

# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

DATE: July 15, 2015

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: Change of Zone No. 7846 (CZ No. 7846)

(Charge your time to these case numbers)

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- |                                                                                                  |                                                                                                                         |
|--------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Place on Administrative Action <small>(Receive &amp; File; EOT)</small> | <input checked="" type="checkbox"/> Set for Hearing <small>(Legislative Action Required; CZ, GPA, SP, SPA)</small>      |
| <input type="checkbox"/> Labels provided If Set For Hearing                                      | <input checked="" type="checkbox"/> Publish in Newspaper:                                                               |
| <input type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day  | <small>(1st Dist) Press Enterprise</small>                                                                              |
| <input type="checkbox"/> Place on Consent Calendar                                               | <input checked="" type="checkbox"/> No New Environmental Documentation Required                                         |
| <input type="checkbox"/> Place on Policy Calendar <small>(Resolutions; Ordinances; PNC)</small>  | <input checked="" type="checkbox"/> 10 Day <input type="checkbox"/> 20 Day <input type="checkbox"/> 30 day              |
| <input type="checkbox"/> Place on Section Initiation Proceeding <small>(GPIP)</small>            | <input checked="" type="checkbox"/> Notify Property Owners <small>(app/agencies/property owner labels provided)</small> |

**Designate Newspaper used by Planning Department for Notice of Hearing:**

(1st Dist) Press Enterprise

*Please schedule for Aug. 18, 2015*

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

Desert Office • 77-588 Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 • Fax (760) 863-7040

"Planning Our Future... Preserving Our Past"

FORM APPROVED COUNTY COUNSEL  
 BY: JAMES E. BROWN  
 DATE: 6/1/15

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



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
 July 28, 2015

**SUBJECT: CHANGE OF ZONE NO. 7846 AND ORDINANCE NO. 348.4808** – No new environmental documentation is required – Applicant: Claudette Poole – Engineer/Representative: Chance Bainum – First Supervisorial District – El Cariso Zoning District – Elsinore Area Plan – Rural: Rural Residential (R: RR) (5 Acre Minimum) – Location: Northerly of Calle De Los Pinos, southerly of Calle Cordoniz, easterly of El Cariso Road, and westerly of Highway 74 – 1 Gross Acre – REQUEST: The Change of Zone proposes to change the site's zoning from General Commercial (C-1/C-P) Zone to Residential Agricultural (R-A) Zone.

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

1. **FIND** that **NO NEW ENVIRONMENTAL DOCUMENT IS REQUIRED** because all potentially significant effects on the environment have been adequately analyzed in the previously certified ENVIRONMENTAL IMPACT REPORT NO. 441 pursuant to applicable legal standards and have been avoided or mitigated pursuant to that earlier EIR, and none of the conditions described in CEQA Guidelines Section 15162 exist based on the findings and conclusions set forth herein; and,
2. **APPROVE CHANGE OF ZONE NO. 7846**, amending the zoning classification for the subject properties from General Commercial (C-1/C-P) Zone to Residential Agricultural (R-A) Zone, in

*Steve Weiss*  
 Steve Weiss, AICP  
 Planning Director

(Continued on next page)

*Juan C. Perez*  
 Juan C. Perez  
 TLMA Director

Departmental Concurrence

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	\$	\$	\$	\$	

**SOURCE OF 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.:** \_\_\_\_\_ | **District: 1** | **Agenda Number:** \_\_\_\_\_

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

**FORM 11:** Change of Zone No. 7846, Ordinance No. 348.4808

**DATE:** July 28, 2015

**PAGE:** Page 2 of 2

accordance with Exhibit #3 attached hereto and based upon the findings and conclusions incorporated in the staff report; and,

3. **ADOPT ORDINANCE NO. 348.4808** amending the zoning in the El Cariso District shown on Map No. 52.001 Change of Zone No. 7846 attached hereto and incorporated herein by reference.

**BACKGROUND:**

**Summary**

This Change of Zone request is to establish General Plan and Zoning consistency. The proposed R-A zone is consistent with the site's existing Rural Residential land use designation. The applicant intends to build a single family residential unit on APN 386-040-007.

The Change of Zone application originally included a single parcel, APN 386-040-007. The applicant requested the addition of the adjacent parcel that is also owned by the applicant to the project during the September 17, 2014, Planning Commission hearing. The Planning Commission recommended approval of the project with the inclusion of the adjacent parcel APN 386-030-008 by a vote of 5-0.

**Impact on Citizens and Businesses**

The impacts of this project have been evaluated through the environmental review and public hearing process by Planning staff and the Planning Commission Hearing.

**ATTACHMENTS:**

- A. **Ordinance No. 348. 4808**
- B. **September 17, 2014 Memo to Planning Commission**
- C. **September 17, 2014 Planning Commission Agenda Item 4.7 Minutes**
- D. **September 17, 2014 Planning Commission Agenda Item 4.7 Staff Report**

ORDINANCE NO. 348.4808

AN ORDINANCE OF THE COUNTY OF RIVERSIDE

AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Section 4.1 of Ordinance No. 348, and El Cariso District Zoning Plan Map No. 52.001, as amended, are further amended by placing in effect in the zone or zones as shown on the map entitled "Change of Official Zoning Plan, El Cariso District, Map No. 52.001 Change of Zone Case No. 7846," which map is made a part of this ordinance.

Section 2. This ordinance shall take effect 30 days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA


By: \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:  
KECIA HARPER-IHEM  
Clerk of the Board

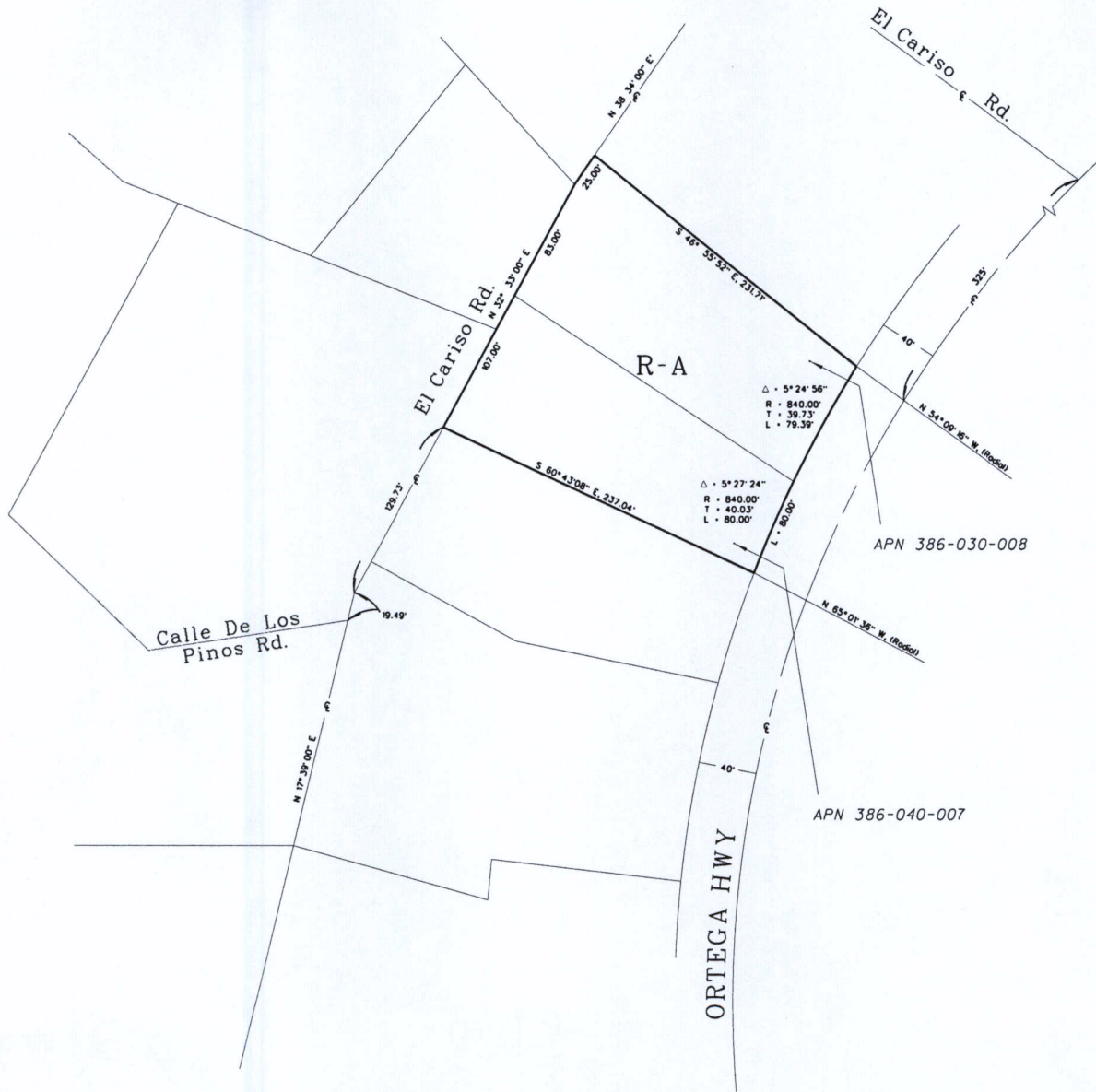
By: \_\_\_\_\_  
Deputy

(SEAL)

APPROVED AS TO FORM  
July 29, 2015

By:   
MICHELLE CLACK  
Deputy County Counsel

SECTION 17 T.6S, R.5W..

