

## City of Rialto

Council Chambers 150 S. Palm Ave. Rialto, CA 92376

## Legislation Details

File #: 12-327 Version: 2 Name: Tab 1

Type: Public Hearing Status: Agenda Ready

File created: 11/15/2012 In control: City Council

On agenda: 11/27/2012 Final action:

Title: Public Hearing for November 27, 2012 for: General Plan Amendment No. 11-01 to change the land

use designation from Residential 6 to Residential 12; Zone Change No. 331 to change the zoning designation from R-1C (Single Family Residential) to PRD-D (Planned Residential Development-Detached) on 4.53 acre site located between Spruce Avenue and Idyllwild Avenue approximately 300

feet south of San Bernardino Avenue.

**Sponsors:** Development Services Department, Gina Gibson

Indexes:

**Code sections:** 

Attachments: Location Map.doc, Zoning & GP Exhibit.doc, PRD-D Project Plans.pdf, Planned Residential

Development.docx, GPA 11-01 CC Ordinance.pdf, ZC 331 CC Ordinance.pdf

Date Ver. Action By Action Result

For City Council Meeting

TO: Honorable Mayor and City Council

APPROVAL: Michael E. Story, City Administrator

FROM: Robb Steel, Assistant to the City Administrator/Director of Development

Services

#### ..Title

Public Hearing for November 27, 2012 for: General Plan Amendment No. 11-01 to change the land use designation from Residential 6 to Residential 12; Zone Change No. 331 to change the zoning designation from R-1C (Single Family Residential) to PRD-D (Planned Residential Development-Detached) on 4.53 acre site located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue.

#### ..Body

#### **BACKGROUND:**

The applicant is DP Management, 1930 Turnbull Canyon Rd., Hacienda Heights, CA 91745. The subject site is approximately 4.53 acres in size and is located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue (APNs: 0128-221-01, -02, -03, -10, -11, -12).

#### Previous Entitlements

On May 10, 2005 the Planning Commission held a public hearing and approved Tentative Tract Map No. 17368 to subdivide the subject site into nineteen single family residential lots. The previous owner of the property was unable to complete the development due to economic reasons, and the map was never finalized.

#### **ANALYSIS/DISCUSSION:**

On August 10, 2011, the Planning Division received applications for a General Plan Amendment, Zone Change, Variance and Tentative Tract Map to facilitate the development of thirty single family residential homes at the subject location. The zoning designation for the site is R-1C (Single Family Residential) and the General Plan Land Use designation is Residential 6. Land uses surrounding the subject site and their corresponding Zoning and General Plan designations are shown on the attached Map.

DP Management submitted a proposal to develop a thirty lot, gated, "cluster" single-family residential development. Their goal is to develop a high-quality, private community. Each residential lot will be privately owned. However, the common landscaped areas, private streets and alleys will be maintained by a Homeowner's Association.

#### <u>Architecture</u>

The applicant hired the architecture firm, William Hezmalhalch Architects from Santa Ana, CA, to design the project. The design concept features four two-story floor plans that

range in size from 1,890 square feet to 2,174 square feet. Each plan features three different elevation styles referred to as Mediterranean, Spanish, and Italian.

#### Site Design

A total of 47.8 percent of the required outdoor open space will be dedicated to common open space. Various amenities have been incorporated into the common open space, including a community building, playground, barbecue area, horseshoe pits, and a putting green. The neighborhood will be gated and enclosed by a 6 foot perimeter decorative block wall. A Precise Plan of Design will be required to ensure that all design criteria for single family residential development are met. The Planning Commission approved Variance No. 695 and determined that the 0.47 acre difference in the minimum required project area size is negligible and will not have a negative impact on property rights of adjacent owners or property values.

#### Tentative Map

A Tentative Tract Map application was approved by the Planning Commission on August 29, 2012 to create a total of thirty single-family lots, and six lettered lots for private streets, a detention basin, and common areas. The lot sizes range from 3,380 square feet to 5,040 square feet. There are no established minimum lot size requirements within the PRD-D (Planned Residential Development-Detached) zone. The table below summarizes the number of single-family lots and the size for each:

Lot	Size (sq. ft.)	Width (ft.)	Depth (ft.)
1	4,009	62	64
3	4,030	62	65
	3,965	61	64
4	4,256	61	72
5	4,239	61	72
6	3,965	61	64
7	3,965	61	64
8	3,934	61	69
9	5,040	82	64
10	4,800	82	59
11	3,934	60	70
12	3,964	61	64
13	3,965	61	64
14	4,270	61	70
15	4,270	61	72
16	3,965	61	64
17	4,225	65	64
18	3,900	72	72
19	3,380	71	54
20	4,225	71	59
21	3,600	56	61

22	3,600	56	60
23	4,570	61	84
24	4,560	61	74
25	4,560	61	74
26	4,207	61	72
27	4,179	61	72
28	4,560	61	74
29	4,560	61	74
30	3,861	61	69
Α	Open Space		
В	Landscape A	rea	
С	Landscape A	rea	
D	Landscape A	rea	
Е	Private Street		
F	Detention Bas	sin	

#### Access & Circulation

Access to the neighborhood will be provided via Spruce Avenue. The main street that runs through the neighborhood and the motor-court alleys will be private. The project layout features clusters of homes surrounding the proposed motor-courts. The motor-courts will provide access to the garages of each house. As a result of this design, no garage doors will be visible from the main street or from outside of the neighborhood. The Tentative Map was conditioned to restrict street-side parking to only one side of the street.

