

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



ITEM
1.11
(ID # 7058)

MEETING DATE:
Tuesday, June 5, 2018

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. 32027 – Applicant: Omni Financial, LLC – Third Supervisorial District – Winchester Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Medium Density Residential (CD:MDR) (2-5 du/ac) – Location: Northerly of Craig Road, southerly of Holland Road, westerly of Holcomb Road, easterly of Eucalyptus Road – 25.7 Acres – Zoning: One-Family Dwellings (R-1) – APPROVED PROJECT DESCRIPTION: Schedule “A” – to subdivide 25.7 acres into 82 residential lots and 4 open space lots – REQUEST: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32027, extending the expiration date to March 3, 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 April 18, 2018. The Tentative Tract Map No. 32027 will now expire on March 3, 2021.

ACTION: Consent

Charissa Leach, Assistant TLMA Director 5/21/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Ashley 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: June 5, 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

Tentative Tract Map No. 32027 was originally approved by the Planning Commission on December 7, 2005. It proceeded to the Board of Supervisors along with Change of Zone No. 7031 where both applications were approved on March 3, 2009.

The Third Extension of Time was received on February 23, 2018, ahead of the expiration date of March 3, 2018. The applicant and the County discussed conditions of approval and reached consensus on March 23, 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. 32027 on April 18, 2018. The Planning Commission approved the project by a 4-0 vote (Commissioner Hake 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.

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.

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

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

5/29/2018



**PLANNING COMMISSION
MINUTE ORDER
APRIL 18, 2018**

I. AGENDA ITEM 1.11

THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 32027 – Applicant: Omni Financial, LLC – Third Supervisorial District – Winchester Zoning Area – Harvest Valley/Winchester Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 du/ac) – Location: Northerly of Craig Road, southerly of Holland Road, westerly of Holcomb Road, and easterly of Eucalyptus Road – 25.7 Acres – Zoning: One-Family Dwellings (R-1) – Approved Project Description: Schedule “A” subdivision of 25.7 acres into 82 residential lots, and four (4) open space lots.

II. PROJECT DESCRIPTION:

Third Extension of Time Request for Tentative Tract Map No. 32027, extending the expiration date to March 3, 2021.

III. PLANNING COMMISSION ACTION:

Motion by Commissioner Sanchez, 2nd by Commissioner Shaffer
A vote of 4-0 (Commissioner Hake Absent)

APPROVED - Third Extension of Time Request for Tentative Tract Map No. 32027, extending the expiration date to March 3, 2021.



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

Agenda Item No.:

1.11

Planning Commission Hearing: April 18, 2018

PROPOSED PROJECT

Case Number(s): TR32027

Applicant(s):

Area Plan: Harvest Valley/Winchester

Omni Financial, LLC


Zoning Area/District: Winchester Area

Representative(s):

Supervisory District: Third District

Kimberlee Kay

Project Planner: Gabriel Villalobos


Charissa Leach, P.E.
Assistant TLMA Director

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 to subdivide 25.7 acres into 82 residential lots and 4 open space lots. The project is located northerly of Craig Road, southerly of Holland Road, westerly of Holcomb Road, and easterly of Eucalyptus Road.

PROJECT RECOMMENDATION

APPROVAL of the **THIRD EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 32027**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to March 3, 2021, subject to all the previously approved and amended Conditions of Approval, with the applicant's consent.

PROJECT LOCATION MAP

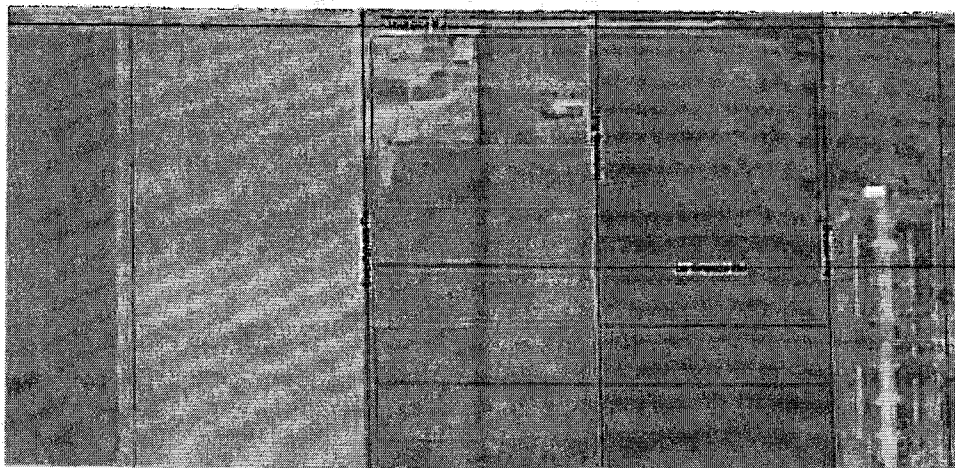


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background

Tentative Tract Map No. 32027 was originally approved at Planning Commission on December 7, 2005. It proceeded to the Board of Supervisors along with Change of Zone No. 7031 where both applications were approved on March 3, 2009.

