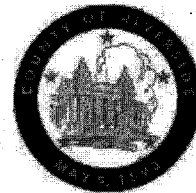


SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
1.5
(ID # 8574)

MEETING DATE:

Tuesday, January 8, 2019

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE SECOND EXTENSION OF TIME for TENTATIVE TRACT MAP NO. 33180 – Applicant: Myron Upton Trust – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Community Development: Low Density Residential (CD-LDR) (1/2 Acre Minimum) – Location: North of Central Avenue, east of Ramona Avenue, south of Nuevo Road, west of Rosary Avenue – 5.11 Acres – Zoning: Residential Agricultural (R-A) – APPROVED PROJECT DESCRIPTION: Schedule "B" Subdivision of 5.11 gross acres into eight (8) residential lots with a minimum lot size of 20,000 net sq. ft. – REQUEST: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33180, extending the expiration date to November 27, 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 November 7, 2018. The Tentative Tract Map No. 33180 will now expire on November 27, 2021.

ACTION: Consent

A handwritten signature in black ink, appearing to be "Charissa Leach", is written over a horizontal line.

Charissa Leach, Assistant TLMA Director

12/18/2018

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Hewitt and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: January 8, 2019
xc: Planning, Applicant

Kecia Harper
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. 33180 was originally approved by the Planning Commission on August 29, 2007. It proceeded to the Board of Supervisors along with General Plan Amendment No. 775 and Change of Zone No. 7261 where both applications were approved on November 27, 2007.

The First Extension of Time request was approved by the Planning Commission on September 6, 2017, extending the expiration date of the map to November 27, 2018.

The Second Extension of Time was received on September 10, 2018, ahead of the expiration date of November 27, 2018. The applicant and the County discussed conditions of approval and reached consensus on September 13, 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 second extension of time for Tentative Tract Map No. 33180 on November 7, 2018. The Planning Commission approved the project by a 4-0 vote (Commissioner Hake was 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

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

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 1/1/2019



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 7, 2018**

I. AGENDA ITEM 1.2

SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP NO. 33180 – Applicant: Myron Upton Trust – Fifth Supervisorial District – Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Community Development: Low Density Residential (CD-LDR) (½ Acre Minimum) – Location: Northerly of Central Avenue, easterly of Ramona Avenue, southerly of Nuevo Road, and westerly of Rosary Avenue – 5.11 Acres – Zoning: Residential Agricultural (R-A) – Approved Project Description: Schedule "B" Subdivision of 5.11 gross acres into eight (8) residential lots with a minimum lot size of 20,000 net sq. ft.

II. PROJECT DESCRIPTION:

Second Extension of Time Request for Tentative Tract Map No. 33180, extending the expiration date to November 27, 2021.

III. PLANNING COMMISSION ACTION:

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

APPROVED Second Extension of Time Request for Tentative Tract Map No. 33180, extending the expiration date to November 27, 2021.



COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME REPORT

Agenda Item No.:

1.2

Planning Commission Hearing: November 7, 2018

PROPOSED PROJECT

Case Number(s): TR33180

Applicant(s):

Area Plan: Lakeview/Nuevo

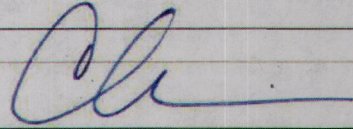
Myron Upton Trust

Zoning Area/District: Nuevo Area

c/o Dale Upton

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 5.11 gross acres into eight (8) residential lots with a minimum lot size of 20,000 net sq. ft. The project is located north of Central Avenue, east of Ramona Avenue, south of Nuevo Road, and west of Rosary Avenue.

PROJECT RECOMMENDATION

APPROVAL of the **SECOND EXTENSION OF TIME REQUEST** for **TENTATIVE TRACT MAP NO. 33180**, extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to November 27, 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. 33180 was originally approved at Planning Commission on August 29, 2007. It proceeded to the Board of Supervisors along with General Plan Amendment No. 775 and Change of Zone No. 7261 where both applications were approved on November 27, 2007.

The First Extension of Time application was approved by the Planning Commission on September 6, 2017, extending the expiration date of the map to November 27, 2018.