Kunzman Associates, Inc. prepared a traffic study for the project. The intersection of Valley Boulevard and Spruce Avenue was analyzed in the study to determine the need for future traffic signalization. Improvements were identified that would mitigate all anticipated roadway operation deficiencies for Opening Year (2016) and Year 2035. These improvements consist of the installation of a traffic signal and additional eastbound and westbound lanes on Valley Boulevard. The total estimated cost of these improvements is \$829,440. Table 10 within the traffic study calculates the proposed projects "fair share" cost of these improvements to be \$26,627. The Precise Plan of Design will be conditioned to require payment of the "fair share" fees to the City of Rialto prior to issuance of building permits.

#### *Improvements*

The applicant will be responsible for the construction of half-width street improvements along both Spruce Avenue and Idyllwild Avenue. In addition the applicant will construct a private street within the neighborhood for access to each home. The cross section of the private street shown on the Tentative Map shows a 34 foot curb to curb separation, 5 foot sidewalks, and parkway landscaping.

#### General Plan Amendment

A General Plan is a set of long-term goals and policies that guide local land use decisions. The most common revision to a General Plan is an amendment associated with a privately

initiated development project. Generally, local governments may amend any one of the mandatory elements of the General Plan up to four times in one calendar year (California Government Code §65358(b)). The proposed amendment is the first to the 2010 General Plan Update.

This request for a General Plan Amendment would result in a change to the Land Use Map of the Rialto General Plan for the site from Residential 6 to Residential 12. The project has a proposed density of 6.61 du/acre. Without the amendment, the maximum density is 6.0 du/acre. The difference in density is less than one unit per acre and would not result in a project that is substantially different in nature or design than the existing development.

#### Zone Change

According to Section 18.06.030 of the Rialto Municipal Code, zoning boundaries may be changed wherever the public necessity, convenience, general welfare, or good zoning practice require. The proposed request would change the zoning designation of the subject property from R-1C to PRD-D. The Zone Change is justified because the amendment will allow development of the "highest and best use" at the site and as a result, good zoning practice will be achieved. Under the current zoning designation, the site has remained vacant since it was annexed in 1956.

#### Comparison to PRD-D Standards

The Planning Division reviewed the site plan for the proposed project. Planning staff requested several modifications to bring the project into substantial conformance with the PRD-D. A comparison of the development standards required by the PRD-D zone and those proposed by the applicant are shown in the attached chart.

The proposed project will be able to meet all of the development standards for the PRD-D zone with the exception of the front yard setback from a private street. The PRD-D zone requires a minimum setback of 37 feet from a private street, and the applicant has proposed a setback of 12 feet on at least one of the lots. Section 18.90.070G4 of the RMC allows the Planning Commission to modify setback requirements if the development is deemed consistent with the intent of the PRD-D zone. Given that none of the garages have access from the private street, and no driveways will be located within the front setback, the Planning Commission granted the request for a reduction which is shown on the attached site plan.

#### <u>Justification</u>

There are two neighboring projects located on the north side of San Bernardino Avenue with the same zoning and General Plan land use designation as that which is proposed for the subject site; PRD-D and Residential 12 respectively. Therefore the proposed General Plan Amendment and Zone Change are compatible with the established pattern of development in the area.

Based on the analysis of the proposed requests, the applicant's request for a Zone Change and a General Plan Amendment are consistent with the findings listed below:

- 1. The proposed amendments are consistent with the goals and policies of the General Plan and its purposes, standards and land use guidelines.
- 2. Public necessity, convenience, general welfare, or good zoning practice will be achieved as a result of the proposed amendments.

#### **Summary**

DP Management intends to develop a quality, private, gated residential community. A Zone Change, General Plan Amendment, Variance, and Tentative Tract Map are required to entitle the project. Variance No. 695 and Tentative Tract Map No. 18827 were approved by the Planning Commission on August 29, 2012. The Commission recommended that the Council approve the Zone Change and General Plan Amendment. Staff has reviewed the project and determined that all of the required findings for Zone Change No. 331, General Plan Amendment No. 11-01 can be made in a positive manner.

#### **ENVIRONMENTAL IMPACT:**

An Initial Study (Environmental Assessment Review No. 11-31) was prepared for the proposed project in accordance with the requirements of the California Environmental Quality Act (CEQA). Although the proposed project could have a significant effect on the environment, any potential impacts will be mitigated to a level of insignificance. The project will not have an adverse impact on the environment and a Mitigated Negative Declaration has been prepared. A copy of the Initial Study and the Mitigation Monitoring and Reporting Program are attached to the agenda report.

#### **GENERAL PLAN CONSISTENCY:**

The project is consistent with the following Goals and Policies of the Rialto General Plan:

#### Goal 2-18: Protect Rialto's small-town character.

Policy 2-18.1: Require all new development and renovations within residential neighborhoods to be consistent with the existing scale, massing, and landscaping of that neighborhood.

