

PARCEL MAP AND VARIANCE

Approval Date: October 3, 2018

Development Review Committee Date: October 3, 2018

PLANNING CASES P18-0638 (PM) and P18-0639 (VR): Proposal by Steve Sommers of SDH and Associates to consider the following entitlements: 1) a Parcel Map (PM-37583) to subdivide a 19.8 acre parcel developed with a single-family residence into three parcels for the future development of single-family residences; and 2) a Variance to allow reduced lot depths for Parcels 2 and 3. The property is located at 1738 Gratton Street, situated on the southwest corner of Gratton Street and Hermosa Drive, in the RA-5 – Residential Agricultural Zone, in Ward 5.

BACKGROUND/PROJECT DESCRIPTION

The subject 19.8 acre parcel is developed with a single-family residence, a guest house, a pool house, a horse corral, and several accessory structures related to horse keeping and agricultural uses. Access to the site is provided from a long curving driveway along Gratton Street that extends to the west side of the property. Hermosa Drive, an unimproved dirt right-of-way, abuts the north property line. The topography of the site consists of hilly terrain containing an average natural slope of approximately 11 percent. The site is surrounded by agricultural uses to the north and west and single-family residences to the east and south.

The applicant is proposing to subdivide the subject parcel into three parcels. Parcel 1 will comprise of 9.8 acres, and will contain all the existing structures and horse corral. Access will continue to be from Gratton Street. Parcels 2 and 3 will comprise of 5 acres each and will contain the existing citrus groves. Parcel 2 will front onto Gratton Street and Parcel 3 will front onto Hermosa Drive. No development is proposed at this time.

PROJECT ANALYSIS

General Plan/Zoning Code Consistency

| | |
|--|---------------------------------------|
| <i>General Plan Designation</i> | A/RR – Agricultural/Rural Residential |
| <i>Zoning Designation</i> | RA-5 – Residential Agricultural Zone |

The Arlington Heights neighborhood in which the site is located is also part of the City's greenbelt where agricultural uses predominate. The site has soils classified as "Farmland of Statewide Importance" and "Unique Farmland" as identified on the General Plan's Figure OS-2 (Agricultural Suitability). The General Plan stresses that the City embrace its citrus heritage by preserving the greenbelt and perpetuating agricultural uses in the Arlington Heights area. This property and the surrounding area have an A/RR – Agricultural/Rural Residential General Plan land use designation. General Plan Objective LU-6 intends to "retain functional agricultural

areas within Riverside, particularly within the greenbelt area, while allowing for sensitive, low-intensity residential uses”.

The site is zoned RA-5 – Residential Agricultural Zone which is intended for agricultural uses and allows for the construction of a single-family residence, keeping of poultry and some animals. Each lot is required to have a minimum area of 5 acres, minimum width of 300 feet and a minimum depth of 500 feet. The applicant is proposing to create 3 parcels, each having the minimum area of 5 acres. Parcels 1, 2 and 3 will meet the minimum lot standards of the RA-5 Zone, except for the lot depth of Parcels 2 and 3. A Variance for lot width is requested to deviate from the standard and staff can support it based on the Variance Justification Findings described below.

| RA-5 Single Family Residential Development Standards | | | | | | |
|---|----------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| Standard | | Proposed Parcel 1 | Proposed Parcel 2 | Proposed Parcel 3 | Consistent | Inconsistent |
| Lot Area | 5 Acres | 9.8 acres | 5 acres | 5 acres | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Lot Width | 300 feet | 510 feet | 522 feet | 667 feet | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Lot Depth | 500 feet | 620 feet | 356 feet | 308 feet | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Density | Maximum 0.20 dwelling units/acre | 0.15 dwelling units/acre | | | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Map Design

The proposed subdivision map can be supported as it has been designed to minimize grading within the hillside areas of the site and meets the majority of the lot standards. Additionally, adequate access will be provided to the proposed parcels. Staff can support the proposed Parcel Map as the proposed subdivision complies with the lot development standards of the Subdivision Code.

Variance

Variance Requested: To allow reduced lot depths for Parcels 2 and 3, where the Zoning Code requires a minimum lot depth of 500 feet.

- 1. The strict application of the provisions of the Zoning Code would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Code.**

The proposal complies with this finding. The Zoning Code requires a lot depth of a minimum of 500 feet. The applicant is proposing lot depths of 356 and 308 feet for Parcels 2 and 3, respectively. The proposed subdivision follows the existing contours of the site, minimizing cross lot drainage, while respecting the setbacks of the developed portion of the site. Additionally, the proposed parcel lines will minimize grading and disruption of the existing citrus groves. Strict application of the Zoning Code would require the existing structures on proposed Parcel 1 to be removed or to be located

within another parcel, which results in a practical difficulty or an unnecessary hardship inconsistent with the general purpose and intent of the Zoning Code. Although Parcels 2 and 3 do not meet the minimum lot depth, each lot has been designed to meet the minimum lot area and lot width. Overall the subdivision has been designed to allow for future and existing residences to meet the setback requirements in compliance with the RA-5 Residential Agricultural Zone.

- 2. There are special circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the vicinity and under the identical zoning classification.**

The proposal complies with this finding. The subject property has an irregular shape that was created due to the alignment of Hermosa Drive and the Gage Canal along the northern side of the property. The topography of the site slopes downward to meet the grade of Hermosa Drive and Gratton Street. Additionally, a portion of the property, proposed as Parcel 1, has been graded and developed since circa 1930's in a manner that follows the natural contours of the property. The parcel configuration, topography and the existing residential development creates special circumstances applicable to this property that prevent the proposed subdivision from complying with the lot depth requirement for Parcels 2 and 3.

