

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



ITEM
1.2
(ID # 7022)

MEETING DATE:
Tuesday, May 22, 2018

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. 34592 - Applicant: Spring Mountain Investments, LLC c/o Tom Bitney - Second Supervisorial District - University Zoning District - Highgrove Area Plan - Land Use: Community Development-Commercial Retail (CD-CR) (0.20-0.35 FAR), Open Space-Rural (OS-R) (20 acre minimum), Community Development-Medium Density Residential (CD-MDR) (2-5 du/ac) - Location: North of Palmyrita Avenue, south of Pigeon Pass Road, east of Mount Vernon Avenue, west of Woodwind Drive - 11.7 Acres - Zoning: Spring Mountain Ranch Specific Plan (SP) No. 323, Planning Area No. 7 - APPROVED PROJECT DESCRIPTION: Schedule 'A' subdivision of 11.7 gross acres into 97 residential condominium units. The project proposes 2.8 acres of building area, 2.8 acres of paved area, 1.3 acres of Recreation/Open Space, and 4.6 acres of landscaping - REQUEST: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 34592, extending the expiration date to March 27, 2021. Applicant Fees 100%.

RECOMMENDED MOTION: That the Board of Supervisors:

1. **RECEIVE AND FILE** the Planning Commission's Notice of Decision for the above referenced case acted on by the Planning Commission on March 7, 2018. The Tentative Tract Map No. 34592 will now expire on March 27, 2021.

ACTION: Consent

Charissa Leach, Assistant TLMA Director 5/8/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Perez, seconded by Supervisor Jeffries 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
Absent: None
Date: May 22, 2018
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By:
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

The Tentative Tract Map No. 34592 was originally approved by the Planning Commission on February 21, 2007. The Map proceeded to the Board of Supervisors in conjunction with Change of Zone No. 7392 and Specific Plan No. 323 Amendment No. 1 and was approved on March 27, 2007.

The First Extension of Time was received on November 1, 2016, ahead of the expiration date of March 27, 2017. The Extension of Time was approved by the Planning Commission on March 1, 2017.

The Second Extension of Time was received on February 7, 2018, ahead of the expiration date of March 27, 2018. The applicant and the County have been negotiating conditions of approval and reached consensus on February 22, 2018.

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. 34592 on March 7, 2018. The Planning Commission approved the project by a 3-0 vote (Commissioners Taylor-Berger and Kroencke were absent).

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**



Scott Bruckner 5/14/2018



**PLANNING COMMISSION
MINUTE ORDER
MARCH 7, 2018**

I. AGENDA ITEM 1.2

SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34592 – Applicant: Spring Mountain Investments, LLC c/o Tom Bitney – Second Supervisorial District – University Zoning District – Highgrove Area Plan – Land Use: Community Development – Commercial Retail (CD-CR) (0.20-0.35 FAR) – Open Space – Rural (OS-R) (20 ac min) – Community Development – Medium Density Residential (CD-MDR) (2-5 du/ac) – Location: Northerly of Palmyrita Avenue, southerly of Pigeon Pass Road, easterly of Mount Vernon Avenue, and westerly of Woodwind Drive – 11.7 Acres – Zoning: Spring Mountain Ranch Specific Plan (SP) No. 323, Planning Area No. 7 – Approved Project Description: Schedule “A” subdivision of 11.7 gross acres into 97 residential condominium units. The project proposes 2.8 acres of building area, 2.8 acres of paved area, 1.3 acres of Recreation/Open Space, and 4.6 acres of landscaping.

II. PROJECT DESCRIPTION:

Second Extension of Time Request for Tentative Tract Map No. 34592, extending the expiration date to March 27, 2021.

