



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director

Prepared by: Damaris Abraham, Senior Planner

Date: November 6, 2018

Subject: **Variance No. 2018-01** – A request to reduce the minimum 60 ft. street frontage width required by the R-1 zone to 50 ft. for 10 lots and reduce the minimum lot size from 6,000 sq. ft. to 4,500 sq. ft. for 12 lots for a previously approved Tentative Tract Map No. 32129.

Applicant: Ed Sauls, Three Strands Properties, LLC

Recommendation

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT VARIANCE NO. 2018-01 IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING VARIANCE NO. 2018-01 REDUCING THE MINIMUM STREET FRONTAGE FROM 60 FEET TO 50 FEET FOR 10 LOTS AND REDUCING THE MINIMUM LOT SIZE FROM 6,000 SQUARE FEET TO 4,500 SQUARE FOOT FOR 12 LOTS OF TENTATIVE TRACT MAP NO. 32129 LOCATED AT APNS: 347-110-021 and 347-581-008.

Background

On October 12, 2004, the City Council approved Mitigated Negative Declaration (MND) No. 2004-05, Zone Change No. 2004-01 and Tentative Tract Map (TTM) No. 32129 for the subdivision of approximately 10 acres into 27 residential lots and seven (7) open space lots.

On October 24, 2006, the City Council approved a two (2) year extension of time for TTM 32129 to October 12, 2008. Between July 2008 and July 2013, the California Legislature adopted Senate Bill 1185, Assembly Bill 333, Assembly Bill 208, and Assembly Bill 116, all automatically extending the life of TTM 32129 for an additional seven (7) years to October 12, 2015.

On October 13, 2015, the City Council approved a one-year extension of time for TTM 32129 to October 12, 2016.

On March 28, 2017, the City Council approved a three-year extension of time for TTM 32129 to October 12, 2019, which is the final extension of time allowed by the Subdivision Map Act and the

Lake Elsinore Municipal Code (LEMC). As part of the extension of time request, conditions of approval were updated to reflect the most current City requirements for development.

Discussion

Project Request and Location

Variance No. 2018-01 is a request to reduce the minimum street frontage width from 60 ft. required by the R-1 zone to 50 ft. for 10 lots (lot numbers 3, 4, 5, 6, 8, 10, 11, 12, 13, and 24) of TTM 32129. The variance also includes a request to reduce the minimum lot size from 6,000 sq. ft. required by the R-1 zone to 4,500 sq. ft. for 12 lots (lot numbers 3, 4, 5, 6, 9, 10, 11, 12, 13, 15, 16, and 21) of TTM 32129 (Project).

The Project is located northeasterly of Rosetta Canyon Drive, southerly of Sharon Street, and easterly of Trellis Lane. (APNs: 347-110-021 and 347-581-008)

Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Vacant	Low Medium Residential (LMR)	Single-Family Residential (R-1)
North	Residential	Low Medium Residential (LMR)	Single-Family Residential (R-1)
South	Vacant	Ramsgate Specific Plan (RSP)	RSP, Medium Density (MD)
East	Vacant	Low Medium Residential (LMR)	Single-Family Residential (R-1)
West	Residential	Ramsgate Specific Plan (RSP)	RSP, Medium Low Density (MLD)

Analysis

The Project site is currently zoned Single-Family Residential (R-1). Section 17.76.070.B of the R-1 zone requires the minimum street frontage width for standard interior lots created in the R-1 zoning district to be 60 feet. Section 17.76-060.A of the R-1 zone also requires the minimum lot area of any new lot created in the R-1 zone to be 6,000 sq. ft. in size.

The variance is requesting to reduce the minimum street frontage width from 60 ft. to 50 ft. for 10 lots and to reduce the minimum lot size from 6,000 sq. ft. to 4,500 sq. ft. for 12 lots of TTM 32129. This would allow TTM 32129 to be developed with the 27 originally approved lots while allowing the Project to meet the most current City requirements for development (as reflected in the updated conditions of approval for the extension of time approved by the City Council on March 28, 2017).

