

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

453B



FROM: TLMA - Planning Department

SUBMITTAL DATE: September 11, 2003

**SUBJECT:** APPEAL OF SECOND EXTENSION OF TIME FOR TENTATIVE TRACT MAP NO. 28742 - APPELLANT: Robert Johnson, Planning Director - Second Supervisorial District - Prado-Mira Loma District -43 acres - 123 Residential lots and 1-16 acre park site - SP zoning - Schedule A - Located south of Citrus Street, east of Harrison Avenue - REQUEST: Extension of Time to June 8, 2004-Second Extension

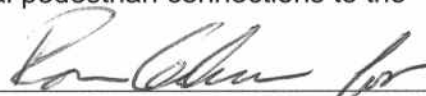
**CONTROVERSIAL ISSUES:** Project Density and Design

**BACKGROUND:**

Tentative Tract Map No. 28742, was originally approved by the Board of Supervisors on June 9, 1999. The tract proposes the subdivision of 43 acres into 126 single family lots with a minimum lot size of 5220 square feet. The project includes a 16 acre park site located within the 100 year flood plain of the Santa Ana River. The project is located within Planning Areas 15,17B and 18B of SP 300, the Eastvale Specific Plan approved by the Board in 1995. The specific plan designates planning area 15 for residential development with an average density of 8 dwelling units per acre, with individual developments ranging from 4-12 dwelling units per acre. The specific plan required that Planning Areas 15, 17B and 18B be developed as an integrated development that maximizes open space protection and recreational opportunities while providing a different type of housing opportunity within the specific plan.

The specific plan also required the orientation of the residential development to the adjoining neighborhood park and open space area (Planning 17B and 18B) provides opportunities for aesthetic as well as functional connections unifying these areas. The specific plan also required that 25% of the dwelling units in Planning Area 15 be single-story units.

As stated above, the Eastvale Specific Plan envisioned this planning area as providing a different type of housing opportunity that maximizes open space protection and recreational opportunities within the specific plan and provides for local pedestrian connections to the

  
Robert C. Johnson, Planning Director

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REVIEWED BY EXECUTIVE OFFICE

DATE 9/16/03

Policy

Policy

Consent

Consent

Department Recommendation:  
Per Executive Office:

03 2EB 13 VW J:35

COUNTY OF RIVERSIDE

Prev. Agn. Ref.

Dist.: 2nd

AGENDA NO.

16.5

neighborhood park and open space in Planning Areas 17B and 18B.

Tract 28742 does not meet the design opportunities as required within Specific Plan No. 300. Specifically, the tract is a typical grid pattern development with long straight streets. The tract as designed does not facilitate any different type of housing opportunity within the Specific Plan, nor does it maximize open space protection and recreational opportunities.

**RECOMMENDED MOTION:**

**APPROVAL** of the above referenced appeal based on the findings and conclusions of this report.

**Conclusions:**

1. This project is not in conformance with the Riverside County General Plan.
2. Tentative Tract Map No. 28742 is not in conformance with Specific Plan No. 300.
3. This project is not in conformance with Ordinance No. 348.3829 (the zoning ordinance text for Specific Plan No. 300).
4. The project is not consistent with the present or future logical development of the area.

**Findings:**

1. The project site is currently vacant, and is surrounded by residential projects under construction.
2. The site of the proposed land division is not physically suitable for the proposed development.
3. The site of the proposed land division is not physically suitable for the proposed density of the development.
4. The design of the proposed land division is not consistent with the Second District Design Guidelines.
5. The design of the proposed land division does not facilitate different housing opportunities within the specific plan.



# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY



### Planning Department

Richard K. Lashbrook  
Agency Director

Robert C. Johnson  
Director of Planning

### APPLICATION FOR APPEAL

RE: CASE NO(S): TENTATIVE TRACT 28742 EXTENSION OF TIME

LIST ALL RELATED CASE NO(S): \_\_\_\_\_

APPELLANT'S NAME: ROBERT C. JOHNSON, PLANNING DIRECTOR

ADDRESS: 4080 LEMON STREET, 9<sup>TH</sup> FLOOR

CITY: RIVERSIDE STATE: CA ZIP: 92509-1409

TELEPHONE NUMBER: ( 909 ) 955-3265

**PLEASE COMPLETE REVERSE SIDE OF THIS FORM STATING REASON(S) FOR APPEAL. THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES AND SURROUNDING PROPERTY OWNER'S LABELS. OBTAIN LABEL PACKAGE INSTRUCTIONS FROM INFORMATION SERVICES CENTER.**

