

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

420A



**FROM:** County Counsel/Fire  
Hazard Reduction

**SUBMITTAL DATE:**

**SUBJECT:** Order to Abate [Hazardous Vegetation]  
Case Nos: 13-275-001 and 14-099-001 [Champions Club at the Retreat, LLC]  
Subject Property: 8007 Softwinds Drive, Corona, APNs: 282-150-018, 282-170-010,  
282-170-015, 282-170-023, 282-170-072, 282-210-075, 282-630-006, 282-630-007 and  
282-630-020  
District: 2/2[\$0.00]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the Findings of Fact, Conclusions and Order to Abate in Case Nos. 13-275-001 and 14-099-001;
2. Authorize the Chairman of the Board of Supervisors to execute the Findings of Fact, Conclusions and Order to Abate in Case Nos. 13-275-001 and 14-099-001; and
3. Authorize the Clerk of the Board of Supervisors to record the Findings of Fact, Conclusions and Order to Abate in Case Nos. 13-275-001 and 14-099-001.

**BACKGROUND:**

Summary  
See page 2

GREGORY P. PRIAMOS  
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

<b>SOURCE OF FUNDS:</b>	<b>Budget Adjustment:</b>
	<b>For Fiscal Year:</b>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

- Positions Added
- Change Order
- A-30
- 4/5 Vote

Departmental Concurrence

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

**FORM 11: Case: 13-275-001 and 14-099-001 [Champions Club at the Retreat, LLC]**

**Subject Property: 8007 Softwinds Drive, Corona, APNs: 282-150-018, 282-170-010, 282-170-015, 282-170-023, 282-170-072, 282-210-075, 282-630-006, 282-630-007 and 282-630-020**

**DATE:**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

On August 5, 2014, this Board received oral testimony and documentary evidence in the above referenced matter and declared the hazardous vegetation located on the subject property to be a public nuisance. The Board ordered the property owner to abate the violative conditions on the property and directed County Counsel to prepare Findings of Fact, Conclusions and Order to Abate.

**Impact on Citizens and Businesses**

When property owners abate nuisances on their property, the surrounding neighborhood's safety, attractiveness and land values are potentially increased.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**ATTACHMENTS**

Findings of Fact

1 RECORDING REQUESTED BY:  
Kecia Harper-Ihem, Clerk of the  
2 Board of Supervisors  
(Stop #1010)  
3  
4  
5

6 WHEN RECORDED PLEASE MAIL TO:  
Captain Branden Smith  
7 RIVERSIDE COUNTY FIRE DEPARTMENT  
210 West San Jacinto Avenue (Stop #5036)  
8 Perris, CA 92570

[EXEMPT GC §§ 6103 and 27383]

9  
10 **BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE**

11 IN RE ABATEMENT OF PUBLIC NUISANCE: ) CASE NOS. 13-275-001 and  
12 [HAZARDOUS VEGETATION]; 8007 ) 14-099-001  
SOFTWINDS DRIVE, CORONA, CALIFORNIA; )  
13 APNS 282-150-018, 282-170-010, 282-170-015, ) FINDINGS OF FACT,  
282-170-023, 282-170-072, 282-210-075, 282-630- ) CONCLUSIONS AND ORDER TO  
14 006, 282-630-007 and 282-630-020, RIVERSIDE ) ABATE NUISANCE  
COUNTY, CALIFORNIA; CHAMPIONS CLUB )  
15 AT THE RETREAT, LLC, OWNER. ) [R.C.O. Nos. 695 and 725]  
16

17 The above-captioned matter came on regularly for hearing on August 5, 2014, before the  
18 Board of Supervisors of the County of Riverside, State of California in the Board Room, First Floor  
19 Annex, County Administrative Center, 4080 Lemon Street, Riverside, California regarding the real  
20 property described as 8007 Softwinds Drive, Corona, California, further described as Assessor's  
21 Parcel Numbers 282-150-018, 282-170-010, 282-170-015, 282-170-023, 282-170-072, 282-210-075,  
22 282-630-006, 282-630-007 and 282-630-020 and referred to hereinafter as "THE PROPERTY."

23 Bruce G. Fordon, Deputy County Counsel, appeared along with Joe Lewis, Supervising  
24 Fire Prevention Technician, on behalf of the Riverside County Fire Chief.

25 Flint Nelson, General Manager, appeared on behalf of Champions Club at the Retreat, LLC  
26 and addressed the Board of Supervisors.

27 The Board of Supervisors held a public hearing, received oral testimony and documentary  
28 evidence from Joe Lewis evidencing the hazardous vegetation on THE PROPERTY in violation of

1 Riverside County Ordinance (“RCO”) No. 695 and as a public nuisance.

2 **SUMMARY OF EVIDENCE**

3 1. Documents of record in the Riverside County Recorder’s Office identify the owner of  
4 THE PROPERTY as Champions Club at the Retreat, LLC (“OWNER”).

5 3. THE PROPERTY was inspected by the Riverside County Fire Department on January  
6 29, 2013, May 14, 2013, September 14, 2013 and February 24, 2014.

