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



ITEM 1.10 (ID # 5259)

#### **MEETING DATE:**

Tuesday, September 26, 2017

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE FIRST EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 33687 – Applicant: McCanna Hills, LLC – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 DU/AC) and Open Space: Conservation (OS-C) – Location: Northerly of Nuevo Road, southerly of Sunset Avenue, bisected by Foothill Avenue, and is bordered to the north and west by the McCanna Hills Specific Plan No. 246A1 – 67.16 Gross Acres – Zoning: Specific Plan No. 251 – APPROVED PROJECT DESCRIPTION: Schedule "A" Subdivision of 67.16 acres into 309 residential lots with a minimum lot size of 4,000 sq. ft., five (5) water quality basins, 18 Open Space lots totaling 4.9 acres, and three (3) park lots totaling 5.44 acres – REQUEST: FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33687, extending the expiration date to September 12, 2017. [Applicant Fees 100%]

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

**RECEIVE AND FILE** the Planning Commission's Notice of Decision for the above referenced case acted on by the Planning Commission on July 19, 2017. The Tentative Tract Map No. 33687 will now expire on September 12, 2017.

**ACTION: Consent** 

MINUTES OF THE BOARD OF SUPERVISORS

9/18/2017

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

Ayes:

Jeffries, Tavaglione, Washington, Perez and Ashley

Nays:

None

ssistant TLMA Director

Absent:

None

Date:

September 26, 2017

XC:

Planning, Applicant

1.10

Kecia Harper-Ihem

Clerk of the Board

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
	I.		Budget Adjustm	ent: N/A
			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

#### **BACKGROUND:**

#### Summary

Tentative Tract Map No. 33687, along with Specific Plan No. 251 and Change of Zone No. 7181 were originally approved at Planning Commission on July, 26, 2006. The project proceeded to the Board of Supervisors for final approval on September 12, 2006.

The first Extension of Time was received on September 1, 2016, ahead of the expiration date of September 12, 2016. The applicant and the County have been negotiating conditions of approval and reached consensus on March 20, 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 first Extension of Time for Tentative Tract Map No. 33687 on July 19, 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

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

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

#### **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



## **PLANNING COMMISSION** MINUTE ORDER **JULY 19, 2017**

#### I. **AGENDA ITEM 1.9**

FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33687 - Applicant: McCanna Hills, LLC - Fifth Supervisorial District - Nuevo Zoning Area - Lakeview/Nuevo Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 DU/AC) - Open Space: Conservation (OS-C) - Location: Northerly of Nuevo Road, southerly of Sunset Avenue, bisected by Foothill Avenue, and is bordered to the north and west by the McCanna Hills Specific Plan No. 246A1 - 67.16 Groos Acres - Zoning: Specific Plan No. 251 - Approved Project Description: Schedule "A" to subdivide 67.16 acres into 309 residential lots with a minimum lot size of 4,000 sq. ft., five (5) water quality basins, 18 Open Space lots totaling 4.9 acres, and three (3) park lots total 5.44 acres.

#### II. PROJECT DESCRIPTION:

First Extension of Time Request for Tentative Tract Map No. 33687, extending the expiration date to September 12, 2017.

#### III, PLANNING COMMISSION ACTION:

Motion by Commissioner Taylor-Berger, 2<sup>nd</sup> by Commissioner Sanchez A vote of 5-0

APPROVED - First Extension of Time Request for Tentative Tract Map No. 33687, extending the expiration date to September 12, 2017.

Agenda Item No.

Area Plan: Lakeview/Nuevo

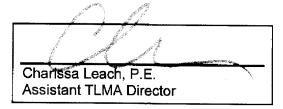
Zoning Area: Nuevo

Supervisorial District: Fifth Project Planner: Arturo Ortuño

Planning Commission Hearing: July 19, 2017

TENTATIVE TRACT MAP NO. 33687 FIRST EXTENSION OF TIME

Applicant: McCanna Hills, LLC



# 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 67.16 acres into 309 residential lots with a minimum lot size of 4,000 sq. ft., 5 water quality basins, 18 Open Space lots totaling 4.9 acres, and 3 park lots total 5.44 acres.