Section 17.172.060 of the LEMC requires the following three findings to be made before granting a variance:

1. *That adequate conditions and safeguards pursuant to LEMC 17.172.050 have been incorporated into the approval of the variance to ensure development of the property in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.*

The Project site's current General Plan Land Use Designation is Low Medium Residential (LMR) and is located in the Lake Elsinore Hills (LEH) District. The Project complies with Policy LEH 2.1, which requires "new projects create strong links between existing uses, approved

specific plans, future developments, and the Lake Elsinore Hills District's open space, MSHCP conservation areas, and recreational areas." The Project will maintain similar lot sizes to the specific plan located to the west and south of the Project site. Larger lots are also proposed on the Project's northerly boundary to provide a transition for the existing estate lots. Adequate conditions of approval have been added to ensure that the development of the property is consistent with the objectives of the General Plan and the LEH District.

2. *That there are special circumstances, pursuant to the purpose of this chapter, applicable to the subject property which do apply generally to other properties in the neighborhood, and, therefore, granting of the variance shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located.*

The variance is requesting to reduce the minimum street frontage width from 60 ft. to 50 ft. for 10 lots and to reduce the minimum lot size from 6,000 sq. ft. to 4,500 sq. ft. for 12 lots of TTM 32129. Neighboring properties to the west and south of the Project site range 4,000 sq. ft. to 5,000 sq. ft. in size. The Project is proposing similar lot sizes to these neighboring properties. As revised, TTM 32129 retains the larger lots on the northern boundary as originally approved to provide a buffer to adjacent estate lots. The net lot size for the Project will range from 4,535 sq. ft. to 13,759 sq. ft. Four lots will exceed 8,000 sq. ft. and only one lot will be 4,535 sq. ft. while the remainder (22 lots) will range from 5,000 sq. ft. to 8,000 sq. ft. The granting of the variance will not constitute granting of a special privilege to property. It will allow the subject property to be developed in a similar manner as the surrounding properties.

3. *That in approving the variance, any reductions authorized from the strict interpretation of the zoning ordinance represents the minimum deviation from this code necessary to fulfill the purpose of this chapter and enable reasonable development of the property.*

TTM 32129 was originally approved for 27 lots. The variance request to reduce the minimum street frontage width from 60 ft. to 50 ft. for 10 lots and reduce the minimum lot size from 6,000 sq. ft. to 4,500 sq. ft. for 12 lots of TTM 32129 achieves this in a logical configuration of lots fronting on two streets that abut subdivisions with similar lot frontage and configurations. This would allow TTM 32129 to be developed with the 27 originally approved lots while allowing the Project to meet the most current City requirements for development. The proposed variance represents the minimum deviation necessary to enable reasonable development of the property.

Environmental Determination

Pursuant to CEQA Guidelines Section 15162, staff has determined that the proposed Project would not have a significant effect on the environment and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier Mitigated Negative Declaration (MND). All potentially significant impacts have been avoided or mitigated pursuant to the earlier MND and none of the conditions described in Section 15162 exist. MND No. 2004-05 was adopted by the City Council on October 12, 2004 for TTM 32129. The Project is requesting a reduction in the minimum lot size (for 12 lots) and in minimum street frontage width (for 10) of TTM 32129. Approval of the Project will not change density or intensity of use; it allows the Project to be developed with the 27 originally approved lots while allowing the Project to meet the most current City requirements for development such as water quality features. No substantial changes which require major revisions to the MND exist and no

new information of substantial importance which require revisions to the earlier MND exist. Therefore, no further environmental documentation is necessary.

Exhibits

- A – MSHCP Resolution
- B – VAR Resolution
- C – Conditions of Approval
- D – Lot Summary Table
- E – Vicinity Map
- F – Aerial Map
- G – Revised TTM 32129