



City of Rialto

Legislation Text

File #: 18-065, Version: 1

For City Council Meeting [January 23, 2018]

TO: Honorable Mayor and City Council

FROM: Robb Steel, Interim City Administrator

Request City Council to Conduct a Public Hearing to: (i) approve **Resolution No. 7277** to adopt the Addendum to the Lytle Creek Ranch Specific Plan (LCRSP) Environmental Impact Report (EAR 2017-0053); and (ii) introduce for first reading **Ordinance No. 1598** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA TO APPROVE AN AMENDMENT TO THE LYTLE CREEK RANCH SPECIFIC PLAN AMENDMENT TO (A) ELIMINATE NEIGHBORHOOD 1; AND (B) MODIFY THE LAND USE CONFIGURATIONS OF NEIGHBORHOODS 11 AND 111, TEXTS, TABLES, AND CHARTS TO THE LYTLE CREEK RANCH SPECIFIC PLAN" (iii) and **Resolution No. 7278** to approve Tentative Tract Map No. 20092 (TTM 2017-0005) to create six (6) lots, one (1) remainder lot and thirteen (13) lettered lots for public open space, utilities and infrastructure on a 188-acre portion of Neighborhood II to facilitate a 672 lot residential subdivision. **(ACTION)(POWERPOINT)**

BACKGROUND:

Applicant

Lytle Development Company, 285 West Rialto Avenue, Suite B, Rialto, CA 92376

Location

The Lytle Creek Ranch Specific Plan (LCRSP) is generally located on the north side of Lytle Creek Road, Riverside Avenue and Sycamore Avenue. The portion of Neighborhood II included in this proposed amendment to the LCRSP and tentative tract map approval is the easterly 183.1-acre portion of the 801.8-acre Neighborhood II in the LCRSP area, which is currently vacant **(Exhibit A)**.

Zoning

The Site lies within the easterly portion of Neighborhood II of the Lytle Creek Specific Plan. The table below identifies the land uses surrounding the subject Site and their corresponding zoning designations:

LAND USE

EXISTING ZONING. LYTLE CREEK RANCH SPECIFIC PLAN

PROPOSED ZONING. LYTLE CREEK RANCH SPECIFIC PLAN (AMENDED)

ADJACENT LAND USE

NORTH: VACANT/FLOOD CONTROL (COUNTY OF SAN BERNARDINO)

EAST: COMMERCIAL/INDUSTRIAL (COUNTY OF SAN BERNARDINO)

SOUTH: SINGLE FAMILY RESIDENTIAL (CITY OF RIALTO)

WEST: SINGLE FAMILY RESIDENTIAL (COUNTY OF SAN BERNARDINO)

Entitlements

The developer intends to begin the first phase of development in the LCRSP. The proposal includes a specific plan amendment, a tentative map, and an addendum to the previously certified Environmental Impact Report (EIR) to support the development of 672 residential units, open space, and public facilities as listed in the chart below:

Application	Purpose
Addendum	To affirm that the scope of the proposed specific plan amendment and subdivision is analyzed under the previously certified EIR in accordance with the California Environmental Quality Act
Specific Plan Amendment	To eliminate Neighborhood I; modify the land use configuration of Neighborhoods II and III; and update the text, tables, charts and maps of the Lytle Creek Ranch Specific Plan
Tentative Tract Map	To create six (6) lots, one (1) remainder lot, and thirteen (13) lettered lots for public open space, utilities and infrastructure

The addendum, the revision to the specific plan and the subdivision are referred to as “the Project”.

Previous Actions and Entitlements

On August 14, 2012 the City Council adopted the Lytle Creek Ranch Specific Plan Environmental Impact Report and Recirculated Portions of the Environmental Impact Report (State Clearinghouse #2009061113) (collectively, “LCRSP EIR”). The Resolutions adopting the LCRSP EIR are included as an associated file with this report (Item 12-096).

On July 25, 2017, the City Council approved several actions related to the formation of a Community Facilities District for the LCRSP: a Deposit and Reimbursement Agreement with Lytle Development Company; a Professional Services Agreement for financial advisory services; Bond Counsel services; and a Professional Services Agreement for special tax consulting services.

Economic Development Committee

On November 15, 2017, the Economic Development Committee (EDC) authorized staff to begin the public hearing process for the Project. The EDC report is included as an associated file with this report (Item EDC 1064).

