

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

266A



FROM: TLMA – Planning Department and County Counsel

SUBMITTAL DATE:
February 24, 2015

SUBJECT: ADOPTION OF FINDINGS AND DENIAL OF CHANGE OF ZONE NO. 7839 AND TENTATIVE TRACT MAP NO. 36337 –Applicant: Reinhart Canyon Assoc., LLC – United Engineering Group – Third Supervisorial District – Hemet-San Jacinto Zoning District – San Jacinto Valley Area Plan: Community Development: Low Density Residential (CD-LDR) (1/2 acre minimum), Rural: Rural Mountainous (R:RM) (10 acre minimum) - Location: Northerly of Parry Drive, Southerly of Jelanie Lane and Westerly of California Avenue – 176.62 Gross Acres – Zoning: Controlled Development Areas (W-2). REQUEST: Adopt findings and deny Change of Zone No. 7839 and Tentative Tract Map No. 36337.

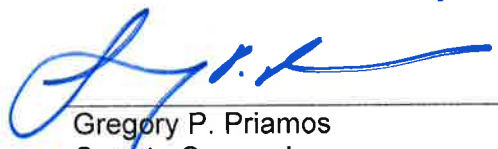
RECOMMENDED MOTION: That the Board of Supervisors:

ADOPT the attached findings and **DENY** Change of Zone No. 7839 and Tentative Tract Map No. 36337.

Departmental Concurrence



Juan C. Perez
TLMA Director



Gregory P. Priamos
County Counsel

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: Deposit based funds				Budget Adjustment:	
				For Fiscal Year:	

C.E.O. RECOMMENDATION: APPROVE
BY: 
Tina Grande
County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 11/25/14, Item 16.7 | **District:** 3 | **Agenda Number:**

3-37

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Adoption of Findings and Denial of Change of Zone No. 7839 and Tentative Tract Map No. 36337

DATE: February 24, 2015

PAGE: Page 2 of 2

BACKGROUND:

Summary

The Board of Supervisors heard Change of Zone No. 7839 and Tentative Tract Map No. 36337 (the "project") on November 25, 2014, after giving the required notice. The currently proposed project would, if approved, change the zoning to Planned Residential and subdivide approximately 176 acres into 332 residential lots with a minimum lot size of 3,500 square feet.

On November 25, 2014, the Board opened the public hearing and the Planning Department made a presentation to the Board concerning the project. Reinhart Canyon Associates, LLC (the "applicant") and the applicant's representatives gave oral testimony, as did numerous members of the public. Following the presentation and oral testimony, the Board closed the public hearing, tentatively denied the project and directed the Planning Department and Office of County Counsel to prepare the attached findings.

The adoption of the attached findings and denial of the project will finalize the Board's tentative action on November 25, 2014.

Pursuant to State CEQA Guidelines Section 15270(a), CEQA does not apply to projects which a public agency rejects or disapproves.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the review and public hearing process by the Planning Department, Planning Commission and the Board of Supervisors.

ATTACHMENTS (if needed, in this order):

- A. Denial Findings for Change of Zone No. 7839 and Tentative Tract Map No. 36337

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**BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE**

**IN THE MATTER OF CHANGE OF ZONE NO. 7839
AND TENTATIVE TRACT MAP NO. 36337**

FINDINGS

The Board of Supervisors (the "Board") heard the above-referenced matter (the "project") in regular session assembled on November, 25 2014, after giving the required notice. The public hearing was opened and the Planning Department made a presentation to the Board concerning the project. Reinhart Canyon Associates, LLC (the "applicant") and the applicant's representatives gave oral testimony, as did numerous members of the public. Following the presentation and oral testimony, the Board closed the public hearing, tentatively denied the project and directed the Planning Department and Office of County Counsel to prepare the following findings. The Board has reviewed the findings and hereby denies the project based thereon.

1. The application for Tentative Tract Map No. 36337 was submitted to the Planning Department on December 1, 2010.
2. Tentative Tract Map No. 36337 is a Schedule A map and would, if approved, subdivide approximately 176 acres into 332 residential lots with a minimum lot size of 3,500 square feet.
3. The application for Change of Zone No. 7839 was submitted to the Planning Department on June 26, 2014.
4. Change of Zone No. 7839 would, if approved, change the zoning on the subject property from Controlled Development Areas (W-2) zoning to Planning Residential (R-4) zoning.
5. The Planning Commission heard the project on October 29, 2014 and November 17, 2014. After hearing all public testimony, the Planning Commission closed the public hearing and did not recommend to the Board that it approve the project citing concerns with secondary access and compatibility with the existing rural character of the neighboring residential properties.