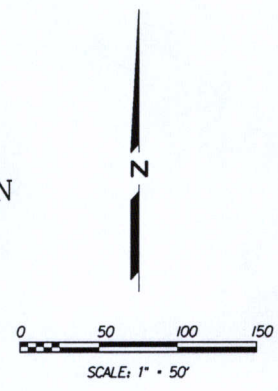


R-A	RESIDENTIAL AGRICULTURAL
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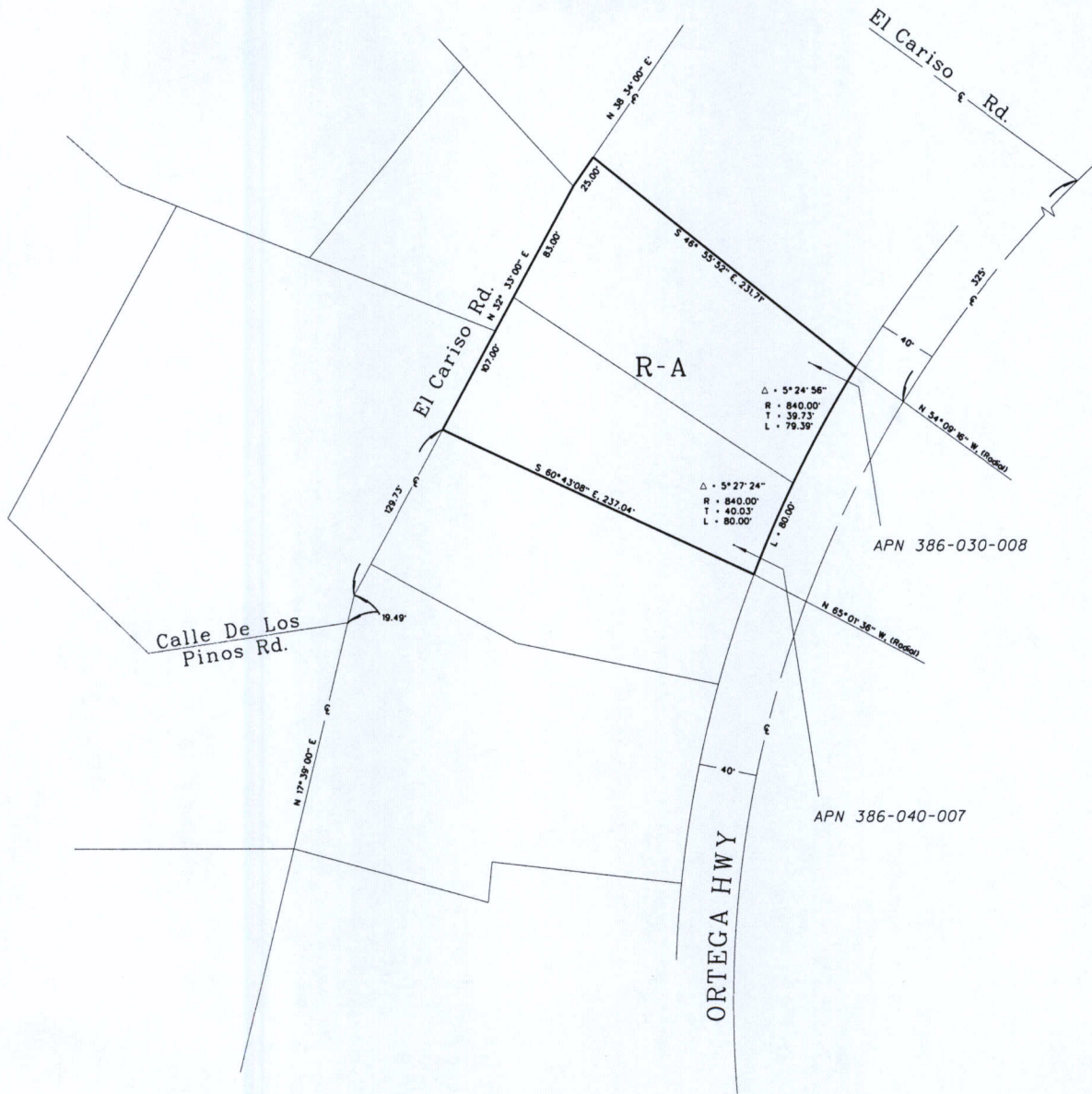
MAP NO. 52.001  
**CHANGE OF OFFICIAL ZONING PLAN  
 EL CARISO  
 DISTRICT**

CHANGE OF ZONE CASE NO. 7846  
 AMENDING ORDINANCE NO. 348  
 ADOPTED BY ORDINANCE NO. 348.4808

RIVERSIDE COUNTY BOARD OF SUPERVISORS



SECTION 17 T.6S, R.5W.,

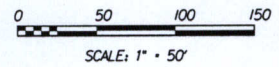
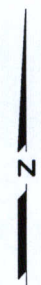


R-A	RESIDENTIAL AGRICULTURAL
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MAP NO. 52.001  
**CHANGE OF OFFICIAL ZONING PLAN  
 EL CARISO  
 DISTRICT**

CHANGE OF ZONE CASE NO. 7846  
 AMENDING ORDINANCE NO. 348  
 ADOPTED BY ORDINANCE NO. 348.4808

RIVERSIDE COUNTY BOARD OF SUPERVISORS





*Juan C. Perez,  
Interim Planning Director*

# RIVERSIDE COUNTY PLANNING DEPARTMENT

## Memorandum

**DATE:** September 16, 2014

**TO:** Planning Commission

**FROM:** Phayvanh Nanthavongdouangsy

**RE:** Agenda Item No. 4.7 Change of Zone No. 7846

Staff received the attached correspondence from the applicant requesting inclusion of the adjacent parcel, 386030008, into the CZ No. 7846. This parcel is also owned by the applicant and is in the same circumstance as parcel 386040007. Parcel 386030008 is also approximately 0.5 acres, vacant and is seeking a change of zone from General Commercial (C-1/C-P) zone to Residential Agricultural (R-A) zone. The proposed change to R-A zone is consistent with parcel's Rural: Rural Residential Land Use Designation. Therefore, staff recommends to the Planning Commission the inclusion of parcel 386030008 along with 386040007 in CZ No. 7846.

Staff also received two additional letters, also attached, concerning the change of zone for Planning Commission consideration. The comments are noted as supporting the proposed change of zone.

- Thank you.

**From:** [claudette poole](#)  
**To:** [Nanthavongdouangsy, Phayvanh](#)  
**Subject:** Parcels 386 040 007 and 386 030 008  
**Date:** Tuesday, September 16, 2014 3:35:52 PM

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Phayvanh,  
I did not realize that both of my parcels could be included in one zone change application. I would like to add my adjacent parcel, 386 030 008, to the zone change application process.

Thank you,

--

Claudette Poole  
CalBRE#01933040  
Keller Williams RE/Temecula Valley  
760 468 3595  
[claudettejpoole@gmail.com](mailto:claudettejpoole@gmail.com)



**From:** [alex](#)  
**To:** [Nanthavongdouangsy, Phayvanh](#)  
**Subject:** Change of Zone NO. 7846  
**Date:** Tuesday, September 16, 2014 9:55:37 AM

---

Please accept this email as comments on the proposed project listed above set for hearing September 17, 2014.

My name is Alexandra Galvan - Novorr. I have lived in El Cariso Village for over 8 years. This proposal of zone change has only a positive impact on El Cariso Village. Allowing the property to remain as General Commercial would be a detriment to the Village. This property's only access is on El Cariso Road, a public road that is not maintained by the County. Should someone develop this property under the commercial zoning, the roadway would not support traffic. It sits in the middle of a residential neighborhood and the lot size is too small so sustain a commercial business.

Possibly in 1954 when Watson laid out his plans for El Cariso Village, he had a different vision than this area has become sixty years later. Today El Cariso is made up of family homes with a small general store, a restaurant/bar, a fire station and a campground. The most sensible solution of this property is for it to be Residential Agricultural (R-A).

Please submit my comments to the Planning Commission.