# Goal 2-19: Encourage neighborhood preservation, stabilization, and property maintenance.

Policy 2-19.1: Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context and building form and scale.

Goal 2-20: Require high-quality multi-unit design, landscaping, and architecture.

Policy 2-20.2: Do not allow box-like forms with large, unvaried roofs by using a variety of building forms and roof shapes by creating clusters of units, variations in height, setback, and roof shape.

Policy 2-20.3: Require use of porches, stairs, railings, fascia boards, and trim to enhance multi-unit buildings' character.

Policy 2-20.5: Emphasize private, ground-level entries to individual units so that primary building entries are prominent and visible.

Policy 2-20.8: Encourage that each unit have some form of useful private open space, such as a patio, porch, deck, balcony, yard, or shared entry porches or balconies.

#### **LEGAL REVIEW:**

The City attorney has reviewed and approved this agenda report.

#### **FINANCIAL IMPACT:**

#### **Capital Costs**

The applicant is required to pay Development Impact Fees to offset the increased demand for capital facilities caused by the development. The applicant will also pay \$26,627 of "fair share" costs toward traffic improvements to the City of Rialto prior to the issuance of building permits.

#### Operating Costs

The project will be annexed into the Landscape Lighting and Maintenance District to pay for maintenance of street lights and landscaped parkways adjacent to Spruce Avenue. The private streets and common areas within the development will be maintained by the Homeowner's Association. These conditions will help offset the cost to the City of serving the new residents.

In 2010, the City hired Stanley Hoffman and Associates to prepare a Citywide Community Facilities District CFD Special Tax Fiscal Analysis to estimate the costs and benefits of new single family residential development so that the City is able to maintain or improve service levels to the community. The draft analysis forecasted the financial standing of the General Fund at build out of the City in accordance with the Land Use Element of the Rialto General Plan and estimated the net cost to the City for each new residential unit. According to the draft analysis, new residential development would create an annual deficit of \$824 per unit at current service levels<sup>1</sup>. Assuming that this reasonably represents the current cost to serve a new residential unit, and allowing for savings related to the HOA and LMD service offsets, the Project will likely produce a deficit to the City General Fund. The City Council has not authorized the imposition of a CFD Fee to reduce this deficit.

A project specific fiscal impact analysis was not prepared for this Project.

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<sup>&</sup>lt;sup>1</sup> Assumes continuation of the Utility User Tax.

#### **RECOMMENDATION:**

- Adopt Ordinance approving General Plan Amendment No. 11-01 to change the land use designation from Residential 6 to Residential 12 for a 4.53 acre site located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue (APNs: 0128-221-01, -02, -03, -10, -11, -12).
- Adopt Ordinance approving Zone Change No. 331 to change the zoning designation from R-1C (Single Family Residential) to PRD-D (Planned Residential Development-Detached) for a 4.53 acre site located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue (APNs: 0128-221-01, -02, -03, -10, -11, -12).

# Location Map

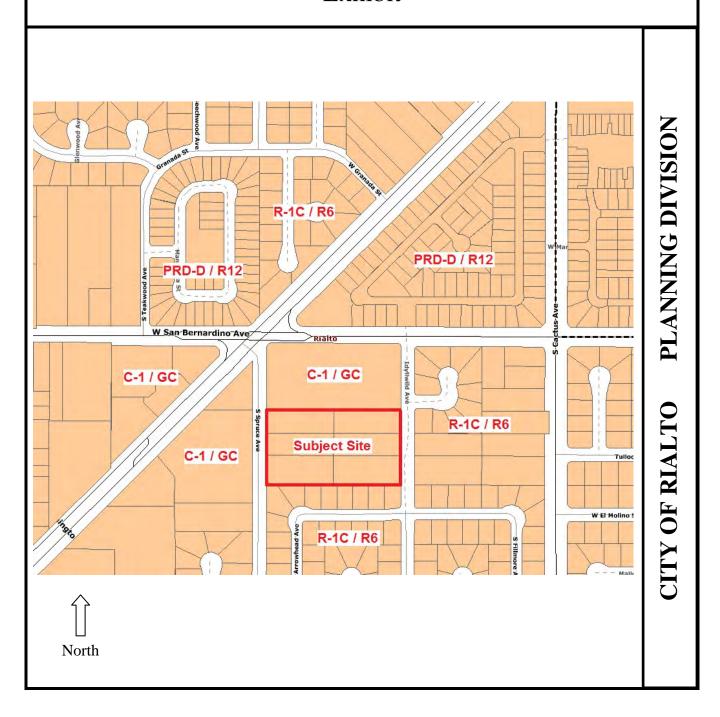


<u>General Plan Amendment No.11-01, Zone Change No. 331</u>: A request to allow a change in the land use designation from Residential 6 to Residential 12, a zone change from R-1C (Single Family Residential) to PRD-D (Planned Residential Development-Detached) on 4.53 acres of land located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue. (Applicant: DP Management)



