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



ITEM 1.14 (ID # 8382)

#### **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 FOURTH EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 30450 – Applicant: Michael & Marilee Moran – Fifth Supervisorial District – Cherry Valley Zoning District – The Pass Area Plan: Rural Community – Low Density Residential (RC-LDR) (0.5 acre min.) – Location: East of Oak Glen Road, South of County Line Road – 17.42 Acres – Zoning: Controlled Development Areas (W-2) – APPROVED PROJECT DESCRIPTION: Subdivide approximately 18 acres into 28 residential parcels, with a minimum parcel size of 1/2 acre – REQUEST: FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 30450, extending the expiration date to July 28, 2020. [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. 30450 will now expire on July 28, 2020.

**ACTION: Consent** 

MINUTES OF THE BOARD OF SUPERVISORS

11/16/2018

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

stant TLMA Director

Absent:

None

Date:

December 4, 2018

XC:

Planning, Applicant

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ID# 8382

Kecia Harper-Ihem Clerk of the Board

Deputy

1.14

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

FINANCIAL DATA	Gurrent Fiscal Year:	Next Flecal 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	Budget Adju	Budget Adjustment: N/A		
		=.	For Fiscal Y	ear: N/A

C.E.O. RECOMMENDATION: Approve

#### **BACKGROUND:**

#### **Summary**

Tentative Tract Map No. 30450 was originally approved by the Planning Commission on July 28, 2004. It proceeded to the Board of Supervisors where it was approved on September 14, 2004.

The Fourth Extension of Time was received on July 19, 2017, ahead of the expiration date of July 28, 2017. The applicant and the County discussed conditions of approval and reached consensus on July 9, 2018. This Fourth Extension of Time is being processed concurrently, but as a subsequent action with the Third Extension of Time which appears as a separate item on this same agenda (MT 8381).

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 fourth extension of time for Tentative Tract Map No. 30450 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.

#### 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 Bruskner 11/24/2018



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

#### I. AGENDA ITEM 1.5

FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 30450 – Applicant: Michael & Marilee Moran – Fifth Supervisorial District – Cherry Valley Zoning District – The Pass Area Plan: Rural Community – Low Density Residential (RC-LDR) (0.5 acre min.) – Location: Easterly of Oak Glen Road and southerly of County Line Road – 17.42 Acres – Zoning: Controlled Development Areas (W-2) – Approved Project Description: Subdivide approximately 18 acres into 28 residential parcels, with a minimum parcel size of ½ acre.

#### II. PROJECT DESCRIPTION:

Fourth Extension of Time Request for Tentative Tract Map No. 30450, extending the expiration date to July 28, 2020.

#### III. PLANNING COMMISSION ACTION:

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

APPROVED Fourth Extension of Time Request for Tentative Tract Map No. 30450, extending the expiration date to July 28, 2020.



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

Agenda Item No.:

1.5

Planning Commission Hearing: October 3, 2018

#### PROPOSED PROJECT

Case Number(s): TR30450 Applicant(s):

Area Plan: The Pass Michael & Marilee Moran

Zoning Area/District: **Cherry Valley District** 

Supervisorial 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 approximately 18 acres into 28 residential parcels, with a minimum parcel size of 1/2 acre. The project is located east of Oak Glen Road and south of County Line Road.

#### PROJECT RECOMMENDATION

APPROVAL of the FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP 30450, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to July 28, 2020, subject to all the previously approved and amended Conditions of Approval, with the applicant's consent.

#### PROJECT LOCATION MAP



Figure 1: Project Location Map

## FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 30450 Planning Commission Extension of Time Report: October 3, 2018 Page 2 of 3

#### PROJECT BACKGROUND AND ANALYSIS

#### Background

Tentative Tract Map No. 30450 was originally approved at Planning Commission on July 28, 2004. It proceeded to the Board of Supervisors where it was approved on September 14, 2004.

The Fourth Extension of Time was received July 19, 2017, ahead of the expiration date of July 28, 2017. The applicant and the County discussed conditions of approval and reached consensus on July 9, 2018. The Fourth Extension of Time is being processed concurrently, but as a subsequent action, with the Third Extension of Time.

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 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.

## FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 30450 Planning Commission Extension of Time Report: October 3, 2018 Page 3 of 3

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>, 2<sup>nd</sup>, and 3<sup>rd</sup> extensions of time each granted 1 year for a total of 3 years. This, 4<sup>th</sup> extension will grant another 3 years. There are no remaining number of years available to extend this tentative map after this approval and will expire on July 28, 2020.

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 28, 2020. 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**

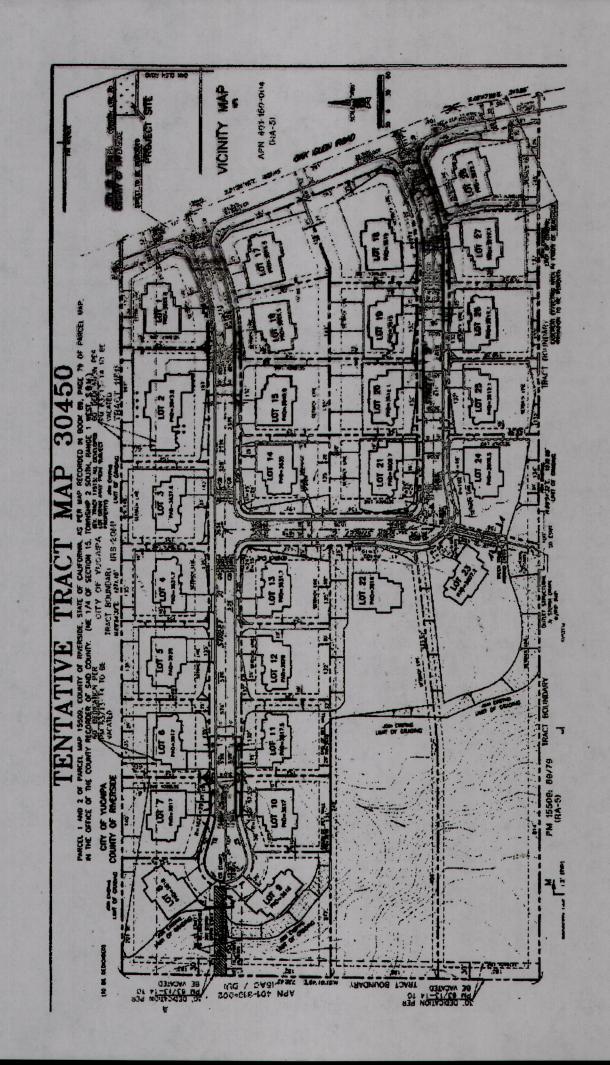
In order for the County to approve a proposed project, the following findings are required to be made:

