LAND USE SERVICES DEPARTMENT
PLANNING COMMISSION STAFF REPORT

HEARING DATE: March 5, 2015 **AGENDA ITEM: 3**

Project Description:

APNs:	**0201-043-44**
Applicant:	Eric Sambold
Community:	Rancho Cucamonga/Second Supervisorial District
Location:	South side of Snowdrop Road, approximately 325 feet west of Robinhood Road
Project No.:	P201300445
Staff:	Chris Warrick
Rep.:	Bonadiman and Associates
Proposal:	General Plan Land Use District Amendment from Rural Living (RL-5) to Single Residential (RS-1) on 6.83 gross acres and Tentative Parcel Map 19466 to subdivide 4.85 gross acres into two parcels.

Vicinity Map N↑

9 Hearing Notices Sent On: February 18, 2015 **Report Prepared By: Chris Warrick**

SITE INFORMATION:

Parcel Size: 4.85 Acres

Terrain: Very steep with 62 percent of site exceeding 40% grade and many portions in the south half of the site exceeding 100% grade.

Vegetation: Relatively dense natural vegetation consisting of chaparral, scrub and scattered outlying trees.

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING/OVERLAY DISTRICTS
Site	One Single Family House	Rural Living (RL-5) 5 acre minimum lot size & Fire Safety Overlay (FS-3)
North	Single Family House	Rural Living (RL-5) 5 acre minimum lot size & Fire Safety Overlay (FS-3)
South	Vacant	Rural Living (RL-5) 5 acre minimum lot size & Fire Safety Overlay (FS-3)
East	Vacant and Single Family House	Rural Living (RL-5) 5 acre minimum lot size & Fire Safety Overlay (FS-3)
West	Vacant	Rural Living (RL) 2.5 acre minimum lot size & Fire Safety Overlay (FS-3)

	AGENCY	**COMMENT**
City Sphere of Influence:	City of Rancho Cucamonga	City Recommends Denial
Water Service:	Cucamonga Valley Water District	
Septic/Sewer Service:	Private on-site septic system	EHS approval required

STAFF RECOMMENDATION: That the Planning Commission **RECOMMEND** that the Board of Supervisors **DENY** the General Plan Land Use District Amendment from Rural Living (RL-5) to Single Residential (RS-1) on 6.83 gross acres and Tentative Parcel Map 19466 to subdivide 4.85 gross acres into two parcels.

This project shall be referred to the Board of Supervisors for final action. Therefore, the recommendation of the Planning Commission is not the final action and cannot be appealed to the Board.

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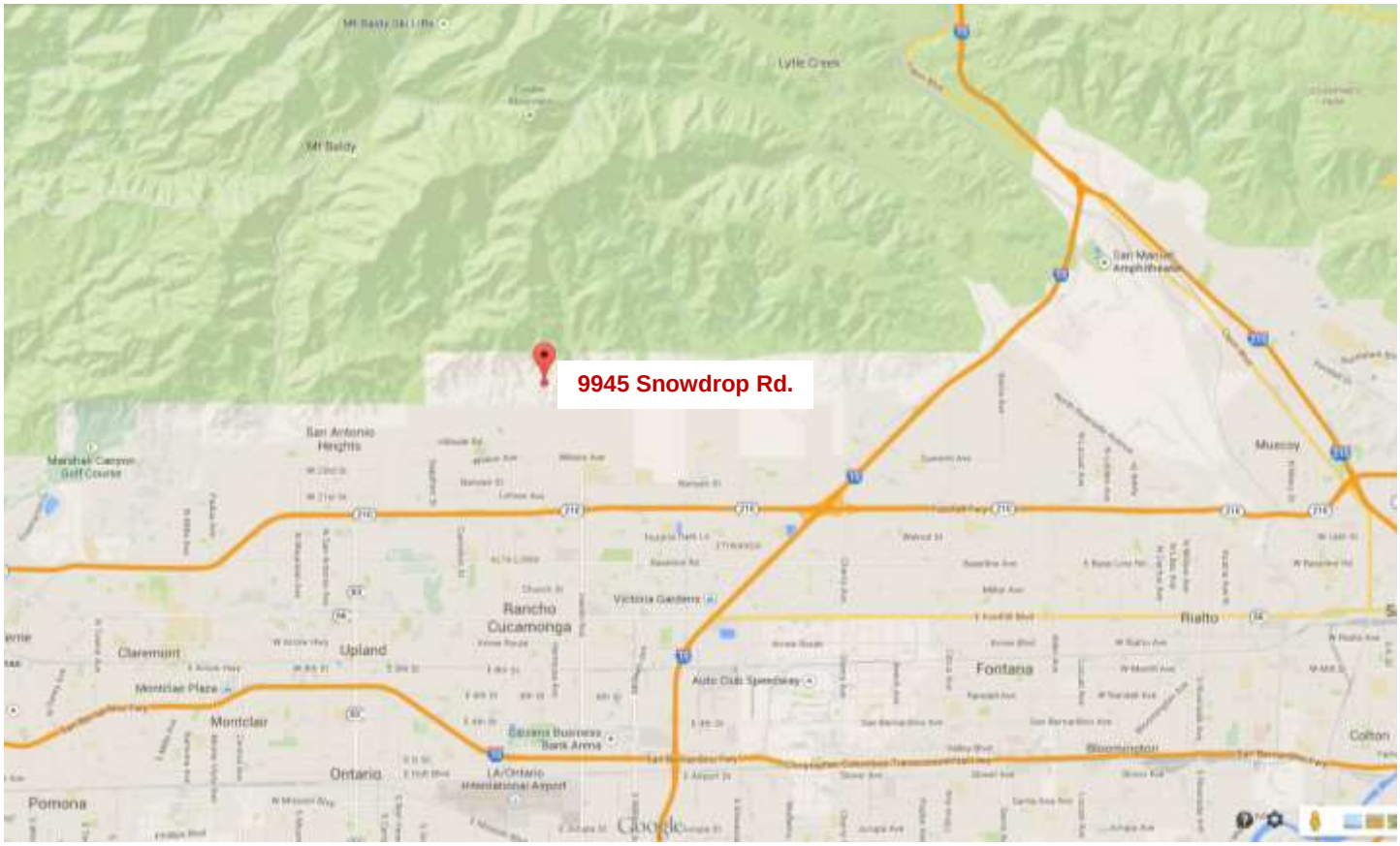
VICINITY MAP (Regional)



