## Legislation Details



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.
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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.

## ANALYSISIDISCUSSION:

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.

## Architecture

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 |
| 2 | 4,030 | 62 | 65 |
| 3 | 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 |
| A | Open Space |  |  |
| B | Landscape Area |  |  |
| C | Landscape Area |  |  |
| D | Landscape Area |  |  |
| E | Private Street |  |  |
| F | Detention Basin |  |  |

## 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 motorcourts 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 $\S 65358(\mathrm{~b})$ ). 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.

## Justification

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 ${ }^{1}$. 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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## 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).





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## ancertial Notes.








LANDSCAPE CONCEPTUAL PLAN



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

ORDINANCE NO.
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF 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 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.

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:

SECTION I: The Land Use Map of the Rialto General Plan shall be amended to reflect a Residential 12 land use designation for a 4.53 acre site (Assessor's Parcel Numbers: 0128-221-01, -02, -$03,-10,-11, \&-12)$ located between Spruce Avenue and Idyllwild Avenue approximately 300 feet south of San Bernardino Avenue and as described in the attached legal description titled Exhibit "A".

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

PASSED, APPROVED AND ADOPTED this __ 27th_day of _November , 2012.

GRACE VARGAS, MAYOR

ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM

JIMMY L. GUTIERREZ, CITY ATTORNEY

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STATE OF CALIFORNIA )
COUNTY OF SAN BERNARDINO ) ss
CITY OF RIALTO
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I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance
No. $\qquad$ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the $\qquad$ day of $\qquad$ 2012.

Upon motion of Council Member $\qquad$ , seconded by Council Member $\qquad$ the foregoing Ordinance No. $\qquad$ was duly passed and adopted.

Vote on the motion:
AYES:
NOES:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this $\qquad$ day of $\qquad$ , 2012.

## BARBARA MCGEE, CITY CLERK

## ORDINANCE NO.

$\qquad$


#### Abstract

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 SPRUCE AVENUE AND IDYLLWILD AVENUE APPROXIMATELY 300 FEET SOUTH OF SAN BERNARDINO AVENUE.


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:

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 __ 27th_day of November , 2012.

GRACE VARGAS, MAYOR

ATTEST:

BARBARA MCGEE, CITY CLERK

APPROVED AS TO FORM

JIMMY L. GUTIERREZ, CITY ATTORNEY

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STATE OF CALIFORNIA )
COUNTY OF SAN BERNARDINO ) ss
CITY OF RIALTO
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I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing Ordinance
No. $\qquad$ was duly passed and adopted at a regular meeting of the City Council of the City of Rialto held on the $\qquad$ day of $\qquad$ 2012.

Upon motion of Council Member $\qquad$ , seconded by Council Member $\qquad$ the foregoing Ordinance No. $\qquad$ was duly passed and adopted.

Vote on the motion:
AYES:
NOES:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of Rialto this $\qquad$ day of $\qquad$ , 2012.

## BARBARA MCGEE, CITY CLERK


[^0]:    ${ }^{1}$ Assumes continuation of the Utility User Tax.