North November 27, 2012

## Zoning / General Plan Exhibit



GPA#11-01, ZC#
331, VAR#695
TT#18827



Plan 4 - Mediterranean Plan 2 - Spanish Beyond Drive Beyond Plan 4 - Italian Access

2011015

04-12-12

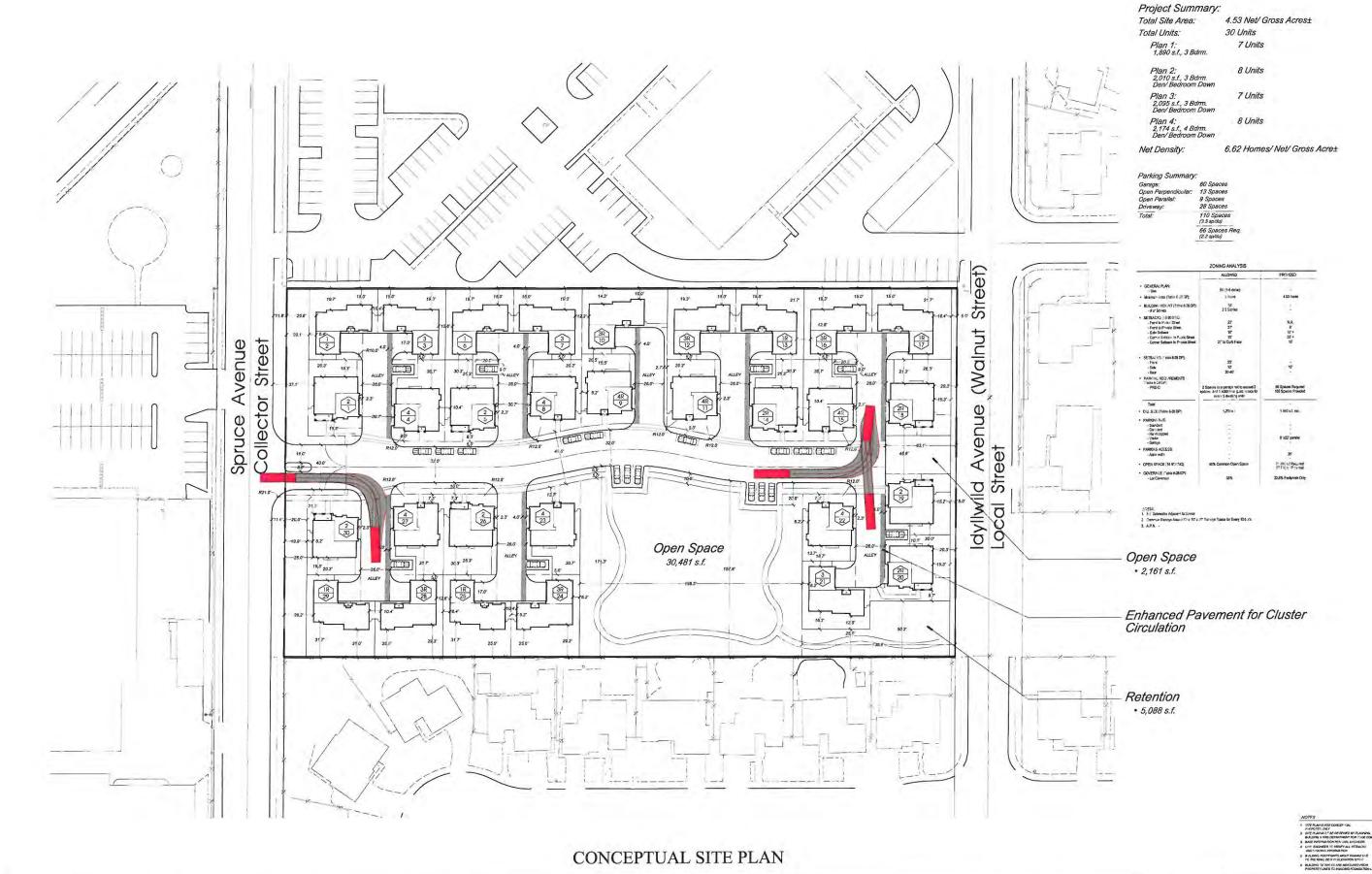
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© 2012 WILLIAM HEZMALHALCH ARCHITECTS, INC.

