

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

6019



FROM: TLMA - Planning Department

SUBMITTAL DATE:
May 24, 2005

SUBJECT: APPEAL of TENTATIVE TRACT MAP NO. 29777 - EA38589 - Apellant: Robert C. Johnson - Applicant: Lohr and Associates - Third Supervisorial District - Romoland Zoning Area - Sun City / Menifee Valley Area Plan - 63.48 Acres - 173 Lots - Schedule A - R-1 Zoning - Located north of Rouse Road, south of Mc Laughlin Road, west of Antelope Road, and east of Dawson Road - REQUEST: to subdivide 63.48 acres into 173 single-family residential lots with a minimum lot size of 7,200 square feet, a 2.70-acre park, paseos and one 10.65-acre open space lot.

RECOMMENDED MOTION:

THE PLANNING DEPARTMENT RECOMMENDS:

CONSIDERATION of the above referenced appeal of the Planning Commission decision received May 18, 2005.

THE PLANNING COMMISSION took the following actions on March 30, 2005.

ADOPTED a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 38589**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED TENTATIVE TRACT MAP NO. 29777, PER AN AMENDED FINAL MAP, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

Robert C. Johnson
Planning Director

RCJ:sn

REVIEWED BY EXECUTIVE OFFICE
[Signature]
DATE 5/26/05

Departmental Concurrence

Policy

Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department

Robert C. Johnson Planning Director

APPLICATION FOR APPEAL

Hig-set 6.14.05

DATE SUBMITTED: May 17, 2005

Appeal of application case No(s): TR 29777 (1.3 5.17.05)

List any concurrent application case numbers: _____

Appellant's Name: Robert Johnson E-Mail: robjohns@rctlma.org

Mailing Address: 4080 Lemon Street

Riverside Street CA 92509
City State ZIP

Daytime Phone No: (951) 955-3265 Fax No: (951) 955-1891

HEARING BODY WHOSE ACTION IS BEING APPEALED	HEARING BODY TO WHICH APPEAL IS BEING MADE	APPEAL TO BE FILED WITH
Planning Director	<ul style="list-style-type: none"> • Board of Supervisors for: Temporary Outdoor Events and Substantial Conformance Determination for WECS. • Planning Commission for: all other decisions. 	<ul style="list-style-type: none"> • Clerk of The Board for: Appeals before the Board of Supervisors. • Planning Department for: Appeals before the Planning Commission.
Planning Commission	Board of Supervisors	Clerk of the Board of Supervisors
TYPE OF CASES BEING APPEALED		FILING DEADLINE
<ul style="list-style-type: none"> • 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 denied 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.
<ul style="list-style-type: none"> • Land Division (Tract Map or Parcel Map) • 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 Supervisor's Agenda.
<ul style="list-style-type: none"> • Extension of Time Vesting for Tentative Map 		Within 15 days after the notice of decision appears on the Board of Supervisor's agenda.
<ul style="list-style-type: none"> • 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.
<ul style="list-style-type: none"> • Environmental Impact Report 		Within 10 days of receipt of project sponsor or Planning

APPLICATION FOR APPEAL

	Director determination, or within 7 days after notice of decision by Planning Commission appears on the Board's agenda.
<ul style="list-style-type: none"> Plot Plan Second Unit Permit Temporary Use Permits Accessory WECS 	Within 10 calendar days after the date of mailing of the decision.
<ul style="list-style-type: none"> Letter of Substantial Conformance for Specific Plan 	Within 7 days after the notice of decision appears on the Board of Supervisor's agenda.
<ul style="list-style-type: none"> Revised Permit 	Same appeal deadline as for original permit.
<ul style="list-style-type: none"> Certificate of Compliance Tree Removal Permit 	Within 10 days after the date of the decision by the Planning Director.
<ul style="list-style-type: none"> 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 appears on the Board of Supervisor's agenda.

PLEASE STATE THE REASONS FOR APPEAL.

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.

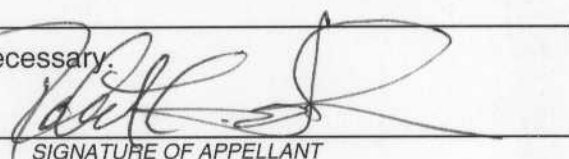
THE ABOVE – REFERENCED MATTER APPEARED ON THE BOARD OF SUPERVISORS' MAY 17, 2005, AGENDA AND WAS APPROVED. NOTWITHSTANDING THE APPROVAL, COUNTY ORDINANCE 460 PROVIDES THAT THE PLANNING COMMISSIONS' APPROVAL OF THE MATTER WILL BE CONSIDERED FINAL UNLESS AN "INTERESTED PERSON" APPEALS THE MATTER TO THE BOARD WITHIN TEN (10) DAYS OF THE DATE IT APPEARED ON THE BOARD'S AGENDA.

BECAUSE THE APPARENT INTENT IN APPROVING THE MATTER WAS NOT TO HAVE THE MATTER APPROVED BY OPERATION OF THE 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.

ROBERT JOHNSON

PRINTED NAME OF APPELLANT



SIGNATURE OF APPELLANT

5/18/05
DATE

APPLICATION FOR APPEAL

THE APPEAL FILING PACKAGE MUST CONSIST OF THE FOLLOWING:

1. One completed and signed application form.
2. Public Hearing Notice Label Requirements mailing address labels for notification of the appeal hearing.
3. All appropriate filing fees (the base fee, plus other fees specifically for the Department of Building and Safety, Fire Department, Flood Control District and/or Transportation Department conditions, if applicable).

PLEASE NOTE: Obtain surrounding property owners label package/instructions (Form 295-1051) from a County Public Information Services Center or download it from the Planning Department web page.