

ORDINANCE NO.

AN INTERIM ORDINANCE OF THE CITY OF RIVERSIDE,  
CALIFORNIA, ESTABLISHING A MORATORIUM ON BUILDING  
PERMITS AND LAND USE APPROVALS IN THE NORTHSIDE  
NEIGHBORHOOD, RIVERSIDE, CALIFORNIA.

WHEREAS, the Northside Neighborhood area of the City of Riverside (“Northside”), delineated on the map attached hereto as Exhibit “A” and incorporated herein by reference, is comprised of established residential areas, including traditional single-family residential subdivisions, apartments, and semi-rural home sites, with limited light manufacturing and business office park uses and is bounded to the east by Interstate 215, to the south by the 60 Freeway, to the west by the Santa Ana River and to the north by San Bernardino County; and

WHEREAS, in 1991 the Northside Community Plan was adopted by the City Council of the City of Riverside, setting forth guidelines, goals and policies for the orderly development of the various land uses in the area; and

WHEREAS, the 1991 Community Plan was superseded by and incorporated into the City of Riverside General Plan 2010, as well as the City of Riverside General Plan 2025; and

WHEREAS, as the existing industrial, manufacturing, distribution and/or warehouse uses that exist in the north, east, and west of Northside create significant amounts of truck traffic, noise, vibration, odors and greenhouse gas emissions resulting in significant quality of life impacts within the long established residential neighborhoods; and

WHEREAS, continued industrial, manufacturing, distribution and/or warehouse uses, and the construction of additional industrial, manufacturing, distribution and/or warehouse uses, would increase vehicular and, in particular, truck traffic accessing Interstate 215 and State Highway 60, which will occur on streets with existing residential uses, such as Center Street, Orange Street and Columbia Avenue and would generate additional noise, vibration, odors and greenhouse gas emissions not associated with existing uses on the existing streets; and

WHEREAS, the General Plan 2025 Land Use Element identifies permissible land use activities under the existing B/OP – Business Office Park as those that do not create significant amounts of smoke, odor, dust or heavy truck traffic, such as corporate and general business offices, research and development, light manufacturing, light industrial and small warehouse use; however significant

1 impacts associated with traffic, noise, air quality and greenhouse gas emissions can be expected by  
2 the larger industrial and logistic facilities that are permitted by right in the existing BMP – Business  
3 and Manufacturing Park and I – General Industrial zones thereby creating an inconsistency between  
4 the long-range vision for the area and the implementation of the Zoning Code; and

5 WHEREAS, there is a conflict between the existing, permitted and proposed uses and the  
6 community vision; and

7 WHEREAS, there is a need to protect and preserve the single family residential neighborhoods  
8 but also to provide for future development that provides for a balanced community; and

9 WHEREAS, there is a need to protect existing, long established neighborhoods while creating  
10 returns on investment through the development of high quality, compatible projects that would be  
11 consistent with the collective vision of the community members in the Northside area and the General  
12 Plan 2025 Objectives and Policies; and

13 WHEREAS, the objectives and policies of the General Plan 2025 seek to have a balanced  
14 community with sufficient commercial, office and industrial uses while preserving the single family  
15 residential preeminence of the community (Objective LU-70); and

16 WHEREAS, General Plan 2025 Objective LU-74 seeks to preserve and promote the lower  
17 density charm of the Northside Community; and

18 WHEREAS, General Plan 2025 Policy LU-71.1 identifies the need to prepare a specific plan  
19 for the Northside; and

20 WHEREAS, the Ab Brown Sports Complex, a 55-acre property located between Placentia  
21 Lane and Garner Road, is located in an area which would be significantly impacted by a tremendous  
22 amount of truck traffic, in that General Plan 2025 Policy LU-71.1 identifies the retention of the sports  
23 complex at its current location, or a relocation to an optimal location; and

24 WHEREAS, General Plan 2025 Policy LU-71.1 states that alternative land uses are to be  
25 considered for properties surrounding the Riverside Golf Course property and Reid Park, in order to  
26 optimize the compatibility of those recreational facilities; and

27 WHEREAS, the City Council directed City staff to commence the preparation of a community-  
28 guided Northside Specific Plan and approved a Professional Services Agreement with Rick

1 Engineering to provide consulting services to develop and prepare the Northside Specific Plan and  
2 accompanying Environmental Impact Report; and

3 WHEREAS, following extensive community engagement between June 2017 and August  
4 2018 the Draft Northside Specific Plan is currently under development, including the accompanying  
5 Environmental Impact Report; and

6 WHEREAS, the Draft Northside Specific Plan and accompanying Draft Environmental Impact  
7 Report is anticipated to be released for public review on March 23, 2020; and

8 WHEREAS, the Draft Northside Specific Plan envisions that areas of vacant and underutilized  
9 properties zoned as Business Manufacturing Park (BMP) and General Industrial (I) or with a General  
10 Plan Land Use Designation of Business/Office Park (B/OP) within the Northside transition into  
11 medium to high density residential uses that will have fewer community impacts; and

12 WHEREAS, in order to protect and preserve the current single-family residential  
13 neighborhoods from the impacts of additional industrial, manufacturing, distribution and/or warehouse  
14 uses, and because it is anticipated that the permitted uses within the Northside will change with the  
15 approval and adoption of the Northside Specific Plan, an interim prohibition on any new permit,  
16 variance, building permit or other applicable entitlement of any industrial, manufacturing, distribution  
17 and/or warehouse uses within the Northside needs to occur; and

18 WHEREAS, in order to fully protect the health, safety and welfare of the Northside community  
19 and its anticipated vision, there is a need to adopt a moratorium to allow for the Northside Specific  
20 Plan and accompanying Environmental Impact Report to be fully vetted in the public and by the  
21 Northside community; and