Sincerely,

Alexandra Galvan- Novorr Cell 714-270-7464  
13735 Monte Vista ST  
Lake Elsinore, CA 92530

**From:** [Barbara Mitchell](#)  
**To:** [Nanthavongdouangsy, Phayvanh](#)  
**Subject:** Change of Zone NO. 7846  
**Date:** Monday, September 15, 2014 11:28:05 PM

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Please accept this email as comments on the proposed project listed above set for hearing September 17, 2014.

My name is Barbara Mitchell. I have lived in El Cariso Village for over 15 years. This proposal of zone change has only a positive impact on El Cariso Village. Allowing the property to remain as General Commercial would be a detriment to the Village. This property's only access is on El Cariso Road, a public road that is not maintained by the County. Should someone develop this property under the commercial zoning, the roadway would not support traffic. It sits in the middle of a residential neighborhood and the lot size is too small so sustain a commercial business. Possibly in 1954 when Watson laid out his plans for El Cariso Village, he had a different vision than this area has become sixty years later. Today El Cariso is made up of family homes with a small general store, a restaurant/bar, a fire station and a campground. The most sensible solution of this property is for it to be Residential Agricultural (R-A).

Please submit my comments to the Planning Commission.

Sincerely,

Barbara Mitchell

13780 Calle de los Pinos Rd

El Cariso Village, CA 92530 --

*Barbara Mitchell*

951 264-0262

[bjmitchello01@gmail.com](mailto:bjmitchello01@gmail.com)

# RIVERSIDE COUNTY PLANNING DEPARTMENT

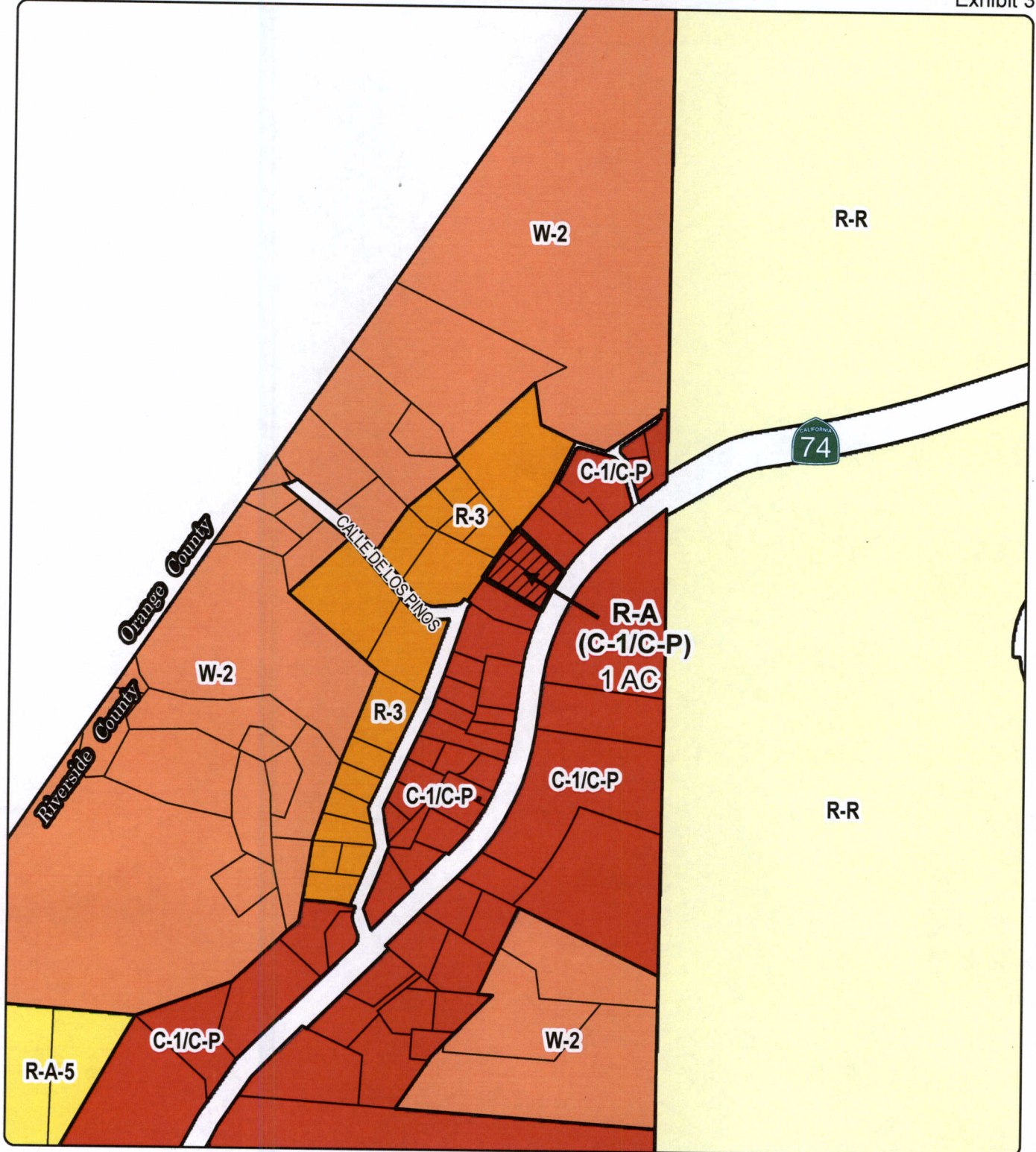
## CZ07846

### PROPOSED ZONING

Supervisor Jeffries  
District 1

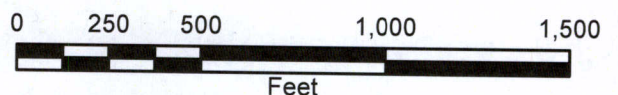
Date Drawn: 07/08/2015

Exhibit 3



Zoning District: El Cariso

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rcplma.org>



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

**PLANNING COMMISSION  
MINUTE ORDER  
SEPTEMBER 17, 2014**

**I. AGENDA ITEM 4.7**

**CHANGE OF ZONE NO. 7846** - No New Environmental Documentation is Required – Applicant: Claudette Poole – Engineer/Representative: Chance Bainum – First/First Supervisorial District - El Cariso Zoning District - Elsinore Area Plan: Rural Residential (R: RR) (5 acres min.) – Location: North of Calle De Los Pinos, south of Calle Cordoniz, east of El Cariso Rd., and west of Ortega Highway (Highway 74) - 0.5 Acres - Zoning: General Commercial (C-1/C-P) Zone. (Legislative)

**II. PROJECT DESCRIPTION:**

Change of Zone to Residential Agricultural (R-A) Zone.

**III. MEETING SUMMARY:**

The following staff presented the subject proposal:

Project Planner: Phayvanh Nanthavongdouangsy at (951) 955-6573 or email [pnanthav@rctlma.org](mailto:pnanthav@rctlma.org).

- Claudette Poole, applicant, spoke in favor of the proposed project.
- No one spoke in opposition or in a neutral position.

**IV. CONTROVERSIAL ISSUES:**

None

**V. PLANNING COMMISSION ACTION:**

Public Comments: **Closed**

Motion by Commissioner Leach, 2<sup>nd</sup> by Commissioner Sloman

A vote of 5-0

**PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:**

**FIND NO NEW ENVIRONMENTAL DOCUMENT IS REQUIRED:** and,

**APPROVE CHANGE OF ZONE NO. 7846,** as modified at hearing.

**CD** The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at [mcstark@rctlma.org](mailto:mcstark@rctlma.org).

4.7

Agenda Item No.:  
Area Plan: Elsinore Area Plan  
Zoning District: El Cariso  
Supervisorial District: First/First  
Project Planner: Phayvanh Nanthavongdouangsy  
Planning Commission: September 17, 2014

CHANGE OF ZONE NO. 7846  
Applicant: Claudette Poole  
Engineer/Representative: Chance Bainum

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT  
STAFF REPORT**

**PROJECT DESCRIPTION AND LOCATION:**

Change of Zone No. 7846 proposes to change the site's zoning from General Commercial (C-1/C-P) Zone to Residential Agricultural (R-A) Zone.

This site is located north of Calle De Los Pinos, south of Calle Cordoniz, east of El Cariso Road, and west of Highway 74.

**BACKGROUND:**

This Change of Zone request is to establish General Plan and Zoning consistency. The proposed R-A zone is consistent with the site's existing Rural Residential land use designation. The applicant intends to build a single family residential unit on this site in the future.

There are no issues of concern for this item. Any future entitlement project will comply with the applicable regulations, the California Environmental Quality Act and all applicable conditions will apply as part of the Conditions of Approval.

