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



1.5 (ID # 5532)

MEETING DATE:

Tuesday, October 31, 2017

FROM: TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE SECOND EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 32165 – Applicant: Mark Lundberg – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Rural Community: Low Density Residential (RC-LDR) (1/2 Acre Minimum) – Location: Northerly side of Montgomery Avenue, southerly side of Park Avenue, and westerly of Hansen Avenue – 49.9 Gross Acres – Zoning: Residential Agriculture (R-A) and Rural Residential (R-R) – APPROVED PROJECT DESCRIPTION: Schedule "B" Subdivision of 49.9 acres into 72 residential lots with a minimum lot size of 21,780 sq. ft. and two (2) water quality basins and one (1) open space lot totaling 7.41 aces. – REQUEST: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32165, extending the expiration date to December 21, 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 September 20, 2017. The Tentative Tract Map No. 32165 will now expire on December 21, 2017.

ACTION: Consent

MINUTES OF THE BOARD OF SUPERVISORS

10/17/2017

On motion of Supervisor Ashley, seconded by Supervisor Perez 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

sistant TLMA Director

Absent:

None

Date:

October 31, 2017 Planning, Applicant

xc: Page 1 of 3

ID# 5532

Kecia Harper-Ihem

MINIA

1.5

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

FINANCIAL DATA C	Fort Flacal Year: No	xt Fillial Year:	Total Costs On	going 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 Adjustmen	t: N/A
Applicant Fees 100%			For Fiscal Year:	N/A

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Tentative Tract Map No. 32165 was originally approved by the Planning Commission on October 26, 2005. The project proceeded to the Board of Supervisors for final approval on December 21, 2005. A minor change to Tentative Tract Map No. 32165 was approved by the Board of Supervisors on September 18, 2007. In the minor change to the tract a change from sewer to septic and adjustment of minimum lot size from 20,000 sq. ft. to 21,780 sq. ft. occurred, resulting in a reduction of lots from 78 to 72.

The first Extension of Time was approved by the Planning Commission on August 3, 2016.

The second Extension of Time was received on December 21, 2016, ahead of the expiration date of December 21, 2016. The applicant and the County have been negotiating conditions of approval and reached consensus on August 16, 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 second Extension of Time for Tentative Tract Map No. 32165 on September 20, 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.

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

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

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

Page 3 of 3 ID#5532 1.5



PLANNING COMMISSION MINUTE ORDER **SEPTEMBER 20, 2017**

I. **AGENDA ITEM 1.2**

SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32165 - Applicant: Mark Lundberg - Fifth Supervisorial District - Nuevo Zoning Area - Lakeview/Nuevo Area Plan: Rural Community: Low Density Residential (RC-LDR) (1/2 Acre Minimum) - Location: Northerly side of Montgomery Avenue, southerly side of Park Avenue, and westerly of Hansen Avenue – 49.9 Gross Acres - Zoning: Residential Agricultural (R-A) - Rural Residential (R-R) - Approved Project Description: Schedule "B" Subdivision of 49.9 acres into 72 residential lots with a minimum lot size of 21,780 sq. ft. and two (2) water quality basins and one (1) open space lot totaling 7.41 aces.

II. PROJECT DESCRIPTION:

Second Extension of Time Request for Tentative Tract Map No. 32165, extending the expiration date to December 21, 2017.

III. PLANNING COMMISSION ACTION:

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

APPROVED - Second Extension of Time Request for Tentative Tract Map No. 32165, extending the expiration date to December 21, 2017.

1 2

Agenda Item No.

Area Plan: Lakeview/Nuevo

Zoning Area: Nuevo

Supervisorial District: Fifth Project Planner: Arturo Ortuño

Planning Commission Hearing: September 20, 2017

Charissa Leach, P.E.

Assistant TLMA Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

TENTATIVE TRACT MAP NO. 32165

SECOND EXTENSION OF TIME

Applicant: Mark Lundberg

The applicant of the subject case has requested an extension of time to allow the recordation of the final map to subdivide 49.9 acres into 72 residential lots with a minimum lot size of 21,780 sq. ft. and two (2) water quality basins and one (1) open space lot totaling 7.41 aces.

