent with the

entitlement processes for recently reviewed projects in in the Raincross District, such as the Imperial Lofts project.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the attached resolution.

Prepared by: Rafael Guzman, Community & Economic Development Director
Certified as to
availability of funds: Scott G. Miller PhD, Chief Financial Officer/City Treasurer
Approved by: Al Zelinka, FAICP, Assistant City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachments:

1. Resolution
2. Planning Commission Staff Report – April 6, 2017
3. Planning Commission Meeting Minutes – April 6, 2017
4. City Council Presentation