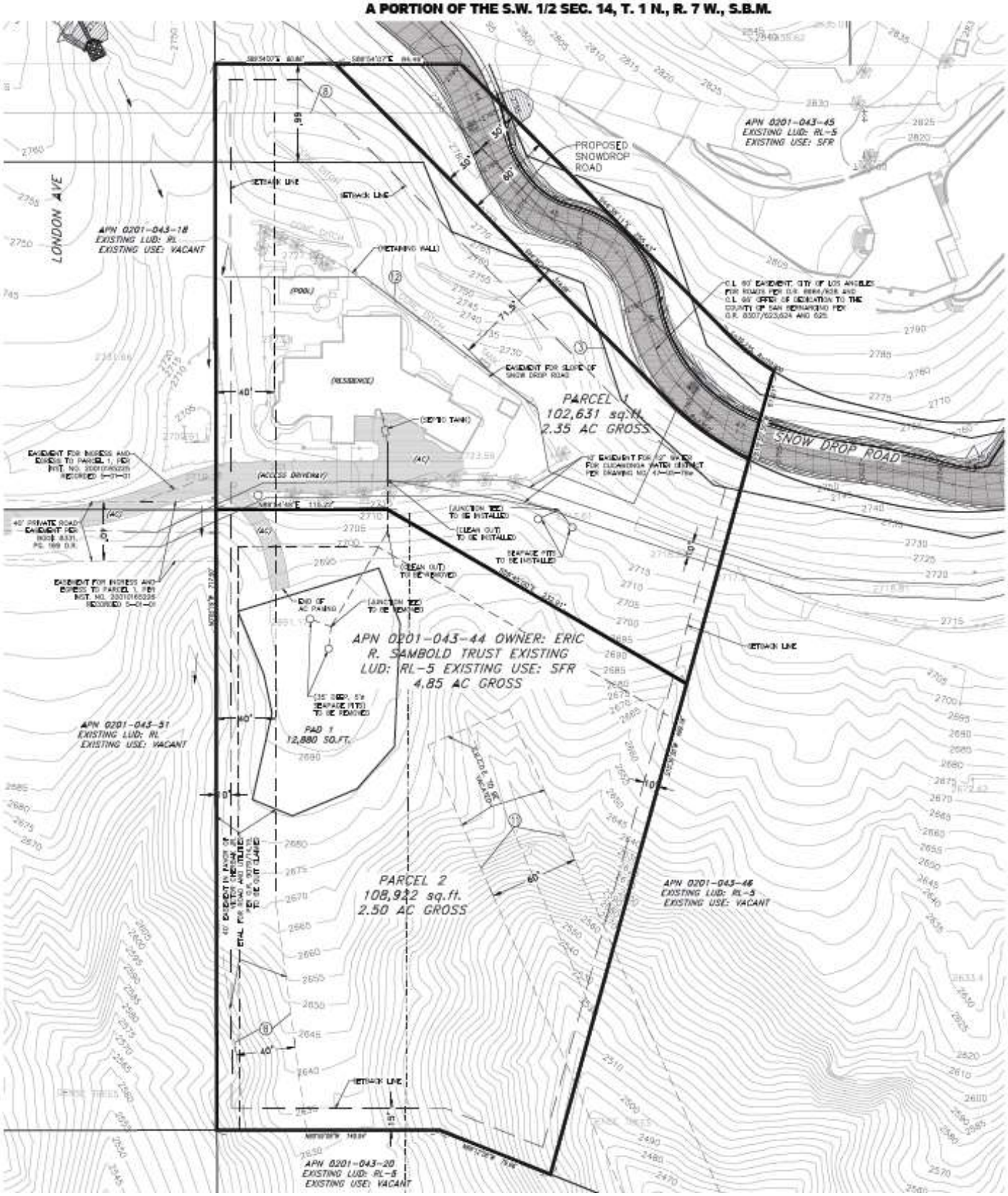
AERIAL MAP

OFFICIAL LAND USE DISTRICT MAP

TENTATIVE PARCEL MAP 19466

APN: 0201-043-44

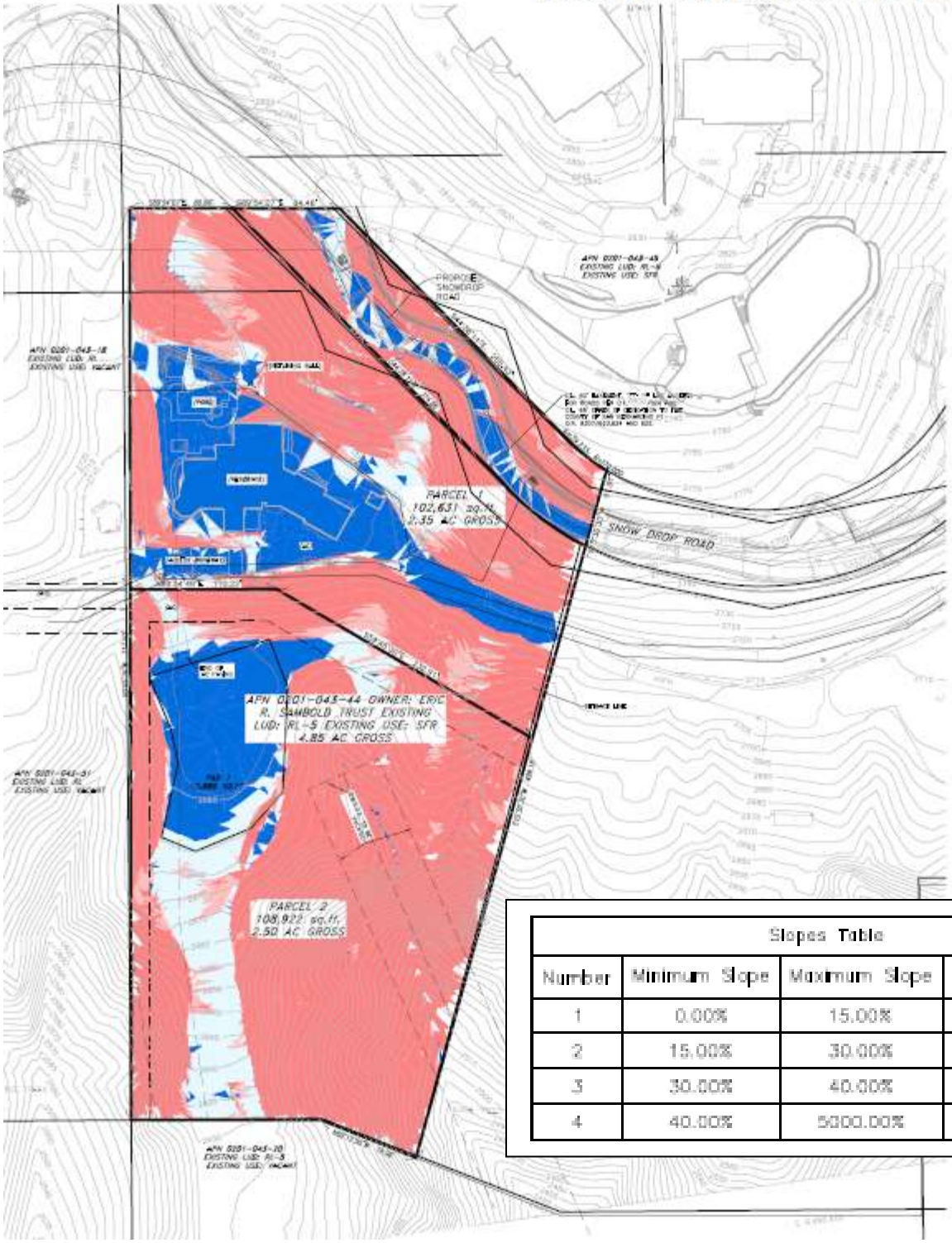
A PORTION OF THE S.W. 1/2 SEC. 14, T. 1 N., R. 7 W., S.B.M.