**SUMMARY OF FINDINGS:**

- |                                                |                                                                                                                                                                             |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Existing General Plan Land Use (Ex. #5):    | Rural Residential (R: RR) (5 Acre Min.)                                                                                                                                     |
| 2. Surrounding General Plan Land Use (Ex. #5): | Rural Residential (R: RR) (5 Acre Min.) to the north, west and south and Rural Mountainous (R: RM) (10 Acre Min.) to the east.                                              |
| 3. Existing Zoning (Ex. #3):                   | General Commercial (C-1/C-P) Zone                                                                                                                                           |
| 4. Proposed Zoning (Ex. #3):                   | Residential Agricultural (R-A) Zone                                                                                                                                         |
| 5. Surrounding Zoning (Ex. #3):                | General Residential (R-3) Zone, Controlled Development (W-2) Zone to the north and west, General Commercial (C-1/C-P) Zone to the east and south.                           |
| 6. Existing Land Use (Ex. #1):                 | Vacant, Vegetation (Woodland)                                                                                                                                               |
| 7. Surrounding Land Use (Ex. #1):              | Vacant parcels and single family residential units to the north, east and west; vacant parcels, single family residential units, country store and restaurant to the south. |
| 8. Project Data:                               | Total Acreage: 0.5 acres                                                                                                                                                    |
| 9. Environmental Concerns:                     | No Further Environmental Documentation Required pursuant to CEQA Guidelines Section 15162                                                                                   |

M.S.

**RECOMMENDATIONS:**

**THE PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:**

**FIND** that **NO NEW ENVIRONMENTAL DOCUMENT IS REQUIRED** because all potentially significant effects on the environment have been adequately analyzed in the previously certified **ENVIRONMENTAL IMPACT REPORT NO. 441** pursuant to applicable legal standards and have been avoided or mitigated pursuant to that earlier EIR, and none of the conditions described in CEQA Guidelines Section 15162 exist based on the findings and conclusions set forth herein; and,

**APPROVE CHANGE OF ZONE NO. 7846**, amending the zoning classification for the subject property from C-1/C-P Zone to R-A Zone, in accordance with Exhibit No. 3, based upon the findings and conclusions incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors.

**FINDINGS:** The following findings are in addition to those incorporated in the summary of findings which is incorporated herein by reference.

1. The project site is designated Rural: Rural Residential (R: RR) (5 Acre Min.) of the Elsinore Area Plan.
2. The proposed zone change to Residential Agricultural (R-A) zone is consistent with the R: RR Land Use Designation.
3. The existing zoning for the project site is General Commercial (C-1/C-P) Zone.
4. The project site is surrounded by properties that are Rural Residential (R: RR) (5 Acre Min.) to the north, west and south and Rural Mountainous (R: RM) (10 Acre Min.) to the east.
5. The proposed zoning for the subject site is Residential Agricultural (R-A) Zone.
6. The project site is in its natural state with no existing structures on the project site.
7. The proposed Change of Zone will make the zoning consistent with the General Plan. This zone change proposal does not specifically authorize any construction or permit any structures on the site. Any future land use permit such as a revised plot plan or new use permit will comply with all applicable regulations and the California Environmental Quality Act.
8. The project site is surrounded by properties which are zoned General Residential (R-3) Zone, Controlled Development (W-2) Zone, and General Commercial (C-1/C-P) Zone.
9. Residential units and commercial uses have been constructed and are operating in the project vicinity.
10. This project is not located within Criteria Area of the Western Riverside County Multiple Species Habitat Conservation Plan.
11. This project is not within the City of Lake Elsinore Sphere of Influence.

**CHANGE OF ZONE NO. 7846**

**Planning Commission Staff Report: September 17, 2014**

**Page 3 of 4**

12. Change of Zone No. 7846 is required to make the subject property's zoning classification consistent with the County's General Plan as amended by General Plan Amendment No. 618. The certified Environmental Impact Report No. 441 (EIR No. 441) analyzed the potential environmental impacts of General Plan Amendment No. 618 (GPA No. 618), which included the Rural Residential land use designation for this site; as well as, the El Cariso Rural Village Overlay Study Area for this site and surrounding area of approximately 220 acres.
13. On October 18, 2011, the determination was made through the adoption of General Plan Amendment No. 1075 that the El Cariso Rural Village Overlay Study Area is no longer feasible given the development rate in the El Cariso area; thus, future land uses on this site will conform to the R: RR land use designation.
14. In accordance with CEQA Guidelines Section 15162, Change of Zone No. 7846 will not result in any new significant environmental impacts not identified in certified EIR No. 441. The change of zone will not result in a substantial increase in the severity of previously identified significant effects, does not propose any substantial changes which will require major revision to EIR No. 441, no considerably different mitigation measures have been identified and no mitigation measures found infeasible have become feasible because of the following:
  - a. Change of Zone No. 7846 is changing the property's zoning classification to Residential Agricultural Zone to be consistent with the approved General Plan; and,
  - b. The subject site was included within the project boundary analyzed in EIR No. 441; and,
  - c. There are no changes to the mitigation measures included in EIR No. 441; and
  - d. Change of Zone No. 7846 does not propose any changes to the approved General Plan analyzed in EIR No. 441.

**CONCLUSIONS:**

1. The proposed project is in conformance with the Elsinore Area Plan and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the proposed Residential Agricultural zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The proposed project is clearly compatible with the present and future logical development of the area.
4. The public's health, safety, and general welfare are protected through project design.
5. The proposed project will not have a significant effect on the environment.
6. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).

**INFORMATIONAL ITEMS:**

1. As of this writing, no letters, in support or opposition have been received.

**CHANGE OF ZONE NO. 7846**

**Planning Commission Staff Report: September 17, 2014**

**Page 4 of 4**

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2. The project site is not located within:
  - a. The city of Lake Elsinore sphere of influence;
  - b. A 100-year flood plain or dam inundation area;
  - c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area;
  - d. Within a Master Drainage Plan or an Area Drainage Plan boundary;
  - e. A fault zone; or,
  - f. A MSHCP Core Reserve Area.
  
3. The project site is located within:
  - a. The boundaries of the Lake Elsinore Unified School District;
  - b. County Service Area No. 152;
  - c. Low Paleontological Sensitive area;
  - d. Subsidence Area;
  - e. Low liquefaction potential; and,
  - f. Zone B, 37.69 Miles from Mt. Palomar Observatory;
  
4. The subject site is currently designated as Assessor's Parcel Number 386040007.



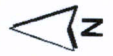
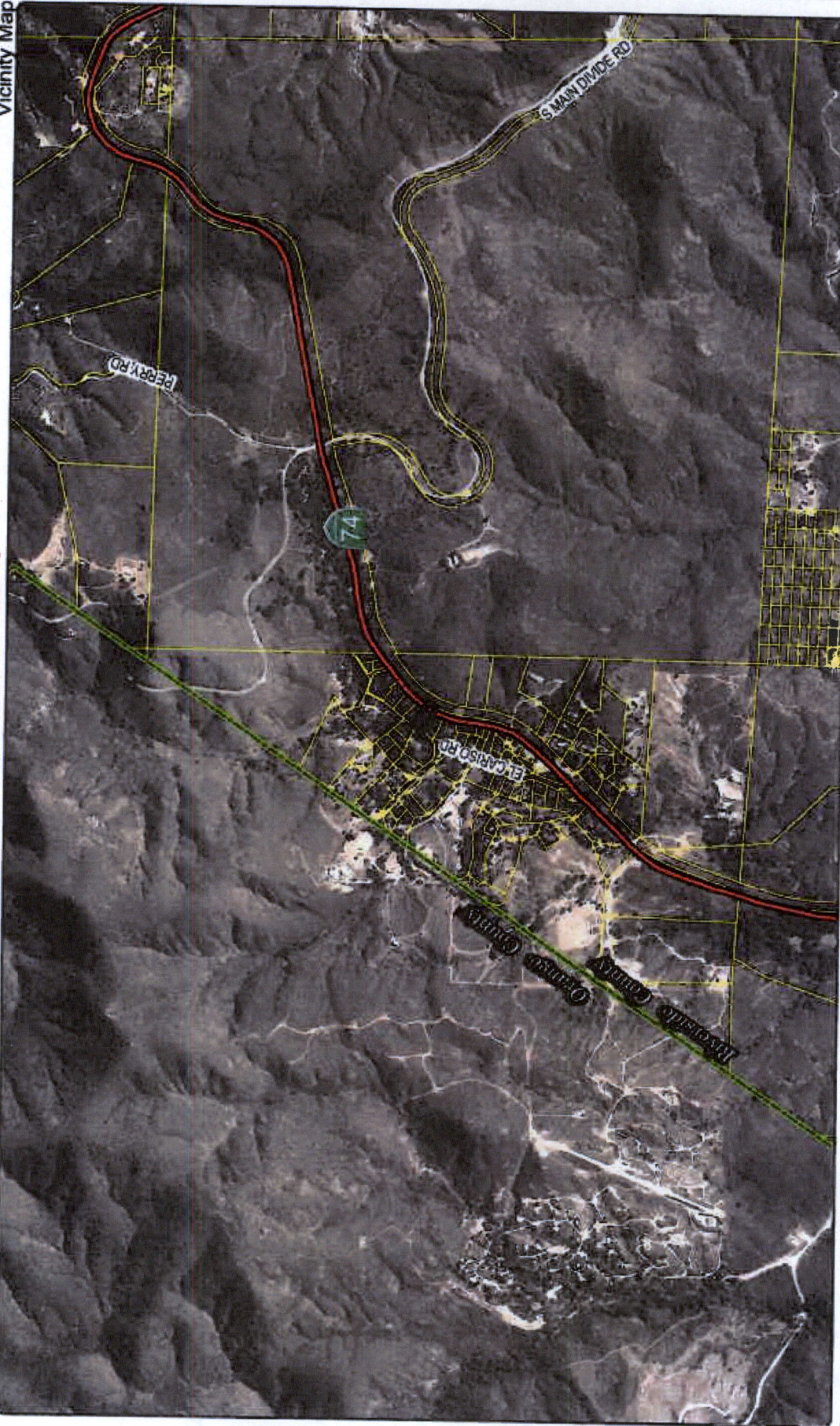
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07846

