

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



ITEM
1.5
(ID # 5035)

MEETING DATE:

Tuesday, August 29, 2017

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE THIRD EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 32477 – Applicant: Bridgewalk 64, LLC – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Location: Northerly of Nandina Avenue, Southerly of Rabbit Scramble Trail, and Easterly of Washington Street – 69 Gross Acres – Zoning: Residential Agriculture (RA-1) – APPROVED PROJECT DESCRIPTION: Schedule “B” Subdivision of 69 acres into 64 residential lots with a minimum lot size of 30,000 sq. ft. and one (1) detention basin – REQUEST: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32477, extending the expiration date to June 28, 2018. [Applicant 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 June 21, 2017. The Tentative Tract Map No. 32477 will now expire on June 28, 2018.

ACTION: Consent

A handwritten signature in black ink, appearing to read "Charissa Leach".

Charissa Leach, Assistant TLMA Director 8/14/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: August 29, 2017
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By: Ashley Annino
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment:	N/A
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Tentative Tract Map No. 32477, along with Change of Zone No. 6996, was originally approved at Planning Commission on June 22, 2005. The project proceeded to the Board of Supervisors for final approval on June 28, 2005.

The first Extension of Time was approved by the Planning Commission on September 17, 2008.

The second Extension of Time was approved by the Planning Commission on July 6, 2016.

The third Extension of Time was received April 13, 2017, ahead of the expiration date of June 28, 2017. The applicant and the County have been negotiating conditions of approval and reached consensus on May 8, 2017.

The County Planning Department, as part of the review of this Extension of Time request recommends the addition of seven (7) 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 third Extension of Time for Tentative Tract Map No. 32477 on June 21, 2017. 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

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

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

SUPPLEMENTAL:

Additional Fiscal Information

All fees are paid by the applicant. There is no General Fund obligation.

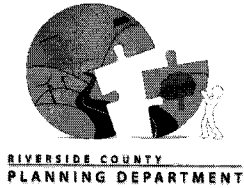
ATTACHMENTS:

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



Tina Grande, Principal Management Analyst

8/18/2017



**PLANNING COMMISSION
MINUTE ORDER
JUNE 21, 2017**

I. AGENDA ITEM 1.4

THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32477 – Applicant: Bridgewalk 64, LLC – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Location: Northerly of Nandina Avenue, southerly of Rabbit Scramble Trail, and easterly of Washington Street – 69 Gross Acres – Zoning: Residential Agriculture (RA-1) – Approved Project Description: Schedule "B" Subdivision of 69 acres into 64 residential lots with a minimum lot size of 30,000 sq. ft. and one (1) detention basin.

II. PROJECT DESCRIPTION:

Third Extension of Time Request for Tentative Tract Map No. 32477, extending the expiration date to June 28, 2018.

III. PLANNING COMMISSION ACTION:

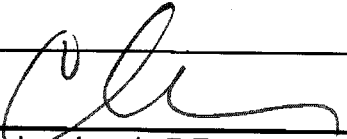
Motion by Commissioner Taylor-Berger, 2nd by Commissioner Hake
A vote of 5-0

APPROVED- Third Extension of Time Request for Tentative Tract Map No. 32477, extending the expiration date to June 28, 2018.

1.4

Agenda Item No.
Area Plan: Lake Mathews/Woodcrest
Zoning District: Woodcrest
Supervisory District: First
Project Planner: Arturo Ortuño
Planning Commission Hearing: June 21, 2017

TENTATIVE TRACT MAP NO. 32477
THIRD EXTENSION OF TIME
Applicant: Bridgewalk 64, LLC



Charissa Leach, P.E.
Assistant TLMA 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 the recordation of the final map to subdivide 69 acres into 64 residential lots with a minimum lot size of 30,000 sq. ft. and one detention basin.

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:

THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32477

BACKGROUND:

Tentative Tract Map No. 32477, along with Change of Zone No. 6996, was originally approved at Planning Commission on June 22, 2005. The project proceeded to the Board of Supervisors for final approval on June 28, 2005.

The first Extension of Time was approved at the Planning Commission on September 17, 2008.

The second Extension of Time was approved at the Planning Commission on July 6, 2016.