The Second Extension of Time was received September 10, 2018, ahead of the expiration date of November 27, 2018. The applicant and the County discussed conditions of approval and reached consensus on September 13, 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 13, 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 extension of time granted 1 year. This, 2nd extension will grant another 3 years. The remaining number of years available to extend this tentative map after this approval will be 2 years and will expire on November 27, 2023.

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 November 27, 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.

2nd EOT for TR33180

Vicinity Map



Legend

- Parcels
- County Centerlines
- Blue-line Streams
- City Areas



0 188

376 Feet

REPORT PRINTED ON... 10/3/2018 11:10:51 AM

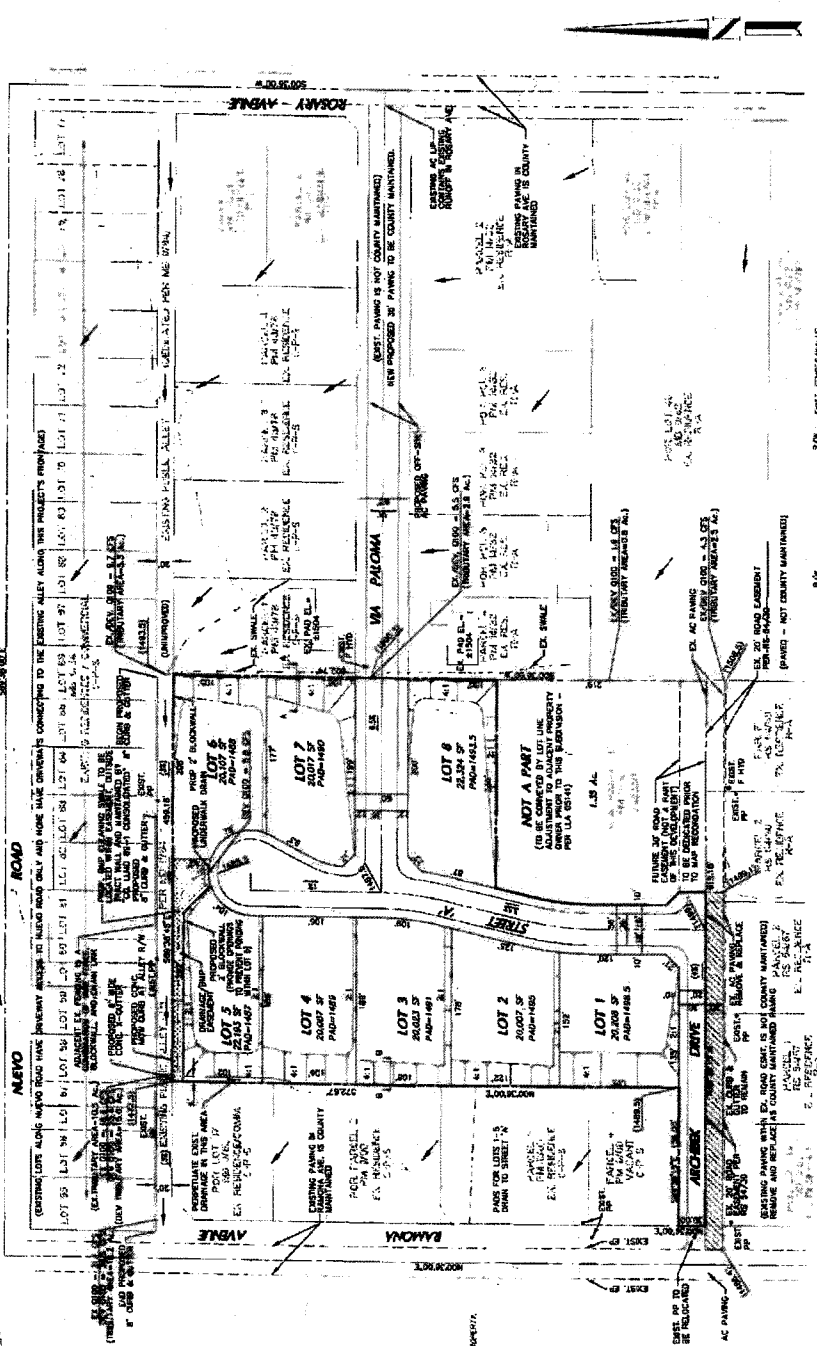
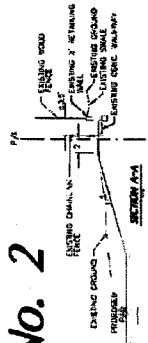
© Riverside County GIS

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.