VICINITY/POLICY AREAS

Supervisor Jeffries  
District 1

Date Drawn: 08/15/2014  
Vicinity Map



Author: Vinnie Nguyen

Zoning District: El Cariso

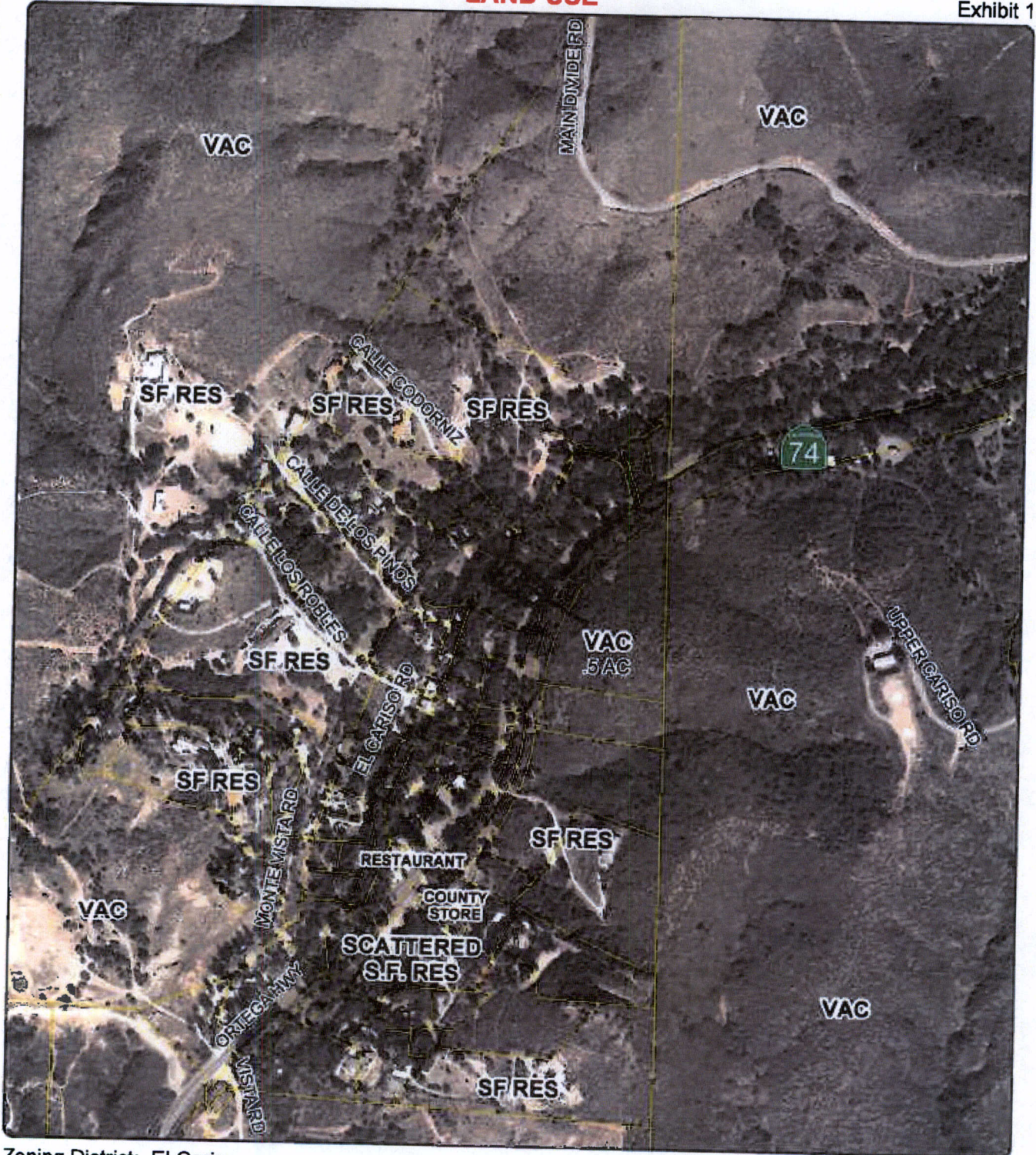
REPLACEMENT: On October 7, 2003, the County of Riverside adopted a new Council Code of Ordinances, which replaced the previous County Code of Ordinances. This new Council Code of Ordinances contains the Riverside County Zoning Ordinance. For further information, please contact the Riverside County Planning Department at (951) 956-5300 (Planning Office) or at (951) 956-5377 (Planning Office) or visit our website at <http://www.riversidecounty.net/planning>.

RIVERSIDE COUNTY PLANNING DEPARTMENT

Supervisor Jeffries  
District 1

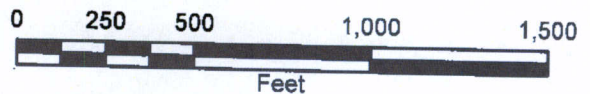
CZ07846  
LAND USE

Date Drawn: 08/15/2014  
Exhibit 1



Zoning District: El Cariso

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)865-8277 (Eastern County) or Website <http://planning.rcti.ca.gov>

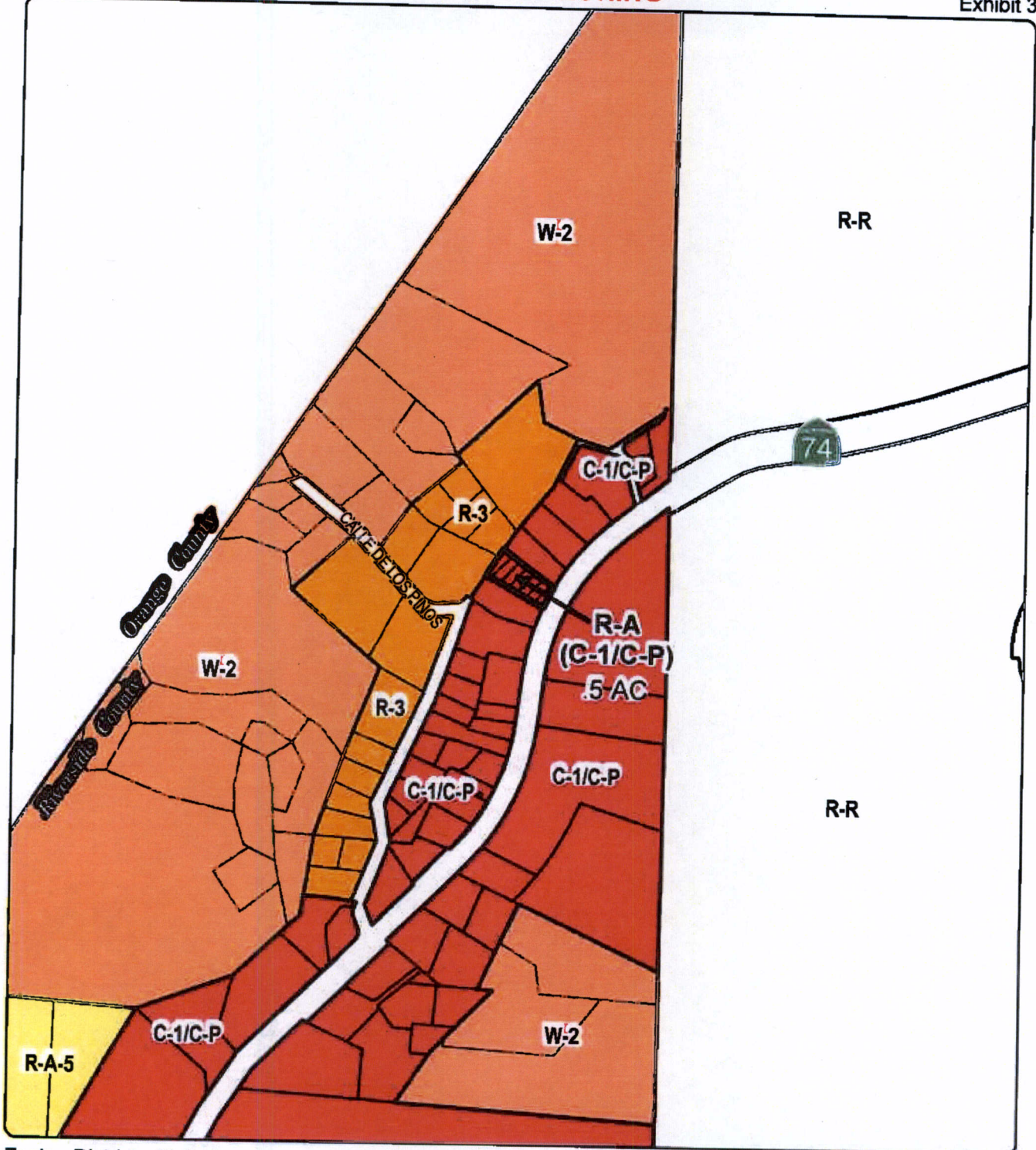
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## CZ07846

