

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



**ITEM
1.16
(ID # 7804)**

MEETING DATE:

Tuesday, August 28, 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. 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), Commercial Retail (CD:CR) (0.20-0.35 FAR), Open Space: Recreation (OS:R), Conservation (OS:C) – Location: North of Nuevo Rd., east of Foothill Ave., south of Sunset Ave., west of Dunlap Dr. – 67.16 Acres – Zoning: SP Zone (SP#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: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33687, extending the expiration date to September 12, 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 July 18, 2018. The Tentative Tract Map No. 33687 will now expire on September 12, 2021.

ACTION: Consent

Charissa Leach, Assistant TLMA Director 8/16/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, 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
Absent: None
Date: August 28, 2018
xc: Planning, Applicant

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

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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. 33687 was originally approved by the Planning Commission on July 26, 2006. It proceeded to the Board of Supervisors along with Specific Plan No. 251 and Change of Zone No. 7181 where all applications were approved on September 12, 2006.

The First Extension of Time was approved by the Planning Commission on July 19, 2017.

The Second Extension of Time was received on August 2, 2017, ahead of the expiration date of September 12, 2017. The applicant and the County discussed conditions of approval and reached consensus on October 16, 2017.

The Third Extension of Time was received June 12, 2018, ahead of the expiration date of September 12, 2018. The applicant and the County discussed conditions of approval and reached consensus on July 2, 2018.

The County Planning Department, as part of the review of this Extension of Time request, recommends no additional 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. 33687 on July 18, 2018. 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.

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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 8/20/2018



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

I. AGENDA ITEM 1.3

THIRD 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) – Commercial Retail (CD-CR) (0.20-0.35 FAR) – Open Space: Recreation (OS-R) – Conservation (OS-C) – Location: Northerly of Nuevo Road, easterly of Foothill Avenue, southerly of Sunset Avenue, and westerly of Dunlap Drive – 67.16 Acres – Zoning: Specific Plan (SP251) – 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.

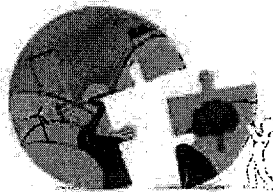
II. PROJECT DESCRIPTION:

Third Extension of Time Request for Tentative Tract Map No. 33687, extending the expiration date to September 12, 2021.

III. PLANNING COMMISSION ACTION:

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

APPROVED Third Extension of Time Request for Tentative Tract Map No. 33687, extending the expiration date to September 12, 2021.



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

Agenda Item No.:

1.3

Planning Commission Hearing: July 18, 2018

PROPOSED PROJECT

Case Number(s): TR33687

Applicant(s):

Area Plan: Lakeview/Nuevo

McCanna Hills, LLC

Zoning Area/District: Nuevo Area

c/o Mark Burkes

Supervisory District: Fifth District

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 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 totaling 5.44 acres. The project is located north of Nuevo Rd, east of Foothill Ave, south of Sunset Ave, and west of Dunlap Dr.

PROJECT RECOMMENDATION

APPROVAL of the **THIRD 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, 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. 33687 was originally approved at Planning Commission on July 26, 2006. It proceeded to the Board of Supervisors along with Specific Plan No. 251 and Change of Zone No. 7181 where all applications were approved on September 12, 2006.

The First Extension of Time was approved at Planning Commission on July 19, 2017.

The Second Extension of Time was received August 2, 2017, ahead of the expiration date of September 12, 2017. The applicant and the County discussed conditions of approval and reached consensus on October 16, 2017.

The Third Extension of Time was received June 12, 2018, ahead of the expiration date of September 12, 2018. The applicant and the County discussed conditions of approval and reached consensus on July 2, 2018.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of no 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 (July 2, 2018) indicating the acceptance of no new 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 to 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 to 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 to 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 to existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on maps approved after January 1, 2000 and that have not expired prior to July 11, 2013.

Riverside County Tentative Map Extensions

Pursuant to County of Riverside Ordinance No. 460 (Subdivision Regulations), Tentative Tract and Tentative Parcel Maps have an initial life-span approval of 3-years. Tentative Map extensions may be granted, upon a timely filed extension request and include 2 separate, 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.

