



City of Rialto

Legislation Text

File #: 18-591, **Version:** 1

For the City Council Meeting [June 26, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Robb R. Steel, Interim City Administrator

Request City Council to Conduct a Public Hearing to introduce for first reading **Ordinance No. 1604** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING AN AMENDMENT TO THE RIALTO AIRPORT SPECIFIC PLAN TO CHANGE THE STANDARDS FOR MAXIMUM BUILDING HEIGHT IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA, AND REPEALING ORDINANCE NO. 1394 TO ELIMINATE THE REQUIREMENT OF PLANNING COMMISSION AND CITY COUNCIL APPROVAL OF CONDITIONAL DEVELOPMENT PERMITS FOR ALL USES IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA" (Specific Plan Amendment No. 2018-0002 attached hereto as **Exhibit A**) reading by title only and waiving further reading thereof.

(ACTION)

BACKGROUND:

The City initiated this application related to the I-AR (Airport-Related Planned Industrial Development) and I-PID (Planned Industrial Development) zones within the Rialto Airport Specific Plan Area

The City recognizes that the maximum building height requirement within the I-AR (Airport-Related Planned Industrial Development) and I-PID (Planned Industrial Development) zones of the Rialto Airport Specific plan limiting the building height of non-residential developments may unfairly restrict such developments. In anticipation of the creation and adoption of the Renaissance Specific Plan, the City adopted Ordinance No. 1394 in 2006, which required all uses within the I-AR and I-PID zones then permitted by right or by conditional development permit to be reviewed and approved by both the Planning Commission and the City Council with a conditional development permit. The City Council revisits the Development Standards from time to time and amends the regulations for the benefit of the citizens, to promote economic vitality and sustainability of businesses within the community, and protect the general health, safety, and welfare of the public.

On November 18, 1997, the City Council adopted Ordinance No. 1269 approving the Airport Specific Plan and certifying the Final Environmental Impact Report. The Airport Specific Plan was the sixth Specific Plan adopted by the City of Rialto encompassing approximately 3,131 acres of land. The Airport Specific Plan project area was 'L' shaped, with boundaries set by Casa Grande Drive, Mango Avenue, Palmetto Avenue, Baseline Road, Cactus Avenue and the east side of Locust Avenue extending north to Riverside Avenue. As part of the development standards for non-residential uses, the maximum height of buildings and structures was set at 35 feet. However, with the advancement of technology, environmental considerations, and increased efficiency, developers build many new industrial buildings and structures in excess of the 35-foot maximum height limit.

Additionally, upon adoption of the Rialto Airport Specific Plan, certain non-residential uses such as administrative offices, health clubs, and light manufacturing, within the I-AR (Airport-Related Planned Industrial Development) and I-PID (Planned Industrial Development) zones were permitted by right, while other uses such as storage yards, were conditionally permitted.

However, the adopted Ordinance No. 1394 requires all uses within the I-AR and I-PID zones then permitted by right or by conditional development permit to be reviewed and approved by a conditional development permit by both the Planning Commission and the City Council.

ANALYSIS/DISCUSSION:

The proposed Specific Plan Amendment to the Rialto Specific Plan contains two components: (1) changing the maximum height of non-residential buildings and structures within the I-AR and I-PID zones from 35 feet to 75 feet; and (2) repealing Ordinance No. 1394 to remove the requirement for all uses within the I-AR and I-PID zones to be approved by conditional development by both the Planning Commission and City Council.

Maximum Height

Table 9 (Development Standards Non-Residential Designations) in Section 5 (Development Regulations) of the Rialto Airport Specific Plan provides the maximum building height standards for non-residential uses in the I-AR and I-PID zones within the Rialto Airport Specific Plan Area. The amendment is to change the maximum height from 35 feet to 75 feet.

Modern day warehouse buildings utilizing current logistic technologies often need a minimum interior clearance of 35 feet. Additional building height is then necessary to facilitate proper drainage and to provide adequate screening of rooftop equipment. For these reasons, several warehouse buildings in the surrounding area have building heights often well above 35 feet. For instance, the existing warehouses adjacent to the Rialto Airport Specific Plan area were developed at heights well in excess of the 35-foot maximum. Some have heights of 48 feet to 51 feet.

