



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

Agenda Item No.:

1.1

Planning Commission Hearing: July 7, 2021

PROPOSED PROJECT

Case Number(s): PM32885E03

Applicant(s):

Area Plan: Temescal Canyon

BBG KRG, Inc.

Zoning Area/District: Glen Ivy Area

c/o Katherine Garrett

Supervisory District: First District

Project Planner: Kathleen Mitchell

John Hildebrand
Planning 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 Tentative Parcel Map No. 32885 (TPM32885). The originally approved TPM32885 was for a Schedule "E" subdivision of 489.28 acres into eighteen (18) parcels ranging in size from 0.35 to 48.77 acres, with seventeen (17) parcels designated for commercial/industrial purposes and one (1) parcel designated as an open space lot for MSHCP conservation purposes.

The Project is located in the Temescal Canyon Area Plan and the Serrano 79 Policy Area. The Project site is located east of Interstate 15, northeast of Temescal Canyon Road, west of Park Canyon Road, and south of Clay Canyon Road.

PROJECT RECOMMENDATION

APPROVAL of the **THIRD EXTENSION OF TIME REQUEST** for **TENTATIVE PARCEL MAP NO. 32885**, extending the expiration date and to reflect AB208 and AB116 benefits to June 22, 2023, 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 Parcel Map No. 32885 (TPM32885) was originally approved by the Board of Supervisors on June 22, 2010 for a Schedule "E" subdivision of 489.28 acres into eighteen (18) parcels ranging in size from 0.35 to 48.77 acres, with seventeen (17) parcels designated for commercial/industrial purposes and one (1) parcel designated as an open space lot for MSHCP conservation purposes. It was approved along with Specific Plan No. 353, General Plan Amendment No. 815, Change of Zone No. 7365, and Environmental Impact Report No. 492. The Project proposed the development of an industrial park along with commercial office and community center uses.

The First Extension of Time was approved at Planning Commission on September 6, 2017 to extend the map one year to June 22, 2018. The Second Extension of Time was approved at Planning Commission on October 3, 2018 to extend the map 3 years to June 22, 2021. The Third Extension of Time was received May 12, 2021, ahead of the expiration date of June 22, 2021.

The County Planning Department, as part of the review of this Extension of Time request, recommends that no new conditions of approval will be necessary in order to determine that the project would not adversely affect the general health, safety, and welfare of the public. However, the seven (7) conditions of approval that were reviewed and agreed upon in the processing of the previous extension of time applications will remain valid and in effect. The applicant and the County discussed this determination, and consensus was reached on June 1, 2021 that these seven (7) conditions are still acceptable. As such, they will be applied to this extension of time request. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant (June 1, 2021) indicating the acceptance of this recommendation.

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 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. AB208 extended the tentative map's expiration date to June 22, 2015.

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. AB116 extended the tentative map's expiration date to June 22, 2017.

Riverside County Tentative Map Extensions

Pursuant to County of Riverside Ordinance No. 460 (Subdivision Regulations), tentative tract and parcel maps have an initial life-span approval of 3-years. Prior to September 12, 2017, a maximum of 5, 1-year extensions may be approved, upon a timely filed extension request, allowing for a total tentative map life-

span approval of 8-years. On September 12, 2017, the Board of Supervisors approved an amendment to Ordinance 460, replacing the extension time frames to allow for 2, 3-year extensions, for a total tentative map life-span of 9-years.

As a result, the total number of years a map may be extended is 6 years. The First Extension of Time granted 1 year, and the Second Extension of Time granted an additional 3 years. The remaining number of years available to extend this map is 2 years, which would be granted with approval of this EOT application. Thus, there will be no remaining years available to extend this map.

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 Third Extension will grant 2 additional years, making the tentative parcel map's final expiration date June 22, 2023. If a final map has not been recorded prior to this date, the map will expire.

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 Parcel 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 Parcel 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 Parcel 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.
-

Vicinity Map

PM32885



- Legend**
- 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.



