

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

507B



FROM: TLMA – Planning Department

SUBMITTAL DATE:
August 5, 2016

SUBJECT: FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 35496 – Applicant: Mike Naggar – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Rural Community: Low Density Residential (RC:RC-LDR) – Location: Southerly of 12th St., easterly of Y Ave., northerly of Apricot Ave. – 19.54 Acres – Zoning: Residential Agricultural (R-A) – APPROVED PROJECT DESCRIPTION: Schedule B subdivision of 19.54 acres into 25 residential lots with a minimum lot size of ½ acre and one (1) 2.3 acre remainder lot. Deposit Based Fees 100%.

RECOMMENDED MOTION: The Planning Department recommends that the Board of Supervisors:

RECEIVE AND FILE the Planning Commission Notice of Decision for the above referenced case acted on by the Planning Commission on July 6, 2016. The Tentative Tract Map No. 35496 will now expire on May 13, 2017.

Departmental Concurrence

Steve Weiss, AICP
Planning Director

(Continued on next page)

Juan C. Perez
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: Deposit based funds				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Prev. Agn. Ref.:

District: 5

Agenda Number:

1-3

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 35496**

DATE: August 5, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary

The Tentative Tract Map No. 35496 was originally approved at Planning Commission on May 13, 2009.

The Riverside County Planning Department, as part of the review of this Extension of Time request has determined it necessary to recommend the addition of six (6) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them.

The Tentative Tract Map also benefited from Senate Bill No. 1185 (SB1185), Assembly Bill No. 333 (AB333), Assembly Bill No. 208 (AB208), and Assembly Bill No. 116 (AB116), which granted statutory extensions of time for tentative maps statewide.

The Planning Commission heard the first Extension of Time for Tentative Tract Map No. 35496 on July 6, 2016. The Planning Commission approved the project by a 5-0 vote

Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

ATTACHMENTS:

- A. PLANNING COMMISSION MINUTES**
- B. PLANNING COMMISSION STAFF REPORT**

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: TLMA – Planning Department

SUBMITTAL DATE:
August 5, 2016

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Departmental Concurrence

Steve Weiss, AICP
Planning Director

(Continued on next page)

Juan C. Perez
TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	

SOURCE OF FUNDS: Deposit based funds	Budget Adjustment: N/A
	For Fiscal Year: N/A

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: _____ **District: 5** **Agenda Number:** _____

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: FIRST EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 35496**

DATE: August 5, 2016

PAGE: Page 2 of 2

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The applicant was informed of these recommended conditions and has agreed to accept them.

The Tentative Tract Map also benefited from Senate Bill No. 1185 (SB1185), Assembly Bill No. 333 (AB333), Assembly Bill No. 208 (AB208), and Assembly Bill No. 116 (AB116), which granted statutory extensions of time for tentative maps statewide.

The Planning Commission heard the first Extension of Time for Tentative Tract Map No. 35496 on July 6, 2016. The Planning Commission approved the project by a 5-0 vote

Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

ATTACHMENTS:

- A. PLANNING COMMISSION MINUTES**
- B. PLANNING COMMISSION STAFF REPORT**



RIVERSIDE COUNTY
PLANNING DEPARTMENT

**PLANNING COMMISSION
MINUTE ORDER
JULY 6, 2016**

I. AGENDA ITEM 1.5

FIRST EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 35496 - Applicant: Mike Naggar - Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Rural Community: Low Density Residential (RC: RC-LDR) – Location: Southerly of 12th St., easterly of Y Ave., northerly of Apricot Ave. – 19.54 Acres – Zoning: Residential Agricultural (R-A) – APPROVED
PROJECT DESCRIPTION: Schedule B subdivision of 19.54 acres into 25 residential lots with a minimum lot size of half acre and one (1) 2.3 acres remainder lot.

II. PROJECT DESCRIPTION:

Extension of Time to May 13, 2017.

III. PLANNING COMMISSION ACTION:


Motion by Commissioner Taylor Berger, 2nd by Commissioner Valdivia
A vote of 5-0

APPROVED EXTENSION OF TIME to May 13, 2017.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.