22 WHEREAS, to allow for the Northside Specific Plan and accompanying Environmental  
23 Impact Report to be vetted, no new permit, variance, building permit or other applicable entitlement  
24 of any industrial, manufacturing, distribution and/or warehouse uses within the Northside shall occur  
25 excepting therefrom, any permit for additions, tenant improvements, repairs, signs, and the like on  
26 existing permitted uses; and

27 WHEREAS, the Northside Specific Plan Draft Environmental Impact Report includes an  
28 evaluation of 2018 floodplain data available from the Riverside County Flood Control District which

1 indicates that the flooding risk for the Northside is more significant than indicated on the FEMA Flood  
2 Insurance Rate Map (FIRM), creating a potential risk to health, safety, and welfare of residents,  
3 property owners, and structures; and

4 WHEREAS, staff is also in the process of presenting to City Council Good Neighbor  
5 Guidelines (“Guidelines”) regarding warehouses; and

6 WHEREAS, these Guidelines could shape and revise warehouse uses within the City including  
7 the Northside; and

8 WHEREAS, there is a need to allow those Guidelines to be presented and adopted before any  
9 additional projects are approved; and

10 WHEREAS, the urgency in the adoption of this ordinance is also to allow additional time to  
11 evaluate potential risks and appropriate mitigation or avoidance to reduce risks to existing and future  
12 structures and public health, safety and welfare associated with flooding; and

13 WHEREAS, California Government Code section 65858 authorizes the City Council to adopt,  
14 by a four-fifths vote, without following the procedures otherwise required for the adoption of a zoning  
15 ordinance, an interim ordinance prohibiting any uses that may be in conflict with a contemplated  
16 general plan, specific plan, or zoning proposal that the City Council, planning commission or the  
17 planning division is considering or studying, or intends to study within a reasonable time.

18 The City Council of the City of Riverside does ordain as follows:

19 Section 1: The Recitals set forth above are hereby adopted as the findings of the City  
20 Council in connection with the adoption of this ordinance and that based on the above recitals, there  
21 is an immediate threat to the public health, safety and welfare. The adoption of this ordinance is  
22 necessary for the immediate protection of the public health, safety and welfare.

23 Section 2: The purpose of this interim ordinance is to establish a moratorium on the  
24 approval or issuance of any new permit, variance, building permit or other applicable entitlement for  
25 industrial, manufacturing, distribution and/or warehouse uses within the Northside for the immediate  
26 preservation of the public health, safety and welfare, excepting therefrom any permit for additions,  
27 tenant improvements, repairs, signs, and the like on existing permitted uses.

1           Section 3:     Based on the findings set forth in the Recitals and incorporated herein in Section  
2 1, the addition of additional industrial, manufacturing, distribution and/or warehouse uses and the  
3 potential risk of flooding to current and future uses, poses a current and immediate threat to the public  
4 health, safety and welfare on the residential uses in the Northside, as well as ensuring a balanced  
5 community as envisioned by the General Plan 2025, and as such the City Council hereby enacts this  
6 interim ordinance by not less than a four-fifths vote, under the authority granted to it by Article XI,  
7 Section 7 of the California Constitution and section 65858 of the California Government Code, which  
8 allows the City to adopt an interim ordinance prohibiting land uses which may be in conflict with a  
9 contemplated general plan, specific plan, or zoning proposal that the City Council, planning  
10 commission or the planning department is considering or studying or intends to study within a  
11 reasonable time. The City Council hereby directs the Planning Division of the Community &  
12 Economic Development Department to complete the public review of the Draft Northside Specific  
13 Plan and Draft Environmental Impact Report, including but not limited to residential impacts and a  
14 more comprehensive review of flood-related impacts.

15           Section 4:     The issuance of any new permit, variance, building permit or other applicable  
16 entitlement for industrial, manufacturing, distribution and/or warehouse uses within the Northside, on  
17 or for property zoned Business and Manufacturing Park (BMP) or General Industrial (I), is hereby  
18 prohibited, excepting therefrom any permit for additions, tenant improvements, repairs, signs, and the  
19 like on existing permitted uses. Notwithstanding any provision of the Riverside Municipal Code to  
20 the contrary, no permits or approvals for any industrial, manufacturing, and/or warehouse uses on  
21 property zoned Business and Manufacturing Park (BMP) or General Industrial (I) in the Northside  
22 shall be approved or issued during the pendency of this ordinance or any extension thereof, excepting  
23 therefrom any permit for additions, tenant improvements, repairs, signs, and the like on existing  
24 permitted uses.

25           Section 5:     This ordinance shall become effective immediately upon adoption if adopted  
26 by at least four-fifths vote of the City Council, and shall remain in full force and effect for a period of  
27 forty-five (45) days from the date of its adoption unless extended by the City Council in accordance  
28 with the provisions of California Government Code section 65858.

Section 6: If any provision of this ordinance 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 which can be implemented without the invalid provision or application and to this end the provisions of this ordinance are declared to be severable.

Section 7: For the term of this ordinance, or any extension thereof, the provisions of this ordinance shall govern over any conflicting provisions of any other City code, ordinance resolution or policy.

Section 8: The City Council has reviewed the matter and, based upon the facts and information contained in the staff reports, administrative record, and written and oral testimony, hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the environment nor have a significant impact on the environment.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Mayor of the City of Riverside

Attest:

City Clerk of the City of Riverside

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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the  
3 \_\_\_\_\_ day of \_\_\_\_\_, 2020, and that thereafter the said ordinance was duly and regularly  
4 adopted at a meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the  
5 following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10  
11 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
12 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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14 \_\_\_\_\_  
15 City Clerk of the City of Riverside  
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