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. 33687

#### BACKGROUND:

Tentative Tract Map No. 36687 along with Specific Plan No. 251 and Change of Zone No. 7181 were originally approved at Planning Commission on July, 26, 2006. The project proceeded to the Board of Supervisors for final approval on September 12, 2006.

The first Extension of Time was received September 1, 2016, ahead of the expiration date of September 12, 2016. The applicant and the County have been negotiating conditions of approval and reached consensus on March 20, 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 March 20, 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.

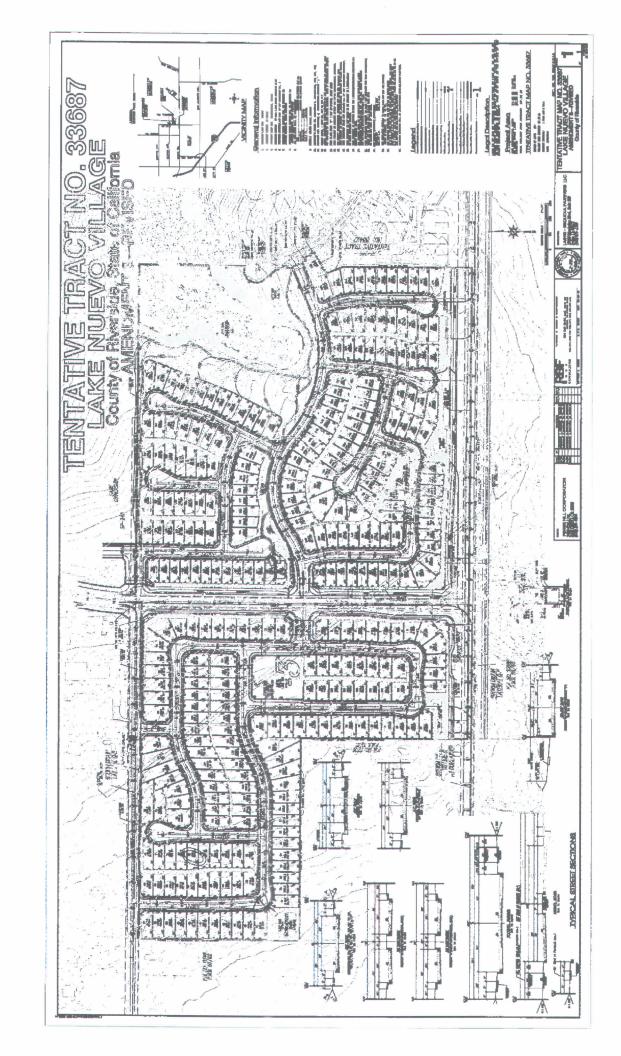
EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision 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 September 12, 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. 33687, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to September 12, 2017, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

# INTERCHANGE City Boundaries highways\_large INTERSTATE USHWY majorroads HWY counties Cities cities **Legend** Notes @ Riverside County RCIT GIS \*\*IMPORTANT\*\* Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the connert (the source) is often third parby, accuracy, fineliness, 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. REPORT PRINTED ON., 4/17/2017 11:26:45 AM **1st EOT for TR33687** Vicinity Map 12 12,740 Feet City of Perris 6,370