### PROPOSED ZONING

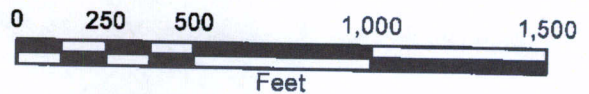
Supervisor Jeffries  
District 1

Date Drawn: 08/15/2014  
Exhibit 3



Zoning District: El Cariso

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rcpldms.org>

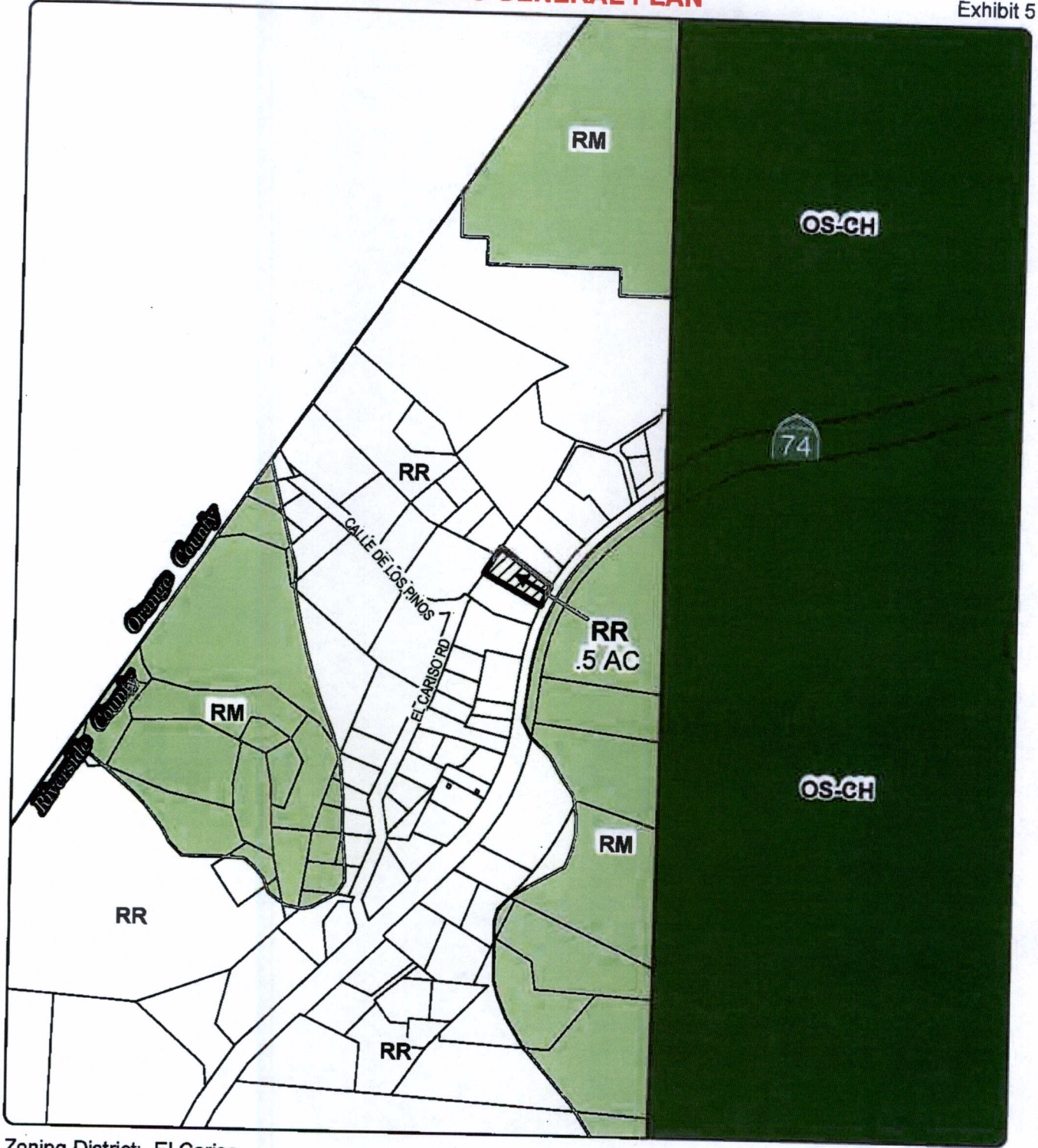
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ07846

EXISTING GENERAL PLAN

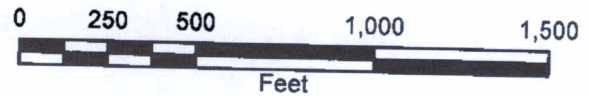
Supervisor Jeffries  
District 1

Date Drawn: 08/15/2014  
Exhibit 5



Zoning District: El Cariso

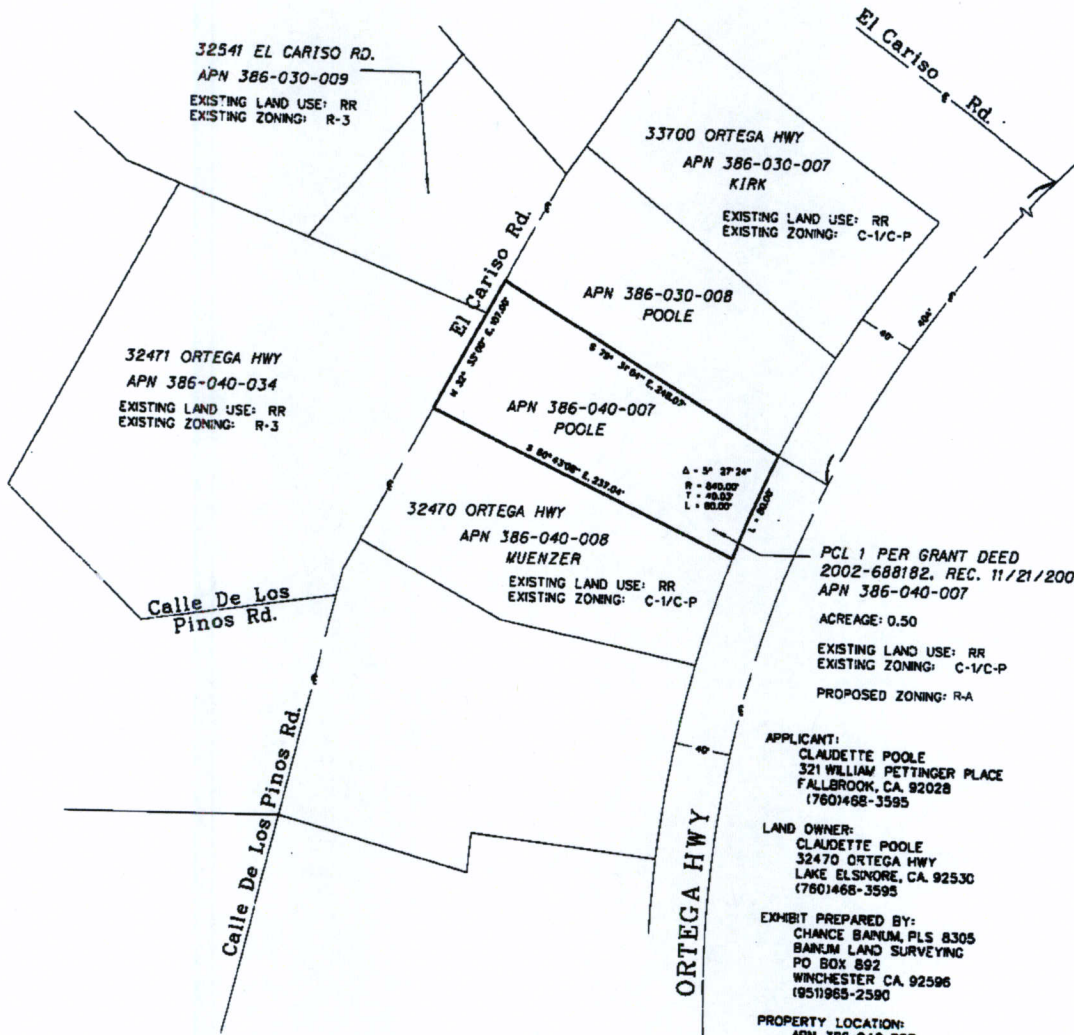
Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.rcclmna.org>