Rialto Site
Rialto, CA
DP MANAGEMENT







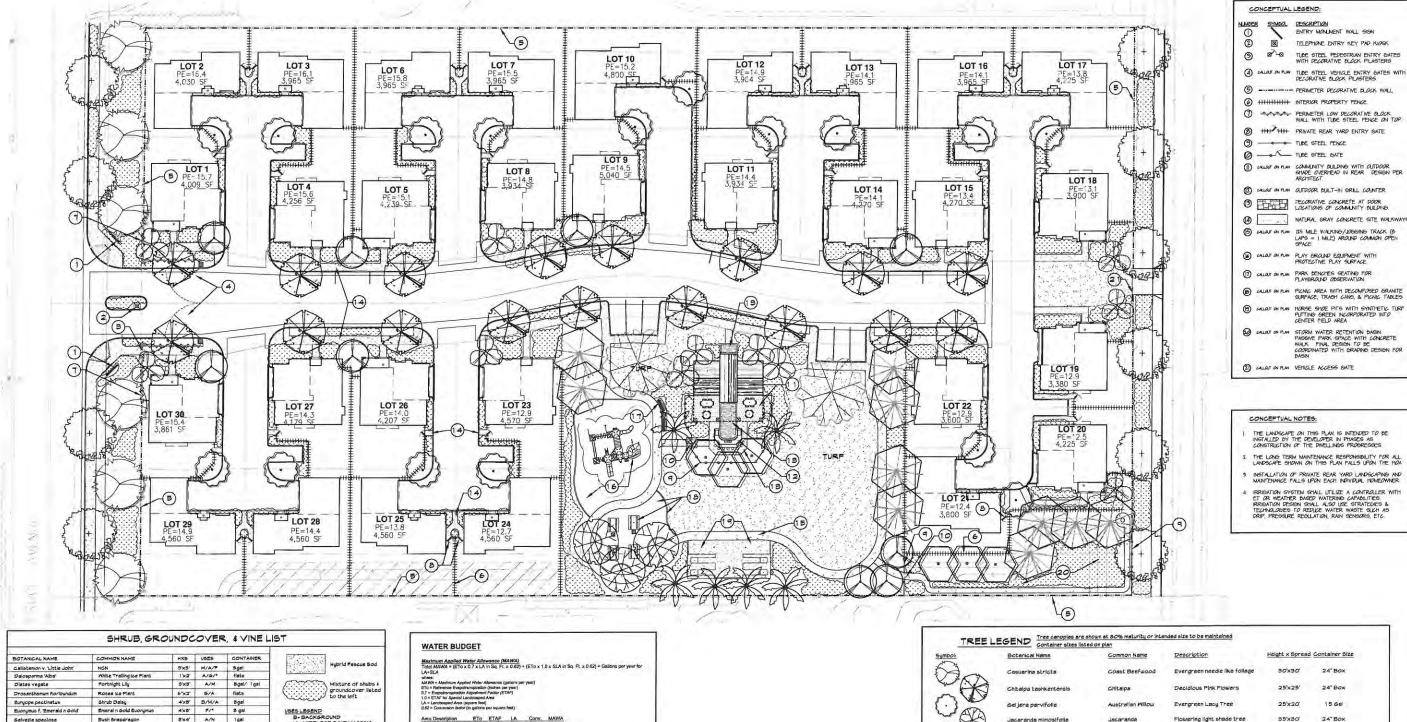
APRIL 2, 2012

0 15 30 60

RIALTO SITE RIALTO, CALIFORNIA DP MANAGEMENT







BOTANICAL NAME	COMMON NAME	HX5	VSES	CONTAINER	Hybrid Feecus Sod
Gallistemon v. 'Little John'	NGN	9'x5'	M/A/F	5gsl	Hybrid Feecus Sod
Dalceperma 'Alba'	White Trailing Ice Plant	1'x2'	A/6/*	flato	The appropriate of
Dietes vegate	Fortnight Lily	5×5	AVM	Bgal/ 1gal	Mixture of shubs
Drosenthemum floribundum	Roses ice Plant	6"x2"	G/A	fiats	groundcover lister
Euryope pectinatus	Shrub Daley	4'x8'	B/M/A	Bgal	and all
Euonymus f. Emerald n Gold	Emeral n Gold Euonymus	4'x8'	F/*	B gal	USES LEGEND
Galvezia speciosa	Bush Snapdragon	5'x4'	A/N	1gal	B-BACKGROUND M - MIDDLEGROUND MASSING
Juniperus s. 'Skyrocket'	Skyrocket Juniper	15'x8"	c	Bgal	A - POREGROUND ACCENT
Kniphofia uvaria	Red Hot Poker	5'x8'	A	1 gel	V - VINE
Leptospeermum s Ruby Glow	Ruby Glow Te Tree	6'x4'	B/H	Bgal	H - HEDGE S - SLOPES
Macfadyena unguis-cati	Cat's Claw Vine	10×15	ν.	5gal	G - GOLUMN SHRUB
Muhlanbergia rigina	Deergrass	5'x5'	F/A/N	1 gal	G - GROUND COVER
Nassella pulchra	Callf Purple Needle Grass	5'x5'	A/C	1 gal	F - POUNDATION N - CALIF, NATIVE
Phormium t. Bronze Baby	Bronze Baby Flax	8'x8'	A .	1 gal	- BHADE TOLERANT
Photinia fraseri	Fraser's Photinia	8'x8'	B/H	Bgal	
Plumbago aur culata	Cap Plumbago	5'x10'	M/B	1 gal	
Rosmarinus o. Blue Spires'	Bive Spires Rosemary	4'x4'	C/A	Bgai	
Rosmarinus o. Prostratus	Dwarf Rosemary	18'x5'	G	flate	
Salvia c, 'W Gilman'	Calif Blue Sage	2'x2'	A/N	1 gel	
Thymus yulgaris	Common Thyme	1'x2'	A	1 gal	
Viburnum t. Spring Boquet	Spring Boquet Viburnum	4'x4'	H/M/F	5 gal	
Mestringia fruticosa	Coast Rosemary	5×6	M/B	Bgai	
Xulpama c. 'Compacta'	Compact Xulosma	4×4	B/H	5 gal	