Extension of Time Environmental Determination

Project Case Number: PM32885
 Original E.A. Number: 40673
 Extension of Time No.: 3rd Extension
 Original Approval Date: June 22, 2010

Project Location: East of Interstate 15, Northeast of Temescal Canyon Road, West of Park Canyon Road, and South of Clay Canyon Road

Project Description: TPM32885 is a Schedule "E" subdivision of 489.28 acres into eighteen (18) parcels ranging in size from 0.35 to 48.77 acres, with seventeen (17) parcels designated for commercial/industrial purposes and one (1) parcel designated as an open space lot for MSHCP conservation purposes.

On June 22, 2010, this Tentative Parcel 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: 
 Kathleen Mitchell, Project Planner

Date: 7/1/21
 For John Hildebrand, Planning Director

Mitchell, Kathleen

From: Adam Collier <Adam.Collier@lewismc.com>
Sent: Tuesday, June 1, 2021 6:31 PM
To: Mitchell, Kathleen
Cc: cmorris@axxcessra.com
Subject: RE: Third Extension of Time for PM32885
Attachments: EOT Conditions.pdf

CAUTION: This email originated externally from the **Riverside County** email system.
DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Good Evening Kathleen,

Please use this email as acknowledgement that no new conditions of approval are necessary at this time in order to be able to make a determination that the 3rd Extension of Time does not adversely affect the general health, safety and welfare of the public. In addition, we specifically acknowledge and accept the following conditions of approval as noted below, and further described in the attachment:

- 1) (50) E Health – EOT* - REQ E HEALTH DOCUMENTS - #1 through 3
- 2) (50) Transportation – EOT* - FINAL ACCESS AND MAINT - #1
- 3) (60) BS-Grade- EOT* - REQ BMP SWPPP WQMP - #1
- 4) (60) Transportation – EOT* - FINAL WQMP FOR GRADING
- 5) (80) Transportation – EOT* - WQMP AND MAINTENANCE #1
- 6) (90) BS-Grade – EOT* - WQMP Required - #1 through 5
- 7) (90) Transportation – EOT* WQMP COMP AND BNS REG - #1

Please let me know if you need any additional information or clarification on the above-

Sincerely,

Adam Collier
Vice President - Planned Communities
Lewis Management Corp.
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From: Mitchell, Kathleen <KMitchell@Rivco.org>
Sent: Tuesday, June 1, 2021 11:10 AM
To: Adam Collier <Adam.Collier@lewismc.com>

Cc: cmorris@axxcessra.com

Subject: RE: Third Extension of Time for PM32885

Good morning,

My name is Kathleen Mitchell, and I'm the Project Planner assigned to review your third extension of time request for Parcel Map No. 32885.

The County Planning Department has determined that no new conditions of approval are necessary at this time 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 conditions that were reviewed and agreed to for the previous extension of time applications will remain valid and in effect, and will be placed on this extension of time request, as well. These conditions are as follows:

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

I have attached these conditions here for your review. If these conditions are still found to be 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.

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.

Best,
Kathleen Mitchell

Kathleen Mitchell

TLMA-Planning ~ Urban Planner II

Email: kmitchell@rivco.org

Phone: 951-955-6836

Plan: PM32885E03

Parcel: 290050013

50. Prior To Map Recordation

E Health

050 - E Health. 1 0050- E Health- EOT3 - 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 0050- Transportation- EOT3 - 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 Margarita 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 0060 - BS-Grade- EOT3 - 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.

Plan: PM32885E03

Parcel: 290050013

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 0060 - BS-Grade- EOT3 - REQ BMP SWPPP WQMP (cont.) Not Satisfied

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 department)

Transportation

060 - Transportation. 1 0060 - Transportation- EOT3 - FINAL WQMP 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 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 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 0080 - Transportation- EOT3 - WQMP 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)

Plan: PM32885E03

Parcel: 290050013

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 1 0080 - Transportation- EOT3 - WQMP AND MAINTENANCE Not Satisfied

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 0090 - BS-Grade- EOT3 - 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 Management 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 0090 - Transportation- EOT3 - WQMP COMP AND BNS REC 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.

