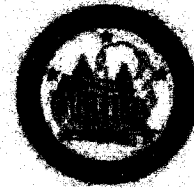


SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM  
1.5  
(ID # 8402)

MEETING DATE:

Tuesday, December 4, 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. 34097 – Applicant: Frank Chen – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC: VLDR) (1 acre min.) – Location: North of Markham Street, south of Nandina Avenue, east of Roosevelt – 40.90 Acres – Zoning: Residential Agricultural (R-A) – APPROVED PROJECT DESCRIPTION: a Schedule "B" subdivision of 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre – REQUEST: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34097, extending the expiration date to September 1, 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 October 3, 2018. The Tentative Tract Map No. 34097 will now expire on September 1, 2021.

**ACTION:** Consent

Charles Leach, Assistant TLMA Director 11/13/2018

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**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: December 4, 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**

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS: Applicant Fees 100%</b>			<b>Budget Adjustment: N/A</b>	
			<b>For Fiscal Year: N/A</b>	

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Tentative Tract Map No. 34097 was originally approved by the Planning Commission on June 24, 2009. It proceeded to the Board of Supervisors along with Change of Zone No. 7459 where both applications were approved on September 1, 2009.

The Third Extension of Time was received on August 28, 2018, ahead of the expiration date of September 1, 2018. The applicant and the County discussed conditions of approval and reached consensus on September 9, 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 this.

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. 34097 on October 3, 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.

**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**

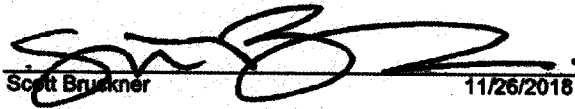
**Additional Fiscal Information**

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

All fees are paid by the applicant. There is no General Fund obligation.

**ATTACHMENTS:**

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**

  
Scott Bruekner 11/26/2018



**PLANNING COMMISSION  
MINUTE ORDER  
OCTOBER 3, 2018**

**I. AGENDA ITEM 1.7**

**THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 34097** – Applicant: Frank Chen – First Supervisorial District – Woodcrest Zoning District – Lake Mathews/Woodcrest Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 acre min.) – Location: Northerly of Markham Street, southerly of Nandina Avenue, and easterly of Roosevelt – 40.90 Acres – Zoning: Residential Agricultural (R-A) – Approved Project Description: Schedule "B" subdivision of 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre.

**II. PROJECT DESCRIPTION:**

Third Extension of Time Request for Tentative Tract Map No. 34097, extending the expiration date to September 1, 2021.

**III. PLANNING COMMISSION ACTION:**

Motion by Commissioner Shaffer, 2<sup>nd</sup> by Commissioner Kroencke  
A vote of 5-0

**APPROVED** Third Extension of Time Request for Tentative Tract Map No. 34097, extending the expiration date to September 1, 2021.



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

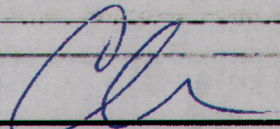
Agenda Item No.:

1.7

Planning Commission Hearing: October 3, 2018

**PROPOSED PROJECT**

<b>Case Number(s):</b>	TR34097	<b>Applicant(s):</b>	
<b>Area Plan:</b>	Lake Mathews/Woodcrest	<b>Applicant(s):</b>	Frank Chen
<b>Zoning Area/District:</b>	Woodcrest District		
<b>Supervisory District:</b>	First District		
<b>Project Planner:</b>	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 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre. The project is located north of Markham Street, south of Nandina Avenue, and east of Roosevelt St.

**PROJECT RECOMMENDATION**

**APPROVAL** of the **THIRD EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 34097**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to September 1, 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. 34097 was originally approved at Planning Commission on June 24, 2009. It proceeded to the Board of Supervisors along with Change of Zone No. 7459 where both applications were approved on September 1, 2009.

The Third Extension of Time was received August 28, 2018, ahead of the expiration date of September 1, 2018. The applicant and the County discussed conditions of approval and reached consensus on September 9, 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 (September 9, 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 1<sup>st</sup> and 2<sup>nd</sup> extensions of time each granted 1 year for a total of 2 years. This, 3<sup>rd</sup> 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 1, 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 1, 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 TR34097

