



City of Rialto

Legislation Details (With Text)

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On agenda: 6/11/2019 **Final action:** 6/11/2019
Title: Request City Council to Conduct a Public Hearing to Extend Urgency Ordinance No. 1605 from June 24, 2019 to June 23, 2020 by adopting interim Urgency Ordinance No. 1619 Entitled "AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1-10 FREEWAY AND THE SOUTHERN MOST BORDER OF THE CITY," Reading by Title Only and Declaring the Urgency Thereof.
(ACTION)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Urgency Ordinance Extension on Moratorium on Riverside Avenue Medians 6-2019 FINAL.pdf

Date	Ver.	Action By	Action	Result
6/11/2019	1	City Council		

For City Council Meeting [June 11, 2019]

TO: Honorable Mayor and City Council

APPROVAL: Sean Grayson, Interim City Administrator

FROM: Robb Steel, Assistant CA/Development Services Director

Request City Council to Conduct a Public Hearing to Extend **Urgency Ordinance No. 1605 from June 24, 2019 to June 23, 2020** by adopting interim **Urgency Ordinance No. 1619** Entitled "AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1-10 FREEWAY AND THE SOUTHERN MOST BORDER OF THE CITY," Reading by Title Only and Declaring the Urgency Thereof.
(ACTION)

BACKGROUND:

On June 26, 2018, the City Council adopted urgency Ordinance No. 1605 (**City Council Report No 18-600**) to establish a moratorium on the construction of, or alterations and improvements to , the roadway median island located on Riverside Avenue and I-10 freeway and the southernmost border of the city. Section 65858(a) of the California Government Code allows the City Council to adopt an urgency interim ordinance prohibiting any use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal, which is under study or intended for study to protect the public safety, health and welfare. Adoption of an urgency interim ordinance requires a four-fifths vote of the City Council.

The City Council extended the urgency ordinance with adoption of Ordinance No. 1609 on August 14, 2018. This urgency Ordinance expires on June 24, 2019.

On May 14, 2019, the City Council set a public hearing for June 11, 2019 to consider extending the moratorium.

ANALYSIS/DISCUSSION:

The City's General Plan, in part, addresses the City's current and future development for the community and standards for roadway improvements to serve such development through the Circulation Element of the General Plan. The City must amend the Circulation Element to change the classification of Riverside Avenue.

As part of the update to the Circulation Element, the City must study the existing and anticipated roadway median island located on Riverside Avenue between the I-10 Freeway and the southernmost boundary of the City of Rialto ("Moratorium Area") to ensure that the improvements to such median do not conflict with the ultimate roadway configuration.

Pending completion of the study, City Staff believe that any new construction, alterations, or improvements made by any private developers in accordance with conditions of approval related to the Riverside Avenue median could conflict with the long-range plans. Specifically, the City might have to reconstruct such improvements to conform to the study findings, which is inconsistent with the best economic interests of the community and may have adverse impacts on the environment, traffic, safety, and aesthetics of the City.

City staff, the City's Transportation Commission, Planning Commission and City Council require a reasonable period of time to study and review the existing Circulation Element, including the overall roadway width of Riverside Avenue and the design of raised medians, as well as the potential adverse impacts on the environment, traffic, aesthetics, and visual quality of surrounding properties within the City in order to make recommendations on future construction, alterations, or improvements to the roadway and raised medians.

The City Council has also established a moratorium on inter-city truck traffic on Ayala Drive between the I-210 Freeway and Baseline Road (Ordinance No. 1608). Staff proposes to combine these matters into a single project for efficiency. The general process is outlined below:

General Plan Circulation and Truck Route Update

Action Plan

July 2019	Issue RFP to update Circulation Element of the General Plan and Select Consultant
August 2019	Define scope of modifications and draft CEQA documentation
September 2019	Meet with stakeholders/community members
October 2019	Draft required documents
November 2019	EDC Transportation Commission review

December 2019	Public Review Period; community meeting
January 2020	Transportation Commission review
February 2020	Planning Commission review
March 2020	City Council review

The City must issue a report at least 10 days before the expiration of this Moratorium extension outlining actions taken since the City Council adopted the moratorium. The Council must use this information to determine whether conditions continue to exist to justify a final extension to the Moratorium. Since adoption of Urgency Ordinance No. 1608, the Development Services Department retained a consultant to prepare the RFP to analyze the pertinent issues and amend the Circulation Element. Staff has also reviewed the circulation plans in the adjoining City and County of Riverside.

Given the preparatory timeframe, the City Council must extend the urgency ordinance. Per State law, the City may extend the urgency ordinance for an additional 12 months. The City Council may extend the ordinance after holding a noticed public hearing and approving the extension by a four-fifths vote of its members. The City published notice in the *San Bernardino Sun* in accordance with Section 65090 of the Government Code.

ENVIRONMENTAL IMPACT:

The requested action does not constitute a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY:

Approval of this action complies with the following City of Rialto Guiding Principles, General Plan Goals and Policies:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

LEGAL REVIEW:

The City Attorney reviewed and approved the staff report and Ordinance.

FINANCIAL IMPACT:

Operating Budget Impact

Adoption of the Urgency Ordinance is not anticipated to have any financial impact as any fees due by developers for such improvements will continue to be paid to the City for future use.

Capital Budget Impact

The Urgency Ordinance does not have any immediate impact upon the capital improvement budget. The City will continue to collect fees for roadway improvements and street medians as required by current City ordinances and resolutions. The City will not require developers in the Moratorium Area to construct median improvements as a condition of approval, and the City will accept that responsibility in the future if the updated General Plan requires such improvements.

License

No business license required.

RECOMMENDATION:

Staff recommends that the City Council Conduct a Public Hearing to Extend Urgency Ordinance NO .1605 (**Attachment 2**) and an adopt an **Urgency Ordinance** entitled "AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1-10 FREEWAY AND THE SOUTHERNMOST BORDER OF THE CITY," reading by title only and waiving further reading thereof.