Planning Commission

On December 13, 2017, the Planning Commission held a public hearing and voted 7-0 to recommend approval of the Project (Specific Plan, Tentative Map and Addendum) to the City Council.

Notices

The City mailed Public Hearing notices to: all property owners within 300 feet of the Project, all government agencies providing utilities to the Project; and all interested parties. The City posted the notices in three locations at City Hall, as required by California Government Code Sections 65090 and 65091.

ANALYSIS/DISCUSSION

Addendum to the Previously Certified LCRSP EIR

An addendum ("Addendum") to the approved LCRSP EIR has been prepared for the Project. The Planning Commission determined the adequacy of the Addendum, at the December 13, 2017 meeting and voted to recommend approval of the Addendum to the City Council.

According to the California Environmental Quality Act (CEQA), the lead agency prepares an Addendum to a certified Environmental Impact Report if:

- a. No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- b. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - i. Significant effects not discussed in the previous EIR or negative declaration.
 - ii. Significant effects previously examined will be substantially more severe than identified in the previous EIR.
 - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives.
 - iv. No Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

The previously certified LCRSP EIR analyzed development and operation of 8,407 residential units and 849,420 square feet of non-residential development within 2,447.3 acres, which included 2,931 residential units and 102,452 square feet within Neighborhood II. The modified project will not increase the number of residential units or square footage of non-residential development, and is consistent with the scope and type of development analyzed in the LCRSP EIR.

The City of Rialto reviewed the Project and determined that proposed Project meets the criteria for an Addendum to the previously certified LCRSP EIR. The Addendum is attached to this report as **Exhibit B**.

Specific Plan Amendment

The proposed revision to the Lytle Creek Specific Plan (SPA 2017-0002) will:

- a. Remove Neighborhood I from the Specific Plan, reducing the number of neighborhoods from four (4) to three (3). The modified project will reduce the land area in the LCRSP by 417-acres (**Exhibit C**).
- b. Remove the “active adult” designation from Neighborhood II. Traditional family units will be constructed in place of age restricted housing. A Condition of Approval requires the developer to construct a minimum 1.5-acre active recreation area and to construct a minimum of 10% of the homes on Lots 3 and 5 as single story.
- c. Alter the layout of the land use plan for Neighborhood II in the eastern portion in the former El Rancho Verde Golf area (**Exhibit D**). The proposed changes to Neighborhood II include replacement of the proposed golf course with open space, the removal of age restrictions on residential units, and changes to the distribution of residential units. However, the total number of residential units and acreage at build-out of Neighborhood II would remain the same. The proposed changes to Neighborhood II are shown below:

Table 2-1: Proposed Changes in Land Use Neighborhood II

PA	Land Use	Approved Acreage	Proposed Acreage	Previous Units	Proposed Units	Change in Acreage	Change in Units
80	Open Space	168.0	202.8			34.8	0
82	SFR-3 Residential	30.0	24.9	336	292	-5.1	-44
83	SFR-2 Residential	107.0	79.8	692	640	-27.2	-52
84	SFR-3 Residential	23.0	20.5	249	235	-2.5	-14
97	Open Space/Recreation	5.0				-5.0	0
	SFR-2 Residential		20.2		130	20.2	130
98	SFR-2 Residential	54.0		316		-54.0	-316
	SFR-1 Residential		26.9		146	26.9	146
99	Open Space/Recreation	60.0				-60.0	0
	SFR-1 Residential		20.1		87	20.1	87
100	SFR-3 Residential	14.0		126		-14.0	-126
	SFR-1 Residential		14.6		77	14.6	77
101	Open Space/Recreation	35.0				-35.0	0
	SFR-1 Residential		23.4		101	23.4	101
102	SFR-2 Residential	11.0	20.1	80	131	9.1	51
103	SFR-1 Residential	11.0		40		-11.0	-40
	Open Space/Recreation		64.7			64.7	0
Net Change in Neighborhood II						0.0	0

PA=Planning Area; Units = Residential Units

d. The proposed changes to Neighborhood III include reducing 2.2 acres from Planning Area 62 and increasing the Open Space in Planning Area 28 by 2.2 acres. The acreage within Planning Area 62 would change from 25.6 acres to 23.4 acres. The number of residential units at build out of Neighborhood III would not change.

e. The approved LCRSP included 2,000 linear feet of levee improvements through the adjacent CEMEX property, which is located between Neighborhood II and III. The levee is an embankment built to prevent the overflow of Lytle Creek. The levee improvements include three flow control inlet pipe and valve assemblies to allow high surface water flows into the South Pit. Since certification of

the LCRSP EIR, the state and federal resource agencies have continued to monitor this area of Lytle Creek, and are examining the potential for the existing levee conditions within this area to remain. Thus, the proposed modification includes an option to end the levee improvements at the project boundaries so that it does include the adjacent CEMEX property. The alignment of Lytle Creek would remain the same, and continue through the CEMEX south mining pit.