7 4. During the inspections conducted in 2013, hazardous vegetation was present on THE  
8 PROPERTY, constituting a violation of RCO No. 695 (APNs: 282-170-015, 282-170-023, 282-170-  
9 072, 282-210-075, 282-630-006, 282-630-007 and 282-630-020).

10 5. On September 25, 2013, Fire Captain Branden Smith met with OWNER’s  
11 representative, Flint Nelson, at THE PROPERTY to explain the RCO No. 695 violations and  
12 necessary corrective action needed. Captain Smith conducted an inspection on that same day and  
13 found that the irrigation system for the areas of THE PROPERTY containing hazardous vegetation  
14 had been disabled. Captain Smith then determined that the lack of watering caused the dead and  
15 dying vegetation and the regrowth of seasonal and recurrent hazardous vegetation to occur.

16 6. On February 24, 2014, the Fire Department conducted an annual inspection of THE  
17 PROPERTY and found that, in addition to the parcels listed in paragraph 4 above, three (3)  
18 additional parcels were in violation of RCO No. 695 because each had hazardous vegetation growth  
19 (APNs: 282-150-018, 282-170-010 and 282-210-075).

20 7. On March 30, 2013 and March 31, 2014, Notices of Violation and Orders to Abate  
21 (“NOV”) were mailed by first class mail to the OWNER informing the OWNER that THE  
22 PROPERTY was in violation of RCO No. 695 and that THE PROPERTY must be in compliance  
23 within thirty (30) days.

24 8. The OWNER filed a timely appeal of the above mentioned NOV’s.

25 9. The OWNER was notified of the August 5, 2014, appeal hearing before the Board of  
26 Supervisor in accordance with RCO No. 695.

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1 **FINDINGS AND CONCLUSIONS**

2 WHEREFORE, the Board of Supervisors of the County of Riverside, State of California, in  
3 regular session assembled on August 5, 2014, finds and concludes that:

4 1. WHEREAS, the hazardous vegetation on the real property located at 8007 Softwinds  
5 Drive, Corona, further described as Assessor's Parcel Numbers 282-150-018, 282-170-010, 282-170-  
6 015, 282-170-023, 282-170-072, 282-210-075, 282-630-006, 282-630-007 and 282-630-020 violates  
7 RCO No. 695 and constitutes a public nuisance.

8 2. WHEREAS, the OWNER, occupants and any person having possession or control of  
9 THE PROPERTY shall abate the hazardous vegetation by removing and lawfully disposing of the  
10 hazardous vegetation, provided that said removal can be accomplished in strict accordance with all  
11 Riverside County Ordinances, including but not limited to RCO No. 695 within ten (10) days.

12 3. WHEREAS, the OWNER IS HEREBY FURTHER NOTICED that the time within  
13 which judicial review of the administrative determinations made herein must be sought is ninety (90)  
14 days from the posting and mailing of the Findings of Fact, Conclusions and Order To Abate  
15 Nuisance, and is governed by *California Code of Civil Procedure* Section 1094.6.

16 **ORDER TO ABATE NUISANCE**

17 IT IS THEREFORE ORDERED that the hazardous vegetation on THE PROPERTY be  
18 abated by removing and lawfully disposing of the hazardous vegetation, provided that said removal  
19 can be accomplished in strict accordance with all Riverside County Ordinances, including but not  
20 limited to RCO No. 695 within ten (10) days.

21 IT IS FURTHER ORDERED that if the hazardous vegetation is not removed and lawfully  
22 disposed of in strict accordance with all Riverside County Ordinances, including but not limited to  
23 RCO No. 695, within ten (10) days of the posting and mailing of this Order to Abate Nuisance, the  
24 hazardous vegetation may be abated by representatives of the Riverside County Fire Department, a  
25 contractor, or the Sheriff's Department upon receipt of the OWNER's consent or a Court Order,  
26 where necessary, under applicable law authorizing entry onto THE PROPERTY.

27 IT IS FURTHER ORDERED that reasonable abatement costs, after notice and opportunity  
28 for hearing, shall be imposed as a lien on THE PROPERTY, which may be collected as a special

1 assessment against THE PROPERTY pursuant to Government Code section 25845 and Riverside  
2 County Ordinance Nos. 695 and 725. Under Riverside County Ordinance No. 725, “abatement  
3 costs” means “any costs or expenses, including County staff time reasonably related to the abatement  
4 of conditions which violate Land Use Ordinances, and shall include, but not be limited to,  
5 enforcement, investigation, summaries, reports, notices, telephonic contact, correspondence, mailing  
6 expense, title search costs, administrative costs including scheduling and participation at hearings,  
7 Hearing Officer costs, expenses incurred by the County, court costs, civil or administrative penalties,  
8 collection, attorneys’ fees, and other costs associated with the removal, abatement or correction of a  
9 violation.” Reasonable abatement costs accrued by the Fire Department will be recoverable from the

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OWNER even if THE PROPERTY is brought into compliance within ten (10) days of the date of this Order to Abate Nuisance.

Dated: \_\_\_\_\_

COUNTY OF RIVERSIDE

By \_\_\_\_\_  
Jeff Stone  
Chairman, Board of Supervisors

ATTEST:  
KECIA HARPER-IHEM  
Clerk to the Board

By  
Deputy  
(SEAL)