CITY OF RIVERSIDE

**Community & Economic Development Department** **Planning Division**

3900 Main Street, Riverside, CA 92522 | Phone: (951) 826-5371 | RiversideCA.gov

# TENTATIVE PARCEL MAP AND VARIANCES

**Approval Date: December 4, 2020**

## PROJECT DETAILS

**CASE NUMBER:** P20-0418 (Parcel Map), P20-0425 (Variance), P20-0426 (Variance)

**CONTACT PLANNER:** Danielle Harper-Scott, Assistant Planner

**APPLICANT:** AEC Moreno Corporation

**PROPERTY ADDRESS:** 5407 Central Avenue, on the north side of Central Avenue, between Rexford Drive and Streeter Avenue (Assessor Parcel Number: 190-196-020)

**ZONE:** R-1-7000 – Single Family Residential Zone

**WARD:** 3

## SITE BACKGROUND/PROPOSAL

The 0.29-acre project site is a through parcel developed with a 1,136 square foot single-family residence, constructed in 1908. The residence fronts onto Central Avenue to the south. The north side of the parcel, partially developed with a half cul-de-sac bulb, fronts onto Sunnyside Drive to the north. The site is surrounded by single-family residences. The applicant is requesting approval of a Parcel Map to subdivide the project site into two parcels as shown on the table below. The existing residence is proposed on Parcel 1. No development is proposed for Parcel 2.

| | Parcel 1 | Parcel 2 |
|---|---|---|
| **Min. Lot Size** | 6,229 square feet | 6,615 square feet |
| **Min. Lot Width** | 70 feet | 70 feet |
| **Min. Lot Depth** | 89 feet | 80 feet |

Two Variances are requested:

1. To allow Parcels 1 and 2 lot areas less than the 7,000 square feet required by the Zoning Code; and
2. To allow Parcels 1 and 2 lot depths less than the 100 feet required by the Zoning Code.

## ANALYSIS

The proposed project site is zoned R-1-7000 – Single Family Residential, which is consistent with the General Plan Land Use designation of MDR – Medium Density Residential. The R-1 Zones are established to provide areas for single-family residences. The proposed subdivision complies with the development standards for the single-family residence and lot area. Variances are requested to deviate from the lot depth and lot width standards. The table below summarizes the required and proposed standards for each parcel:

| STANDARD | | Parcel 1 | Parcel 2 | Consistent | Inconsistent |
|---|---|---|---|---|---|
| **Min. Lot Size** | 7,000 square feet | 6,229 square feet | 6,615 square feet | ☐ | ☒ |
| **Min. Lot Width** | 60 feet | 70 feet | 70 feet | ☒ | ☐ |
| **Min. Lot Depth** | 100 feet | 89 feet | 80 feet | ☐ | ☒ |

## ***FOUR FINDINGS OF FACT (VARIANCE JUSTIFICATIONS)***

Variance A: To allow Parcels 1 and 2 lot areas less than the 7,000 square feet required by the Zoning Code; and

Variance B: To allow Parcels 1 and 2 lot depths less than the 100 feet required by the Zoning Code.

A. The strict application of the provisions of the Zoning Regulations would result in practical difficulties or unnecessary hardships in the development of this property.

**Variance A**: The proposed project **complies** with this finding. The strict application of the provisions of the Zoning Code requires properties within the R-1-7000 – Single Family Residential Zone to have a minimum of are of 7,000 square feet. Prior to 2007, the subject project site was located within the R-1-65 – Single Family Residential Zone, which required a minimum lot area of 6,500 square-feet. Parcels adjacent to the project site have lot areas that range in size from 6,405 to 6,757 square-feet, similar in size to the proposed lot areas of 6,229 and 6,615 square-feet. Thus, compliance with the minimum lot area requirement would result in practical difficulties or unnecessary hardship.

**Variance B:** The proposed project **complies** with this finding. The strict application of the provisions of the Zoning Code requires properties within the R-1-7000 – Single Family Residential Zone to have a minimum lot depth of 100 feet. This lot is located in a transition area where the lot depths range from 106 to 89 feet due to the changes in street width from 44 to 33 feet along Central Avenue. In addition, the north side of this property has been carved out to construct a half cul-de-sac, which has further reduced the lot depth by 15 feet. It is unusual to find a half cul-de-sac bulb in the middle of a neighborhood. Lastly, the property to the north across Sunnyside Drive has a substandard lot depth due to constraints similar to the ones on this property. Thus, compliance with the minimum lot area requirement would result in practical difficulties or unnecessary hardship.

B. There are exceptional circumstances or conditions applicable to this property or to the intended use or development of this property, which do not apply generally to other property in the same zone or neighborhood.