## 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.



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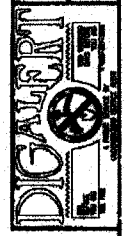
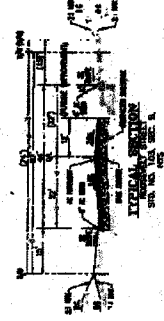
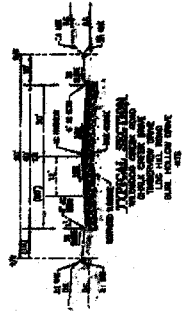
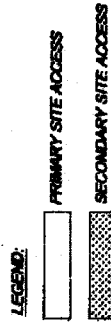
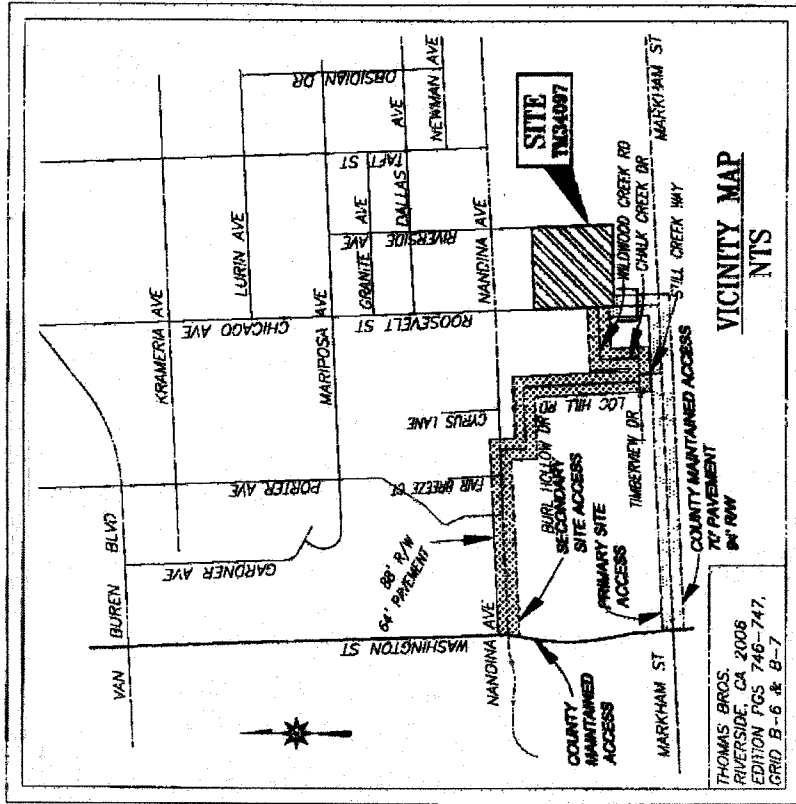
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# CIRCULATION EXHIBIT



THOMAS BROS. RIVERSIDE, CA 92508  
 EDITION PGS 746-747  
 GRID B-6 & B-7



DESIGNED BY **PSOMAS**  
 2011 11th Street, Suite 101, Riverside, CA 92507  
 (951) 797-2021 Fax (951) 797-2079  
 PREPARED UNDER THE SUPERVISION OF  
 DATE: 06/06/08  
 PROJECT: TNS4097

DATE: JUNE 2008  
 SHEET: NTS  
 PROJECT: TENTATIVE TRACT 34097  
 SHEET NO. 1 OF 1  
 PROJECT NO. 1331-001

# Extension of Time Environmental Determination

Project Case Number: TR34097  
 Original E.A. Number: 41174  
 Extension of Time No.: 3<sup>rd</sup> EOT  
 Original Approval Date: September 1, 2009  
 Project Location: North of Markham Street, South of Nandina Avenue, East of Roosevelt St  
 Project Description: a Schedule "B" subdivision of 40.90 gross acres into 39 residential parcels with a minimum size of one (1) gross acre.

On September 1, 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**

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**From:** Frank chen <frank.chen@sbcglobal.net>  
**Sent:** Sunday, September 09, 2018 8:30 AM  
**To:** Villalobos, Gabriel  
**Subject:** Re: Recommended Conditions for TR34097 3rd EOT

**RE: THIRD EXTENSION  
OF TIME REQUEST for  
TENTATIVE TRACT  
MAP No. 34097.**

Dear Mr. Villalobos,

I have received and reviewed your email dated Sept. 6, 2018 regarding the Third Extension of Time Request for Tentative Tract Map No. 34097. Your email has indicated that 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.

Further, I, Frank Chen, am The Extension of Time Applicant, and I accept the above recommendation.

Thank you,

Frank Chen  
12255 Vista Panorama,  
Santa Ana, CA 92705  
frank.chen@sbcglobal.net  
(714) 697-2455

On Thursday, September 6, 2018 4:07 PM, "Villalobos, Gabriel" <GVillalo@rivco.org> wrote:

Attn: Frank Chen  
12255 Vista Panorama  
Santa Ana, CA 92705

**RE: THIRD EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 34097.**

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.

[REDACTED] 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



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**County of Florida, California**