SLOPE ANALYSIS

APN: 0201-043-44

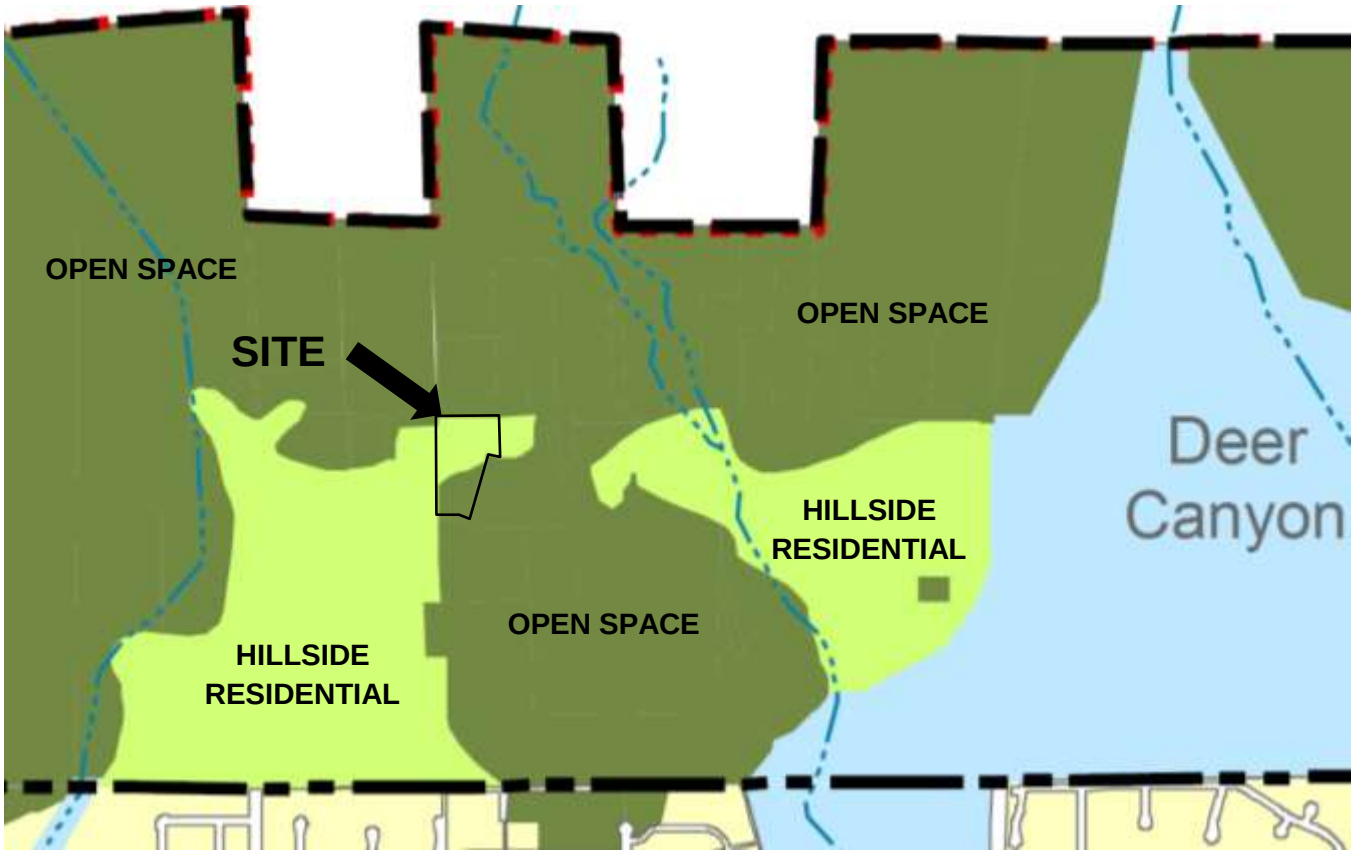
A PORTION OF THE S.W. 1/2 SEC. 14, T. 1 N., R. 7 W., S.B.M.



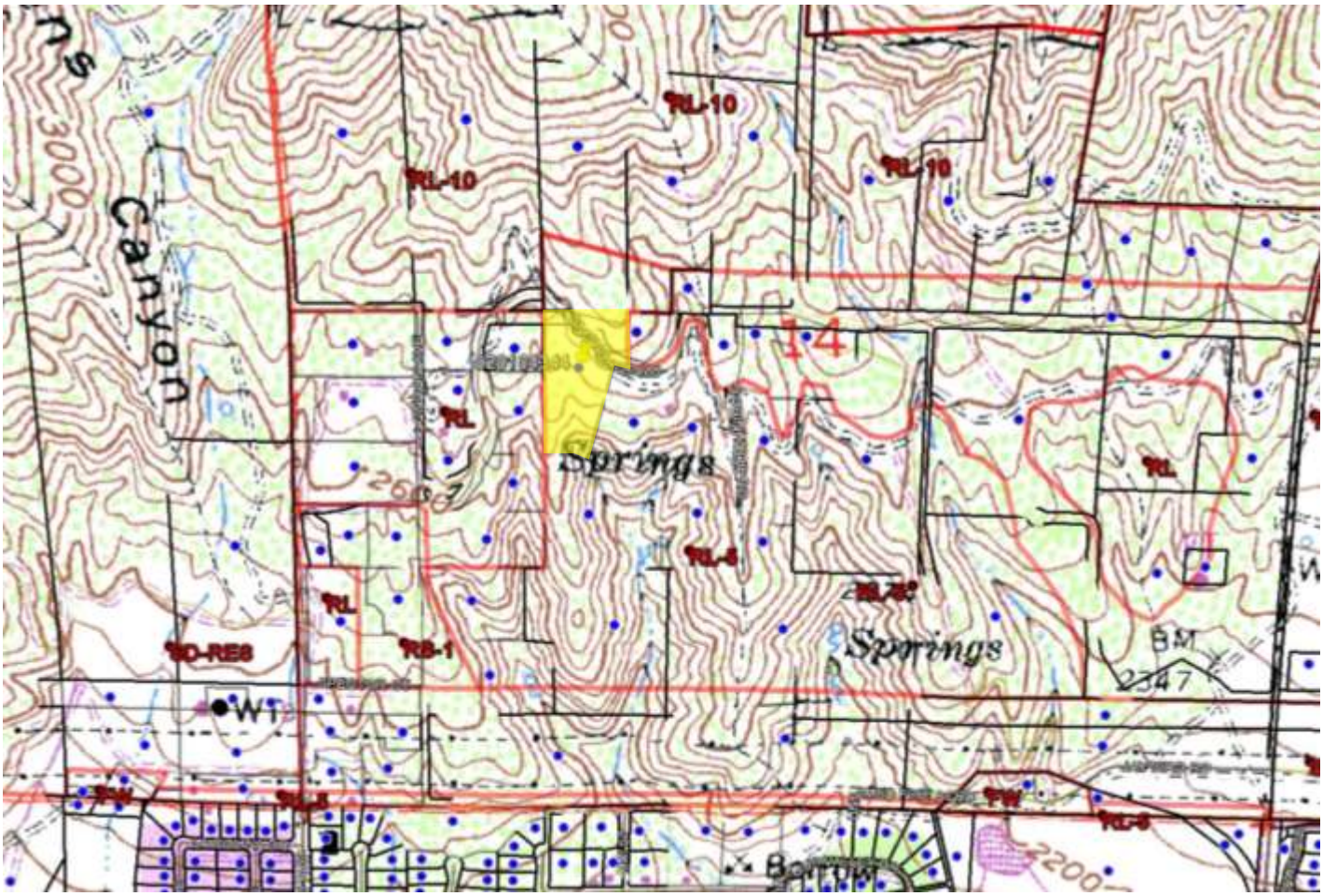
Slopes Table				
Number	Minimum Slope	Maximum Slope	Color	Area (AC)
1	0.00%	15.00%		0.96
2	15.00%	30.00%		0.54
3	30.00%	40.00%		0.29
4	40.00%	5000.00%		2.95