The third Extension of Time was received April 13, 2017, ahead of the expiration date of June 28, 2017. The applicant and the County have been negotiating conditions of approval and reached consensus on May 8, 2017.

The County Planning Department, as part of the review of this Extension of Time request recommends the addition of seven (7) 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 Extension of Time applicant (dated May 8, 2017) indicating the acceptance of the seven (7) 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 June 28, 2018. If a final map has not been recorded prior this date, a fourth extension of time request must be filed 180 days prior to map expiration.

RECOMMENDATION:

APPROVAL of the **THIRD EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 32477**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to June 28, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

3rd EOT for TR32477

Vicinity Map




- Legend**
- City Boundaries
 - Cities
 - roads
 - highways
 - HWY
 - INTERCHANGE
 - INTERSTATE
 - OFFRAMP
 - ONRAMP
 - USHWY
 - roads
 - Major Roads
 - Arterial
 - Collector
 - Residential
 - counties
 - cities
 - hydrographylines
 - waterbodies
 - Lakes
 - Rivers

Notes

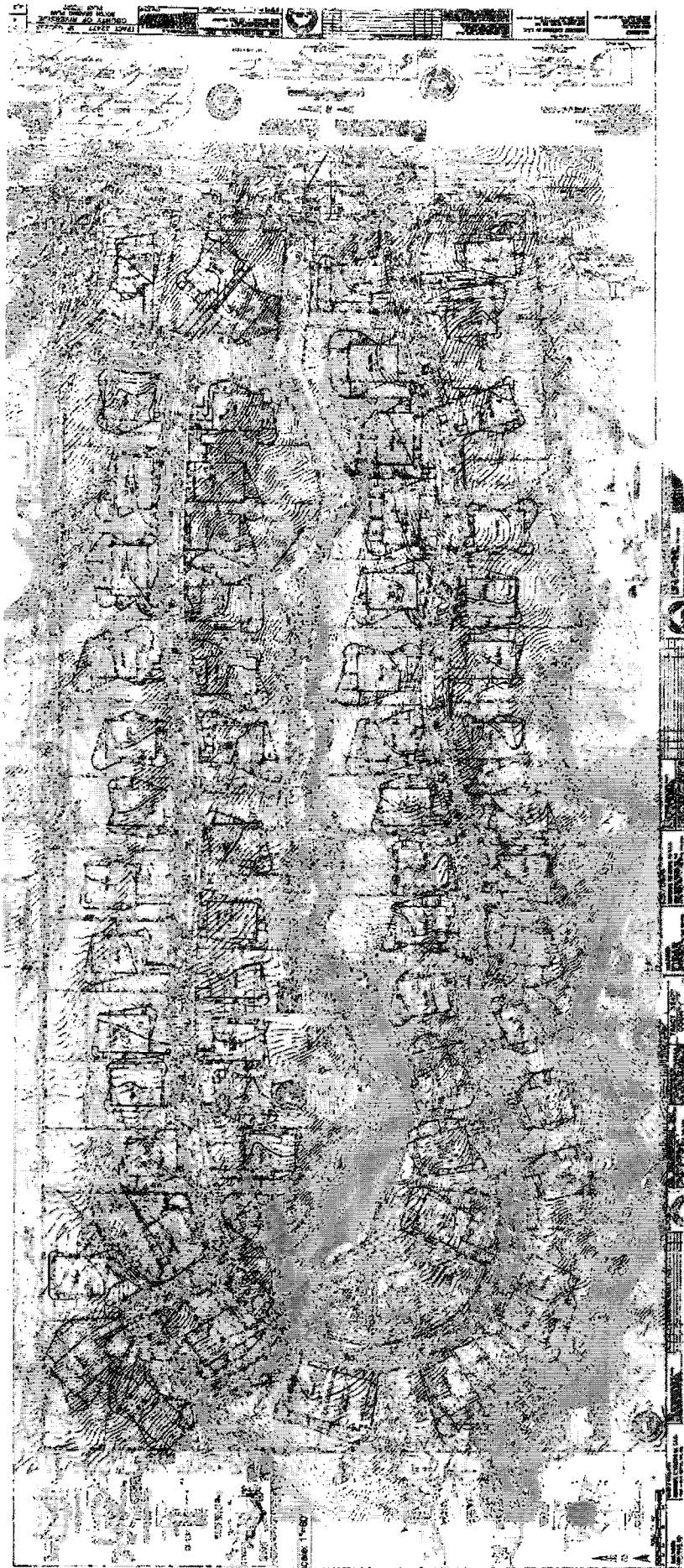
"IMPORTANT" Maps and data are to be used for reference purposes only. Map features are approximates, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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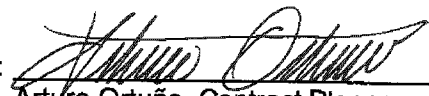