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.

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# **Extension of Time Environmental Determination**

Project Ca	ase Number:	TR30450			
Original E	.A. Number:	39181			
Extension	nsion of Time No.: 4th EOT				
	inal Approval Date: July 28, 2004				
CONTRACTOR OF THE PARTY OF THE		Oak Glen Road, South of County Line Road			
		divide approximately 18 acres into 28 residential parcels, with a minimum parcel			
size of 1/2 acre.					
<u></u>					
On July 2	28 2004 this	Tentative Tract Map and its original environmental assessment/environmental			
		ed to determine: 1) whether any significant or potentially significant changes in			
		e occurred; 2) whether its environmental conditions or circumstances affecting			
		nt have changed. As a result of this evaluation, the following determination has			
been mad					
		the proposed project could have a significant effect on the environment, NO NEW			
		DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF			
		potentially significant effects (a) have been adequately analyzed in an earlier EIR or pursuant to applicable legal standards and (b) have been avoided or mitigated			
		ier EIR or Negative Declaration and the project's original conditions of approval.			
		the proposed project could have a significant effect on the environment, and there are			
- one		ially significant environmental changes or other changes to the circumstances under			
whi	ich the project is	undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR			
		THE EXTENSION OF TIME, because all potentially significant effects (a) have been			
		d in an earlier EIR or Negative Declaration pursuant to applicable legal standards and			
		ed or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the inditions of approval which have been made and agreed to by the project proponent.			
		e one or more potentially significant environmental changes or other changes to the			
		er which the project is undertaken, which the project's original conditions of approval			
☐ ma	y not address, a	and for which additional required mitigation measures and/or conditions of approval			
		ed at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS			
		to determine what additional mitigation measures and/or conditions of approval, if any,			
		nd whether or not at least one of the conditions described in California Code of a 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the			
		ssment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION			
		BE RECOMMENDED FOR APPROVAL.			
		al 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				
- RE	QUIRED PRIOR	TO APPROVAL OF THE EXTENSION OF TIME.			
1 1 2 11 11					
Signature: Gulit Villabor Date: 8/21/18					
Gabriel Villalobos, Project Planner For Charissa Leach, Assistant TLMA Director					

#### Villalobos, Gabriel

From:

Marilee Moran <1moranm@verizon.net>

Sent:

Monday, July 09, 2018 1:42 PM

To:

Villalobos, Gabriel.

Subject:

Re: Recommended Conditions for TR30450 3rd & 4th EOTs

#### Dear Gabriel:

Thank-you for your email regarding extention of tract map 30450. We wish to re-apply for our third extention, and for the fourth if necessary. The funds were paid last year, as both our records indicate. We agree to your conditions of approval. Should we need to do anything further, please call or email. 909-227-5875.

Again, Thank-you for your time.

Marilee Moran 1moranm@verizon.net

----Original Message----

From: Villalobos, Gabriel <GVillalo@rivco.org>

To: 1moranm <1moranm@verizon.net>

Sent; Mon, Jul 9, 2018 1:27 pm

Subject: FW: Recommended Conditions for TR30450 3rd & 4th EOTs

#### 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: Villalobos, Gabriel

Sent: Monday, July 02, 2018 1:02 PM

To: 'moranspecialties@hotmail.com' <moranspecialties@hotmail.com>

Subject: Recommended Conditions for TR30450 3rd & 4th EOTs

Good Afternoon Mike & Marilee,

Just for clarification, when reviewing the documents available for this map I realized that the 3<sup>rd</sup> EOT for this map was never completed. After speaking with my supervisor, what I will do now is complete both the 3<sup>rd</sup> and 4<sup>th</sup> simultaneously, the 3<sup>rd</sup> EOT being only for 1 year while the 4<sup>th</sup> EOT will be for the remaining 3 years. This will bring the expiration date to 7/28/20 which will be the final expiration date for this map. Please review the conditions attached to this message and send me your written acknowledgement confirming the acceptance of those conditions so that I may continue processing these extensions. Thanks!

Attn:

Michael & Marilee Moran

35976 Oak Glen Yucaipa, CA 92399

#### RE: THIRD & FOURTH EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 30450.

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 document is a copy of the recommended conditions which are identified as follows:

**50. REQ E HEALTH DOCUMENTS** 

**50. FINAL ACCESS AND MAINT** 60. REQ BMP SWPPP WQMP

60. FINAL WQMP FOR GRADING

**80. WQMP AND MAINTENANCE** 

90. WQMP REQUIRED

90. WQMP COMP AND BNS REG

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,
- 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



#### How are we doing? Click the Link and tell us

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