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



ITEM 1.12 (ID # 8395)

# **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

FIRST EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 36851 – Applicant: Thermal Operating Company, LLC – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Community Development: Heavy Industrial (CD:HI) (0.15-0.50 FAR), Commercial Retail (CD:CR) (0.20-0.35 FAR), Commercial Office (CD:CO) (0.35-1.0 FAR), Medium High Density Residential (CD:MHDR) (5-8 du/ac), Open Space: Conservation (OS:C) – Location: North of Avenue 62, East of Tyler Street, South of Avenue 60, West of Polk Street – 19.78 Acres – Zoning: SP Zone (#303) – APPROVED PROJECT DESCRIPTION: A Schedule "A" subdivision of 20 lots on 19.78 acres for the placement of 40 condominium units. Each condominium unit will be processed as a separate phase – REQUEST: FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 36851, extending the expiration date to July 21, 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. 36851 will now expire on July 21, 2021.

ACTION: Consent

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

11/16/2018

Nays:

None

Absent: Date:

None

XC:

December 4, 2018 Planning, Applicant

sistant TLMA Director

Kecia Harper-Ihem

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

FINANCIAL DATA	Current Fiscal Year:	lext Fiscal Year:	To	ital 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. 36851 was originally approved by the Board of Supervisors, along with Parcel Map Nos. 36844 and 36735 on July 21, 2015.

The First Extension of Time was received on July 3, 2018, ahead of the expiration date of July 21, 2018. The applicant and the County discussed conditions of approval and reached consensus on July 30, 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 first extension of time for Tentative Tract Map No. 36851 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

Soft Bruskner 11/24/2018



# PLANNING COMMISSION MINUTE ORDER OCTOBER 3, 2018

### I. AGENDA ITEM 1.10

FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 36851 – Applicant: Thermal Operating Company, LLC – Fourth Supervisorial District – Lower Coachella Valley Zoning District – Eastern Coachella Valley Area Plan: Community Development: Heavy Industrial (CD-HI) (0.15-0.50 FAR) – Commercial Retail (CD-CR) (0.20-0.35 FAR) – Commercial Office (CD-CO) (0.35-1.0 FAR) – Medium High Density Residential (CD-MHDR) (5-8 du/ac) – Open Space: Conservation (OS-C) – Location: Northerly of Avenue 62, easterly of Tyler Street, southerly of Avenue 60, and westerly of Polk Street – 19.78 Acres – Zoning: Specific Plan (SP303) – Approved Project Description: Schedule "A" subdivision of 20 lots on 19.78 acres for the placement of 40 condominium units. Each condominium unit will be processed as a separate phase.

# II. PROJECT DESCRIPTION:

First Extension of Time Request for Tentative Tract Map No. 36851, extending the expiration date to July 21, 2021.

# III. PLANNING COMMISSION ACTION:

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

<u>APPROVED</u> First Extension of Time Request for Tentative Tract Map No. 36851, extending the expiration date to July 21, 2021.



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

**Agenda Item No.:** 

1.10

Planning Commission Hearing: October 3, 2018

# PROPOSED PROJECT

Case Number(s): TR36851 Applicant(s):

Area Plan: Eastern Coachella Valley

Zoning Area/District: Lower Coachella Valley District

Supervisorial District: Fourth District

**Project Planner: Gabriel Villalobos** 

Thermal Operating Company, LLC

c/o Fayres Hall

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 20 lots on 19.78 acres for the placement of 40 condominium units. Each condominium unit will be processed as a separate phase. The project is located north of Avenue 62, east of Tyler Street, south of Avenue 60, and west of Polk Street.

# PROJECT RECOMMENDATION

APPROVAL of the FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 36851, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to July 21, 2021, subject to all the previously approved and amended Conditions of Approval, with the applicant's consent.

# PROJECT LOCATION MAP

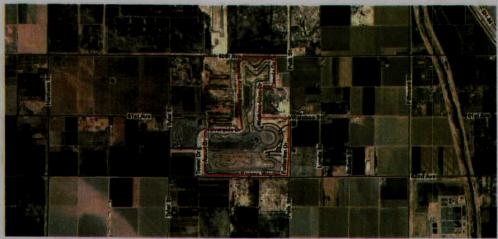


Figure 1: Project Location Map

# FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 36851 Planning Commission Extension of Time Report: October 3, 2018 Page 2 of 3

# PROJECT BACKGROUND AND ANALYSIS

# Background

Tentative Tract Map No. 36851 was originally approved at the Board of Supervisors hearing along with Parcel Map No. 36844 and Parcel Map No. 36735 where all applications were approved on July 21, 2015.