Agenda Item No. **11.5**
Area Plan: Lakeview/Nuevo
Zoning Area: Nuevo
Supervisory District: Fifth
Project Planner: Tim Wheeler
Planning Commission Hearing: July 6, 2016

TENTATIVE TRACT MAP NO. 35496
FIRST EXTENSION OF TIME
Applicant: Mike Nagger


Steve Weiss, AICP
Planning Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for recordation of the Final Map to subdivide 19.54 acres into 25 residential lots with a minimum lot size of ½ acre and a 2.3 acre remainder lot.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare. No new environmental documentation is required prior to the extension of time.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

REQUEST:

FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 35496

BACKGROUND:

The Tentative Tract Map No. 35496 was originally approved at Planning Commission on May 13, 2009.

The County Planning Department, as part of the review of this Extension of Time request has determined it necessary to recommend the addition of six (6) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public.

The applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval and the

correspondence from the (dated June 6, 2016) indicating the acceptance of the six (6) recommended conditions.

FURTHER PLANNING CONSIDERATIONS:

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become May 13, 2017. If a final map has not been recorded prior this date, a second extension of time request must be filed 180 days prior to map expiration.

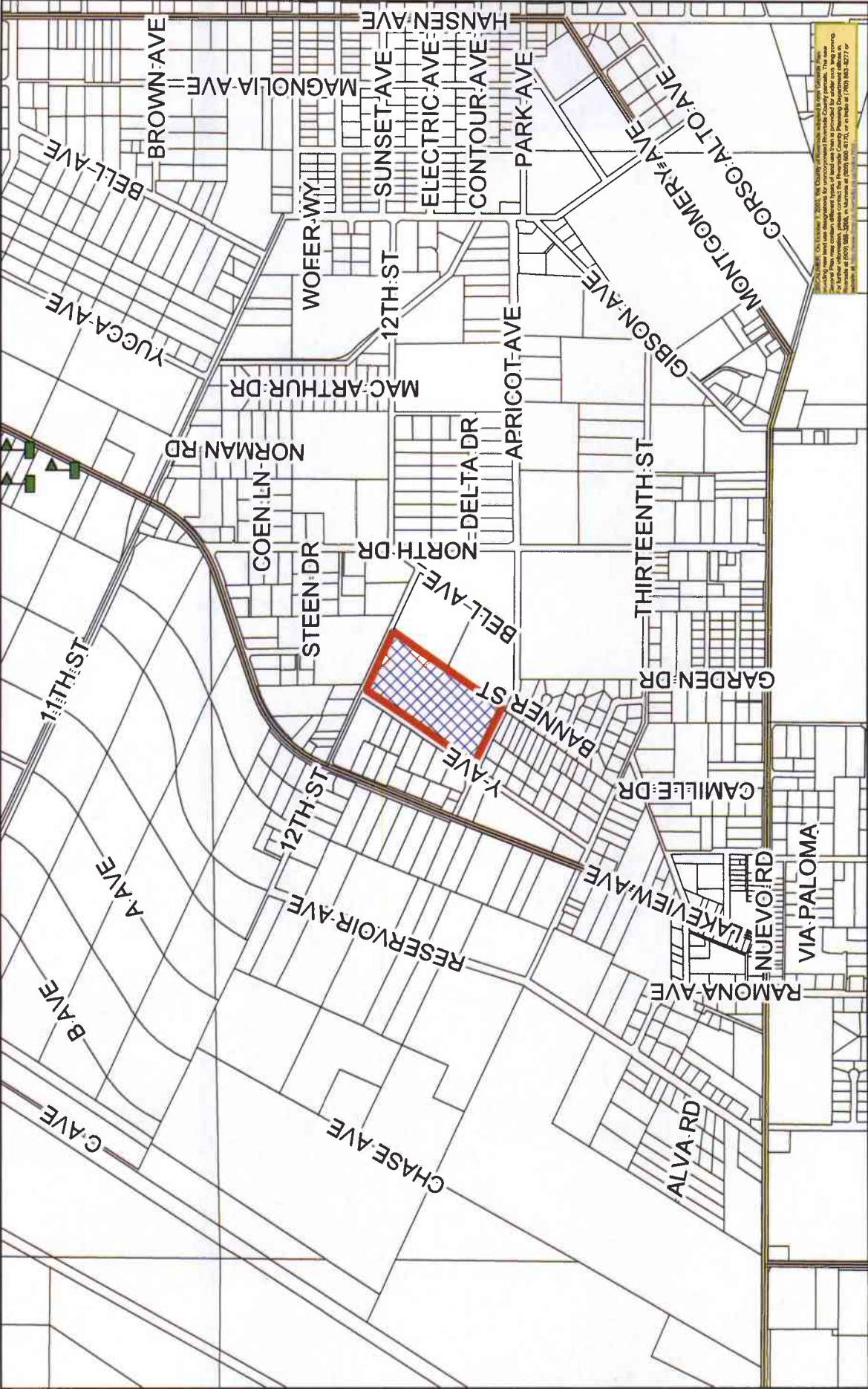
RECOMMENDATION:

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 35496**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to May 13, 2017, subject to all the previously approved and/or amended Conditions of Approval with the applicant's consent.

TR35496 VICINITY MAP

Planner: Matt Straite
Date: 12/12/07
VICINITY MAP

Supervisor Ashley
District 5
DATE DRAWN: 11/14/07



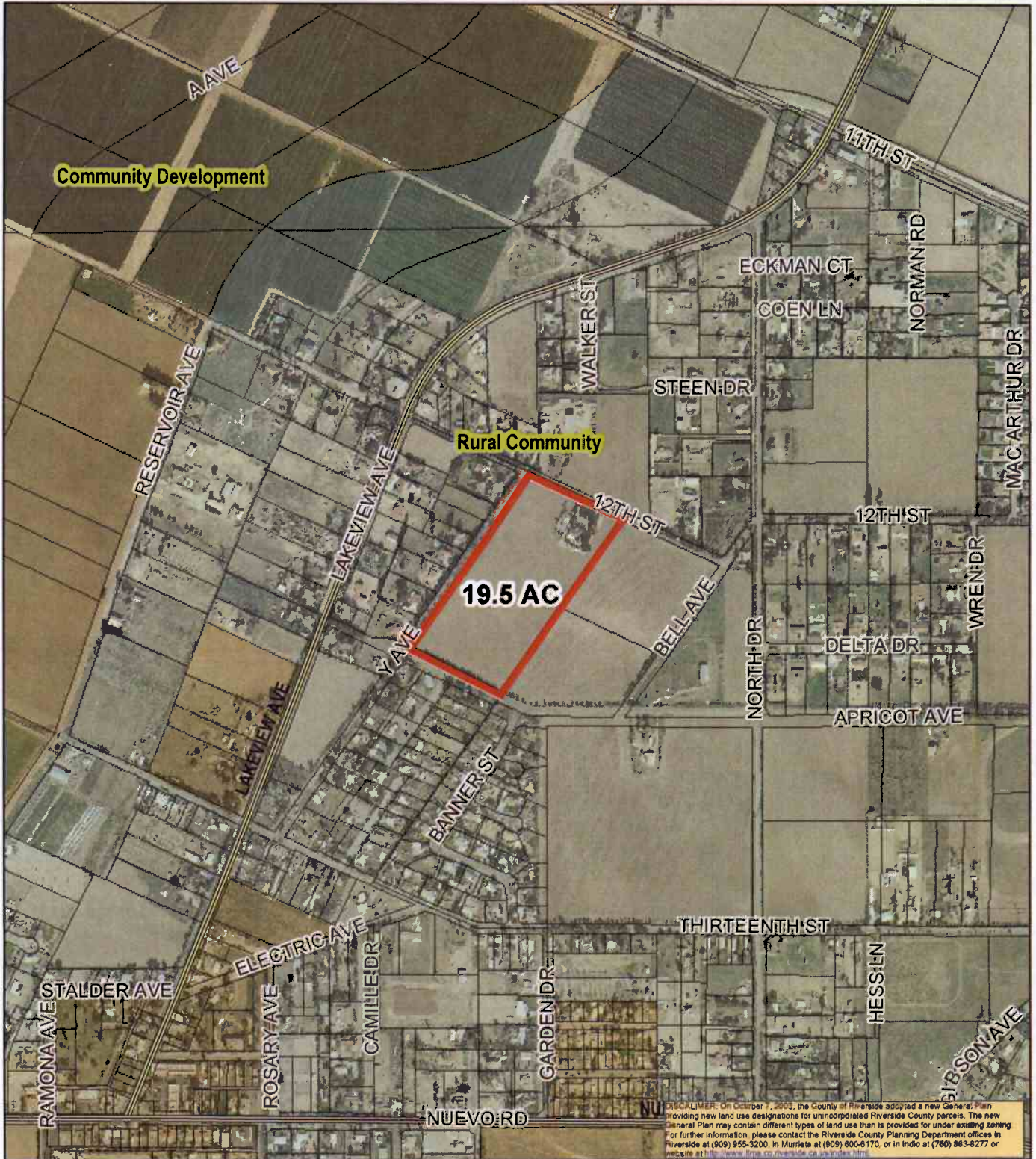
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone: Nuevo
Area: T4SR2W
Township/Range: T4SR2W
Section: 19

