



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: _____ DATE SUBMITTED: _____

APPLICATION INFORMATION

Applicant's Name: _____ E-Mail: _____

Mailing Address: _____
Street

_____ *City State ZIP*

Daytime Phone No: (____) _____ Fax No: (____) _____

Engineer/Representative's Name: _____ E-Mail: _____

Mailing Address: _____
Street

_____ *City State ZIP*

Daytime Phone No: (____) _____ Fax No: (____) _____

Property Owner's Name: _____ E-Mail: _____

Mailing Address: _____
Street

_____ *City State ZIP*

Daytime Phone No: (____) _____ Fax No: (____) _____

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals (“wet-signed”). Photocopies of signatures are **not** acceptable.

PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. An authorized agent must submit a letter from the owner(s) indicating authority to sign the application on the owner’s behalf.

All signatures must be originals (“wet-signed”). Photocopies of signatures are **not** acceptable.

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

PROJECT INFORMATION:

Description of Substantial Conformance Request (Reference the existing Planning Area(s), and/or Policies, and/or Conditions that are proposed to be modified, and clearly state the proposed modifications) (if lengthy, extra pages may be attached):

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

Related cases filed in advance of, or concurrently with, this request:

PROPERTY INFORMATION:

Assessor's Parcel Number(s): _____

Section: _____ Township: _____ Range: _____

Approximate Gross Acreage: _____

General location (nearby or cross streets): North of _____, South of _____, East of _____, West of _____.

Thomas Brothers map, edition year, page number, and coordinates: _____

Have there been any prior requests for substantial conformance? Yes No

If yes, of what nature? _____

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

BACKGROUND

Whenever an application for an implementing project varies from, and is **not** in substantial conformance with, an adopted specific plan, a Specific Plan Amendment application shall be submitted, reviewed, approved, and subsequently adopted pursuant to the provisions of Section 2.5 of Ordinance No. 348, prior to the approval of the implementing project.

However, when an application for an implementing project varies from, but is in substantial conformance with an adopted specific plan, an application for Request for Determination of Substantial Conformance with a Specific Plan shall be submitted, reviewed, and approved pursuant to the provisions of Section 2.7 of Ordinance No. 348 prior to the approval of the implementing project.

Ordinance No. 348 defines the term "Substantial Conformance," as it relates to Section 2.7, to mean "a non-substantial modification of a condition of approval, diagram, or text of the specific plan that does not change the basic design or improvements required and is consistent with the original resolution adopting the specific plan, the conditions of approval, the specific plan text and the adopted environmental document." A Substantial Conformance may include the following:

1. A modification or deletion of a condition which will not substantially or adversely affect the underlying purpose for which the condition was initially required,
2. Construction of an implementing project out of phase so long as all infrastructure and public facilities required for the intervening phases are provided,
3. A modification of the approved land uses in a phase which does not increase the land use density or intensity in any phase or planning area; or,
4. A modification of the project design that improves circulation, protects topographic features, minimizes grading, improves drainage, or improves infrastructure.

A Request for a Determination of Substantial Conformance with a Specific Plan application must be made on forms provided by the Planning Department, shall be accompanied by a deposit-base fee set forth in [County Ordinance No. 671](#), and must include 1) an accurate and complete description of the modification and how it affects the adopted specific plan, along with any necessary exhibits or diagrams, and 2) any other information, exhibits, or drawings the Planning Department may require.

The Planning Department must transmit all Request for Determination of Substantial Conformance with a Specific Plan applications to the appropriate development review agencies for review and comment and shall then forward them, along with a recommendation, to the Planning Commission for decision. A copy of the Planning Commission's notice of decision will be mailed to the applicant and to any person who has made a written request to receive said decision. Additionally, the Planning Department shall also file a copy of the notice of decision with the Clerk of the Board of Supervisors, together with a report of the proceedings, not more than 15 days after the decision. The Clerk of the Board shall place the notice of decision on the next agenda of the Board of Supervisors held five or more days after the Clerk receives the notice from the Planning Department. The decision of the Planning Commission shall be considered final unless the applicant or an interested party files an appeal with the Clerk of the Board of Supervisors accompanied by the fee set forth in [County Ordinance No. 671](#) within ten days after the notice of decision appear on the Board's agenda. If a timely appeal is filed, the Clerk shall place the matter on the

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

next available agenda, and the Board of Supervisors shall determine whether the letter of substantial conformance should issue.

A Request for a Determination of Substantial Conformance with a Specific Plan application may be approved only if the following findings are made:

1. That the project as modified meets the intent and purpose of the adopted specific plan; and,
2. That the project as modified is consistent with the findings and conclusions contained in the resolution adopting the specific plan.

However, if the Specific Plan, for which a Request for Determination of Substantial Conformance with a Specific Plan application is filed, is located within the boundaries of Assessment District Nos. 159 or 161, or Community Facilities District Nos. 84-2, 86-1, 87-1, 87-5 or 88-8, the Planning Department will transmit the Request application to the appropriate development review agencies for review and comment, and then forward the application, along with a recommendation, directly to the Board of Supervisors for decision.

A Request for a Determination of Substantial Conformance with a Specific Plan application shall not require a noticed public hearing; however, if the Planning Department, the Commission, or the Board determines that notice of the Request should be given, notice shall be given at the applicant's expense in the manner provided for by Section 2.5 of Ordinance No. 348. Whenever such a determination is made, no further action shall be taken on the request until proper notice has been given. The Planning Commission or Board of Supervisors may, at their discretion, allow testimony to be given on the proposed modification.

Note however that even if the Request for a Determination of Substantial Conformance with a Specific Plan application could otherwise be approved in accordance with Section 2.7 of Ordinance No. 348, an applicant may be required to process a Specific Plan Amendment application pursuant to the provisions of Section 2.5 of Ordinance No. 348 if it is determined that an amendment to the specific plan is required.