Tentative Map

On May 8, 2017, the developer filed Tentative Tract Map No. 20092 (TTM 2017-0005) to create 6 lots on 188 acres of Neighborhood II (**Exhibit E**). All subsequent maps to apportion Map 20092 into separate residential areas totaling 672 developable residential lots will require approval by the Planning Commission.

Infrastructure

The proposed Map will also create one (1) remainder lot and thirteen (13) lettered lots for public open space, utilities, and infrastructure. The Map will establish the grand paseo design, the backbone street system (Oakdale Avenue), collector streets, and the entryway into the main project entry at Country Club Drive. Safe access to and from the Project will require a secondary project entry. A Condition of Approval in the Resolution requires the developer to construct an additional project entry at Oakdale Avenue.

ENVIRONMENTAL IMPACT:

The proposed Specific Plan Amendment and Tentative Map fall within the scope of the previously certified LCRSP EIR and no supplemental or subsequent EIR is required pursuant to Section 21166 of the Public Resources Code or Sections 15162-15163 of the California Environmental Quality Act (CEQA) Guidelines. Pursuant to CEQA Guidelines Section 15164, the City determined that an Addendum to the LCRSP EIR should be prepared. The LCRSP EIR Addendum analyzes all potential effects of the project. Electronic copies of the environmental analysis are available for review in the Development Services Department, Planning Division and online at www.yourrialto.com.

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report.

FINANCIAL IMPACT

The project has the potential to have an incremental impact on the City's General Fund because the streets under the approved Specific Plan are private and maintained by the Homeowner's Association. The Revised Specific Plan eliminates the private streets and requires City maintenance. Since the Fiscal Impact Analysis factored the cost of street maintenance into the cost analysis, no negative impacts to the City's General Fund will occur because of the proposed amendment.

The Fiscal Impact Analysis for the project at annexation is included with this report as an Exhibit F. The project has a net recurring surplus of \$2,367,699 at build out in 2026 in constant dollars (2014) with the Utility Users Tax. In contrast, without the Utility Users Tax, the annual recurring surplus is \$369,734.00.

Table B-1
Summary of Projected Fiscal Impacts after Buildout: Total Project
Lytle Creek Project Plan for Service and Fiscal Analysis
City of Rialto
(In Constant 2014 Dollars)

Total Project	Annual Recurring Revenues	Annual Recurring Costs	Annual Recurring Surplus	Revenue/ Cost Ratio
<u>With Utility User Tax</u>	\$13,735,912	\$11,368,214	\$2,367,698	1.21
<i>Annual Surplus per Unit</i>			\$378	
<u>Without Utility User Tax</u>	\$11,737,949	\$11,368,215	\$369,734	1.03
<i>Annual Surplus per Unit</i>			\$59	

Source: Stanley R. Hoffman Associates, Inc.

GENERAL PLAN CONSISTENCY:

An analysis of the consistency between the LCRSP and the goals and policies contained in the City of Rialto General Plan as required by Section 65454 of the California Government Code is included in Appendix A of the LCRSP. Based on the analysis, the LCRSP is consistent with the City of Rialto General Plan. The General Plan consistency analysis is included with this report as **Exhibit G**.

RECOMMENDATION:

Staff recommends that the City Council approve:

1. **Resolution No. _____ approving the Addendum to the Lytle Creek Ranch Specific Plan Environmental Impact Report (EAR 2017-0053);**
2. **Introduce for first reading Ordinance No. _____ approving a Revision to the Lytle Creek Specific Plan (SPA 2017-0002) to eliminate Neighborhood I; modify the land use configuration of Neighborhood II; and update the text, tables, charts and maps; and**
3. **Resolution No. _____ approving Tentative Tract Map No. 20092 (TTM 2017-0005) to create six (6) lots, one (1) remainder lot and thirteen (13) lettered lots for public open space, utilities and infrastructure on a 188-acre site to facilitate a 672 lot residential subdivision in Neighborhood II of the Lytle Creek Specific Plan.**