ASSESSORS
BK. PG. 307-30
THOMAS
BROS.PG 778 H6





RIVERSIDE COUNTY PLANNING DEPARTMENT

Area Plan: **Nuevo**
 Township/Range: **T4SR2W**
 SECTION: **19**



ASSESSORS **307-30**
 BK. PG.
 THOMAS **778 H6**
 BROS.PG

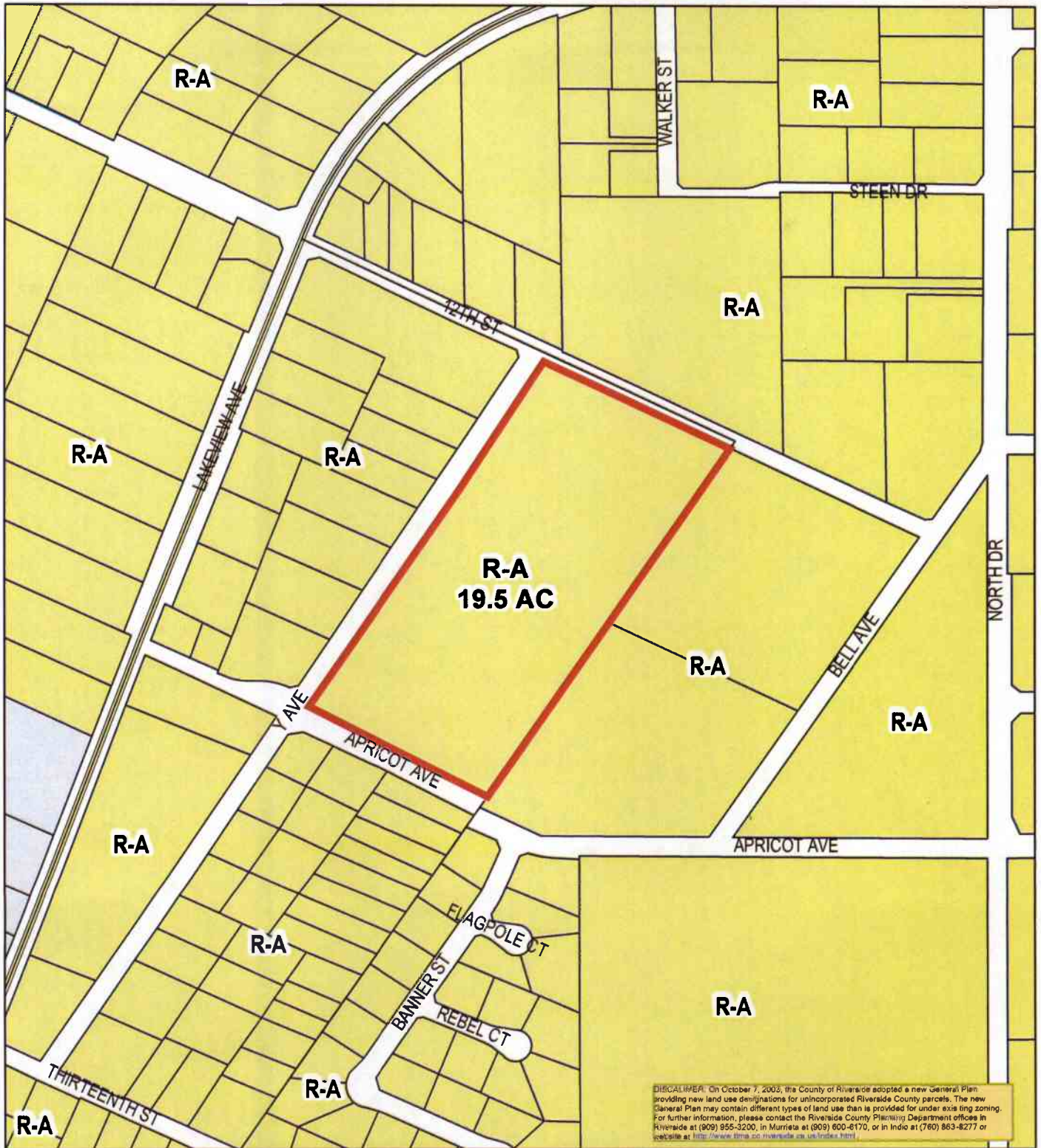


RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: **Nuevo**
Township/Range: T4SR2W
Section : 19