- 3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.**

The proposal complies with this finding. The granting of the variance will allow a subdivision that is in character with the surrounding development. Additionally, the proposed lot configuration will provide for the least amount of alteration to the existing topography or the existing citrus groves. Therefore, granting the variance for a reduced lot depth for Parcels 2 and 3 will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located.

- 4. The granting of the variance will not be contrary to the objectives of any part of the General Plan.**

The proposal complies with this finding. The project is consistent with Objective LU-38, "Preserve and enhance Arlington Heights' major cultural-historical and environmental amenities, including citriculture, arroyos, hillsides, Victoria Avenue and the Gage Canal, while providing opportunities for residential development that is sensitive to the neighborhood's heritage". Granting of the variance requests for lot depth for Parcels 2 and 3 is not contrary to the objectives of any part of the General Plan.

NEIGHBORHOOD COMPATIBILITY

The site is located in a predominantly agricultural area of the City, comprised of citrus groves, plant nurseries, animal keeping and homes on large lots. The proposed subdivision is compatible with surrounding development pattern of the area and with the characteristics of the neighborhood. There are no homes proposed at this time and the newly created parcels will continue to be used for agricultural purposes.

PUBLIC NOTICE AND COMMENTS

Public notices were sent to property owners and occupants within 300 feet of the site. As of the writing of this report, Staff has received no responses regarding this project.

ENVIRONMENTAL DETERMINATION

This proposal is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3)(General Rule) of the CEQA Guidelines.

APPEAL INFORMATION

Actions by the Development Review Committee, including any environmental finding, may be appealed to the Planning Commission within ten calendar days after the decision. Appeal filing and processing information may be obtained from the Planning Division Public Information Section, 3rd Floor, City Hall.

DEVELOPMENT REVIEW COMMITTEE'S DECISION

The Development Review Committee **APPROVES** Planning Cases P18-0638 (Parcel Map) and P18-0639 (Variance), subject to the attached conditions.



CONDITIONS OF APPROVAL

Case Number: **P18-0638** (Parcel Map)
P18-0639 (Variances)

Planning

1. Parcel Map No. 37583 shall be recorded.
2. There shall be a 36-month time limit in which to satisfy the conditions and finalize this action. Six subsequent one-year time extensions may be granted by the Community & Economic Development Director upon request by the applicant. Application for a one-year time extension must be made prior to the expiration date of the map. No time extension may be granted for applications received after the expiration date of the map.
3. Variances related to an implementing subdivision, may be granted time extensions by the Community & Economic Development Director or their designee up to a total of six years beyond the original approval expiration date prior to issuance of any building permits. Once the Parcel Map has been recorded time extensions are no longer needed.
4. Any future development shall comply with the development and design standards and entitlement processes at the time such development is submitted for permitting.
5. This project shall fully and continually comply with all applicable conditions of approval, State, Federal and local laws in effect at the time the permit is approved and exercised and which may become effective and applicable thereafter, and in accordance with the terms contained within the staff report and all testimony regarding this case. Failure to do so will be grounds for Code Enforcement action, revocation or further legal action.
6. 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.

Prior to Grading Permit Issuance

7. A Burrowing Owl Survey shall be prepared, submitted, and accepted by Planning staff. The preparation of an environmental assessment in compliance with California Environmental Quality Act may be required based on the recommendations of the Burrowing Owl Survey.

8. A Cultural Resources Report shall be prepared, submitted, and accepted by Planning staff. The preparation of an environmental assessment in compliance with California Environmental Quality Act may be required based on the recommendations of the Cultural Resources Report.

Public Works

Conditions to be fulfilled prior to occupancy unless otherwise noted.

9. 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 in 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.
10. Deed for widening Gratton Street to 33' from monument centerline to Public Works specifications.
11. Deed for widening Hermosa Drive to 33' from monument centerline to Public Works specification.
12. Hermosa Drive to paved a minimum 24' wide along map frontage to Public Works Specifications.
13. *Advisory - As an alternative to Conditions 11 & 12, the subdivider may choose to apply for a Street Vacation to vacate Hermosa Drive between Monroe Street and Gratton Street. Affected property owners must be signatories on the application. Should the street vacation be approved, the subdivider must demonstrate that public street access is provided for Parcel 3 to the City's satisfaction.
14. A surety prepared by Public Works to be posted to guarantee the required off-site improvements prior to map recordation

Public Utilities – Water

15. Water fees due prior to recordation of map for service to each parcel. Estimate to be provided to applicant.

Fire Department

16. A residential fire sprinkler system meeting National Fire Protection Association 13D is required. Attached garages are required to be protected by an automatic fire sprinkler system. Plans shall be submitted to and approved by the Fire Department prior to installation. 2013 California Residential Code, Section R313, 2013 California Fire Code, Section 903.2.8 or Riverside Municipal Code, Section 16.32.080.
17. Requirements for construction shall follow the currently adopted California Building Code and California Fire Code with City of Riverside amendments.
18. Construction plans shall be submitted and permitted prior to construction.

19. Fire Department access shall be maintained during all phases of construction.

Parks and Recreation

20. Developer shall make payment of all applicable Park Development Impact Fees (local, aquatic, regional/reserve and trail fees) per RMC Chapters 16.60, 16.44 and 16.76.

Public Utilities – Electric

No conditions

Building & Safety

No conditions