Maximum Applied Weter Adhewance (MAWA)
Total MAWA = (CTo x 0.7 x LA in Sq. Ft. x 0.62) = Gallons per year for LA-SLA

Maximum Applied Weter Adhewance (gallons per year)
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LANDSCAPE CONCEPTUAL PLAN





RIALTO SITE RIALTO, CALIFORNIA DP MANAGEMENT



SHEET L-1 OF 2

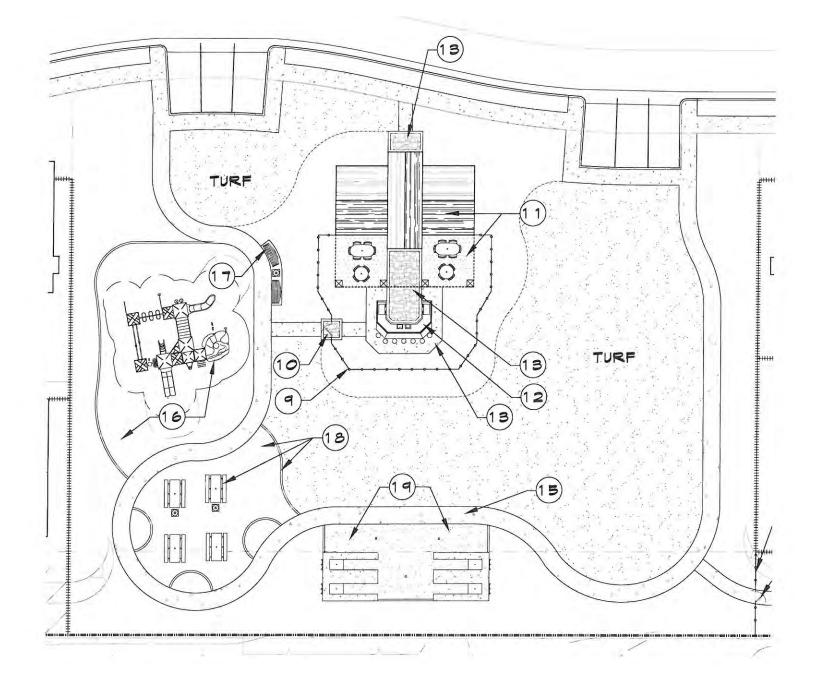
40×20

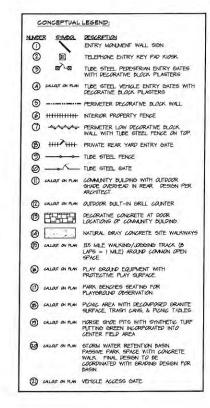
15 gal

Purple Leaf Plum (No or Little Fruit) 20'x20'

Date Palm

Public Street Trees (Species per city or to be consistent with existing)