The Third Extension of Time was received February 23, 2018, ahead of the expiration date of March 3, 2018. The applicant and the County discussed conditions of approval and reached consensus on March 23, 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 (March 23, 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. In addition, a maximum of 5, 1-year extensions may be 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 of years a map may be extended is 6 years. The first and second extensions of time each granted 1 year for a total of 2 years. 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 third extension of time will grant another 3 years, making the tentative tract map's expiration date March 3, 2021. If a final map has not been recorded prior to 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

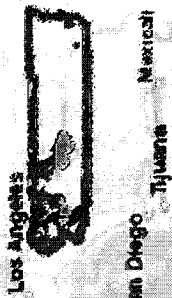
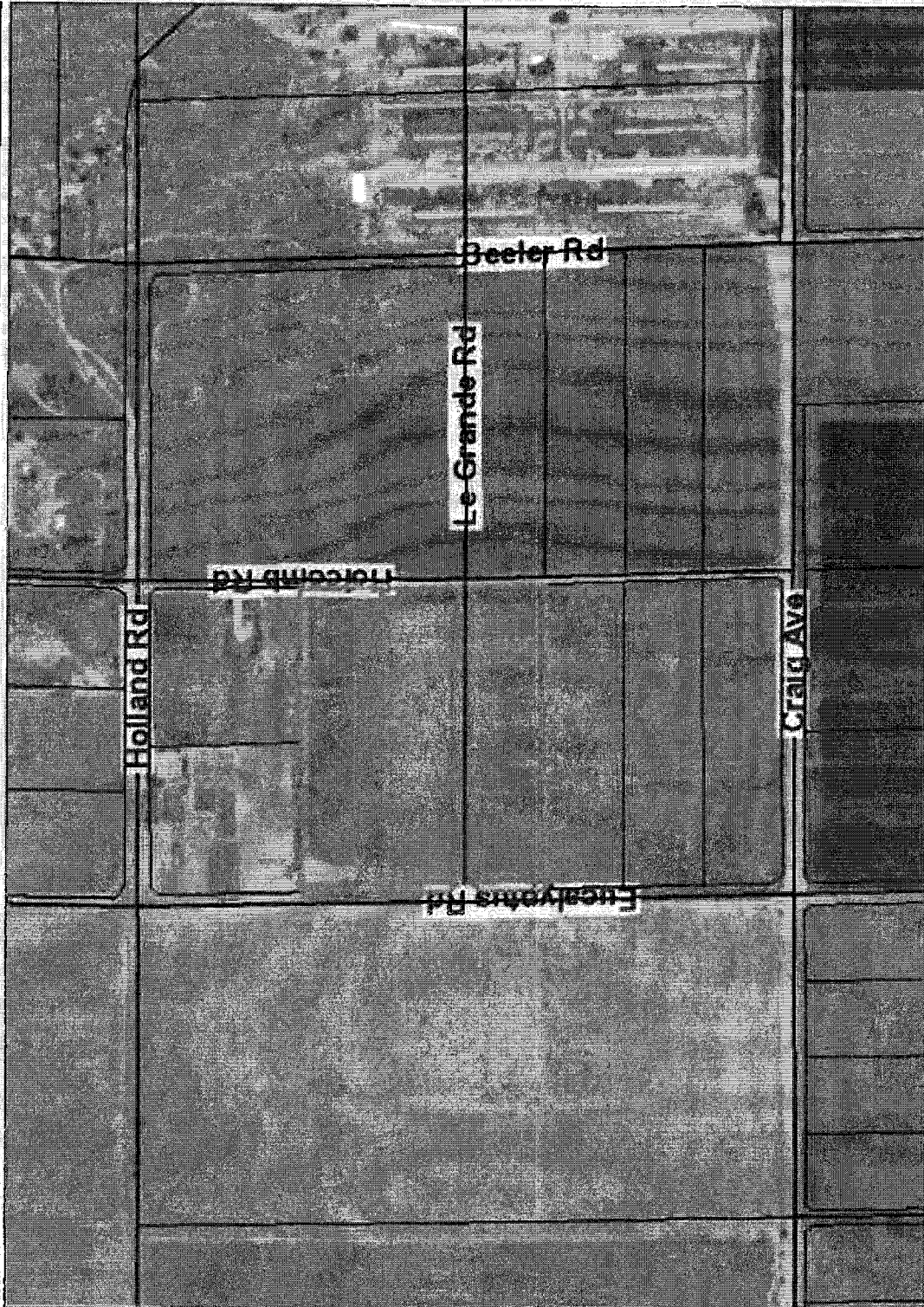
In order for the County to approve a proposed project, the following findings are required to be made:

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.

