



PLANNING COMMISSION HEARING DATE: NOVEMBER 2, 2017 AGENDA ITEM NO. 5

SUMMARY

<i>Case Numbers</i>	P17-0096 (GPA); P17-0180 (RZ); P17-0182 (AMD); and P17-0521 (SPA)
<i>Request</i>	Consideration of the 2014-2021 Housing Element Implementation Program. The Implementation Program includes a General Plan Amendment, Zoning Map Amendment, Zoning Code Text Amendment, and an amendment to the University Avenue Specific Plan. It is intended to bring the City into compliance with State law requiring cities to have a certified Housing Element, provide for multi-family residential and mixed-use development opportunities, and attain compliance with new State laws regarding Accessory Dwelling Units, Single-Room Occupancies, and Emergency Shelters.
<i>Applicant</i>	City of Riverside, Community & Economic Development Dept.
<i>Project Location</i>	300 parcels grouped into 67 "sites" throughout the City
<i>Ward</i>	Citywide
<i>Staff Planner</i>	Doug Darnell, AICP, Senior Planner; 951-826-5219; ddarnell@riversideca.gov

RECOMMENDATIONS

Staff recommends that the Planning Commission recommend the following to the City Council:

1. Certify the Program Environmental Impact Report (DPEIR) prepared for the project as complying with the California Environmental Quality Act (CEQA);
2. Find that, based on the Program Environmental Impact Report (DPEIR) that has been prepared for the project, the project will have significant and unavoidable environmental impacts related to air quality, cultural resources, greenhouse gas emissions, noise, land use and planning, and transportation/traffic as there are no feasible alternatives to the project or mitigation measures that will avoid or substantially lessen the significant environmental effects;

3. Approve Planning Case P17-0096 (General Plan Amendment) for properties shown on Exhibit 2a of the Planning Commission staff report dated October 19, 2017, and attached as Exhibit 5 to this report;
4. Deny the General Plan Amendment for properties identified in Exhibit 2 of this report;
5. Approve Planning Case P17-0180 (Rezone), for the rezoning of properties shown on Exhibit 2a of the Planning Commission staff report dated October 19th, 2017 and attached as Exhibit 5 to this report, and the removal of the RP (Residential Protection), NC (Neighborhood Commercial), S(Building Stories), and X (Building Setback) Overlay Zones for those properties identified in Exhibit 3 of this report;
6. Deny the rezoning of properties identified in Exhibit 2 of this report;
7. Approve Planning Case P17-0182 (Zoning Code Amendment), as shown in Exhibit 4 of the Planning Commission staff report dated October 19, 2017, and, including those minor edits and clarifications provided as Exhibit 4 to this staff report; and
8. Approve Planning Case P17-0521 (University Avenue Specific Plan Amendment).

## BACKGROUND

On October 19, 2017, the Planning Commission held a public hearing to consider approval of the proposed Housing Element Implementation Program. As recommended by staff, the Planning Commission continued the item to November 2, 2017. The action to continue the request was necessary to allow time for a revised Public Notice to include the removal of various Overlay Zones from certain Candidate Site properties, and incorporate minor clean up and clarifications to proposed amendments to the Zoning Code.

## PROPOSAL AND DISCUSSION

The following is an overview of the proposed changes to the Housing Element Implementation Program, including changes reflecting the input received at the October 19, 2017 Planning Commission meeting:

**Overlay Zones** - The Overlay Zones to be removed include the NC – Neighborhood Commercial Overlay, S – Stories Overlay, X-Setback Overlay, and the RP – Residential Protection Overlay. See Exhibit 3 for a list of sites in which one or more the above Overlay Zones currently exist and are proposed to be removed as part of the Rezoning request. The removal of the Overlay Zones is necessary to accommodate the multiple-family residential uses as would be allowed under the proposed Multiple-family and Mixed-Use zones, as applicable. Several sites which are located in specific plan areas (e.g., Magnolia Avenue and University Avenue Specific Plans) will continue to retain their existing SP – Specific Plan Overlay designation.

**Changes to Zoning Code Text Amendments** - Since the completion of the October 19, 2017 Planning Commission staff report, minor edits and clarifications have been made to the proposed Zoning Code text amendment. The following provides a summary of Zoning Code text amendment:

Chapter 19.080 – Nonconformities: Corrected Division heading for Nonconforming Structures and Uses in the RA-5 & RC Zones to reflect “Division IV” not “Division III.”

Chapter 19.150.020(A) – Permitted Uses Table: The proposed amendments for “Transitional Housing” and “Supportive Housing” use categories inadvertently prohibited these uses in the O, C and CG zones where they are currently allowed with a Minor Conditional Use Permit or Conditional Use Permit. This has been corrected to reflect existing Code.

Chapter 19.710 – Design Review: Revised Section 19.710.010.6 to clarify Traffic Operations Assessment (TOA) requirements and the criteria to determine when a TOA would be required as part of an Administrative Design Review application for stand-alone multi-family residential development.

