

# 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): FIFTH EXTENSION OF TIME FOR 27891

Set for Hrg.  
6-22-04

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.

( 1.3 of 5-18-04 )

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' MAY 18, 2004, 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:

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

507B



FROM: TLMA/Planning Department      SUBMITTAL DATE: April 29, 2004

SUBJECT: NOTICE OF DECISION OF THE PLANNING COMMISSION REGARDING REQUEST FOR EXTENSION OF TIME TO RECORD FINAL MAP FOR TENTATIVE TRACT MAP NO. 27891.

ORIGINAL DATE OF APPROVAL: September 19, 1995

CONTROVERSIAL ISSUES: None

RECOMMENDED MOTION:

**RECEIVE AND FILE** The Notice of Decision by the Planning Commission on April 21, 2004, regarding the request for an Extension of Time to record a final map for the following:

**TENTATIVE TRACT MAP NO. 27891** - Albert A. Webb Associates - University District - Fifth Supervisorial District - Located northwest of State Route 60 at Gernert Road and Poarch Road - 61.35 Acres - 156 Residential lots and 7 open space lots - Schedule A - SP Zoning - **FIFTH EXTENSION OF TIME TO SEPTEMBER 19, 2004.**

The Planning Commission Approved the requested Extension of Time.

The decision of the Planning Commission is considered final and no action by the Board of Supervisor's is required unless, within 10 days after the Notice of Decision appears on the Board's agenda, the applicant or an interested person files an appeal with the Clerk of the Board accompanied by the fee set forth in Ordinance No. 671.

Robert C. Johnson, Planning Director

ATE 5/5/04

Department Recommendation:  Consent  Policy  
Per Executive Office:  Consent  Policy

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Wilson, seconded by Supervisor Buster and duly carried, 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: May 18, 2004  
xc: Planning, Applicant

Nancy Romero  
Clerk of the Board  
By:   
Deputy

Zoning Area: University District  
Supervisory District: Fifth

TENTATIVE TRACT MAP NO. 27891  
FIFTH EXTENSION OF TIME  
PLANNING COMMISSION: 4/21/04  
(Continued from February 25, and March 10, 2004  
Agenda Item No. 1.2

**PROJECT PLANNER: Ron Goldman**

**RIVERSIDE COUNTY PLANNING DEPARTMENT  
PLANNING COMMISSION CONSENT CALENDAR STAFF REPORT**

**NOTE:**

The applicant of the below listed tentative map has requested an extension of time to allow for recordation of a final map. The following will be presented to the Planning Commission as a consent calendar item. Unless specifically requested by the applicant at the time of consideration this item may not be discussed and is subject to approval by the Commission under a single motion.

CEQA: The following map has conformed to the requirements of the California Environmental Quality Act of 1970. It has been determined that the individual map will not have a significant effect upon the environment.

GENERAL PLAN: Unless otherwise noted, the following map has been determined to be consistent with the general plan and its elements.

ORDINANCE NO. 659: It has been determined that in order to insure public health, safety and welfare, the map listed below will be required to pay all fees in accordance with Ordinance No. 659.

ORIGINAL APPROVAL DATE: September 19, 1995


**BACKGROUND:**

On March 10<sup>th</sup> the Planning Commission directed the Applicant to prepare an environmental assessment on the proposed extension of time. The Applicant has requested a meeting with County Counsel and Planning to discuss the Commission's request.

**RECOMMENDATION:**

**CONTINUANCE of the EXTENSION OF TIME REQUEST to May 19, 2004 for:**

**TENTATIVE TRACT MAP NO. 27891 - Albert A. Webb Associates - University District - Fifth Supervisory District - Located northwest of State Route 60 at Gernert Road and Poarch Road - 61.35 Acres - 156 Residential lots and 7 open space lots - Schedule A - SP Zoning - FIFTH EXTENSION OF TIME TO SEPTEMBER 19, 2004.**

 **RG:ar  
1/26/04**

Zoning Area: University District  
Supervisory District: Fifth

TENTATIVE TRACT MAP NO. 27891  
FIFTH EXTENSION OF TIME  
PLANNING COMMISSION: 3/10/04  
(Continued from February 25, 2004)  
Agenda Item No. 1.6

**PROJECT PLANNER: Ron Goldman**

**RIVERSIDE COUNTY PLANNING DEPARTMENT  
PLANNING COMMISSION CONSENT CALENDAR STAFF REPORT**

**NOTE:**

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**ORDINANCE NO. 659:** It has been determined that in order to insure public health, safety and welfare, the map listed below will be required to pay all fees in accordance with Ordinance No. 659.

**ORIGINAL APPROVAL DATE:** September 19, 1995

**BACKGROUND:**

The Board of Supervisors approved tentative Tract Map 27891 on September 19, 1995. Condition 1.4 stated: " This conditionally approved tentative map will expire three years after the County of Riverside original approval date, unless extended as provided by Ordinance 460".

In May 1996, the State adopted SB 428 which granted an automatic one year extension of time to all maps that were approved prior to but not expired on the effective date of the bill. The automatic extension was in addition to any other extension of time and it did not matter whether a map had used any extensions of time to be alive on May 15, 1996.

In this case, SB 428 extended the original approval period by one year, which meant the initial

R/S

approval period was four years, not three as specified in the conditions of approval.

The Applicant has applied for and received four one-year extensions on this subdivision in accordance with Ordinance 460. If approved, the fifth and last extension will extend the map until September 19, 2004. If the map does not record by the above date, the map will expire.

**RECOMMENDATION:**

**APPROVAL of the EXTENSION OF TIME REQUEST for:**

**TENTATIVE TRACT MAP NO. 27891 - Albert A. Webb Associates - University District - Fifth Supervisorial District - Located northwest of State Route 60 at Gernert Road and Poarch Road - 61.35 Acres - 156 Residential lots and 7 open space lots - Schedule A - SP Zoning - FIFTH EXTENSION OF TIME TO SEPTEMBER 19, 2004.**

**RG:ar  
1/26/04**

Zoning Area: University District  
Supervisory District: Fifth

TENTATIVE TRACT MAP NO. 27891  
FIFTH EXTENSION OF TIME  
PLANNING COMMISSION: 2/25/04  
Agenda Item No. 1.5

**PROJECT PLANNER: Ron Goldman**

**RIVERSIDE COUNTY PLANNING DEPARTMENT  
PLANNING COMMISSION CONSENT CALENDAR STAFF REPORT**

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ORIGINAL APPROVAL DATE: September 19, 1995

**RECOMMENDATION:**

**APPROVAL of the EXTENSION OF TIME REQUEST for:**

**TENTATIVE TRACT MAP NO. 27891 - Albert A. Webb Associates - University District - Fifth Supervisorial District - Located northwest of State Route 60 at Gernert Road and Poarch Road - 61.35 Acres - 156 Residential lots and 7 open space lots - Schedule A - SP Zoning - FIFTH EXTENSION OF TIME TO SEPTEMBER 19, 2004.**

 **RG:ar**  
**1/26/04**