ASSESSORS 307-30
BK. PG.
THOMAS 778-H6
BROS.PG

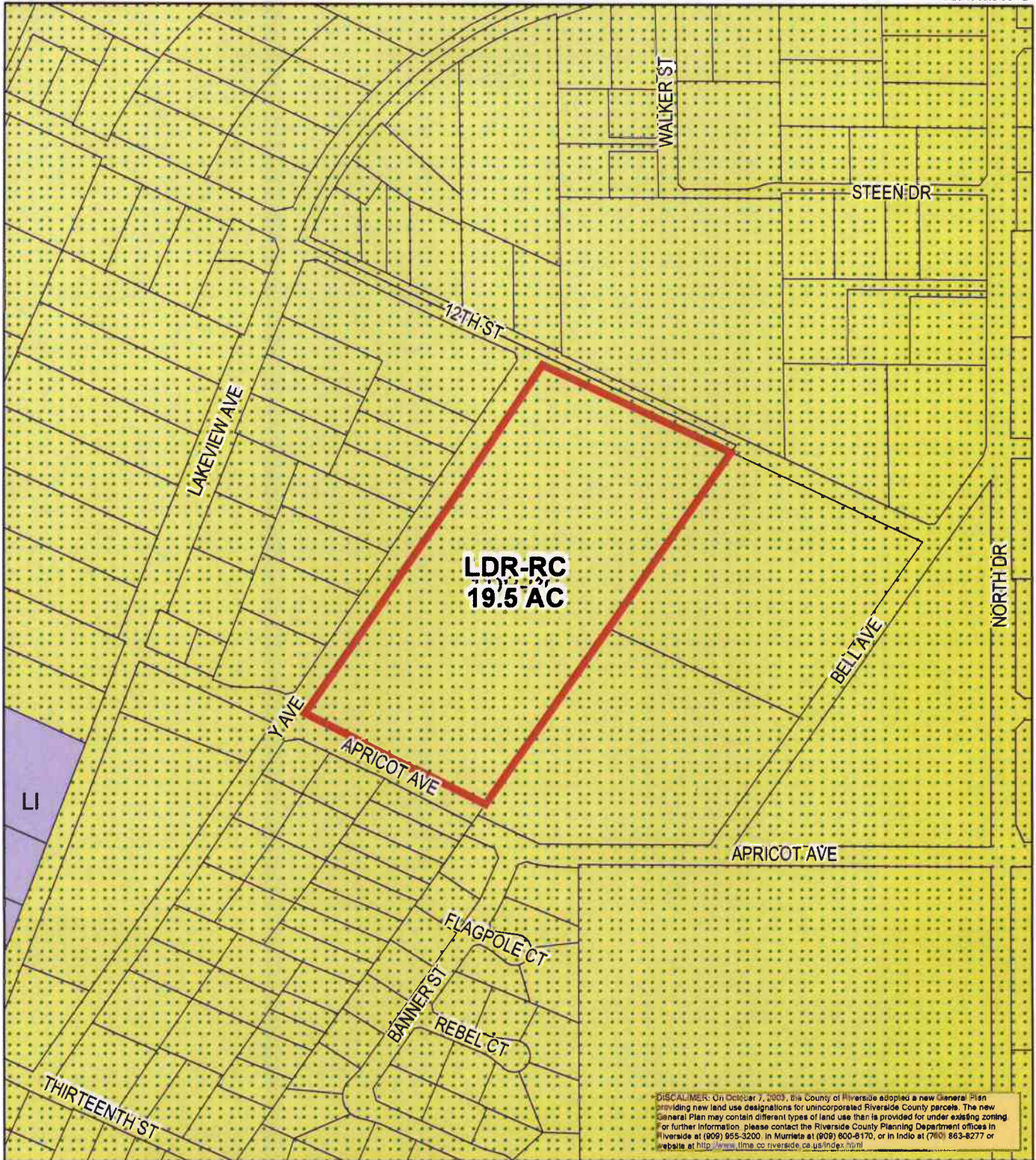


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Section : 19



Assessors
Bk. Pg. 307-30