CITY OF RANCHO CUCAMONGA (Sphere Area)

GENERAL PLAN LAND USE MAP



USGS TOPOGRAPHIC MAP
WITH COUNTY LAND USE OVERLAY



SITE PHOTOS

Looking South from Snowdrop Rd.

Looking South from Northwest corner of site

SITE PHOTOS

Looking south from northeast corner of site

Looking south from northeast corner of site

SITE PHOTOS

Looking west from the east property line

Looking north from approx. ½ mile south of the site

PROJECT DESCRIPTION AND BACKGROUND:

Project: The applicant is requesting approval of a General Plan Land Use District Amendment from Rural Living RL-5 (5-acre minimum lot sizes) to Single Residential RS-1 (1-acre minimum lot sizes) on 6.83-acres. The applicant has also submitted Tentative Parcel Map 19466 to subdivide 4.85-acres into two parcels. The proposed Tentative Parcel Map includes a 2.35-acre parcel on the north and a 2.5-acre parcel on the south. The General Plan Land Use District Amendment and Tentative Parcel Map are collectively referred to as the "Project." The Project site is currently developed with a single family house, which is located in the northern portion of the site, on proposed Parcel 1.

General Plan Amendment: A General Plan Amendment is required in conjunction with the proposed parcel map because the current land use designation of the site is RL-5, which requires a minimum lot size of 5 acres. The applicant is proposing to change the Land Use Designation to RS-1 because it is the only residential designation that allows 2.35-acre parcels, which is the smallest of the two parcels proposed. The proposed General Plan Amendment extends beyond the boundary of the Tentative Parcel Map, so that the Project could connect to the existing RS-1 District to the east. The 4.85-acre site, on its own, is not large enough to have its own RS-1 designation. The County Development Code and General Plan require all RS-1 areas to have a minimum area of 10-acres. Therefore, the applicant is proposing to include the parcel to the northeast (APN: 0201-043-45) in the General Plan Amendment, which would connect the proposed tentative map to the existing RS-1 District to the east. The parcel to the northeast, which is not part of the proposed Parcel Map, has a split designation of RL-5 and RS-1. This parcel is approximately 2-acres in size, so it would be appropriate for this parcel to be included in the proposed General Plan Amendment to correct the current split-zoning of the property between two different land use zoning districts, by designating the entire parcel RS-1.

Environmental Setting: The Project is in the City of Rancho Cucamonga (City) Sphere of Influence (SOI), which is in the foothills north of the City on the south side of Snowdrop Road. The Project site has very steep terrain with 62% of the site having a grade of 40% or greater. The vegetation on site is relatively dense, consisting of chaparral, scrub and scattered outlying trees.

ANALYSIS:

Slope Analysis. As noted above, 62% of the Project site has a grade of 40% or greater. Approximately one acre of the site contains slopes that are less than 15%. This includes the area around the existing single family house, the road bed of Snowdrop Road, and the proposed building pad for parcel 2, which is 12,880 sq. ft. The steeper slopes are in the south half of the site where the grades exceed 100% in some areas. The following is the slope analysis table provided by the applicant:

SLOPE TABLE		
Slope Category	**Area (acres)**	**Percent of Site**
0 – 15%	.96	20.2%
15% - 30%	.54	11.4%
30% - 40%	.29	6.1%
40% +	2.95	62.2%

City of Rancho Cucamonga Review. This Project was accepted by the County for review on February 21, 2014. Since the Project is in the City SOI, County staff sent the Project to City staff for their review. On March 21, 2014, the County received a letter from the City Planning Department (Exhibit B) stating that the City did not support approval of the proposed General Plan Amendment due to the many development constraints regarding properties in the Hillside Residential area. The City General Plan land use designation for this parcel is split between two land use categories. The northerly half of the

property is Hillside Residential, which allows 0.1 (1 unit per 10 acres) to 2 dwelling units per acre. The southerly half of the parcel is Open Space, which allows a maximum density of 0.1 units per buildable acre. The City explained in its letter that the allowable density for the development could only be determined after review of the slope analysis map. The slope analysis was sent to the City on October 14, 2014, for its review and the City responded by email (Exhibit C) on October 22, 2014. The City calculated the density limitations for the site based on the land capacity schedule of its Development Code. According to the City's calculation, the adjusted net buildable area for this Project is 1.26, which means that a maximum 1.26 units could be permitted for this Project. So even with the proposed land use amendment changed to RS-1, the Project would be over the density limitation. Furthermore, the City considers this proposal to be "spot zoning" which is inconsistent with its General Plan goals. The City confirmed in a follow-up email on January 21, 2015, that it is still recommending denial of the Project due to the density limitation, while acknowledging that the ultimate decision rests with the County.

Sphere of Influence. When the SOI was created, the City established General Plan Land Use Districts for the sphere area that will be implemented if and when the area is annexed to the City. The land use districts established in sphere areas are not always consistent with the County's land use districts. While the City and the County both acknowledge that the County has the ultimate land use authority over sphere areas, it is the County's practice to consult with sphere cities on land use issues. It is especially important to consult with sphere cities when a General Plan Amendment is involved so as to prevent or minimize inconsistencies between the County and City SOI Land Use Districts. The land use policies adopted for the SOI areas are designed to encourage annexations or incorporations, and there are many policies in the County General Plan that address areas of commonality between the County and Cities regarding the sphere of influence areas, specifically the following:

> **GOAL LU 11.** "Promote mutually beneficial uses of land to address regional problems through coordination and cooperation among the County, the incorporated Cities, Southern California Association of Governments (SCAG), San Bernardino Associated Governments (SANBAG), the various special districts and other local, state, and federal agencies."
>
> **POLICY LU 9.4.** Ensure land use proposals in SOI areas receive appropriate review.
>
> 1. Consider establishing special development standards for SOI areas that more closely conform to city development standards in specific SOI areas where the County and the City have shared development and land use objectives.
>
> 2. Adopt a Sphere Standards Overlay to guide development areas in those SOI areas where special development standards are warranted.
>
> 3. Provide project notices to adjoining cities to offer opportunities for city input to County development review.
>
> 4. Require discretionary review for all new development projects within City spheres of influence.
>
> **POLICY LU 1.2.** The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.