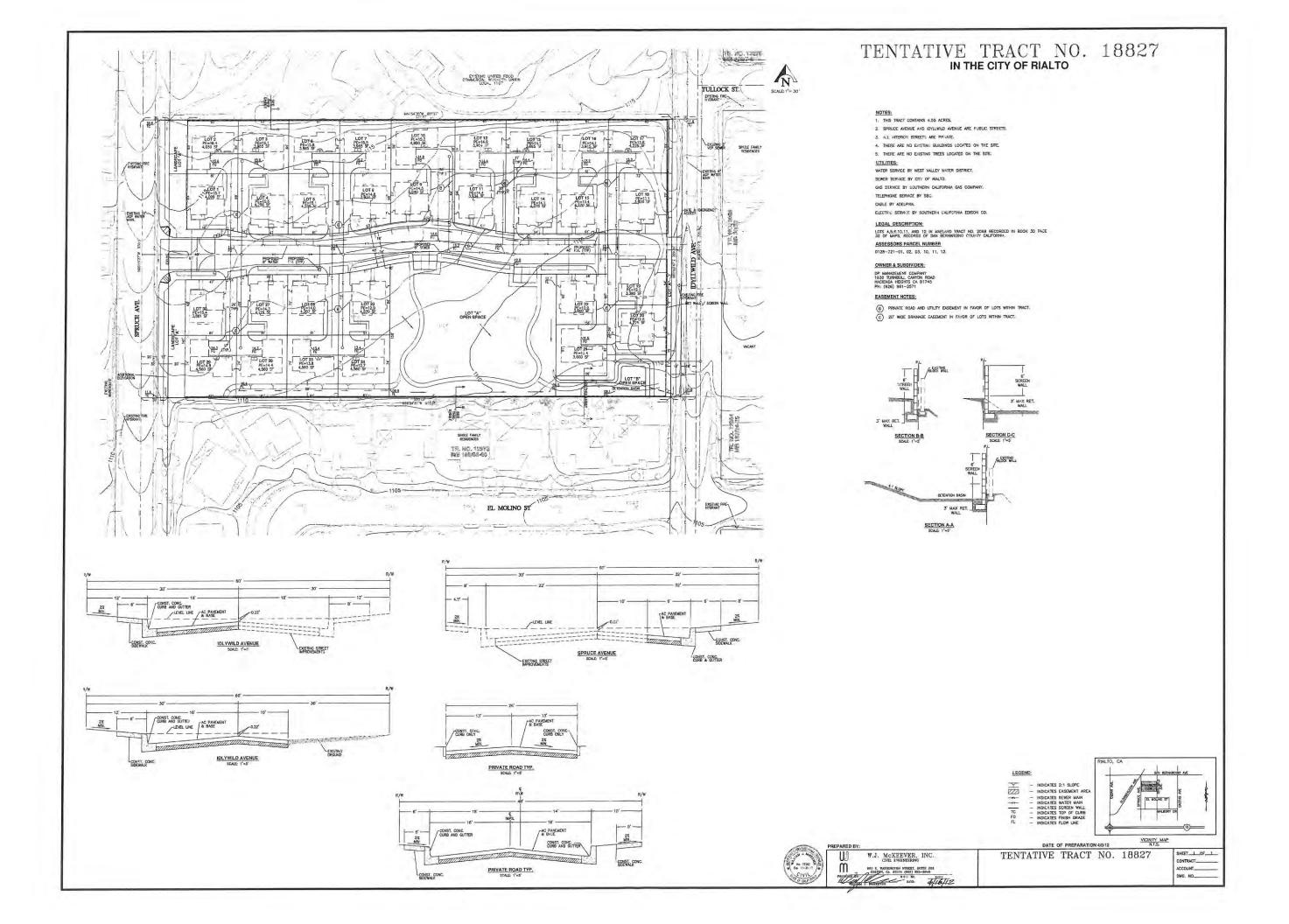




### COMMON AREA ENLARGEMENT



RIALTO SITE RIALTO, CALIFORNIA DP MANAGEMENT



Planned Residential Development –Detached Standards				
Standard	Requirement	Proposed	Meets Code	
Area	5 acres	4.53 acres	Variance No. 695 approved by Planning Commission	
Density	6 -12 units per acre; 54 units max.	6.61du/ac, 30 units	Yes	
Minimum Dwelling Size	1,200 sq. ft.	1,890 sq. ft.	Yes	
Site Coverage	35% of entire site	22.6%	Yes	
Height	2.5 stories or 35 foot max	2 stories	Yes	
Structure Type	Detached Single Family Units	Detached Homes	Yes	
Front yard setback	25 ft. from Public Street; 37 ft. from curb face for Private Street	25 ft. from Public Street; 12 ft. from curb face of Private Street	Yes, pursuant to exception discussed herein	
Side yard setback	10 ft. between structures; 15 ft. from Public Street; 27 ft. from Private Street for corner lots	10 ft. between structures; 20.3 ft. from Public Street; no side yards facing Private Street	Yes	
Rear yard setback	20 ft. from Public Street	20.3 ft.	Yes	
Fences and Walls	Subject to Precise Plan of Design	Six (6) foot perimeter block wall	Yes	
Parking	2 car garage min. per unit	Two (2) car garage per unit	Yes	
Guest Parking	One (1) space per 5 units; 6 spaces total	Thirteen (13) guest parking spaces in addition to street-side parking	Yes	

Vehicular circulation	Access to site from a public local street; to parking area via a 20 ft. min. loop system or 32 ft. min. drive aisle	Access from Spruce Avenue; 34 ft. wide private street	Yes
Pedestrian circulation	Sidewalk & interior walkways	Sidewalk & interior walkways	Yes
Utilities	Located underground	Not specified	Will be required as a condition of approval for Precise Plan of Design
Tentative Subdivision Map	Tentative Map required	TTM 18827 filed	Yes
Storage Facilities	10'x20' storage area per 10 units; 3 max	Not Specified	Will be required as a condition of approval for Precise Plan of Design
Aggregate Open Space	40% of total site	58% or 2.63 acres	Yes
Common Open space	40% of required aggregate open space or 16%	47.8% or 37,730 sq. ft. or 0.86 acres	Yes

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#### ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY RIALTO, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 11-01 TO THE CITY OF RIALTO 2010 GENERAL PLAN UPDATE AMENDING THE LAND USE **POLICY MAP FROM** RESIDENTIAL RESIDENTIAL 12 FOR A 4.53 ACRE SITE LOCATED BETWEEN SPRUCE AVENUE AND IDYLLWILD AVENUE APPROXIMATELY 300 FEET **SOUTH OF SAN** BERNARDINO AVENUE.