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:

SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32165

BACKGROUND:

Tentative Tract Map No. 32165 was originally approved at Planning Commission on October 26, 2005. The project proceeded to the Board of Supervisors for final approval on December 21, 2005. A minor change to Tentative Tract Map No. 32165 was approved at Board of Supervisors on September 18, 2007. In the minor change to the tract a change from sewer to septic and adjustment of minimum lot size from 20,000 sq. ft. to 21,780 sq. ft. occurred, resulting in a reduction of lots from 78 to 72.

The first Extension of Time was approved at Planning Commission on August 3, 2016.

The second Extension of Time was received December 21, 2016, ahead of the expiration date of December 21, 2016. The applicant and the County have been negotiating conditions of approval and reached consensus on August 16, 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 August 16, 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 December 21, 2017. If a final map has not been recorded prior this date, a third extension of time request must be filed 180 days prior to map expiration.

RECOMMENDATION:

<u>APPROVAL</u> of the SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32165, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to December 21, 2017, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

2nd EOT for TR32165

Vicinity Map



INTERCHANGE

¥

INTERSTATE OFFRAMP

ONRAMP USHW

Notes

1,717

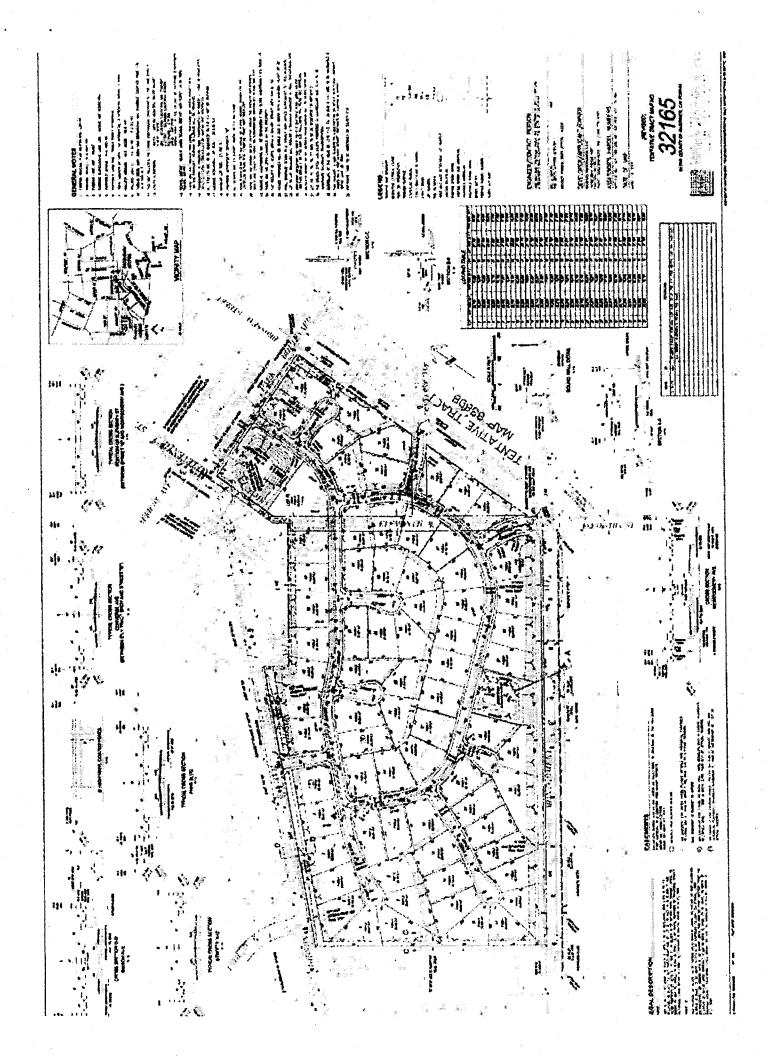
3,434 Feet

1

"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 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.