**Variances A & B**: The proposed project **complies** with this finding. The existing parcel is a though lot with a half cul-de-sac bulb, 169 feet in depth and 12,608 square feet in area. It is significantly larger than the parcels in the neighborhood. As this lot fronts onto two streets, along the north and south sides, it provides the opportunity to subdivide the project site into two lots, consistent with the surrounding neighborhood. The granting of the Variances will allow the project site to utilize undeveloped excess site area and facilitate an infill development. As proposed, the existing residence complies with the setback standards of the R-1-7000 zone. The applicant submitted a preliminary plotting plan that shows future development on Parcel 2 in compliance with the Zoning Code. Thus, there are exceptional circumstances applicable to this property that do not apply to other properties in the neighborhood.

C. The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located.

**Variances A & B**: The proposed project **complies** with this finding. The granting of this request will not prove materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood. The proposed project site is surrounded by single-family residences. The proposed subdivision is consistent with the existing development pattern of the neighborhood. Public comment notices regarding this project were mailed to property owners within 300 feet of the site and no comments have been received by Staff in opposition to the subdivision.

D. The granting of this request will not be contrary to the objectives of the General Plan.

**Variances A & B**: The proposed project **complies** with this finding. The proposed Variances will not be contrary to the objectives of the General Plan. The proposal facilitates an infill residential project, which provides an additional housing opportunity within the City of Riverside. Approval of the proposed Variances will further the objectives of the 2014-2021 Housing Element by creating a housing opportunity and assisting with the City's housing production need.

## ENVIRONMENTAL DETERMINATION

This proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to Sections 15332 (In-Fill Development Projects) and 15061(b)(3) (Common Sense), as this project will not have a significant effect on the environment.

## PUBLIC NOTICE AND COMMENTS

Public notices were mailed to property owners within 300 feet of the Project site. As of the writing of this report, no responses have been received by staff regarding this proposal.

## COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR DECISION

The Community & Economic Development Director **APPROVES** this proposal, subject to the attached conditions.

## APPEAL INFORMATION

Actions by the Community & Economic Development Director, including any environmental finding, may be appealed to the City Council within ten calendar days after the decision.

Due to COVID-19 pandemic, appeal filing, and processing information may be obtained from the Planning Division website https://riversideca.gov/cedd/planning/forms

# *CONDITIONS OF APPROVAL*

**PLANNING CASES:** **P20-0418** (Parcel Map)
**P20-0425** (Variance)
**P20-0426** (Variance)

**Planning**

*Case Specific*

1. The subject property shall be developed and operated substantially as described in the text of this report and as shown on the Parcel Map. Changes to the approved design will require further review by the Planning Division; a new application and filing fee may be required.

*Standard Conditions*

2. There is a 36-month time limit in which to satisfy the conditions and finalize this action.
3. The Tentative Parcel Map and associated entitlements (Variances) may be granted time extensions by the Community & Economic Development Director, or their designee, for up to a total of six years beyond the original approval expiration date prior final map recordation. Once a final map has been recorded, the development will be considered vested and time extensions are no longer needed.

   Prior to December 4, 2023, if a final map has not been recorded, a time extension request shall be submitted to the Planning Division. The request shall include a letter stating the reasons for the extension of time and associated fee shall be submitted to the Planning Division. **PLEASE BE ADVISED THAT THE APPLICANT WILL NOT BE NOTIFIED BY THE PLANNING DIVISION ABOUT THE PENDING EXPIRATION OF THE SUBJECT ENTITLEMENT.**
4. Within 30 days of approval of this case by the City, the developer shall execute an agreement approved by the City Attorney's Office to defend, indemnify, including reimbursement, and hold harmless the City of Riverside, its agents, officers and employees from any claim, action, or proceeding against the City of Riverside, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the City's advisory agency, appeal board, or legislative body concerning this approval, which action is brought within the time period provided for in Section 66499.37 of the Government Code. The City will promptly notify the developer of any such claim; action or proceeding and the City will cooperate in the defense of the proceeding.
5. Failure to abide by all conditions of this entitlement shall render it null and void.

**Public Utilities – Water**

6. Prior to recordation of map, applicant shall pay all required fees to provide water service to parcel 2.

**Public Utilities – Electric**

7. All utilities shall be satisfactorily relocated, protected and/or replaced to the specifications of the affected departments and agencies, and easements for such facilities retained as necessary.

**Public Works**

8. A "FINAL MAP" shall be processed with the Public Works Department and recorded with the County Recorder. The "FINAL MAP" shall be prepared by a Land Surveyor or Civil Engineer authorized to practice Land Surveying I the State of California and shall comply with the State Subdivision Map Act and Title 18 of the Riverside Municipal Code. All applicable checking and recording fees are the responsibility of the applicant.