



Staff Report

TO: City Council

FROM: Carole Kendrick, Planning Manager

DATE: October 4, 2022

SUBJECT: **Tentative Tract Map No. 32850 Modification to Conditions (TM2022-0009), Conduct a Public Hearing and Consideration of a Request to Amend the Conditions of Approval for Tentative Tract Map No. 32850 That Proposes to Subdivide 29.32 Acres into 95 Single-Family Residential Lots in the Residential Single-Family Zone on the West Side of Manzanita Park Road and South of Brownie Way**

Background and Analysis:

The applicant is requesting to modify three (3) conditions of approval placed on Tentative Tract Map No. 32850 that was originally approved by the City Council on July 19, 2005. The project initially proposed 108 residential lots ranging in size from 7,200 to 15,794 square feet, however, was reduced to 103 due to the existence of a gas line along the southerly property line. The project in its current form is proposing 95 single family residential lots, a 0.77-acre lot for drainage purposes, and a 1.59-acre park site lot.

On April 17, 2007, the City Council considered a request to modify Condition of Approval No. 5.13 which stated that "residences within the subdivision shall be limited to single-story residences". The City Council approved the modification to allow up to 45 of the lots to contain two-story homes.

A condition was also added that required architectural plans to return to City Council for review and approval, which has been reflected in Condition of Approval No. 5.9. A copy of the staff report, applicant's letter, approval letter and plotting exhibit for this item are attached as Attachment G to this staff report.

The applicant's current request was submitted on August 17, 2022, and is provided as Attachment F to this staff report, and specifically requests the following modifications:

- 3.7 The subdivider is obligated to provide fully improved park space at a ratio of number of lots x 3.2 persons per household x 5 acres per 1,000 population. Said conditions of approval require park improvements and/or fees, and these requirements shall be applicable on a pro- rata basis for this subdivision. The plans for the required park area shall be approved prior to the issuance of the first residential building permit ~~recording of the final map.~~
- 3.16 The minimum net lot size in this subdivision shall be 7,200 square feet. ~~The minimum usable pad depth shall be 90 feet.~~
- 4.1 Prior to the issuance of grading permits, the subdivider shall comply with all the following grading conditions:
- a. The land divider or developer shall submit five (5) prints of a comprehensive grading plan to the Public Works Director which complies with the Uniform Building Code, Chapter 70, the Beaumont Municipal Code and as may be additionally provided for in these conditions.
 - b. A grading permit shall be obtained from the City Public Works Department prior to commencement of any grading.
 - c. Graded land shall be provided with erosion control measures as approved by the Public Works Director.
 - d. ~~All residential building pads shall have a minimum depth of 90 feet and pad width of 70 feet exclusive of any slope in excess of two feet in vertical height.~~

~~5.13 Residences within the subdivision shall be limited to single story residences.~~

Staff provided the following modifications to conditions of approval, consistent with the modifications that were approved by the City Council in 2007, in addition to some clean-up language that is provided in Attachment A to this staff report. The Planning Commission recommended the language to 5.9 to include advertising and notifying surrounding property owners of the City Council meeting to review the architecture.

- 5.9 A minor plot plan for all residential buildings, garage and accessory buildings shall be submitted to the Planning Director accompanied by

applicable filing fees for a plot plan not subject to the California Environmental Quality Act and not subject to review by any governmental agency other than the City of Beaumont. The minor plot plan shall be reviewed and approved by the City Council, per the City Council at the April 17, 2007, City Council meeting. The meeting shall be publicly noticed in a newspaper of general circulation not less than 10 days prior to the hearing, in addition to notifying property owners within a 300-foot radius of the subject property.

The Minor Plot Plan shall require the approval of the ~~Director of Planning~~ City Council prior to issuance of building permits for lots included within the plot plan, including permits for model home complexes. The submittal and approval of plot plans may be phased provided:

- 5.13 A minimum of 50 Residences residences within the subdivision shall be limited to single-story residences, consistent with the plotting exhibit approved by the City Council on April 17, 2007.

On September 13, 2022, the Planning Commission conducted a public hearing regarding the subject application. The Commission discussed the merits of the application and indicated their concurrence with the requested modifications to Condition 3.7, 3.16 and 4.1.d.

However, a majority of the Planning Commission expressed concern regarding the applicant's request to delete Condition 5.13 as it was specifically modified by the Council in 2007 and suggested that this condition be discussed by the Council to determine the appropriate action.

As previously mentioned, the Planning Commission is recommending a modification to Condition 5.9, as noted in blue and underlined, to include legal advertising and public hearing notices for the future Plot Plan review by the City Council.