IN THE UNINCORPORATED AREA  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
**CHANGE OF ZONE PRIMARY EXHIBIT**  
 PORTION OF PCL 8 AS SHOWN ON RS BOOK 23 PAGE 91, LYING WITHIN SEC. 17 T.6S, R.5W.  
**BAINUM LAND SURVEYING**  
 MAY 2014 CHANCE D. BAINUM PLS 8305

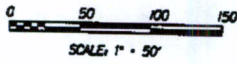
SHEET 1 OF 1



R-A

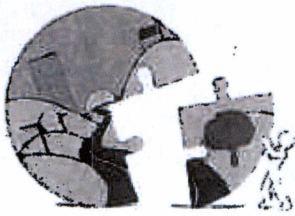
**LEGEND**  
 RESIDENTIAL AGRICULTURAL  
 MAP NO. ---

**CHANGE OFFICIAL ZONING PLAN**  
**EL CARISO**  
**DISTRICT**



CHANGE OF ZONE CASE NO. 7846  
 AMENDING ORDINANCE NO. ---  
 ADOPTED BY ORDINANCE NO. ---  
 JULY 25, 2000  
 RIVERSIDE COUNTY BOARD OF SUPERVISORS

UTILITY PURVEYORS:  
 WATER - EVMWD  
 SEWER - Septic  
 GAS - n/c (propane)  
 ELECTRIC - Edison  
 TELEPHONE - Time Warner



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

## APPLICATION FOR CHANGE OF ZONE

CHECK ONE AS APPROPRIATE:

Standard Change of Zone

ce 006583

There are three different situations where a Planning Review Only Change of Zone will be accepted:

- Type 1:** Used to legally define the boundaries of one or more Planning Areas within a Specific Plan.
- Type 2:** Used to establish or change a SP zoning ordinance text within a Specific Plan.
- Type 3:** Used when a Change of Zone application was conditioned for in a prior application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: CE07846

DATE SUBMITTED: 8-7-14

### APPLICATION INFORMATION

Applicant's Name: CLAUDETTE POOLE E-Mail: claudettejpoole@gmail.com

Mailing Address: 321 WILLIAM PETTINGER PLACE  
FALLBROOK CA 92028  
City State ZIP

Daytime Phone No: (760) 468 3595 Fax No: (951) 304 9531

Engineer/Representative's Name: CHANCE BAINUM E-Mail: bainumlandsurveying@verizon.net

Mailing Address: P.O. BOX 892  
WINCHESTER CA 92596  
City State ZIP

Daytime Phone No: (951) 965 2590 Fax No: ( )

Property Owner's Name: CLAUDETTE POOLE E-Mail: claudettejpoole@gmail.com

Mailing Address: 321 WILLIAM PETTINGER PLACE  
FALLBROOK CA 92028  
City State ZIP

Daytime Phone No: (760) 468 3595 Fax No: (951) 304 9531

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

**APPLICATION FOR CHANGE OF ZONE**

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.

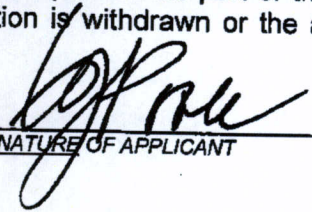
The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

**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.

CLAUDETTE J. POOLE

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.

CLAUDETTE POOLE

PRINTED NAME OF PROPERTY OWNER(S)

  
SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the property is owned by more than one person, 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.

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s): 386-040-007

Section: 17 Township: T.6S Range: R5W

Approximate Gross Acreage: .50

General location (nearby or cross streets): North of CALLE LOS PINOS, South of DEL CORDONIZ, East of EL CARISO RD, West of ORTEGA HWY.

APPLICATION FOR CHANGE OF ZONE

Thomas Brothers map, edition year, page number, and coordinates: 895, DI, 2014, RINCO

Proposal (describe the zone change, indicate the existing and proposed zoning classifications. If within a Specific Plan, indicate the affected Planning Areas):

EXISTING CI/CP LAND USE RR  
CHANGE TO LAND USE R1 or RA  
(WHATEVER WILL ALLOW BUILDING SINGLE FAMILI HOME)

Related cases filed in conjunction with this request:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





COUNTY OF RIVERSIDE  
TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez  
Agency Director

Carolyn Syms Luna  
Director,  
Planning Department

Juan C. Perez  
Director,  
Transportation Department

Mike Lara  
Director,  
Building & Safety Department

Code  
Enforcement  
Department

**LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT**  
Agreement for Payment of Costs of Application Processing

**TO BE COMPLETED BY APPLICANT:**

This agreement is by and between the County of Riverside, hereafter "County of Riverside",  
and CLAUDETTE POOLE hereafter "Applicant" and CLAUDETTE POOLE Property Owner".

Description of application/permit use:

CHG OF ZONE

If your application is subject to Deposit-based Fee, the following applies

**Section 1. Deposit-based Fees**

**Purpose:** The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-based Fees" for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

**Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications**

- A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.
- B. Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.
- C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County.
- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.

- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

**Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.**

**Section 4. Applicant and Owner Information**

**1. PROPERTY INFORMATION:**

Assessors Parcel Number(s): 386-040-007-0

Property Location or Address: LAKE ELSINORE, CA. 92530

**2. PROPERTY OWNER INFORMATION:**

Property Owner Name: CLAUDETTE POOLE Phone No.: 760 468 3595  
 Firm Name: \_\_\_\_\_ Email: claudettejpoole@gmail.com  
 Address: 321 WM. PETTINGER PL  
FALL BROOK, CA. 92028

**3. APPLICANT INFORMATION:**

Applicant Name: CLAUDETTE POOLE Phone No.: 760 468 3595  
 Firm Name: \_\_\_\_\_ Email: claudettejpoole@gmail.com  
 Address (if different from property owner): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**4. SIGNATURES:**

Signature of Applicant: [Signature] Date: 8/7/14  
 Print Name and Title: CLAUDETTE POOLE, OWNER

Signature of Property Owner: [Signature] Date: 8/7/14  
 Print Name and Title: CLAUDETTE POOLE, OWNER

Signature of the County of Riverside, by \_\_\_\_\_ Date: \_\_\_\_\_  
 Print Name and Title: \_\_\_\_\_

FOR COUNTY OF RIVERSIDE USE ONLY	
Application or Permit (s)#: _____	_____
Set #: _____	Application Date: _____

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 6/18/2015.

The attached property owners list was prepared by Riverside County GIS,

APN (s) or case numbers CZ07846 For

Company or Individual's Name Planning Department,

Distance buffered 600'.