WHEREAS, the City of Rialto adopted a General Plan Update in December of 2010; and

**WHEREAS,** Section 65358 of the California Government Code allows a City to amend any mandatory element of its General Plan up to four times in any one calendar year; and

**WHEREAS**, the following proposed amendment is the second such proposal this calendar year; and

**WHEREAS,** on August 29, 2012, the Planning Commission did consider the proposed Land Use Element Amendment at an advertised public hearing and based on presented evidence, facts and public input did recommend approval by the adoption of *Resolution No. 12-22* as being compatible with the overall goals and objectives of the General Plan and development objectives of the City; and

**WHEREAS**, on November 27, 2012, the City Council did consider this proposed amendment at a legally advertised public hearing, and based on presented evidence, facts and public input did approve this amendment as being in the public interest and being compatible with the overall goals and objectives of the General Plan and with the development objectives of the City; and

WHEREAS, the request to change the General Plan land use designations for the site has been evaluated in accordance with the California Environmental Quality Act (CEQA). It has been determined that the project will not have an adverse impact on the environment. A Mitigated Negative Declaration (Environmental Assessment No. 11-31) has been adopted in accordance with the requirements of the California Environmental Quality Act (CEQA).

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO DOES HERBEY ORDAIN AS FOLLOWS:

1	SECTION I: The Land Use Map of the Rialto General Plan shall be amended to reflect a
2	Residential 12 land use designation for a 4.53 acre site (Assessor's Parcel Numbers: <u>0128-221-01</u> , <u>-02</u> , <u>-</u>
3	03, -10, -11, & -12) located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south
4	of San Bernardino Avenue and as described in the attached legal description titled Exhibit "A".
5	<b>SECTION II:</b> The City Clerk shall certify the adoption of this Ordinance and cause the same to be
6	published once in a local newspaper and same shall be in force and effect thirty (30) days after its passage
7	and adoption.
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10	PASSED, APPROVED AND ADOPTED this 27th day of November, 2012.
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1	ATTEST:
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6	BARBARA MCGEE, CITY CLERK
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8	APPROVED AS TO FORM
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13	JIMMY L. GUTIERREZ, CITY ATTORNEY
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1	STATE OF CALIFORNIA )
2	COUNTY OF SAN BERNARDINO ) ss
3	CITY OF RIALTO )
5	I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance
6	No was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held
7	on the day of, 2012.
8	Upon motion of Council Member, seconded by Council Member,
9 10	the foregoing Ordinance No was duly passed and adopted.
11	Vote on the motion:
12	AYES:
13	NOES:
14	ABSENT:
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16	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto
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18 19	this day of, 2012.
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23	BARBARA MCGEE, CITY CLERK
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## 1 2 3 4 **SPRUCE AVENUE** AND 5 **APPROXIMATELY** 300 FEET 6 BERNARDINO AVENUE. 7 8 9 10

ORDINANCE NO. \_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 331 FOR A 4.53 ACRE SITE LOCATED BETWEEN **IDYLLWILD SOUTH** OF SAN

WHEREAS, pursuant to Title 18, Chapter 18.06, Section 18.06.030 of the Rialto Municipal Code on August 29, 2012, the Planning Commission of the City of Rialto initiated a change of zone in the areas hereinafter described and a public hearing was held in accordance with the requirements of subparagraph 'C' of Section 18.060.030; and

WHEREAS, on August 29, 2012, the Planning Commission did consider the proposed zone change at an advertised public hearing and based on presented evidence, facts and public input did recommend approval by the adoption of *Resolution No. 12-23* as being compatible with the overall goals and objectives of the General Plan and development objectives of the City; and

WHEREAS, the City Council of the City of Rialto set the public hearing for the proposed Zone Change on November 13, 2012 for the November 27, 2012 meeting; and

WHEREAS, the request for the zone change for the site has been evaluated in accordance with the California Environmental Quality Act (CEQA). It has been determined that the project will not have an adverse impact on the environment. A Mitigated Negative Declaration (Environmental Assessment No. 11-31) has been adopted in accordance with the requirements of the California Environmental Quality Act (CEQA).

**NOW THEREFORE**, the City Council of the City of Rialto does hereby ordain as follows:

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SECTION I: It is hereby declared that 1) the public necessity, convenience, general welfare and good zoning practice requires a change of designation for a 4.53 acre site located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue in the City of Rialto, San Bernardino County from Single Family Residential (R-1C) to Planned Residential Development-Detached (PRD-D) based on the site plan dated April 19, 2012; and 2) that the boundaries of the Land Use Zoning Map are hereby so amended for such real property described in the legal description titled Exhibit "A".

**SECTION II:** The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published once in a local newspaper and the same shall be in force and effect on and thirty (30) days after its passage and adoption.

**PASSED, APPROVED AND ADOPTED** this <u>27th</u> day of <u>November</u>, 2012.

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GRACE VARGAS, MAYOR

1	ATTEST:
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6	BARBARA MCGEE, CITY CLERK
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8	APPROVED AS TO FORM
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13	JIMMY L. GUTIERREZ, CITY ATTORNEY
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1	STATE OF CALIFORNIA )
2	COUNTY OF SAN BERNARDINO ) ss
3	CITY OF RIALTO )
5	I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance
6	No was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held
7	on the day of, 2012.
8	Upon motion of Council Member, seconded by Council Member,
9 10	the foregoing Ordinance No was duly passed and adopted.
11	Vote on the motion:
12	AYES:
13	NOES:
14	ABSENT:
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16 17	IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto
18	this day of, 2012.
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22	DADDADA MOCCEE CITY CLEDIV
23	BARBARA MCGEE, CITY CLERK
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