Chapter 19.740 – Temporary Use Permit: Revised Section 19.740.050.F.14 to clarify that Temporary Emergency Shelters are permitted in conjunction with an Assemblies of People-Non-Entertainment use.

Chapter 19.150.020(C): Temporary Uses Table. Changed to add a reference to ALUC compatibility requirements.

Chapter 19.740, Table 19.740.020 – Temporary Use Permit: Changed the type of permit for a Temporary Emergency Shelter from Minor to Major.

Chapter 19.910 – Definitions: Added language to the definition of ‘Tiny Home’ to require connections to underground utilities.

**Revised Recommendation for Site W6G4S32** – In the October 19<sup>th</sup> Planning Commission staff report this site (3.48 acres of vacant land located on Janet Avenue between Picker & Challen Streets) was recommended to be rezoned to R-1-7000 Single-Family Residential to be consistent with the existing MDR Medium Density Residential General Plan land use designation on the property. At the Planning Commission meeting, the property owner expressed his opposition to the recommended downzoning of the site from the BMP and R-3-1500 zone to the R-1-7000 zone, and expressed his desire to have the property remain in the rezoning program. Staff met with the property owner following the meeting and researched the surrounding land uses. Based on staff’s analysis of the surrounding properties, staff believes that the proposed R-3-1,500 zone is compatible with the mix of multi-family and single-family land uses in the immediate vicinity of the property. Therefore, staff recommends that the property be included in the rezoning program.

For further project background and information please refer to the October 19, 2017 Planning Commission staff report (Exhibit 5).

## PUBLIC NOTICE AND COMMENTS

Pursuant to CEQA, a 45-day minimum review and comment period was provided for the Draft Environmental Impact Report (DEIR). The DEIR comment period began on September 1, 2017, and will end at 5:00 PM on October 23, 2017. A Notice of Availability of a DEIR was mailed to various Federal, State, regional, and local government agencies and other interested parties, including the agencies/interest groups that commented on the Notice of Preparation. The Notice of Availability was also published as a 1/8<sup>th</sup> page ad in the Press Enterprise. All comments received on the DPEIR prior to October 19, 2017 Planning Commission meeting will be provided to the Commission for consideration.

Additionally, on September 21, 2017, public hearing notices were mailed to all candidate site property owners, and property owners within 300 feet of each candidate site. All written public

comments since the September 21<sup>st</sup> Public Hearing Notice have been provided to the Planning Commission.

A revised Public Notice for the November 2, 2017 Planning Commission public hearing was published as a 1/8<sup>th</sup> page ad in the Press Enterprise on October 22, 2017.

## EXHIBITS LIST

1. Staff Findings
2. Properties Recommended for Denial and Properties with Revised Recommendations
3. Overlay Zones to Be Removed
4. Zoning Code Text Amendment Changes
5. Planning Commission Staff Report dated October 19, 2017

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Prepared by: Doug Darnell, Senior Planner

Reviewed by: Ted White, Deputy Director

Approved by: Rafael Guzman, Community & Economic Development Director



*EXHIBIT 1 – STAFF FINDINGS*

**Case Numbers:** P17-0096 (General Plan Amendment)  
P17-0180 (Rezone)  
P17-0182 (Zoning Code Text Amendments)  
P17-0521 (University Avenue Specific Plan Amendment)

***Zoning Code Amendment Findings Pursuant to Section 19.810.040***

- a. The proposed Zoning Code Text and Map Amendments are generally consistent with the goals, policies, and objectives of the General Plan because every site that will be rezoned under this proposal will be consistent with the General Plan land use designation, and establish greater consistency between the General Plan, and Zoning Code. As a result of the proposed rezoning effort, a large number of sites will become consistent with the existing General Plan land use designations, where they currently are not consistent. Additionally, the proposed Zoning Code text amendments serve to remove barriers to housing furthering Goals and Policies of the Housing Element of the General Plan.
- b. The proposal Zoning Code Text and Map Amendments will not directly adversely affect surrounding properties because the proposed rezoning and amendments do not involve actual development. However, the proposed multiple-family residential and mixed use zoning will allow for future development of multiple-family residential by right. For many sites, this will increase the density and intensity of use that could be allowed with the proposed zoning, which could result in impacts to surrounding properties. In compliance with the California Environmental Quality Act (CEQA), a Draft Program Environmental Impact Report has been prepared to analyze potential environmental impacts of future development that could occur as a result of the project. Where feasible, mitigation measures have been identified to reduce potentially significant impacts to a less than significant level. The DPEIR has found some impacts to be Significant and Unavoidable and for such impacts, the Final DPEIR will include a Statement of Overriding Considerations in compliance with CEQA.
- c. The proposal promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code, in that the proposed Zoning Code Text and Map Amendments will promote greater opportunity for safe and affordable housing to meet the needs of all segments of the population.