Furthermore, the Renaissance Specific Plan, which was previously part of the Rialto Airport Specific Plan, permits a maximum building height of 75 feet within four of its commercial and industrial zones. Thus, increasing the maximum height of buildings from 35 feet to 75 feet will facilitate development of modern commercial and industrial uses within the City and keep the City competitive for new investment.

The proposed Specific Plan Amendment will also eliminate the need for variances for such uses, which have become commonplace for warehousing uses seeking to develop within the Rialto Airport Specific Plan.

Ordinance No. 1394

As stated above, the City permitted certain non-residential uses within the I-AR and I-PID zones by right, while the City conditionally permitted other uses such as storage yards. Then, in 2006 the City Council, by Ordinance No. 1394 (Exhibit D to this staff report), approved an amendment to Table 8 (Permitted Uses Non-Residential Designations) in Section 5 of the Rialto Airport Specific Plan to require conditional development permits for all uses in the I-AR and I-PID zones. Ordinance No. 1394 also required both the Planning Commission and City Council to approve all conditional development permits. This retained greater control over all development within the I-AR and I-PID

zones in anticipation of the creation and adoption of the Renaissance Specific Plan, mostly zoned I-AR and I-PID.

The City Council adopted the Renaissance Specific Plan in November 2010 with the intent to repeal Ordinance No. 1394 and readopt the original Table 8 in Section 5 of the Renaissance Specific Plan.

The proposed amendment repeals Ordinance No. 1394 and re-establishes in place the original Table 8 in Section 5 of the Rialto Airport Specific Plan first adopted in 1997. The original Table 8 in Section 5 of the Rialto Airport Specific Plan is attached to this Staff Report as **Exhibit C**.

On May 9, 2018, the Planning Commission conducted a duly noticed public hearing and, by vote of 4-0, with two Commissioners absent, adopted Resolution No 18-25 (**Exhibit D**) recommending that the City Council approve the proposed Ordinance implementing the suggested changes to the Rialto Airport Specific Plan.

Public Notice

The City published notice on June 1, 2018, in accordance with Government Code Section 65090 requiring publication in the San Bernardino Sun at least 10 days prior to the public hearing.

GENERAL PLAN CONSISTENCY:

The proposed Specific Plan Amendment is consistent with the following goals of the 2010 Rialto General Plan:

Goal 2-21: Ensure high-quality planned developments in Rialto.

Goal 2-22: Promote commercial and/or industrial development that is well designed, people-oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose.

Goal 3-1: Strengthen and diversify the economic base and employment opportunities, and maintain a positive business climate.

ENVIRONMENTAL IMPACT:

The adoption of the proposed Specific Plan Amendment is exempt from the California Environmental Quality Act (CEQA). Pursuant to Section 15378 of the California Environmental Quality Act, 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. A project does not include:

- Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

The Planning Division will prepare a Notice of Exemption (EAR2018-0035) for the project in accordance with CEQA.

LEGAL REVIEW:

The City Attorney reviewed and approved this report.

FINANCIAL IMPACT:

Operating Budget

A Specific Plan Amendment has no direct impact on the City's General Fund.

Capital Improvement Budget

A Specific Plan Amendment has no direct impact on the City's General Fund.

RECOMMENDATION:

Staff recommends that the City Council Conduct a Public Hearing to introduce for first reading an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING AN AMENDMENT TO

THE RIALTO AIRPORT SPECIFIC PLAN TO CHANGE THE STANDARDS FOR MAXIMUM BUILDING HEIGHT IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA, AND REPEALING ORDINANCE NO. 1394 TO ELIMINATE THE REQUIREMENT OF PLANNING COMMISSION AND CITY COUNCIL APPROVAL OF CONDITIONAL DEVELOPMENT PERMITS FOR ALL USES IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA” (Specific Plan Amendment No.2018-0002) reading by title only and waiving further reading thereof.