The First Extension of Time was received July 3, 2018, ahead of the expiration date of July 21, 2018. The applicant and the County discussed conditions of approval and reached consensus on July 30, 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 (July 30, 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 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.

# FIRST EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 36851 Planning Commission Extension of Time Report: October 3, 2018 Page 3 of 3

This 1<sup>st</sup> extension will grant 3 years. The remaining number of years available to extend this tentative map after this approval will be 3 years and will expire on July 21, 2024.

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 July 21, 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

- 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.
- 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.

Template Location: Y:\Planning Master Forms\Templates\Staff Report\Staff\_Report\_Template\_DH\_PC\_EOT.docx

Template Revision: 08/01/18

# 1st EOT for TR36851

Vicinity Map





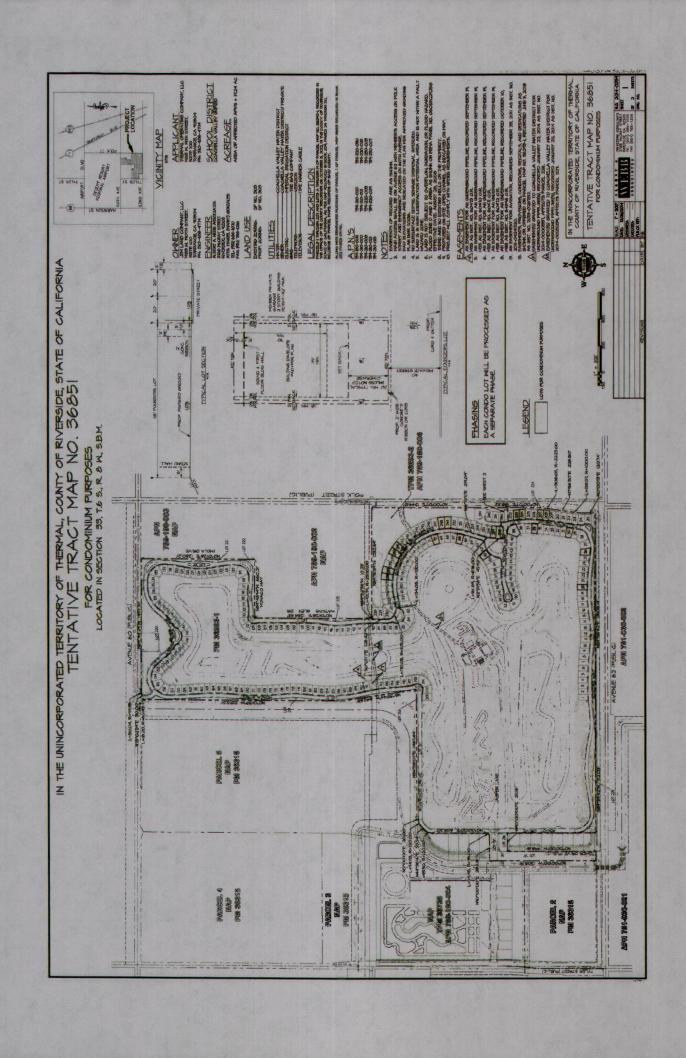
- County Centerlines Blueline Streams
  - City Areas