The County General Plan discusses the importance of coordination between the County and the numerous public agencies in implementing the General Plan. Such coordination is particularly crucial

to ensure the joint planning efforts of the County and the incorporated Cities, regarding land development policies in the SOI areas.

Chapter 82.22 of the County Development Code provides a process for establishing sphere standards for incorporated cities throughout the County. The purpose of the sphere standards is to create an overlay district that will allow implementation of County development standards that more closely conform to the City development standards within the respective specified spheres of influence. Of the cities identified in the Code, Apple Valley and Fontana are the only two SOI area which have unique sphere standards. However, this does not relieve the County of its obligation to follow the General Plan by cooperating with the City to ensure the compatibility of land use proposals in all SOI areas.

County/City General Plan Consistency. The County General Plan Land Use Districts in this area are somewhat consistent with the City's Land Use Districts in that the density limitations of both jurisdictions have a direct correlation to the natural grade of the land. The City's Hillside Residential district, which allows 0.1 to 2.0 dwelling units per acre, generally follows the boundaries of the County's RS-1 and RL districts, which allow one unit per acre and one unit per 2.5 acres, respectively. Similarly, the City's Open Space district, with a maximum dwelling unit density of 0.1 units per buildable acre (1 unit per 10 acres), generally follows the boundaries of the County's RL-5 district, which allows one unit per five acres. Staff has included an exhibit that shows the general relationship between the natural gradient of the land and the Land Use Districts, where the steeper areas generally follow the RL-5 District and the flatter areas generally follow the RL and RS-1 Districts.

Although the City's Land Use Districts are more restrictive than the County's, they both seem to have been based on the same criteria, the natural grade of the land. The slope analysis for the site shows that 62% of the site has slopes that exceed 40% grade, and many areas on site exceed 100% grade. Based on the generally established criteria of both the County and the City, to assign lower density designations for areas with steeper slopes, it is not recommended that the subject property be rezoned with a more dense designation, especially when the current designation of RL-5 is already more dense than the City's land use designation.

Further, the proposed Amendment and Parcel Map is not consistent with General Plan Policy LU 1.2, because the design and siting of the new development does not meet locational and development standards and is not compatible with adjacent land uses and community character. The majority of the parcels along snowdrop Road are larger than 5 acres in size and many parcels on the north side of Snowdrop Road are larger than 10 acres in size. Within the entire Snowdrop Road area there are only nine parcels that are smaller than 2.5 acres in size. Seven of these parcels are within the RS-1 District (1 acre minimum lot size). One is in the RL District (2.5 acre minimum lot size) and one is in the RL-5 District (5 acre minimum lot size).

Fire Safety (FS) Overlay. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the City's SOI for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30% in gradient and greater than 30 ft. in height, each structure shall be set back at least 30 ft. from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30%. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

Public Comments. The Project notices were sent to nine surrounding property owners within 300 feet of the Project site, as required by Development Code Section 84.27.070, for project sites of 20 acres or less. The Planning Division has not received any comments from the surrounding property owners.

ENVIRONMENTAL REVIEW

An environmental finding is not required for a Project denial (Public Resources Code § Section 21080(b)(5). Therefore, because staff is recommending denial of the Project, a full environmental review has not been completed for this Project.

SUMMARY:

The proposed General Plan Amendment and Tentative Parcel Map is not consistent with the County General Plan because the design and siting of the proposed development does not meet locational and development standards, is not compatible with adjacent land uses and community character, and does not provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The proposed amendment would also allow for an increase in density in an area with very steep terrain in the Fire Safety Area 3, where zero density is allowed in the City SOI on slopes of greater than 30% gradient. This project is also not consistent with the City's density limitations, which allows a maximum of 1.26 units for the entire site. Since the site already has one unit, no further development would be allowed under the City's regulations.

Compliance with City standards is not the only criterion for consideration of the proposed General Plan amendment and Tentative Parcel Map. The proposal is not consistent with the County General Plan land use policies or the County Fire Safety Overlay standards. Therefore, staff recommends denial.

RECOMENDATION: That the Planning Commission recommend that the Board of Supervisors:

DENY the General Plan Land Use District Amendment from Rural Living (RL-5) to Single Residential (RS-1) on 6.83 gross acres, and deny Tentative Parcel Map 19466 to subdivide 4.85 gross acres into two parcels.

ATTACHMENTS:

Exhibit A: Findings
Exhibit B: City of Rancho Cucamonga Letter (March 13, 2014)
Exhibit C: City of Rancho Cucamonga Email (October 22, 2014)

EXHIBIT A

Findings

FINDINGS

General Plan Amendment: General Plan Land Use District Amendment from Rural Living (RL-5) to Single Residential (RS-1) on 6.83 gross acres.

Per Section 86.12.060 of the County Development Code an amendment to the General Plan may be approved only if specific findings can be made in the affirmative. However, where staff cannot make the findings in the affirmative, the findings are written in the negative, as applicable to each finding.

1. The proposed amendment is not internally consistent with all other provisions of the respective plan, the General Plan or an applicable specific plan.

The proposed amendment is not consistent with General Plan Policy LU 1.2, because the design and siting of the new development does not meet locational and development standards and is not compatible with adjacent land uses and community character. The majority of the parcels along snowdrop Road are larger than 5 acres in size and many parcels on the north side of Snowdrop Road are larger than 10 acres in size. Within the entire Snowdrop Road area there are only nine parcels that are smaller than 2.5 acres in size. Seven of these parcels are within the RS-1 District (1 acre minimum lot size). One is in the RL District (2.5 acre minimum lot size) and one is in the RL-5 District (5 acre minimum lot size).

The proposed land use zoning district change does conflict with provisions of the Development Code in that it is not consistent with the Fire Safety (FS) Overlay District. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the City of Rancho Cucamonga (City) Sphere of Influence for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30 percent in gradient and greater than 30 feet in height, each structure shall be set back at least 30 feet from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30 percent. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

2. The proposed amendment could potentially be detrimental to the public interest, health, safety, convenience, or welfare of the County.

Allowing increased residential densities in the Fire Safety Areas could potentially be detrimental to the public interest, health, safety, convenience, or welfare of the County, because the proposed amendment would allow an increase in density in an area that is located in the Fire Safety Area 3 (FS3). The FS3 area includes lands just to the south of the mountain in the FS1 area. These lands are primarily within the wildland-urban interface of the Valley Region and consist of varying terrain from relatively flat to steeply sloping hillside areas. Present and future development within FS3 is exposed to the impacts of wildland fires and other natural hazards primarily due to its proximity to FS1. These areas are

subject to Santa Ana wind conditions that have the potential of dramatically spreading wildland fires during extreme fire behavior conditions.

3. The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.

Approval of the proposed land use zoning district change would enable and facilitate additional development and related improvements on the subject site which must be developed in conformance with the County Development Code and other State and local development regulations.

4. The proposed land use district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.

Approval of the proposed land use district change would provide a reasonable and logical extension of the Single Residential (RS-1) District in this area, because it would extend existing portions of the RS-1 District from the east along Snowdrop Road.