Extension of Time Environmental Determination

Project Case Number: TR32477
 Original E.A. Number: 39649
 Extension of Time No.: Third
 Original Approval Date: June 28, 2005
 Project Location: North of Nandina Avenue, South of Rabbit Scramble Trail, and East of Washington Street
 Project Description: Schedule B - subdivision of 69 acres into 64 residential lots with a minimum lot size of 30,000 sq. ft. and one detention basin.

On June 28, 2005, 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: 
 Arturo Ortuño, Contract Planner

Date: May 17, 2017
 For Charissa Leech, Assistant TLMA Director

Ortuno, Arturo

From: Paul Onufer <ponufer@avpre.net>
Sent: Monday, May 08, 2017 9:44 AM
To: Ortuno, Arturo
Subject: RE: 3rd EOT TR32477 Recommended Conditions

Follow Up Flag: Follow up
Flag Status: Completed

Arturo,

The EOT TR 32477 recommended conditions are acceptable.

Paul Onufer
Arroyo Vista Partners, LLC
556 S. Fair Oaks Ave. #337
Pasadena, CA 91105
626-263-4205 o
909-821-7076 c

From: Ortuno, Arturo [mailto:AOrtuno@rivco.org]
Sent: Wednesday, April 26, 2017 10:27 AM
To: Paul Onufer <ponufer@avpre.net>
Subject: 3rd EOT TR32477 Recommended Conditions

Good morning,

I will be taking over all of the EOT applications and the County has adopted a few changes to better streamline the process. The County has determined the following conditions applicable to all tract/parcel EOT applications. Some conditions may have already been "met" if similar to previous conditions. As soon as you can accept the following conditions I will be able to draft a staff report and send it for manager review. Feel free to contact me if you have further questions.

Thank you,

Attn: Paul Onufer
Bridgewalk 64, LLC
556 Fair Oaks Ave, #337
Pasadena, CA 91105

RE: EXTENSION OF TIME REQUEST for No. 32477.

The County Planning Department has determined it necessary to recommend the addition of 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.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly state that you, the Extension of Time Applicant, accept these

conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

- | | |
|----------------------------|---------------------------|
| 50. REQ E HEALTH DOCUMENTS | 80. WQMP AND MAINTENANCE |
| 50. FINAL ACCESS AND MAINT | 90. WQMP REQUIRED |
| 60. REQ BMP SWPPP WQMP | 90. WQMP COMP AND BNS REG |
| 60. FINAL WQMP FOR GRADING | |

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for . County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,
- 2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, comments, or concerns regarding this email, please feel free to contact me as indicated below.

Arturo Ortuño
Contract Planner
Riverside County Planning Dept.
4080 Lemon Street – 12th Floor
Riverside, CA 92501
951-955-0314



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04/26/17
10:18

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR32477

Parcel: 273-290-007

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 3

EOT3 - REQ E HEALTH DOCUMENTS

RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

1. Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
3. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 30

EOT3 - FINAL ACCESS AND MAINT

RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are

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Riverside County LMS
CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR32477

Parcel: 273-290-007

50. PRIOR TO MAP RECORDATION

50.TRANS. 30 EOT3 - FINAL ACCESS AND MAINT (cont.) RECOMMND

provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 14 EOT3 - REQ BMP SWPPP WQMP 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.

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.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

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Riverside County LMS
CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR32477

Parcel: 273-290-007

60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1

EOT3 - FINAL WQMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 2

EOT3 -WQMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

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Riverside County LMS
CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR32477

Parcel: 273-290-007

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 3 EOT3 - 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 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.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 8 EOT3 - WQMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are

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Riverside County LMS
CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR32477

Parcel: 273-290-007

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 8

EOT3 - WQMP COMP AND BNS REG (cont.)

RECOMMND

established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)