# **Extension of Time Environmental Determination**

Project Case Number:	TR33687
Original E.A. Number:	40244
Extension of Time No.:	First
Original Approval Date:	September 12, 2006
Project Location: North of	of Nuevo Road, South of Sunset Avenue, bisected by Foothill Avenue, and is
politiered to the Morth and	West by the McCanna Hills Specific Plan No. 246A1
Project Description: School Size of 4,000 ag. ft. 5 was	edule A - to subdivide 67.16 acres into 309 residential lots with a minimum lot
5.44 acres.	ter quality basins, 18 Open Space lots totaling 4.9 acres, and 3 park lots total
conditions or circumstant evaluation, the following d	2006, this Tentative Tract Map and its original environmental impact report was reviewed to determine: 1) whether any significant or anges in the original proposal have occurred; 2) whether its environmental ces affecting the proposed development have changed. As a result of this letermination has been made:
TIME, because all p Negative Declaratio pursuant to that earli	the proposed project could have a significant effect on the environment, NO NEW DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF potentially significant effects (a) have been adequately analyzed in an earlier EIR or n pursuant to applicable legal standards and (b) have been avoided or mitigated ter EIR or Negative Declaration and the project's original conditions of approval.
which the project is TO APPROVAL OF adequately analyzed (b) have been avoide project's original con	he proposed project could have a significant effect on the environment, and there are ially significant environmental changes or other changes to the circumstances under undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR THE EXTENSION OF TIME, because all potentially significant effects (a) have been in an earlier EIR or Negative Declaration pursuant to applicable legal standards and ed or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the ditions of approval which have been made and agreed to by the project proponent.
circumstances under may not address, a cannot be determine REQUIRED in order may be needed, ar Regulations, Section environmental asses	one or more potentially significant environmental changes or other changes to the r which the project is undertaken, which the project's original conditions of approval and for which additional required mitigation measures and/or conditions of approval at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS to determine what additional mitigation measures and/or conditions of approval, if any, and whether or not at least one of the conditions described in California Code of 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the sment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION BE RECOMMENDED FOR APPROVAL.
I find that the origina have a significant eff	al project was determined to be exempt from CEQA, and the proposed project will not ect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS TO APPROVAL OF THE EXTENSION OF TIME.
Signature: Artyro Ortuño,	Date: April 17, 2017 Contract Planner For Charissa Leech, Assistant TLMA Director

#### Harris, Dionne

From:

Mark Burkes < mburkes@npland.com>

Sent:

Monday, March 20, 2017 12:02 PM Harris, Dionne; Dawn-Marie Aleson

To: Subject:

RE: EOT Recommended Conditions for Acceptance

Hello Dionne.

Regarding parcel 307-250-072 TTM TR33687,

We accept ALL the following new conditions:

50. E HEALTH. 5 EOT1-REQ E HEALTH DOCUMENTS

50. TRANS. 44 EOT1-FINAL ACCESS AND MAINT

60. BS GRADE. 14 EOT1-REQ BMP SWPPP WQMP

60. TRANS. 1 EOT1-FINAL WQMP FOR GRADING

80. TRANS. 4 EOT1 WQMP AND MAINTENANCE

90. BS GRADE. 3 EOT1 WQMP REQUIRED

90. TRANS. 8 EOT1 - WQMP COMP AND BNS REG

#### Mark Burkes

**Bristol Land Company LLC** 

The same of the sa	

100 Bayview Circle, Suite 2200, Newport Beach, CA 92660

Direct: 949.945.2297 Main: <u>949</u>.945.2290

Cell: 714.497.9399 Fax: 949.945.2561

mburkes@npland.com | npland.com

From: Harris, Dionne [mailto:DHarris@RIVCO.ORG]

Sent: Tuesday, March 14, 2017 11:25 AM

To: Dawn-Marie Aleson <dmaleson@ihpinc.com> Subject: EOT Recommended Conditions for Acceptance

Attn:

Mark Burkes

McCanna Hills, LLC

100 Bayview Circle, STE 2000 Newport Beach, CA 92660

RE: FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33687.

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

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR33687

Parcel: 307-250-072

#### 50. PRIOR TO MAP RECORDATION

#### E HEALTH DEPARTMENT

50.E HEALTH, 5

EOT1 - 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. 44

EOT1 - 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

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 2

TRACT MAP Tract #: TR33687

Parcel: 307-250-072

#### 50. PRIOR TO MAP RECORDATION

50.TRANS. 44

EOT1 - 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 EOT1 - REQ BMP SWPPP WOMP

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)

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR33687

Parcel: 307-250-072

#### 60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1

EOT1 - FINAL WOMP 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. 4

EOT1 -WOMP 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)

Riverside County LMS CONDITIONS OF APPROVAL

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TRACT MAP Tract #: TR33687

Parcel: 307-250-072

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 3 EOT1 - 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 WOMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
- 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 WOMP.
- 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

EOT1 - 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

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 5

TRACT MAP Tract #: TR33687

Parcel: 307-250-072

## 90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 8

EOT1 - WOMP 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)