5. The proposed land use zoning district change does conflict with provisions of the Development Code

The proposed land use zoning district change does conflict with provisions of the Development Code in that it is not consistent with the Fire Safety (FS) Overlay District. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the City's Sphere of Influence for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, Where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30% in gradient and greater than 30 feet in height, each structure shall be set back at least 30 feet from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30%. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

6. An environmental finding of whether the proposed land use zoning district change will or will not have a substantial adverse effect on surrounding property is not required with a recommendation of denial.

An environmental finding is not required for a project denial (Public Resources Code § Section 21080(b)(5). Therefore, because staff is recommending denial of the project, a full environmental review has not been completed for this project.

7. The affected site is not physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or

otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The affected site is not physically suitable in terms of design, location, shape, size, operating characteristics, and the proposed or anticipated uses and/or development could endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the Rancho Cucamonga Sphere of Influence for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, Where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30% in gradient and greater than 30 feet in height, each structure shall be set back at least 30 feet from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30%. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

Tentative Parcel Map 19466: Tentative Parcel Map 19466 to subdivide 4.85 gross acres into two parcels.

Per Section 87.02.060 of the County Development Code a Tentative Map may be approved only if specific findings can be made in the affirmative. However, where staff cannot make the findings in the affirmative, the findings are written in the negative, as applicable to each finding.

1. **The proposed map, subdivision design, and improvements are not consistent with the General Plan, any applicable community plan, and any applicable specific plan.**

   The proposed Parcel Map is not consistent with General Plan Policy LU 1.2, because the design and siting of the new development does not meet locational and development standards and is not compatible with adjacent land uses and community character. The majority of the parcels along snowdrop Road are larger than 5 acres in size and many parcels on the north side of Snowdrop Road are larger than 10 acres in size. Within the entire Snowdrop Road area there are only nine parcels that are smaller than 2.5 acres in size. Seven of these parcels are within the RS-1 District (1 acre minimum lot size). One is in the RL District (2.5 acre minimum lot size) and one is in the RL-5 District (5 acre minimum lot size).

2. **The site is not physically suitable for the type and proposed density of development.**

   The site is not suitable for the type of proposed density of development. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the Rancho Cucamonga Sphere of Influence for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30% in gradient and greater than 30 feet in height, each structure shall be set back at least 30 feet from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30%. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

3. **An environmental finding of whether the design of the subdivision and the proposed improvements will or will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, is not required with a recommendation of denial.**

   An environmental finding is not required for a project denial (Public Resources Code § Section 21080(b)(5). Therefore, because staff is recommending denial of the project, a full environmental review has not been completed for this project.

4. The design of the subdivision or type of improvements could cause serious public health or safety problems.

The design of the subdivision, which would allow the development of one additional unit could cause serious safety problems, because the proposed amendment would allow an increase in density in an area that is located in the Fire Safety Area 3 (FS3). The FS3 area includes lands just to the south of the mountain in the FS1 area. These lands are primarily within the wildland-urban interface of the Valley Region and consist of varying terrain from relatively flat to steeply sloping hillside areas. Present and future development within FS3 is exposed to the impacts of wildland fires and other natural hazards primarily due to its proximity to FS1. These areas are subject to Santa Ana wind conditions that have the potential of dramatically spreading wildland fires during extreme fire behavior conditions.

5. The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.

The design of the subdivision or type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision, because the project has been reviewed by the County Land Development Division and the County Traffic Division and it was determined that there would not be any conflicts with public easements and that sufficient access can be provided. The project would be conditioned to ensure that the project does not interfere with rights of easements, and that statements of concurrence be provided from utility companies whose easements may be affected by the proposed development.

6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

Any future development as a result of the proposed subdivision would require the construction of an on-site septic system, because this area is not provided with sanitary sewer. Any future residential development in this area must obtain approval from the Public Health Department, Environmental Health Services Division, which requires adherence to the requirements prescribed by the Regional Water Quality Control Board for on-site wastewater treatment systems.

7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.

Any future development of the site would be required to comply with the building setback requirements which promote optimum spacing of structures to create adequate opportunity for the use of solar technology.

8. The proposed subdivision, its design, density, and type of development and improvements does not conform to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law.

The proposed subdivision does conflict with provisions of the Development Code in that it is not consistent with the Fire Safety (FS) Overlay District. Per Section 82.13.060 of the Development Code (FS Overlay), zero density is allowed in the Rancho Cucamonga Sphere of Influence for any portion of a proposed Tentative Parcel Map on slopes of greater than 30% gradient. Additionally, Where grading is utilized that does not conform to the natural slope and the graded area is adjacent to natural ungraded slopes that are greater than 30% in gradient and greater than 30 feet in height, each structure shall be set back at least 30 feet from the edges of the graded area adjacent to the natural ungraded slopes. There is an area in the northern portion of proposed Parcel 2 that contains natural slopes that are less than 30%. This is the location of the proposed building pad. Unfortunately, it may not be possible to construct a house in this location that does not impact the 30% gradient areas and sill conforms to the 30-foot setback requirement from the areas exceeding 30% grade.

EXHIBIT B

City of Rancho Cucamonga Letter
(March 13, 2014)

RANCHO CUCAMONGA

March 13, 2014

Chris Warrick, Planner
Land Use Services Department
Current Planning Department
385 North Arrowhead, First Floor
San Bernardino, CA 92415-0182

SUBJECT: COUNTY REFERRAL DRC2014-00175 - ERIC SAMBOLD - A General Plan land use district amendment from Rural Living to Single Residential on 6.83 gross acres and Tentative Parcel Map 19466 to subdivide 4.85 gross acres into two parcels located at 9945 Snow Drop Road - APN: 0201-043-44. (County reference # P201300445/CF)

Dear Mr. Warrick:

Thank you for the opportunity to coordinate with County Planning staff in the review of a General Plan land use district amendment from Rural Living to Single Residential on 6.83 gross acres and Tentative Parcel Map 19466, which IPs the proposed subdivision of one existing parcel (4.85 acres) into two parcels (2.35 acres and 2.50 acres). The site is located at 9945 Snow Drop Road. The City of Rancho Cucamonga General Plan land use designation for this parcel is "Hillside Residential" (0.1 to 2 du/ac), the ultimate density of which is determined by a slope density analysis and the application of the "Land Capability Schedule" found in the City Development Code (Section 17.24.080). A portion of this parcel is also designated "Open Space" (0.0 to 0.1 du/ac).

As a subdivision that is intended for future single-family custom lot development for Parcel 2, the Parcel Map should depict the degree of grading that is necessary for all street and trail improvements. We would encourage any future development of single-family custom homes to be subject to the standards and guidelines of the City Development Code Section 17.122.020 - Hillside Development Standards.

The following information should be requested, prior to further review and analysis of the proposed Parcel Map:

1. The applicant should provide a Site Utilization Map that depicts features within 600 feet of the site boundary. The site utilization exhibit should include all adjacent property lines, existing structures or improvements, drainage courses, driveways, and any unique features that may affect the design and the development of this site.