Thomas
Bros. Pg. 778 H6



RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: **Nuevo**
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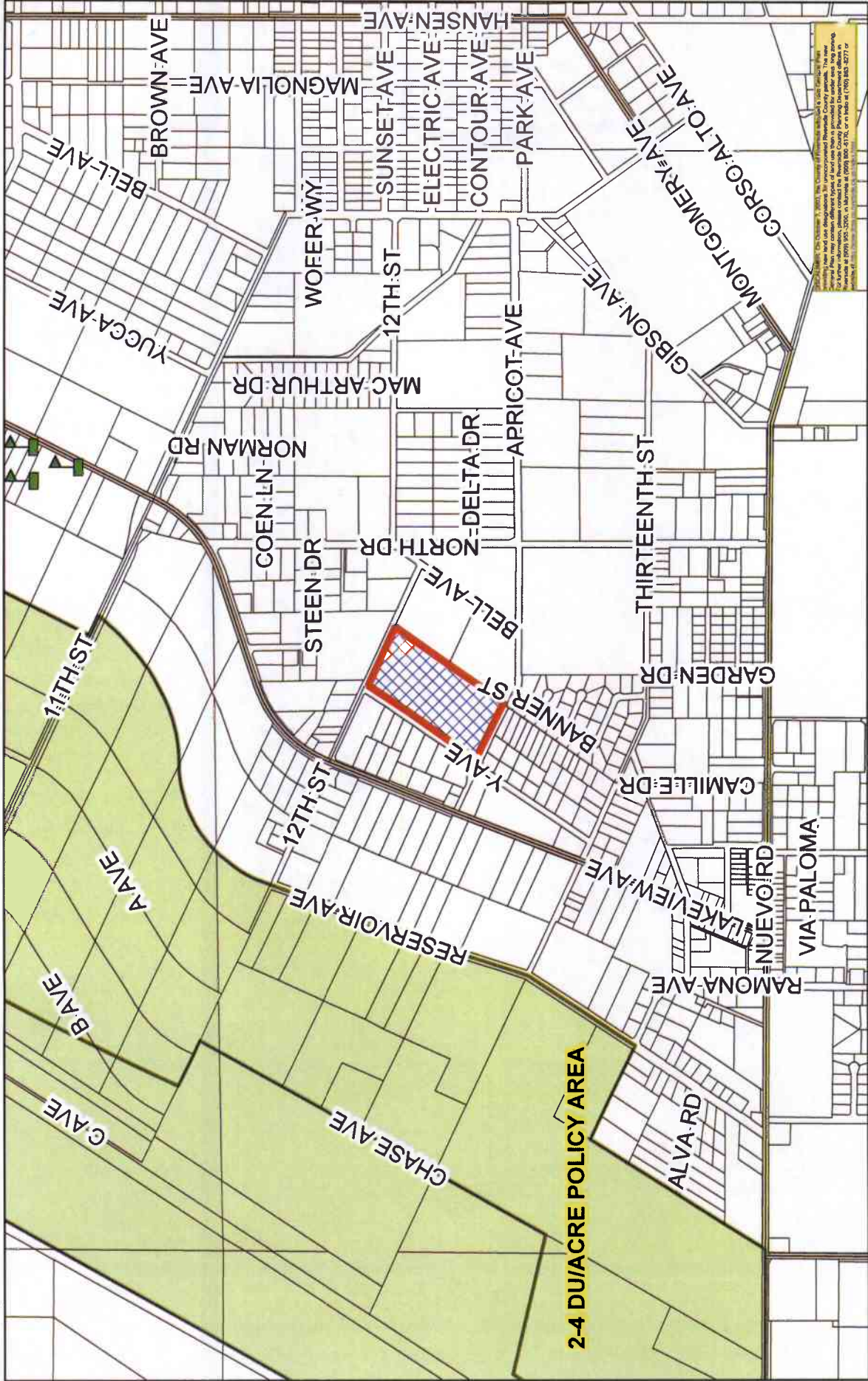