The Planning Commission by a vote 4-0 recommended that the City Council approve the modifications to Conditions 3.7, 3.16, 4.1.d and 5.9, and further consider the deletion of Condition 5.13.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment C)
- Zoning Map (Attachment D)

- Aerial Photograph (Attachment E)

The 29.32-acre site is currently vacant. The property is located in an area which contains single family residences to the east and north, vacant land to the west, and Childhelp is located to the south. The land uses, zoning, and General Plan land use designations of the project site and surrounding area are shown in the following Table.

	LAND USE	GENERAL PLAN	ZONING
PROJECT SITE	Vacant Land	Single Family Residential (SFR)	Residential Single Family (RSF)
NORTH	Single Family Residences	Single Family Residential (SFR)	Residential Single Family (RSF)
SOUTH	Childhelp USA	County of Riverside	County of Riverside
EAST	Single Family Residences (Seneca Springs)	Single Family Residential (SFR)	Seneca Springs Specific Plan (SP)
WEST	Vacant Land	Urban Village (UV)	County of Riverside

Approval Authority:

The Beaumont Municipal Code, Section 16.04.020 designates the Planning Commission as the “advisory agency” charged with reviewing and making recommendations on all proposed parcel map land divisions and tentative subdivision maps in the City. Section 16.24.050.A authorizes the Planning Commission to conditionally approval or disapprove all tentative parcel maps and tentative subdivision maps and land divisions and submit to the City Council for final approval.

When a tentative map is required under the Subdivision Map Act (66463.5(a)), an approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval. The Subdivision Map Act does allow for up to four (4) years of extensions subject to approval by the original approving body.

The project was originally approved by the City Council on July 19, 2005. Subsequently, the City Council granted three (3) one (1) year extensions which would have provided an expiration date of July 19, 2010.

The following California bills also extended the map for seven (7) years in California:

SB 1185 – Automatic on-year extension (Extension until July 19, 2011)
AB 333 – Automatic two-year extension (Extension until July 19, 2013)
AB 208 – Automatic two-year extension (Extension until July 19, 2015)
AB 116 – Automatic two-year extension (Extension until July 19, 2017)

Therefore, the expiration date for the proposed subdivision is July 19, 2017. The applicant filed an application for a final tract map on April 19, 2017, however the map has not been recorded due to outstanding items including the failure to meet the existing conditions of approval.

On November 17, 2020, the City and applicant entered into a settlement agreement to allow the applicant an additional 60 days in which to record the map with the potential for two (2) additional 60-day extensions.

In February of 2022, a second amendment to the settlement agreement was entered into and provided the applicant until March 12, 2023, to complete its application for a final tract map and cause the recordation of the final tract map.

Public Notice and Communications:

Property owners located within a 300-foot radius of the project site were notified of the public hearing on September 23, 2022, with a 10-day hearing notice in addition to a public notice in the Press Enterprise (see Attachment H). The Planning Department has received one comment email from the public as of the writing of this report, which is attached as Attachment I to this staff report. Any comments received prior to the time of the scheduled City Council hearing will be provided to the Council at the time of the meeting.

CEQA Review:

From the standpoint of the California Environmental Quality Act (CEQA), an Initial Study and Negative Declaration were prepared in 2004 and adopted by City Council on July 19, 2005, determined that although the project could have a significant effect on the environment, there will not be a significant effect in this case. The proposed modifications will not impact the previous analysis.

Fiscal Impact:

The fiscal impact for review, processing and the preparation of the Planning Commission and City Council staff reports is estimated at approximately \$1,100.

Recommended Action:

Hold a Public Hearing;

Approve the modifications to the conditions of approval for Tentative Tract Map No. 32850; or

To further modify the conditions of approval for Tentative Tract Map No. 32580; or

To deny the modifications to the conditions of approval for Tentative Tract Map No. 32850.

Attachments:

- A. Redlined Conditions of Approval
- B. Tentative Tract Map No. 32850
- C. General Plan Land Use Designation Map
- D. Zoning Map
- E. Aerial Photograph
- F. Applicant's letter dated August 16, 2022
- G. City Council Minutes, Staff Report, Letters and Plotting for Item 2.C from April 17, 2007
- H. Proof of Publication
- I. Mary Daniel email dated September 4, 2022

Incorporated herein by Reference:

- City of Beaumont General Plan
- City of Beaumont Zoning Ordinance
- Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map
- Contents of City of Beaumont Planning Department Project File Tentative Tract Map No. 32850, TM2022-0009, PLAN2022-0767, Negative Declaration 04-ND-22, and LAFCO 2005-105-2.