2. The applicant should provide a slope analysis map for the purpose of determining the amount and location of the land, as it exists in its natural state falling into each slope category as specified below. For the slope map, the applicant shall use a base topographical map of the subject site, prepared and signed by a Registered Civil Engineer or Licensed Land Surveyor, which shall have a scale of not less than 1-inch to 100 feet and a contour interval of no more than 2 feet, provided that the contour interval may be 5 feet when the slope is more than 20 percent. This base topographical map shall include all adjoining properties within 150 feet of the site boundaries. Delineate slope bands in the range of 0 up to 5 percent, 5 up to 10 percent, 10 up to 15 percent, 15 up to 20 percent, 20 up to 25 percent, 25 up to

30 percent, and 30 percent or greater. A tabulation of the land area in each slope category specified in acres shall also be included.

3. The allowable density potential for development of this parcel can only be determined after review of the slope analysis map in conjunction with all potential environmental constraints. The ultimate potential for development of the parcel should be master-planned, prior to approval of the Parcel Map. The maximum dwelling unit density may not exceed two units per net buildable acre. The majority of proposed Parcel Number 2 is designated as Open Space, which the maximum dwelling unit density may not exceed 0.1 units per net buildable acre (1Unit/10 Acres).

4. The project also includes the request for a land use district amendment from Rural Living (RL-5 at 1 unit per 5 acres) to Single Residential (RS-1 at 1 unit per 1 acre). The Planning Department does not support this request, due to the many constraints in working with properties in the Hillside Residential area. Properties in this zone shall conform to its General Plan land use designation. Additionally it appears that granting of this General Plan land use amendment for the benefit of a single property owner is not in line with the County or City General Plan goals for land use compatibility. All parcels north, south, east, and west are zoned RL or RL-5.

5. The applicant should provide a general biological survey and habitat assessment of the site to determine whether further focused surveys would be necessary for threatened or endangered species.

6. The applicant should provide a hydrology study to address the drainage course that runs through the property. The study should address the adequate provisions for intercepting and conducting the accumulated drainage around or through the site in a manner that would not adversely effect adjacent or downstream properties.

7. The applicant shall provide a grading plan that indicates the ultimate improvements that are proposed for Snow Drop Road and London Avenue, including the limits of grading and all proposed roadway improvements. At a minimum, roadway improvements shall be completed along the property frontage and shall be coordinated with the Conceptual Fire Protection Plan for Rancho Hills Estates by Hunt Research Corporation (CFPP).

8. The Grading Plan shall also indicate the location of the Local Equestrian Feeder Trail, which is a private easement that is typically 15 feet in width. The Local Feeder Trail is intended to provide access to the rear portion of equestrian-sized lots, with connection to the nearest Community or Regional Trail. A Regional Trail is designated on both the City and County General Plans in this area along the general alignment of the south side of Snow Drop Road and Archibald Avenue.

9. Pad configuration should be softened with variable undulating slopes. Utilize multiple pads which are stepped, with the contours of the existing terrain in order to limit grading, not single pad elevations.

10. The Tentative Parcel Map shall not be approved prior to the completion of the fire protection study for this specific parcel and approval of the study by the Rancho Cucamonga Fire Protection District. The study may include, but may not be limited to, roadway improvement recommendations, fuel modification programs, wildland fire protection requirements, fire suppression system, and development guidelines for the area. The recommendations and conclusions of that study shall become applicable to all lots within the Parcel Map.

11. In conjunction with implementing the recommendations of the study, the City encourages the formation of the Homeowners' Association that would establish road improvement standards and maintenance

criteria for the entire length of Snow Drop Road, including portions of Haven Avenue and Archibald Avenue north of the City limits. Along with the formation of the Homeowners' Association, we would also encourage the Homeowners' Association to establish a policy of reviewing and/or acknowledging all proposed Parcel Maps and the proposals for single-family home construction, in order to maintain an on going accounting of the number of parcels and/or units being created. In this manner, the roadway improvements and maintenance costs can continually be monitored and modified as development is anticipated.

12. Provide a "Will-Serve" letter from the Cucamonga Valley Water District that states that adequate water facilities exist, or will be constructed, for the proposed Parcel Map and the subsequent development of each created parcel.

The following are the review comments from the Engineering Services Department regarding the subject County Referral development review. (Comments provided by Betty Miller, Associate Engineer)

1. Provide copies of adjacent subdivision record information and all documents listed in the table of existing easements.
2. The extent of the 40-foot easement to be vacated is not obvious, but it seems to follow a ridge between two ravines that widens out further south. Will vacating the easement result in a loss of access for any properties to the south?
3. This Parcel Map has existing frontage on Snowdrop Road, but the existing house takes access from an unnamed private road easement from the west. Does that easement allow for additional parcels to take access as well? If Parcel 1 needs to grant access to Parcel 2, that should be shown on the Tentative Parcel Map.
4. This subdivision shall be required to complete all frontage public improvements on Snowdrop Road prior to approval of the final Parcel Map, or an improvement agreement accompanied by appropriate improvement securities shall be executed by the Developer and the County.
5. We understand a group of property owners is working with County Special Districts to create a special district that will construct Snowdrop Road, from Haven Avenue to Archibald Avenue per a roadway and drainage plan we reviewed in December of 2008. We assume individual homeowners will be required to construct their own frontage consistent with said plan as approved by the County.
6. The two ravines these parcels drain to converge downstream and flow into Alta Loma Basin 3, a San Bernardino County Flood Control District facility inside the City of Rancho Cucamonga. Provide a drainage study to determine the increase in Q100 as a result of development and propose appropriate mitigation measures.

Building and Safety Services Department has reviewed the proposed Tentative Parcel Map and offers the following comments (Comments provided by Matthew Addington, Associate Engineer):

1. Although legal access has been provided via an existing road easement to the west property line of Parcel 2, in reviewing the topographic map, physical access has not been provided. The City recommends that an ingress/egress easement to be provided over the southwest portion of proposed Parcel 1 to benefit the proposed Parcel 2;
2. The existing seepage pits should be conditioned to be removed and properly backfilled under the direction of a soils engineer prior to recordation of the Parcel Map.

Please do not hesitate to contact the project planner, Mayuko Nakajima at (909) 477-2750 x4307, Monday through Thursday from 7 a.m. to 6 p.m., if you would like any additional information or clarification.

Sincerely,

Mayuko Nakajima
Assistant Planner

Attachments: Rancho Cucamonga Fire Protection District Fire Construction Services Standard Conditions

MN/ls

c: Robert Ball, Fire Marshall
Moises Eskenazi, Senior Fire Plans Examiner
Betty Miller, Associate Engineer
Matthew Addington, Associate Engineer

Rancho Cucamonga Fire Protection District

Fire Construction Services

STANDARD CONDITIONS

March 5, 2014
County Referral
Eric Sumbold
9769 Santina Drive
Parcel split PM19466
RC Planning Dept. Tracking # DRC2014-00175

THE FOLLOWING DOCUMENT OUTLINES THE PROCEDURE THAT THE PROJECT APPLICANT MUST COMPLY DURING THE DEVELOPMENT PROCESS OF THE PARCELS. RCFPD HAS DEEMED TO PARCEL SPLIT PROJECT COMPLETE AND WITH THE APPROVAL OF ALL OTHER DEPARTMENTS IN MAY CONTINUE IN THE PROCESS.