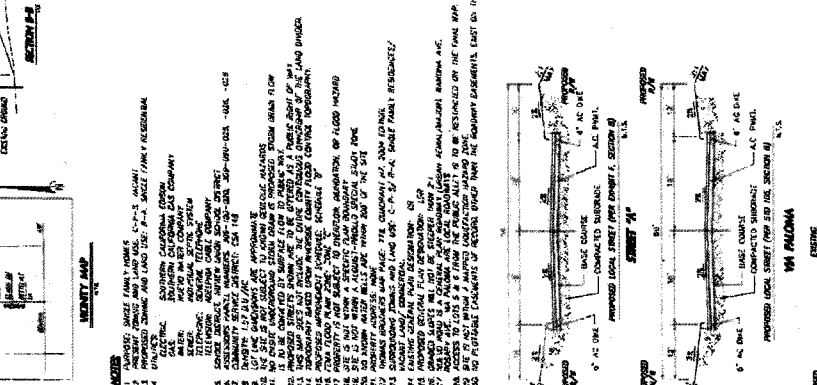
TENTATIVE TRACT MAP 33180 - Amended No. 2

A SUBDIVISION OF A PORTION OF PARCELS 1 AS SHOWN IN PARCELS MAP BOOK 9 / 99 INDIAN COUNTY
SECTION 25, TOWNSHIP 4 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASIN AND MESA



DATE PREPARED: DECEMBER 20, 2002
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]
JANUARY 20, 2007
AMENDED NO. 2
DATE PREPARED: DECEMBER 20, 2002

TENTATIVE TRACT MAP 33180
Amended No. 2



DATE PREPARED: DECEMBER 20, 2002
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]
JANUARY 20, 2007
AMENDED NO. 2
DATE PREPARED: DECEMBER 20, 2002

TENTATIVE TRACT MAP 33180
Amended No. 2

Extension of Time Environmental Determination

Project Case Number: TR33180
Original E.A. Number: 40593
Extension of Time No.: 2nd EOT
Original Approval Date: November 27, 2007
Project Location: North of Central Avenue, East of Ramona Avenue, South of Nuevo Road, West of Rosary Avenue
Project Description: Schedule "B" Subdivision of 5.11 gross acres into eight (8) residential lots with a minimum lot size of 20,000 net sq. ft.

On November 27, 2007, 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: Thomas Upton <d.thomasupton@gmail.com>
Sent: Thursday, September 13, 2018 10:30 AM
To: Villalobos, Gabriel
Subject: Re: Recommended Conditions for TR33180 2nd EOT
Attachments: image001.jpg

TR33180 2nd EOT

To:

Villalobos, Gabriel <GVillalo@rivco.org>

Riverside County Planning
4040 Lemon Street 12th Floor
Riverside, CA 92501

From:

Dale Thomas Upton, EOT
Trustee for the Myron Upton Trust
29850 Lakeview Ave.
Nuevo, CA 92567

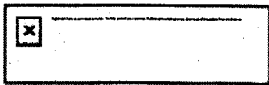
Mr. Villalobos,

Thank you for your review of our application for renewal of Tentative Parcel Map and timely response. I appreciate your help!

I wish to confirm that we would very much like to proceed as per your courteous review and recommendations for our Tentative Parcel Map (33180).

Sincerely,

Dale Thomas Upton, Trustee for the Myron Upton Trust



On Wed, Sep 12, 2018 at 5:20 PM Villalobos, Gabriel <GVillalo@rivco.org> wrote:

Attn: Myron Upton Trust


c/o Dale Upton

29850 Lakeview Ave

Nuevo, CA 92567

RE: SECOND EXTENSION OF TIME REQUEST for TENTATIVE TRACT MAP No. 33180.

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.

 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.

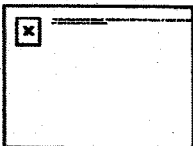
I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 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 Riverside California