HEARING BODY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH:
Planning Director	<u>East Area Planning Council</u> for: Parcel Maps, Plot Plans, Accessory WECS, 18.45 Plot Plan (Kennels and Catteries), Temporary Use Permits, and Certificates of Historic Appropriateness in Eastern Riverside County. <u>Board of Supervisors</u> for: Temporary Outdoor Events and Substantial Conformance Determinations for WECS. Planning Commission for all other decisions.	<u>Planning Department</u> for appeals before the East Area Planning Council and the Planning Commission.  <u>Clerk of the Board of Supervisors</u> for appeals before the Board of Supervisors.
East Area Planning Council	Board of Supervisors	Clerk of the Board of Supervisors
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors

TYPE OF CASES BEING APPEALED	FILING DEADLINE
Change of Zone Denial by the Planning Commission Commercial WECS Permit Conditional Use Permit Hazardous Waste Facility Siting Permit Public Use Permit Variance Specific Plan denial by the Planning Commission Substantial Conformance Determination for WECS Surface Mining and Reclamation Permit	Within 10 days after the notice of decision appears on the Board of Supervisors' agenda.
Land Divisions (Tract Maps and Parcel Maps) Revised Tentative Map Minor Change to Tentative Map Extension of Time for Land Division (Not Vesting Map)	Within 10 days after the notice of decision appears on the Board of Supervisors' agenda.
Extension of Time for Vesting Tentative Map	Within 15 days after the notice of decision appears on the Board of Supervisors' agenda.
Large Family Day Care Home Permits	Within 10 days after the date of the mailing of the decision of the Planning Director.

Outdoor Advertising Displays (Off-site signs)	<u>If no public hearing is held</u> : Within 10 days after the notice of decision is mailed to the applicant by the Planning Director. <u>If a public hearing is held</u> : Within 10 days after the notice of decision appears on the Board's agenda.
General Plan or Specific Plan Consistency Determination Temporary Outdoor Event	Within 10 days after date of mailing or hand delivery of decision of the Planning Director.
Environmental Impact Report	Within 10 days of receipt by project sponsor of Planning Director determination, or within 7 days after notice of decision by Planning Commission appears on the Board's agenda.
<b>TYPE OF CASES BEING APPEALED</b>	<b>FILING DEADLINE</b>
Plot Plan Second Unit Permits Temporary Use Permits Accessory WECS Section 18.45 Plot Plan (Kennels and Catteries)	Within 10 calendar days after the date of mailing of the decision.
Letter of Substantial Conformance for Specific Plan	Within 7 days after the notice of decision appears on the Board of Supervisors' agenda.
Revised Permit	Same appeal deadline as for original permit
Certificate of Compliance	Within 10 calendar days after the date of the decision by Planning Director.
Revocation of Variances and Permits	Within 10 days following the mailing of the notice of revocation by the Director of Building and Safety, or within 10 days after the notice of decision of the Planning Commission or East Area Planning Council appears on the Board of Supervisors' agenda.

Please state the basis for the appeal and include any supporting evidence if applicable. If appealing one or more specific conditions of approval, indicate the number of the specific condition(s) being protested. In addition, please include all actions on related cases which might be affected if the appeal is granted. This will allow all changes to be advertised and modified at the same time. AN APPEAL OF ONE OR MORE CONDITIONS OF APPROVAL SHALL BE DEEMED AS AN APPEAL OF THE ACTION AS A WHOLE, AND THE APPEAL BODY MAY APPROVE OR DENY THE ENTIRE MATTER, AND CHANGE ANY OR ALL OF THE CONDITIONS OF APPROVAL.


**THE ABOVE - REFERENCED MATTER APPEARED ON THE BOARD OF SUPERVISORS' AUGUST 19, 2003, AGENDA AND WAS APPROVED. NOTWITHSTANDING THE APPROVAL, COUNTY ORDINANCE 460 PROVIDES THAT THE PLANNING COMMISSIONS' APPROVAL OF THE MATTER WILL BE CONSIDERED FINAL UNLESS AN "INTERESTED PERSON" APPEALS THE MATTER TO THE BOARD WITHIN TEN (10) DAYS OF THE DATE IT APPEARED ON THE BOARD'S AGENDA.**

**BECAUSE THE BOARD'S APPARENT INTENT IN APPROVING THE MATTER WAS NOT TO HAVE THE MATTER APPROVED BY OPERATION OF LAW, THE PLANNING DIRECTOR IS FILING THIS APPEAL SO THAT THE MATTER MAY BE HEARD BY THE BOARD. THE PLANNING DIRECTOR IS CONSIDERED AN "INTERESTED PERSON" FOR THE PURPOSES OF FILING AN APPEAL.**

USE ADDITIONAL SHEETS, IF NECESSARY.

APPELLANT'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

  
8/27/03