On September 12, 2017, the Board of Supervisors adopted an amendment to Ordinance No. 460 (Subdivision Regulations), allowing for the 2 separate, 3-year extensions. Prior to the amendment, 5 separate, 1-year extensions, for a total Tentative Map life-span of 8-years, was permissible.

The 1st and 2nd extensions of time each granted 1 year for a total of 2 years. This, 3rd extension will grant another 3 years. The remaining number of years available to extend this tentative map after this approval will be 1 year and will expire on September 12, 2022.

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, this Tentative Map's expiration date will become September 12, 2021. If a Final Map has not been recorded prior to this date, the next 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.

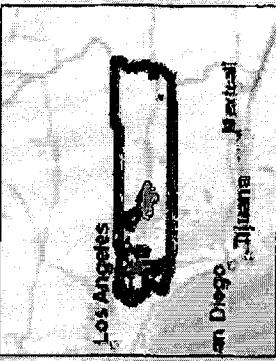
FINDINGS

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 (Land Use) 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 Tentative Tract 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 TR33687
Vicinity Map



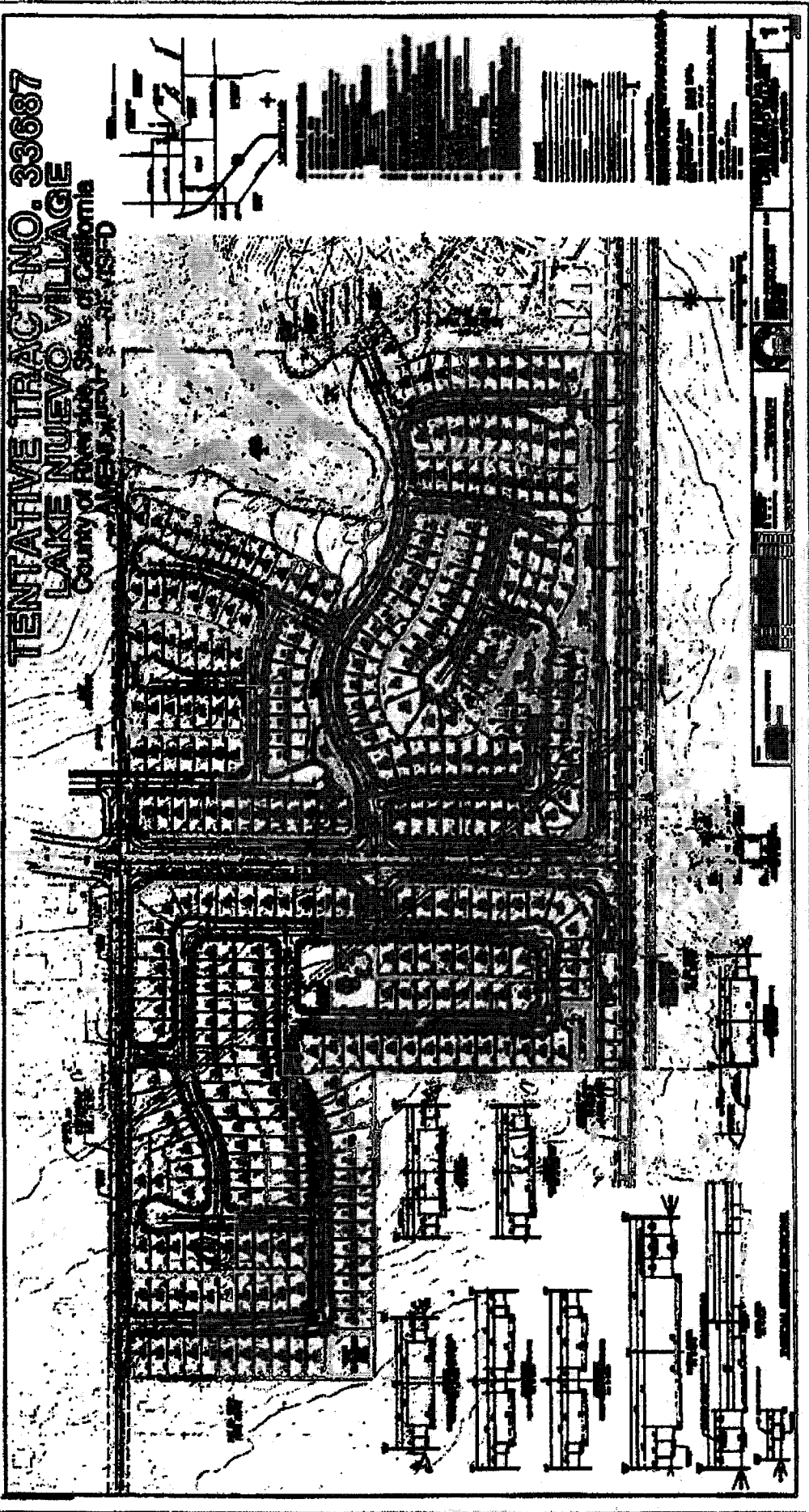
- Legend**
- Parcels
 - County Centerlines
 - Blueline Streams
 - City Areas