3rd EOT for TR32027

Vicinity Map



- Legend**
- Parcels
 - County Centerlines
 - Blueline Streams
 - City Areas

Notes

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.



Extension of Time Environmental Determination

Project Case Number: TR32027
 Original E.A. Number: 39744
 Extension of Time No.: 3rd EOT
 Original Approval Date: March 3, 2009
 Project Location: Northerly of Craig Road, southerly of Holland Road, westerly of Holcomb Road, easterly of Eucalyptus Road
 Project Description: Schedule "A" – to subdivide 25.7 acres into 82 residential lots and 4 open space lots

On March 3, 2009, this Tentative Tract Map and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

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

Signature: _____
 Gabriel Villalobos, Project Planner

Date: _____
 For Charissa Leach, Assistant TLMA Director

Villalobos, Gabriel

From: Kimberlee Kay <kkay@shermanandboone.com>
Sent: Friday, March 23, 2018 3:31 PM
To: Villalobos, Gabriel
Cc: Martin Boone
Subject: RE: Recommended Conditions for TR32027 3rd EOT

Good Afternoon Gabriel.

Omni Financial, LLC is in agreement with the 7 conditions as noted on your Conditions of Approval.

Please proceed with the extension.

Respectfully,

Kimberlee Kay

Sherman & Boone Realtors, Inc.
Omni & Orbis Financial (s) LLC
REO Asset Manager
1260 41st Avenue, Suite O
Capitola, CA 95010
831-464-5013 direct
831-462-1618 fax
831-246-1848 cellular
email: kkay@shermanandboone.com
DRE No. 00889114

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From: Villalobos, Gabriel <GVillalo@rivco.org>
Sent: Friday, March 23, 2018 2:50 PM
To: Kimberlee Kay <kkay@shermanandboone.com>
Cc: Martin Boone <martin@shermanandboone.com>; David Leonard <leonarddla@earthlink.net>
Subject: RE: Recommended Conditions for TR32027 3rd EOT

Good Morning Kimberlee,

Yes the same 7 are applied to each extension of time application. IF they have already been applied they would be considered "Met" so the condition wouldn't need to be satisfied multiple times. I think so long as you accept that these 7 conditions are still required prior to map recordation or construction we should be fine, if you can send a written response acknowledging and accepting the conditions so that I can include it in the staff report that should be all that would be required from your end/the applicant to process this request. Thanks and have a great weekend!

Gabriel Villalobos

Riverside County Planning
4080 Lemon Street 12th Floor
Riverside, CA 92501
951-955-6184



How are we doing? Click the Link and tell us

From: Kimberlee Kay [<mailto:kkay@shermanandboone.com>]
Sent: Friday, March 23, 2018 11:57 AM
To: Villalobos, Gabriel <GVillalo@rivco.org>
Cc: Martin Boone <martin@shermanandboone.com>; David Leonard <leonarddla@earthlink.net>
Subject: FW: Recommended Conditions for TR32027 3rd EOT

Good Morning Gabriel.

Attached please find the conditions of approval for our second extension of time. It appears to me that the conditions you have for EOT three are the same as EOT 2, so we do not have any objections to these noted conditions, unless they can be eliminated, since they were already approved with the previous extension. Less paperwork for you :)

Thank you

Sincerely,

Kimberlee Kay

Sherman & Boone Realtors, Inc.
Omni & Orbis Financial (s) LLC
REO Asset Manager
1260 41st Avenue, Suite O
Capitola, CA 95010
831-464-5013 direct
831-462-1618 fax
831-246-1848 cellular
email: kkay@shermanandboone.com
DRE No. 00889114

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From: Villalobos, Gabriel <GVillalo@rivco.org>
Sent: Friday, March 23, 2018 11:38 AM
To: martin@shermanandboone.com
Cc: kkay@shermanandboone.com
Subject: Recommended Conditions for TR32027 3rd EOT

Attn: Martin Boone
c/o Kimberlee Kay
1260 41st Ave, Suite O
Capitola, CA 95010

RE: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 32027.

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:

- | | |
|----------------------------|---------------------------|
| 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 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.

Gabriel Villalobos
Riverside County Planning
4080 Lemon Street 12th Floor
Riverside, CA 92501
951-955-6184



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County of Riverside California

Plan: TR32027E03

Parcel: 466310019

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 1 EOT3 - FINAL WQMP FOR GRADING (cont.) Not Satisfied

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.rcfood.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 Building Permit Issuance

Transportation

080 - Transportation. 1 EOT3 - WQMP AND MAINTENANCE Not Satisfied

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)

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 EOT3 - WQMP REQUIRED Not Satisfied

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 EOT3 - WQMP COMP AND BNS REG Not Satisfied

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.

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