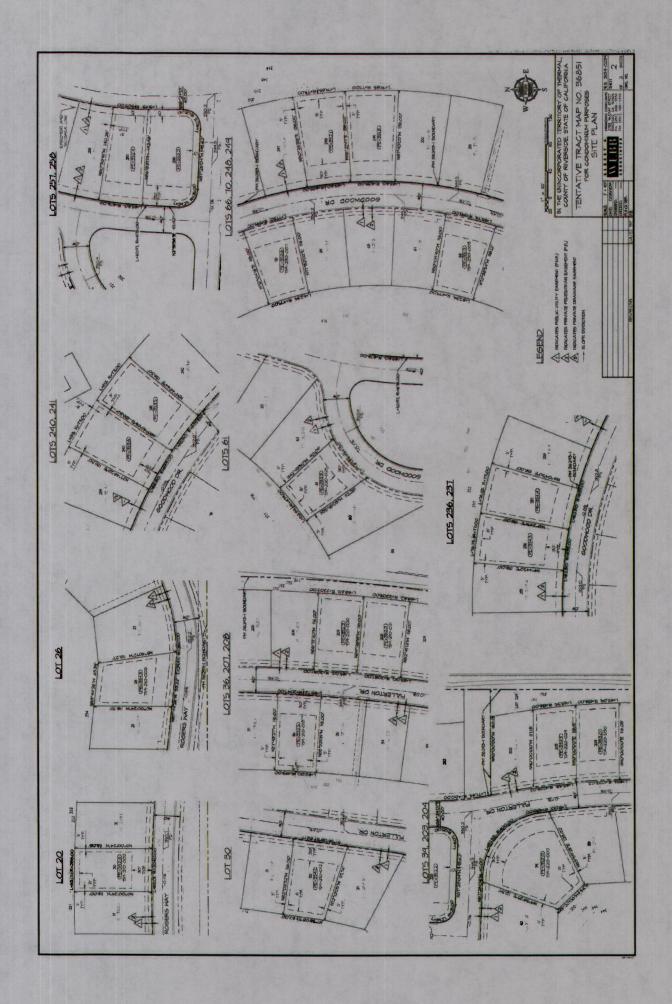
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® Riverside County GIS





# **Extension of Time Environmental Determination**

Project Case Number: TR36851					
Original E.A. Number: 42726					
Extension of Time No.: 1st EOT					
Original Approval Date: July 21, 2015					
Project Location: North of Avenue 62, East of Tyler Street, South of Avenue 60, West of Polk Street					
Project Description: a Schedule "A" subdivision of 20 lots on 19.78 acres for the placement of 40					
condominium units. Each condominium unit will be processed as a separate phase.					
On <u>July 21, 2015</u> , 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:					
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.					
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.					
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.					
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: Galid Villalohy Date: 8/1/18					
Gabriel Villalobos, Project Planner For Charissa Leach, Assistant TLMA Director					



July 30, 2018

Gabriel Villalobos
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501

RE: Acceptance of Conditions for the First Extension of Time for TR36851

Dear Mr. Villalobos:

I am the applicant for the Extension of Time Case TR36851. I understand that the following conditions are being added to this project:

- **50. REQ E HEALTH DOCUMENTS**
- **50. FINAL ACCESS AND MAINT**
- 60. REQ BMP SWPPP WOMP
- 60. FINAL WOMP FOR GRADING
- **80. WOMP AND MAINTENANCE**
- 90. WOMP REQUIRED
- 90. WOMP COMP AND BNS REG

I accept the above conditions for the First Extension of Time for TR36851.

Thank you,

Tim Rogers President

> Corporate Office: 1983 W. 190<sup>th</sup> Street Torrance, CA 90504 Phone: (310) 538-8000 \* Facsimile: (310) 538-8013

07/12/18 10:32

# Riverside County PLUS CONDITIONS OF APPROVAL

Page 1

Plan: TR36851E01

Parcel: 759210002

50. Prior To Map Recordation

E Health

050 - E Health, 1

**EOT1 - REQ E HEALTH DOCUMENTS** 

**Not Satisfied** 

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

**EOT1 - FINAL ACCESS AND MAINT** 

Not Satisfied

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Mergarita No. R9-2010-0016 / Whitewater No. R7-2013-0011 Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are provided. This requirement is for both onsite and offsite property.

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

# 60. Prior To Grading Permit Issuance

**BS-Grade** 

060 - BS-Grade, 1

EOT1 - REQ BMP SWPPP WQMP

**Not Satisfied** 

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.
Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION
PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety
Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.
If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety
Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved
water quality treatment control BMPs have been included on the grading plan.
(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this

Transportation

060 - Transportation, 1

department)

**EOT1 - FINAL WOMP FOR GRADING** 

Not Satisfied

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

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# Riverside County PLUS CONDITIONS OF APPROVAL

Page 2

60. Prior To Grading Permit Issuance

Transportation

Plan: TR36851E01

060 - Transportation, 1

EOT1 - FINAL WQMP FOR GRADING (cont.)

**Not Satisfied** 

Parcel: 759210002

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.roflood.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

**EOT1 - WOMP 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

**EOT1 - 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 Managament 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

**EOT1 - WOMP 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)