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.



TENTATIVE TRACT NO. 33687
LAKE NUEVO VILLAGE
County of Riverside, State of California
APPROVED BY THE BOARD OF SUPERVISORS
ON MAY 15, 1950



Extension of Time Environmental Determination

Project Case Number: TR33687
 Original E.A. Number: 40244
 Extension of Time No.: 3rd EOT
 Original Approval Date: September 12, 2006
 Project Location: North of Nuevo Rd, East of Foothill Ave, South of Sunset Ave, West of Dunlap Dr
 Project Description: Schedule "A" subdivision of 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 totaling 5.44 acres

On September 12, 2006, 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

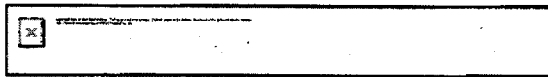
Villalobos, Gabriel

From: Mark Burkes <mburkes@npland.com>
Sent: Monday, July 02, 2018 4:41 PM
To: Villalobos, Gabriel
Subject: FW: Recommended Conditions for TR33687 3rd EOT

Gabriel,

Please see below.

Mark Burkes
Bristol Land Company LLC



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

Direct: 949.945.2297 Cell: 714.497.9399
Main: 949.945.2290 Fax: 949.945.2561
mburkes@npland.com | npland.com

From: Jeff Belger
Sent: Monday, July 2, 2018 4:33 PM
To: Mark Burkes <mburkes@npland.com>
Subject: RE: Recommended Conditions for TR33687 3rd EOT

Mark, please forward this e-mail to the County.

I, the Extension of Time Applicant, accept the conditions below:

Thanks,

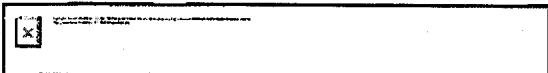
Jeff

From: Mark Burkes
Sent: Monday, July 2, 2018 4:22 PM
To: Jeff Belger <JBelger@ihpinc.com>
Subject: FW: Recommended Conditions for TR33687 3rd EOT

Jeff,

I believe you have been thru this drill before. Please see below.

Mark Burkes
Bristol Land Company LLC



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

Direct: 949.945.2297 Cell: 714.497.9399
Main: 949.945.2290 Fax: 949.945.2561
mburkes@npland.com | npland.com

From: Villalobos, Gabriel <GVillalo@rivco.org>
Sent: Friday, June 29, 2018 11:10 AM
To: Mark Burkes <mburkes@npland.com>
Subject: Recommended Conditions for TR33687 3rd EOT

Attn: McCanna Hills, LLC
c/o Mark Burkes
100 Bayview Circle, Suite 2000
Newport Beach, CA 92660

RE: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 33687.

The County Planning Department has determined it necessary to recommend the addition of no 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.

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.

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



RIVERSIDE COUNTY
PLANNING DEPARTMENT

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County of Riverside California

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