III. PLANNING COMMISSION ACTION:

Motion by Commissioner Hake, 2nd by Commissioner Shaffer
A vote of 3-0 (Commissioner Taylor-Berger and Commissioner Kroencke Absent)

APPROVED - Second Extension of Time Request for Tentative Tract Map No. 34592, extending the expiration date to March 27, 2021.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
EXTENSION OF TIME REPORT**

Agenda Item No.:

1.2

Planning Commission Hearing: March 7, 2018

PROPOSED PROJECT

Case Number(s): TR34592E02

Applicant(s): Spring Mountain

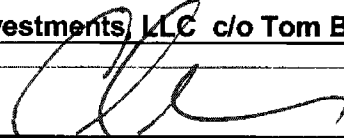
Area Plan: Highgrove

Investments LLC c/o Tom Bitney

Zoning Area/District: University District

Supervisory District: Second District

Project Planner: Ash Syed


Charissa Leach, P.E.
Assistant TLMA Director

Continued From: N/A

PROJECT DESCRIPTION AND LOCATION

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map: Schedule 'A' subdivision of 11.7 gross acres into 97 residential condominium units. The project proposes 2.8 acres of building area, 2.8 acres of paved area, 1.3 acres of Recreation/Open Space, and 4.6 acres of landscaping.

PROJECT RECOMMENDATION

APPROVAL of the **SECOND EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 34592**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to March 27, 2021, subject to all the previously approved and amended Conditions of Approval, with the applicant's consent.

PROJECT LOCATION MAP

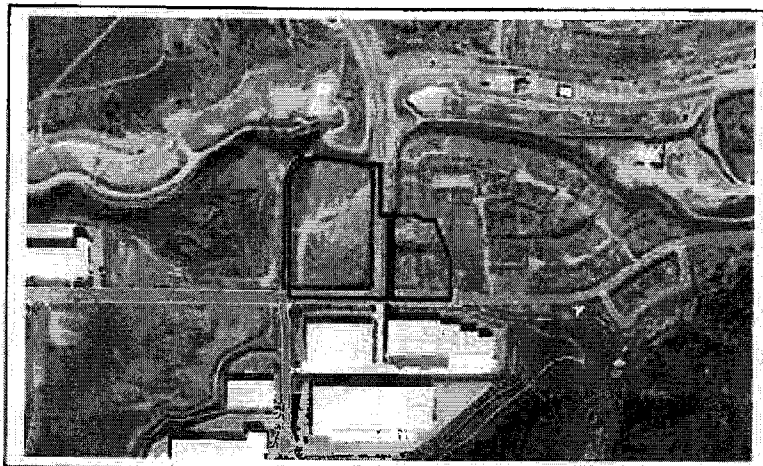


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background

The Tentative Tract Map No. 34592 was originally approved at Planning Commission on February 21, 2007. The Map proceeded to the Board of Supervisors in conjunction with Change of Zone No. 7392 and Specific Plan No. 323 Amendment No. 1 and was approved on March 27, 2007.

The First Extension of Time was received November 1, 2016, ahead of the expiration date of March 27, 2017. The Extension of Time was approved at Planning Commission on March 1, 2017.

The Second Extension of Time was received February 7, 2018, ahead of the expiration date of March 27, 2018. The applicant and the County have been negotiating conditions of approval and reached consensus on February 22, 2018.

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 February 22, 2018, indicating the acceptance of the seven (7) recommended conditions.

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

State Bills

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.

Riverside County Map Extensions

Pursuant to County of Riverside Ordinance No. 460 (Subdivision Regulations), tentative tract and parcel maps have an initial life-span approval of 3-years. Prior to September 12, 2017, a maximum of 5, 1-year extensions may have been approved, upon a timely filed extension request, allowing for a total tentative

map life-span approval of 8-years. On September 12, 2017, the Board of Supervisors approved an amendment to Ordinance 460, replacing the extension time frames to allow for 2, 3-year extensions, for a total tentative map life-span of 9-years.

As a result, the total number years a map may be extended is 6 years. The first extension of time extended the expiration date by 1 year. 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, this second extension of time will expire on March 27, 2021. If a final map has not been recorded prior this date, the fourth extension of time request must be filed 30-days prior to map expiration.

ENVIRONMENTAL REVIEW

The subject case has conformed to the requirements of the California Environmental Quality Act ("CEQA"), and all impacts have been analyzed in order to protect the public health, safety, and welfare. No changes to the approved map are proposed and as a result, no new environmental documentation is required prior to an Extension of Time approval.