REPORT PRINTED ON... 8/25/2017 3:06:29 PM

Riverside County RCIT GIS



Extension of Time Environmental Determination

Project Case Number: TR32165	
Original E.A. Number: 39483	·
Extension of Time No.: Second	
Original Approval Date: December 21, 2005	
Project Location: North side of Montgomery Avenue, South side of Park Avenue, an Avenue	d West of Hansen
Project Description: Schedule "B" Subdivision of 49.9 acres into 72 residential lots visize of 21,780 sq. ft. and two (2) water quality basins and one (1) open space lot totaling	vith a minimum lot
	al environmental
assessment/environmental impact report was reviewed to determine: 1) whether potentially significant changes in the original proposal have occurred; 2) whether	any significant or
conditions or circumstances affecting the proposed development have changed.	As a result of this
evaluation, the following determination has been made:	
I find that although the proposed project could have a significant effect on the environmental Documentation is required PRIOR to APPROVAL OF TIME, because all potentially significant effects (a) have been adequately analyzed Negative Declaration pursuant to applicable legal standards and (b) have been a	HE EXTENSION OF in an earlier EIR or avoided or mitigated
pursuant to that earlier EIR or Negative Declaration and the project's original conditions	s of approval.
I find that although the proposed project could have a significant effect on the enviror one or more potentially significant environmental changes or other changes to the which the project is undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant e adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration project's original conditions of approval which have been made and agreed to by the project of the conditions of approval which have been made and agreed to by the project of the conditions of approval which have been made and agreed to by the project of the conditions of approval which have been made and agreed to by the project of the conditions of approval which have been made and agreed to be conditions.	circumstances under REQUIRED PRIOR offects (a) have been legal standards and and revisions to the roject proponent.
I find that there are one or more potentially significant environmental changes or of circumstances under which the project is undertaken, which the project's original commay not address, and for which additional required mitigation measures and/or condition to the determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT REQUIRED in order to determine what additional mitigation measures and/or condition may be needed, and whether or not at least one of the conditions described in Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exenvironmental assessment/initial study shall be used to determine WHETHER OR NO OF TIME SHOULD BE RECOMMENDED FOR APPROVAL.	other changes to the conditions of approval anditions of approval T/INITIAL STUDY IS as of approval, if any, a California Code of cist. Additionally, the DT THE EXTENSION
I find that the original project was determined to be exempt from CEQA, and the prophave a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DREQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME.	OCUMENTATION IS
Signature: Date: August 25, 2017 Arturo Ortuño, Contract Planner For Charissa Leech, Assis	tant TLMA Director

Ortuno, Arturo

From:

Mark Lundberg <markhlundberg@gmail.com>

Sent:

Wednesday, August 16, 2017 5:46 PM

To: Cc: Ortuno, Arturo
'Steve Austin'

Subject:

RE: TR32165

Follow Up Flag:

Follow up Completed

Flag Status:

Arturo,

Please be advised that the proposed recommended conditions of approval for our extension of time on TTM No.32165 as listed below are all acceptable to us:

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 WOMP FOR GRADING

We accept the conditions and look forward to approval of the Second Extension of time request for TTM 32165.

Mark Lundberg Managing Member of Nuevo Partners, LLC 19102 - 92nd Ave West Edmonds, Washington 98020 206-948-4022

From: Ortuno, Arturo [mailto:AOrtuno@rivco.org]
Sent: Wednesday, August 16, 2017 9:43 AM

To: Mark Lundberg; Wheeler, Timothy

Subject: RE: TR32165

Attn: Mark Lundberg

19102 92nd Ave West Edmonds, WA 98020

RE: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 32165.

The County Planning Department has determined it necessary to recommend 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.

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:

Riverside County LMS CONDITIONS OF APPROVAL

Page: 1

TRACT MAP Tract #: TR32165M1

Parcel: 427-120-004

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

50.E HEALTH. 4

EOT2 - 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. 39

EOT2 - 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 #: TR32165M1

Parcel: 427-120-004

50. PRIOR TO MAP RECORDATION

50.TRANS. 39

EOT2 - FINAL ACCESS AND MAINT (conta)

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. 16 EOT2 - 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)

Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

TRACT MAP Tract #: TR32165M1

Parcel: 427-120-004

60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1

EOT2 - 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. 5

EOT2 -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)

TRACT MAP Tract #: TR32165M1

Parcel: 427-120-004

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 9

EOT2 - WOMP REQUIRED

RECOMMND

Page: 4

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. 9

EOT2 - WOMP 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 #: TR32165M1

Parcel: 427-120-004

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 9

EOT2 - 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)