

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

537 B



FROM: TLMA - Planning Department

SUBMITTAL DATE: 10/2/03

**SUBJECT:** APPEAL of TENTATIVE TRACT MAP NO. 30881 - EA38790 -  
APPELLANT: Robert C. Johnson, Planning Director - Third Supervisorial District - Sun  
City/Menifee Valley Area - 13.24 acres - 38 residential lots - R-1/R-2 zoning - Schedule  
A - Located east of Valley Way and north of McCall Blvd. - REQUEST: Appeal of  
Planning Commission approval.

**CONTROVERSIAL ISSUES:** Road Improvements, parks, drainage, increased  
traffic, single-story housing and 55+ community preference-resolved through  
conditions of approval.

**RECOMMENDED MOTION:**

**THE PLANNING DEPARTMENT RECOMMENDS:**

**CONSIDERATION** of the above referenced appeal of the Planning Commission's  
decision.

**THE PLANNING COMMISSION** took the following actions on July 23, 2003.

**ADOPTED a De Minimis Finding as follows:** An Initial Study has been prepared by  
the Riverside County Planning Department for the project described in Environmental  
Assessment No. 38790, so as to evaluate the potential for adverse environmental  
impact; and, there is no evidence that the proposed project will have a potential adverse  
effect on the wildlife resources; and,

Robert C. Johnson, Planning Director

RCJ: AR

(Continued On Attached Pages)

REVIEWED BY EXECUTIVE OFFICE  
*Emily Dignah*  
DATE 10/2/03

Department Recommendation:  Consent  Policy  
Per Executive Office:  Consent  Policy

Prev. Agn. Ref.

Dist. Third

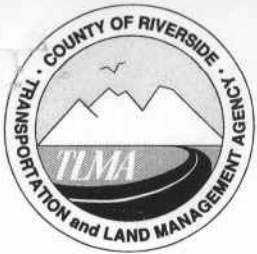
AGENDA NO.

16.3

The Honorable Board of Supervisors  
RE: APPEAL of TENTATIVE TRACT MAP NO. 30881 -  
10/2/03  
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**ADOPTED a Mitigated Negative Declaration for Environmental Assessment No. 38790,** based on the findings and mitigations incorporated in the initial study and the conclusion that the project, as conditioned, will not have a significant effect on the environment; and,

**APPROVED Tentative Tract Map No. 30881,** subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report.



# COUNTY OF RIVERSIDE

## TRANSPORTATION AND LAND MANAGEMENT AGENCY



### Planning Department

Richard K. Lashbrook  
Agency Director

Robert C. Johnson  
Director of Planning

### APPLICATION FOR APPEAL

Set for hrs. (10.7.03)

RE: CASE NO(S): TENTATIVE TRACT 30881 EXTENSION OF TIME

(1.3 8.26.03)

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: 92502-1409

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. <u>Planning Commission</u> 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 26, 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: \_\_\_\_\_

*[Handwritten Signature]*  
9/2/03

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

114B



FROM: TLMA - Planning Department

SUBMITTAL DATE: 8/8/03

**SUBJECT:** TENTATIVE TRACT MAP NO. 30881 - EA38790 - James Jesse - Third Supervisorial District - Sun City/ Menifee Valley Area - 13.24 Acres - 38 Residential lots - R-1/R-2 Zoning - Schedule A - Located east of Valley Way and north of McCall Boulevard - REQUEST: To subdivide 13.24 acres into 38 residential lots with a minimum lot size of 7,200 square feet.


**CONTROVERSIAL ISSUES:** Road improvements, parks, drainage, increased traffic, single-story housing and 55+ community preference-resolved through conditions of approval.

**RECOMMENDED MOTION:**

**RECEIVE AND FILE** the Notice of Decision acted on by the Planning Commission on July 23, 2003.

The Planning Department recommended Approval; and,  
**THE PLANNING COMMISSION BY A VOTE OF 3-0** (Commissioner Streeter not participating and Commissioner Porras absent) **RECOMMENDS:**

**ADOPTION of a De Minimis Finding as follows:** An Initial Study has been prepared by the Riverside County Planning Department for the project described in Environmental Assessment No. 38790, so as to evaluate the potential for adverse environmental impact; and, there is no evidence that the proposed project will have a potential adverse effect on the wildlife resources; and,

  
Robert C. Johnson, Planning Director

RCJ: AR

(Continued On Attached Pages)

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Venable and Wilson  
Noes: None  
Absent: Ashley  
Date: August 26, 2003  
xc: Planning, Applicant

Nancy Romero  
Clerk to the Board  
By   
Deputy

Prev. Agn. Ref.

Dist. Third

AGENDA NO.

Appeal Filed - 10/7/03

1 3

REVIEWED BY EXECUTIVE OFFICE  
*Shirley J. Payne*  
DATE 8/20/03

Department Recommendation:  Consent  Policy  
Per Executive Office:  Consent  Policy

The Honorable Board of Supervisors  
RE: TENTATIVE TRACT MAP NO. 30881 -  
8/8/03  
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**ADOPTION of a Mitigated Negative Declaration for Environmental Assessment No. 38790**, based on the findings and mitigations incorporated in the initial study and the conclusion that the project, as conditioned, will not have a significant effect on the environment; and,

**APPROVAL of Tentative Tract Map No. 30881**, subject to the attached conditions of approval, based on the findings and conclusions incorporated in the staff report.