FINDINGS

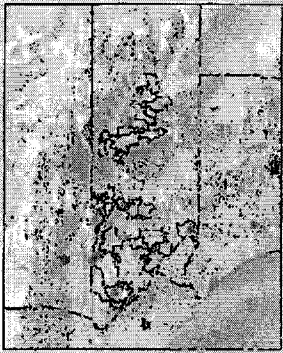
In order for the County to approve a proposed project, the following findings are required to be made:

Extension of Time Findings

1. This Tentative Tract Map has been found to be consistent with the Riverside County General Plan, pursuant to the originally approved findings and conditions of approval. This Extension of Time proposes no changes to the map design and is therefore still found to be consistent.
2. This Tentative Tract Map has been found to be consistent with Ordinance No. 348 (Zoning Code) and Ordinance No. 460 (Subdivision Regulations), pursuant to the originally approved findings and conditions of approval. This Extension of Time proposes no changes to the map design and is therefore still found to be consistent.
3. No changes to the approved map are proposed in conjunction with this Extension of Time. All impacts have been analyzed in order to protect the public health, safety, and welfare.

2nd EOT for TR34592

Vicinity Map



Legend

- Display Parcels



0

827 1,653 Feet



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... 2/14/2018 11:31:36 AM

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Notes

Extension of Time Environmental Determination


Project Case Number: TR34592
 Original E.A. Number: 40993
 Extension of Time No.: Second
 Original Approval Date: February 21, 2007

Project Location: North of Palmyrita Avenue, South of Pigeon Pass Road, East of Mount Vernon Avenue, West of Woodwind Drive.

Project Description: Schedule 'A' subdivision of 11.7 gross acres into 97 residential condominium units. The project proposes 2.8 acres of building area, 2.8 acres of paved area, 1.3 acres of Recreation/Open Space, and 4.6 acres of landscaping.

On February 21, 2007, 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: 
 Ash Syed, Project Planner

Date: February 14, 2018
 Charissa Leech, P.E. Assistant TLMA Director

Syed, Ashiq

From: Tom Bitney <TBitney@shopoff.com>
Sent: Thursday, February 22, 2018 10:26 AM
To: Syed, Ashiq
Cc: Brian Rupp
Subject: RE: Recommended Conditions of Approval for 2nd EOT of TR34592

Good morning Ash,

Please proceed with the preparation of the staff report as we accept the addition of the conditions of approval for TTM 34592. If you need something for the county's records more formalized please let me now.

Thank you.

Tom Bitney

Sr. Development Manager



Shopoff Realty Investments, L.P.

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From: Syed, Ashiq [mailto:ASyed@rivco.org]
Sent: Wednesday, February 14, 2018 2:51 PM
To: Tom Bitney
Subject: Recommended Conditions of Approval for 2nd EOT of TR34592

RE: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 34592

Hello Mr. Bitney,

The County Planning Department, for this extension of time, 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:

- 50 E. Health #1
- 50 Trans #1
- 60 BS Grade #1
- 60 Trans 1
- 80 Trans #1
- 90 BS Grade #1
- 90 Trans #1

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 a Planning Commission hearing as a consent item. 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.



Ash Syed
Environmental Planner
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Email: asyed@rivco.org
Phone: 951-955-6035

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Plan: TR34592E02

Parcel: 255140031

50. Prior To Map Recordation

E Health

050 - E Health. 1 Gen - Custom Not Satisfied

REQ E HEALTH DOCUMENTS

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)

Transportation

050 - Transportation. 1 Gen - Custom Not Satisfied

FINAL ACCESS AND MAINT

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.

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 Gen - Custom Not Satisfied

REQ BMP SWPPP WQMP

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, Storm water ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Transportation

060 - Transportation. 1 Gen - Custom Not Satisfied

FINAL WQMP FOR GRADING

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.

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 1 Gen - Custom Not Satisfied

WQMP AND MAINTENANCE

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The

Plan: TR34592E02

Parcel: 255140031

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 1 Gen - Custom (cont.) Not Satisfied
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.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 Gen - Custom Not Satisfied

WQMP REQUIRED

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)

Transportation

090 - Transportation. 1 Gen - Custom Not Satisfied

WQMP COMP AND BNS REG

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