

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

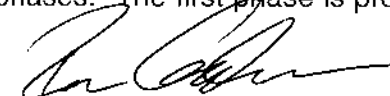
624B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
February 28, 2008

SUBJECT: APPEAL BY THE PLANNING DIRECTOR, AS AN INTERESTED PARTY, OF THE BOARD OF SUPERVISORS RECEIVE AND FILE ACTION OF THE PLANNING COMMISSION DECISION TO APPROVE TENTATIVE TRACT MAP NO. 33977 AND TENTATIVE TRACT MAP NO. 33978 – CEQA Exempt – Applicant: Laing-Sequoia Partners – Engineer / Representative: RBF Consulting Inc - Fifth Supervisorial District – Perris Reservoir Zoning District and Nuevo Zoning Area – Lakeview/Nuevo Area Plan: Community Development: Medium Density Residential (CD-MDR) (2-5 Dwelling Units Per Acre), Open Space: Conservation (OS-C), Recreation (OS-R), Rural: Rural Residential (R-RR) (5 Acre Minimum) – Location: Northerly of Orange Avenue, easterly of Bradley Road, southerly of Water Avenue, and westerly of Foothill Road – 127.73 Gross Acres and 142 Gross Acres respectively - Zoning: (SP No. 246A1 - Planning Area Nos. 3B, 3C, 5A, 5B, 6, 8, 5A, 5B, and 10) - **REQUEST:** Tentative Tract Map 33977 is a Schedule A subdivision of 127.73 acres into 340 residential lots with a minimum lot size of 4,500 square feet, 8 open space lots to preserve natural rock outcroppings, and one park lot. The project comprises Planning Areas 1, 2A, 2, 3A, 3B, 3C, 4, 5A, 5B, 6, 8, and 10 of the McCanna Hills Specific Plan (246A1). The map includes four proposed phases. The first phase is proposed to contain 89 residential lots, one 9.6 acre park and one 24.48 acre open space lot. The open space lot is a large hill in the center of the Specific Plan that has been preserved as a natural open space with several rock outcroppings. The hill is surrounded by trails and roadways. The second phase will contain 99 residential lots. The third phase will contain 93 residential lots and a 1.19 acre park site/ pedestrian community connector. A portion of the open space on lot 351 continues onto lot 143 of Tentative Tract Map 33978 to the north. The final phase will contain 59 residential lots, and three open space lots to preserve natural rock outcroppings. The final phase is within the current proposed boundaries of the Mid County Parkway. Tentative Tract Map 33978 is a Schedule A subdivision of 51.15 acres into 139 residential lots with a minimum lot size of 6,000 sq. ft. and 7 open space lots. The project comprises Planning Areas 1, 2A, 2, 3A, and 4 of the McCanna Hills Specific Plan (246A1). The map includes three proposed phases. The first phase is proposed to contain 70


Ron Goldman
Planning Director

RG:cv

REVIEWED BY EXECUTIVE OFFICE

DATE 3/10/08

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

3/10/08 12:12

Prev. Agn. Ref: District: Fifth Agenda Number: 1.7 (2/27/08)

15.2

The Honorable Board of Supervisors

RE: APPEAL BY THE PLANNING DIRECTOR, AS AN INTERESTED PARTY, OF THE BOARD OF SUPERVISORS RECEIVE AND FILE ACTION OF THE PLANNING COMMISSION DECISION TO APPROVE TENTATIVE TRACT MAP NO. 33977 AND TENTATIVE TRACT MAP NO. 33978

February 28, 2008

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residential lots and one 9.49 acre open space lot. The open space lot in this phase is a large hillside slope that is fronted by a street to maximize visual benefits to the community. The second phase will contain 64 residential lots. The final phase will contain 5 residential lots, and one open space lot to preserve rock outcroppings. The final phase only contains 5 dwelling units because this phase is also within the current proposed boundaries of the Mid County Parkway.

RECOMMENDED MOTION:

CONSIDERATION of the referenced appeal of the Planning Commission decision received on February 27, 2007.

THE PLANNING COMMISSION took the following actions on October 18, 2006:

APPROVED an **EXCEPTION** for **TENTATIVE TRACT MAP NO. 33977**, as per Section 3.1C. & D. of Ordinance No. 460, to Section 3.8.E. (**LOT DEPT TO WIDTH RATIO**) for Lot Nos. 44-47, 86, 114, and 135; and,

APPROVED **TENTATIVE TRACT MAP NO. 33977**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVED an **EXCEPTION** for **TENTATIVE TRACT MAP NO. 33978**, as per Section 3.1.C. & D. of Ordinance No. 460, to Section 3.8.E. (**LOT DEPT TO WIDTH RATIO**) for Lot Nos. 13, 14, 17, 18, 54-64, 74-83, 97, 163-170, 175, 209-211, 244, 257, 311-316, 333, and 334.

APPROVED **TENTATIVE TRACT MAP NO. 33978**, subject to the attached conditions of approval; and based upon the findings and conclusion incorporated in the staff report; and,

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Planning Department

Tony Carstens
Agency Director

Ron Goldman
Planning Director

APPLICATION FOR APPEAL

RE: CASE NUMBER(S):

Tentative Tract Maps 33977 and 33978 – Lang Sequoia partners /RBF Consulting – Perris Reservoir Zoning District and Nuevo Zoning Area – Lakeview / Nuevo Area Plan – 5th District, SP246A1 Zoning, Schedule A. TTM 33977 proposes to subdivide 127.73 acres into 340 residential lots with a minimum size of 4,500 square feet, 8 open space lots, and one park lot. TTM 33978 proposes to subdivide 51.15 acres into 139 residential lots with a minimum lot size of 6.00 square feet and 7 open space lots, approved by the Planning Commission

LIST ALL RELATED CASE NUMBERS:

APPELLANT'S NAME:

Ron Goldman

ADDRESS:

4080 Lemon Street
Riverside, CA 92502

TELEPHONE:

951.955.3265

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	East Area Planning Council 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. Board of Supervisors for: Temporary Outdoor Events and Substantial Conformance Determinations for WECS. Planning Commission for all other decisions.	Planning Department for appeals before the East Area Planning Council and the Planning Commission. Clerk of the Board of Supervisors 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)	Within 10 days after the notice of decision appears on the Board of Supervisors' agenda.

Revised Tentative Map Minor Change to Tentative Map Extension of Time for Land Division (Not Vesting Map)	
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)	If no public hearing is held: Within 10 days after the notice of decision is mailed to the applicant by the Planning Director. If a public hearing is held: 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.
TYPE OF CASES BEING APPEALED	FILING DEADLINE
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' February 27, 2007 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:

2/27/07