ASSESSORS
BK. PG. 307-30
THOMAS
BROS.PG 778 H6

TR35496 POLICY AREAS

Planner: Matt Straite
Date: 12/12/07
Exhibit 8

Supervisor Ashley
District 5
DATE DRAWN: 11/14/07



Map of Riverside County, California, showing the location of the Planning Department. The map is for informational purposes only and does not constitute a contract. The Planning Department is not responsible for any errors or omissions on this map. The Planning Department is not responsible for any changes in the map data. The Planning Department is not responsible for any damages or liabilities arising from the use of this map. The Planning Department is not responsible for any claims or lawsuits arising from the use of this map. The Planning Department is not responsible for any claims or lawsuits arising from the use of this map.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone Area: Nuevo
Township/Range: T4SR2W
Section: 19

ASSESSORS BK. PG. 307-30
THOMAS BROS.PG 778 H6




Extension of Time Environmental Determination

Project Case Number: TR35496
 Original E.A. Number: EA41349
 Extension of Time No.: First
 Original Approval Date: May 13, 2009
 Project Location: South of 12th St., east of Y Ave., north of Apricot Ave.

Project Description: Schedule B subdivision of 19.54 acres into 25 residential lots with a minimum lot size of ½ acre and one (1) 2.3 acres remainder lot.

On May 13, 2009, this Tentative Tract Map and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and the project's original conditions of approval.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, and there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the project's original conditions of approval which have been made and agreed to by the project proponent.
<input type="checkbox"/>	I find that there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, which the project's original conditions of approval may not address, and for which additional required mitigation measures and/or conditions of approval cannot be determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS REQUIRED in order to determine what additional mitigation measures and/or conditions of approval, if any, may be needed, and whether or not at least one of the conditions described in California Code of Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the environmental assessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION OF TIME SHOULD BE RECOMMENDED FOR APPROVAL.
<input type="checkbox"/>	I find that the original project was determined to be exempt from CEQA, and the proposed project will not have a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME.

Signature: 
 Tim Wheeler, Urban Regional Planner III

Date: June 24, 2016
 For Steve Weiss, Planning Director

06/30/16
10:35

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR35496

Parcel: 307-300-001

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 1 EOT1- PHASE I ESA REQUIRED RECOMMND

A Phase I Environmental Site Assessment is required to be submitted to the Department of Environmental Health for review and approval. Contact the Environmental Cleanup Programs at (951)-955-8980 for further information.

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 14 MAP -EOT1 APPROVED WQMP RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department Engineering Division evidence that the project - specific Water Quality Management Plan (WQMP) has been approved by the Riverside County Flood Control District or Riverside County Transportation Department and that all approved water quality treatment control BMPs have been included on the grading plan.

60.BS GRADE. 15 MAP-EOT1 BMP CONST NPDES PERMI RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

60.BS GRADE. 16 MAP -EOT1 SWPPP REVIEW RECOMMND

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

TRACT MAP Tract #: TR35496

Parcel: 307-300-001

60. PRIOR TO GRADING PRMT ISSUANCE

EPD DEPARTMENT

60.EPD. 2

EOT1 - MBTA SURVEY

RECOMMND

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season (February 1st through September 15th). If habitat must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted. The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit. Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report, documenting the results of the survey, to EPD for review.

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 8

MAP -EOT1 IF WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

1. Obtain inspection of all treatment control BMPs and/or

06/30/16
10:35

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR35496

Parcel: 307-300-001

90. PRIOR TO BLDG FINAL INSPECTION

90.BS GRADE. 8

MAP -EOT1 IF WQMP REQUIRED (cont.)

RECOMMND

clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.

2.The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.

3.The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.

4.The applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.

5.The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.