RANCHO CUCAMONGA FIRE PROTECTION DISTRICT

Rancho Hills Estates Permit Conditions

Note: The April 21, 2004 Conceptual Fire Protection Plan for Rancho Hills Estates by Hunt Research Corporation (CFPP) shall be the prevailing and governing document/standard with regard to fire protection, building construction, vegetation management, fire district access, roadways, driveways, water supply, fire hydrants, fire flow, and enforcement.

Lot Split Condition

- The CFPP shall be recorded on each parcel.

Grading Permit Conditions

- If not already done, the CFPP shall be recorded on the parcel.
- Submittal shall include plans for the fire road adjacent to the parcel. Submitted plan must conform to the City of Rancho Cucamonga's design standard for roads and be engineered according to the Roadway and Drainage Improvements Plan for Snowdrop Road prepared by Associated Engineers.
- Submittal shall include a provision accepting responsibility to maintain the fire road. This provision must be in the form of a document, acceptable to the Fire District, that can be recorded on the parcel and which shall be recorded on the parcel prior to final approval of the building permit.
- Submittal shall include a site specific fire protection plan that conforms to the CFPP with regard to set backs, locations of structures, and vegetation management given the slopes on the parcel after the proposed grading.

Building Permit Conditions

- Fire road adjacent to the property must be completed, with the exception of the final lift, prior to combustible material arriving on the site.
- Submittal shall include a vegetation management plan that conforms to the standards of the CFPP.
- Submittal shall include all fire protection and life safety systems by reference. Plans for such systems can be submitted under separate cover for review and approval.

MEMORANDUM

ENGINEERING SERVICES DEPARTMENT

RANCHO CUCAMONGA

Date: March 10, 2014

To: Mayuko Nakajima, Assistant Planner

From: Dan James, Senior Civil Engineer

By: Betty Miller, Associate Engineer

Subject: COUNTY REFERRAL FOR TENTATIVE PARCEL MAP 19466 (DRC2014-00175)
South Side of Snow Drop Road East of Archibald Avenue, APN 201-043-44

The following are the review comments from the Engineering Services Department regarding the subject County Referral development review.

1. Provide copies of adjacent subdivision record information and all documents listed in the table of existing easements.
2. The extent of the 40-foot easement to be vacated is not obvious, but it seems to follow a ridge between two ravines that widens out further south. Will vacating the easement result in a loss of access for any properties to the south?
3. This parcel map has existing frontage on Snowdrop Road, but the existing house takes access from an unnamed private road easement from the west. Does that easement allow for additional parcels to take access as well? If Parcel 1 needs to grant access to Parcel 2, that should be shown on the tentative parcel map.
4. This subdivision shall be required to complete all frontage public improvements on Snowdrop Road prior to approval of the final parcel map, or an improvement agreement accompanied by appropriate improvement securities shall be executed by the Developer and the County.
5. We understand a group of property owners is working with County Special Districts to create a special district that will construct Snowdrop Road, from Haven to Archibald, per a roadway and drainage plan we reviewed in December of 2008. We assume individual homeowners will be required to construct their own frontage consistent with said plan as approved by the County.
6. The two ravines these parcels drain to converge downstream and flow into Alta Loma Basin 3, a San Bernardino County Flood Control District facility inside the City of Rancho Cucamonga. Provide a drainage study to determine the increase in Q100 as a result of development and propose appropriate mitigation measures.

EXHIBIT C

City of Rancho Cucamonga Email
(October 22, 2014)

Warrick, Chris - LUS

From: Nakajima, Mayuko <Mayuko.Nakajima@cityofrc.us>
Sent: Wednesday, October 22, 2014 5:26 PM
To: Warrick, Chris - LUS
Subject: RE: TPM 19466 / P201300445

Hello Chris,
Thanks for your patience on this request. I have re-reviewed this application and the provided documents. We are able to calculate the total (buildable) land area using the land capacity schedule as shown below and the slope analysis map provided by Mr. Bonadiman. According to the calculation, the adjusted net buildable area would equal to 1.26. So even *with* the proposed land use amendment, the project would be over the density limitation (1.26 x permitted number of allowed units per acre <1.26x1 for RS-1>). The maximum number of units that is permitted is 1.26. Furthermore, the proposal is considered "spot zoning" and is inconsistent with the General Plan goals. Thank you,

Section 17.52.030 Density Limitations

This Section correlates the steepness of the terrain with limitations on development intensity. The total allowable residential dwelling units shall be calculated based on the total (buildable) land area within each slope category multiplied by the capacity factor for each to the slope category.

A. **Using the Land Capacity Schedule.** Table 17.52.030-1 (Land Capacity Schedule) converts the amount of gross site acres into the amount of net buildable acres based on slope measurement.

TABLE 17.52.030-1 LAND CAPACITY SCHEDULE

Slope Measurement	Acres of Land (Gross)	Capacity Ratio	Adjusted Net Buildable Area (Acres x Capacity Ratio)
Under 10%	A	1.000	Ax
10–14.9%	B	0.750	Bx
15–19.9%	C	0.500	Cx
20–24.9%	D	0.250	Dx
25–29.9%	E	0.025	Ex
+30%	F	0.000	Fx
		Total	**(Ax+Bx+Cx+Dx+Ex+Fx)**

B. **Calculating Permitted Units.** The maximum number of dwelling units that may be permitted in a proposed development shall be determined by multiplying the total adjusted net buildable area (Ax+Bx+Cx+Dx+Ex+Fx) above by the permitted number of allowed units per acre according to the zoning district.

MAYUKO NAKAJIMA | Assistant Planner | City of Rancho Cucamonga Planning Department
☎: 909.477.2750 | : 909.477.2847 | 10500 Civic Center Drive Rancho Cucamonga, CA 91730

From: Warrick, Chris - LUS [mailto:Chris.Warrick@lus.sbcounty.gov]
Sent: Tuesday, October 14, 2014 9:49 AM
To: Nakajima, Mayuko
Subject: FW: TPM 19466 / P201300445

Hi May,

Ed Bonadiman has requested that I forward the attached documents to you regarding the proposed Tentative Parcel Map and General Plan Amendment on Snowdrop Road. The documents submitted are in response to your letter dated March 13, 2014 (attached). I have informed Mr. Bonadiman that County staff does not support approval of the proposed map and GPA, because the applicant is requesting a more dense designation than the current RL-5 designation, which is already inconsistent with the City's pre-zoning of Open Space (0.0 to 0.1 du/ac). In the March 13th letter you also indicate that the City Planning Department does not support this request. Mr. Bonadiman recently informed me that the Planning Department may have changed its position and is no longer opposed to the project.

Please let me know if you have any questions.

Thanks,

SAN BERNARDINO COUNTY

Chris Warrick
Land Use Services
Senior Planner

Phone: 909.387.4112 | Fax: 909.387.3223
www.SBCounty.gov

Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

From: Ed Bonadiman [mailto:ed@bonadiman.com]
Sent: Friday, October 10, 2014 2:04 PM
To: Warrick, Chris - LUS
Subject: TPM 19466 / P201300445

Chris,

Attached are the items requested by the City through you. Please forward to May.

Thanks!

Ed

Edward J. Bonadiman, M.B.A., P.L.S.
President
Joseph E. Bonadiman & Associates, Inc.
234 North Arrowhead Avenue
San Bernardino, CA 92408