BY:  DATE: 11/25/14
MICHELLE CLACK

- 1 6. The Planning Commission's decision was placed on the Board of Supervisors' November 24,
2 2014, agenda pursuant to Section 20.3a.d.2. of Ordinance No. 348.
- 3 7. The Board of Supervisors assumed jurisdiction and the project was scheduled for a noticed
4 public hearing on November 25, 2014, which was advertised in accordance with all applicable
5 rules and regulations.
- 6 8. In pertinent part, Section 7.1 of Ordinance No. 460 provides that a tentative map shall be
7 denied if it does not meet all requirements of Ordinance No. 460, or if it is found that the site
8 of the proposed land division is not physically suitable for the type of development or that the
9 design of the proposed land division or the type of improvements are likely to cause serious
10 public health problems.
- 11 9. Additionally, in order to ensure adequate evacuation times, Section 3.2.J. of Ordinance No.
12 460 requires secondary access when lots of a proposed land division are located more than
13 1,320 feet or 660 feet in a high fire hazard area from a publicly maintained circulatory road.
- 14 10. The project is located in unincorporated Riverside County adjacent to the Cities of Hemet and
15 San Jacinto.
- 16 11. The project's site includes slopes that range from gentle slopes along the foothills to steep
17 slopes approaching the peaks with the majority of the project occupying the lower foothills of
18 the mountains.
- 19 12. The project's site is located in a high fire area that is commonly known as Lakeview
20 Mountains and Reinhardt Canyon.
- 21 13. The primary access to Reinhardt Canyon is along California Avenue. There are no other
22 public roads into Reinhardt Canyon.
- 23 14. The closest publicly maintained circulatory road is located approximately 1200 feet away from
24 the project site at the intersection of California Avenue and Tres Cerritos. Therefore, pursuant
25 to Section 3.2.J., secondary access is required for the project to ensure adequate evacuation
26 times.

1 15. One proposed secondary access point was identified as the Beech Street access, which would
2 involve extending Beech Street over the top of Reinhardt Canyon as further described in the
3 project's environmental assessment incorporated herein by this reference.

4 16. The second proposed secondary access point was identified as the Four Seasons access which
5 would extend Street G through the neighboring Four Seasons community (the "Four
6 Seasons").

7 17. During the public hearings, members of the public expressed concerns with the extension of
8 Beech Street including, but not limited to, the following:

- 9 a. The width of the road and its suitability for emergency vehicles;
- 10 b. The steepness of the road's grade; and,
- 11 c. The construction material of the road and its suitability for use by heavy emergency
12 vehicles.

13 18. During the public hearings, members of the public expressed concerns with the Four Seasons
14 secondary access including, but not limited to, the following:

- 15 a. The Four Seasons' design includes streets that are narrow and circuitous; and,
- 16 b. With the project's current proposed density, this street design may make it difficult to
17 maneuver large volumes of vehicles through the Four Seasons in the event of an
18 emergency.

19 19. Additionally, at this time, the applicant has not provided documentation demonstrating that
20 there is legal access for the project's residents to use the Four Seasons secondary access in the
21 event of an emergency.

22 20. Based on the above, the project's site is not physically suitable for the currently proposed
23 development because it is located in a canyon with steep slopes and the proposed Beech Street
24 secondary access may not be suitable for emergency vehicles or quick evacuations because of
25 the road's width, grade, material and design. Additionally, the project's current design and
26 density is likely to cause serious public health problems because, in the event of an emergency
27 such as a canyon fire, the proposed secondary access points may become congested hindering
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1 a quick evacuation of the canyon. The Beech Street secondary access may also hinder
2 accessibility in and out of the canyon for emergency vehicles. Therefore, the proposed
3 project's current design and density may be detrimental to the public's health, safety and
4 general welfare.

5 21. Additionally, the area surrounding the project consists of an established rural community
6 consisting of large residential lots, equestrian properties and agricultural uses. During the
7 public hearings, surrounding neighbors through written and oral testimony expressed concerns
8 with the compatibility of the project's high density design with these existing uses.

9 22. Those not present at the hearing made their concerns about the project known by submitting
10 letters to the Planning Commission and Board of Supervisors.

11 23. For the reasons stated above, the project is denied because it does not meet the requirements of
12 Ordinance No. 460, is incompatible with the surrounding area and may be detrimental to the
13 public's health, safety and general welfare.

14 24. The decision by the Board is considered final.

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



FROM: TLMA – Planning Department and County Counsel

SUBMITTAL DATE:
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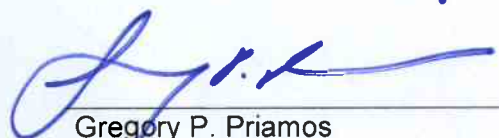
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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Deposit based funds

Budget Adjustment: _____
For Fiscal Year: _____

C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 11/25/14, Item 16.7 | **District:** 3 | **Agenda Number:**

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1. The application for Tentative Tract Map No. 36337 was submitted to the Planning Department on December 1, 2010.
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FORM APPROVED COUNTY COUNSEL
BY:  DATE: 2/25/15
MICHELLE CLACK

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