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

TITLE GIS Analyst

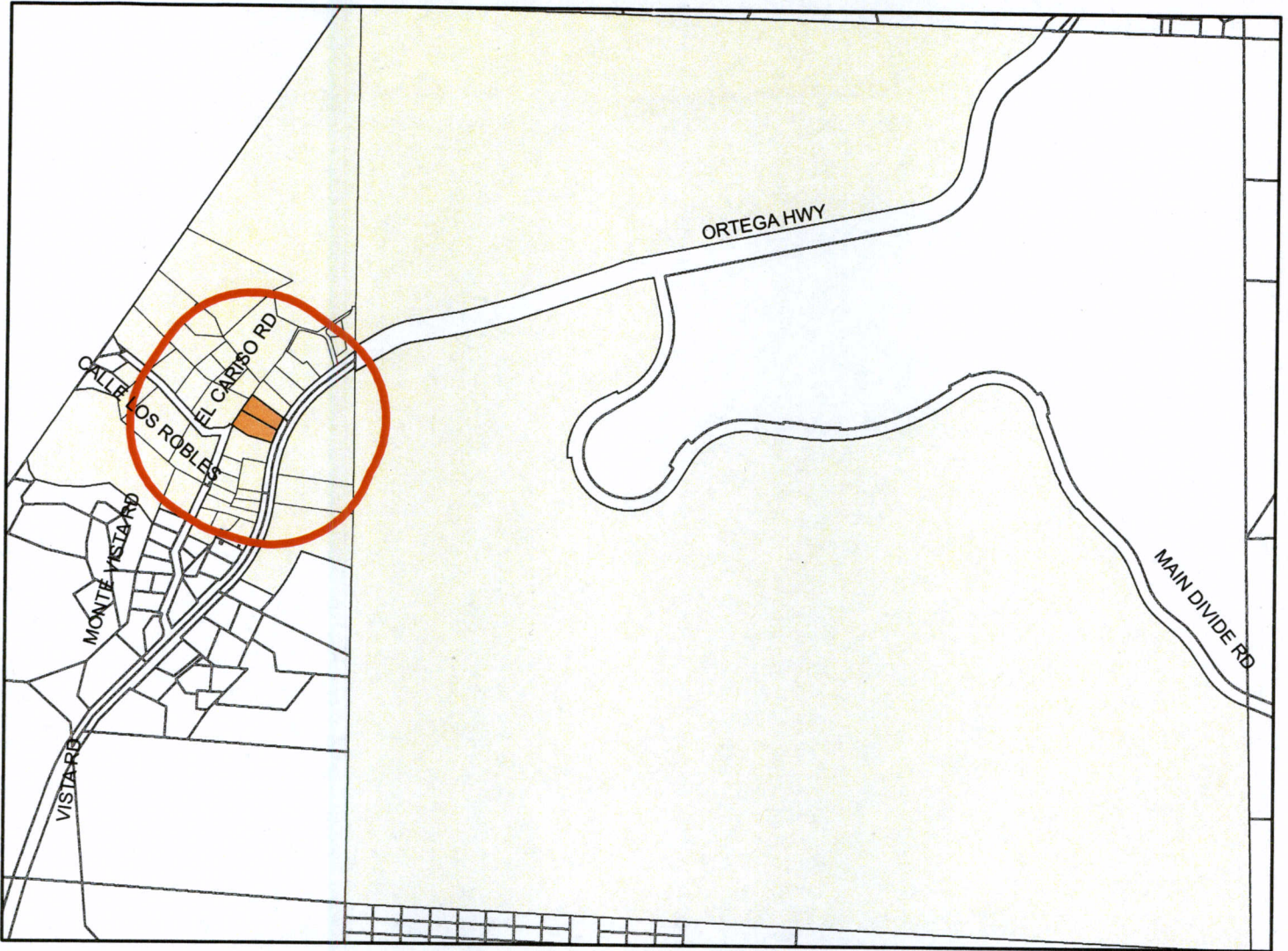
ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

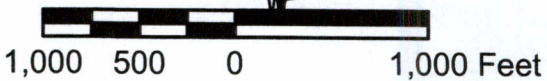
*x checked by  
Phayuan Natharanyakorn  
expires 12/18/2015*

**CZ07846 (600 feet buffer)**



**Selected Parcels**

- |             |             |             |             |             |             |             |             |             |             |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 386-030-006 | 386-020-001 | 386-030-004 | 386-030-013 | 386-030-014 | 386-040-033 | 386-040-031 | 386-030-022 | 386-060-029 | 386-040-030 |
| 386-040-010 | 386-060-032 | 386-030-008 | 386-040-007 | 386-030-023 | 386-030-011 | 386-030-012 | 386-030-007 | 386-040-023 | 386-040-025 |
| 386-080-003 | 386-060-031 | 386-040-024 | 386-040-028 | 386-040-008 | 386-060-033 | 386-080-001 | 386-030-003 | 386-040-026 | 386-040-034 |
| 386-060-049 | 386-060-050 | 386-060-047 | 386-060-030 | 386-040-027 | 386-040-029 | 386-050-001 | 386-030-009 | 386-030-010 | 386-090-010 |
| 386-090-012 | 386-080-002 | 386-030-005 | 386-030-001 | 386-030-002 | 386-060-019 | 386-060-048 |             |             |             |



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 386030001, APN: 386030001  
WILLIAM NICHOLS  
32391 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040007, APN: 386040007  
CLAUDETTE POOLE  
27290 MADISON AVE STE 200  
TEMECULA CA 92590

ASMT: 386030006, APN: 386030006  
DANA MORTENSEN, ETAL  
C/O JACQUELINE AYER  
2010 W AVENUE K STE 701  
LANCASTER CA 93536

ASMT: 386040008, APN: 386040008  
MICHAEL MUENZER  
32470 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386030007, APN: 386030007  
DONNA KIRK  
33700 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040010, APN: 386040010  
CLARKE DEV INC  
P O BOX 2607  
CAPISTRANO BEACH CA 92624

ASMT: 386030009, APN: 386030009  
LISA GILLMORE, ETAL  
32451 EL CARISO RD  
LAKE ELSINORE, CA. 92530

ASMT: 386040023, APN: 386040023  
EDWIN MIGGE  
13810 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386030012, APN: 386030012  
DARCIE DUNLOP  
39962 MILKMAID LN  
MURRIETA CA 92562

ASMT: 386040024, APN: 386040024  
JUSTIN SCHALLER  
314 ACACIA ST  
LAKE ELSINORE CA 92530

ASMT: 386030022, APN: 386030022  
BIFF GASS  
13761 CALLE CODORNIZ  
LAKE ELSINORE CA 92530

ASMT: 386040025, APN: 386040025  
HEIDI PETTIT  
32443 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386030023, APN: 386030023  
LOREE GASS, ETAL  
13765 CALLE CODORNIZ  
LAKE ELSINORE, CA. 92530

ASMT: 386040026, APN: 386040026  
JANET MARPLE, ETAL  
32457 ORTEGA HWY  
LAKE ELSINORE CA 92530



ASMT: 386040027, APN: 386040027  
SCOTT BROWNSON  
32550 EL CARISO RD  
LAKE ELSINORE CA 92530

ASMT: 386050001, APN: 386050001  
TODD ROBSON  
32463 ORTEGA HWY  
LAKE ELSINORE CA 92530

ASMT: 386040028, APN: 386040028  
DAPHNE SHIPKEY, ETAL  
32487 EL CARISO  
LAKE ELSINORE, CA. 92530

ASMT: 386060029, APN: 386060029  
CAPE VENTURES  
1585 TAHITI AVE  
LAGUNA BEACH CA 92651

ASMT: 386040029, APN: 386040029  
SHERRY CUCULIC, ETAL  
13820 CALLE DE LOS ROBLE  
LAKE ELSINORE, CA. 92530

ASMT: 386060030, APN: 386060030  
RUDOLPH ALTDORFFER  
29371 LAS CRUCES  
LAGUNA NIGUEL CA 92677

ASMT: 386040030, APN: 386040030  
NICOLE BLACK, ETAL  
13881 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386060031, APN: 386060031  
LISA GRACE, ETAL  
32485 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040031, APN: 386040031  
SUSAN MELLONI, ETAL  
13711 CALLE DE LOS PINOS  
LAKE ELSINORE CA 92530

ASMT: 386060032, APN: 386060032  
CLARKE DEV INC  
32371 ALIPAZ ST NO 12  
SAN JUAN CAPO CA 92675

ASMT: 386040033, APN: 386040033  
BARBARA MITCHELL  
13780 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386060033, APN: 386060033  
CYNTHIA ALLINGHAM, ETAL  
32476 EL CARISO RD  
LAKE ELSINORE, CA. 92530

ASMT: 386040034, APN: 386040034  
LINDA HOFFMAN, ETAL  
32471 ORTEGA HWY  
LAKE ELSINORE CA 92530

ASMT: 386060047, APN: 386060047  
MILDRED WOODS, ETAL  
137 CHILTON AVE  
SAN FRANCISCO CA 94131



ASMT: 386060048, APN: 386060048  
DIANA POWELL, ETAL  
1 SEPULVEDA  
RCH SANTA MARGARITA CA 92688

ASMT: 386060049, APN: 386060049  
SANDRA NICHOLSON, ETAL  
32490 EL CARISO  
LAKE ELSINORE, CA. 92530

ASMT: 386060050, APN: 386060050  
SANDRA NICHOLSON, ETAL  
13633 MONTE VISTA ST  
LAKE ELSINORE CA 92530

ASMT: 386080001, APN: 386080001  
REAL PHOENIX EXPERIMENT  
P O BOX 541  
SAN JUAN CAPO CA 92693

ASMT: 386080002, APN: 386080002  
JANIE MCLEAN, ETAL  
32522 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386080003, APN: 386080003  
HUNT INV  
517 MONTEREY LN NO A  
SAN CLEMENTE CA 92672

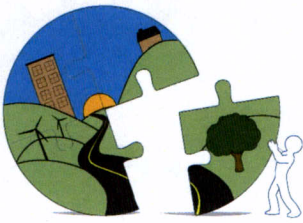


Applicant / Engineer

Claudette Poole  
321 William Pettinger Place  
Fallbrook CA 92028

Attn: Chance Bainum  
P.O. Box 892  
Winchester CA 92596





# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

TO:  Office of Planning and Research (OPR)  
P.O. Box 3044  
Sacramento, CA 95812-3044  
 County of Riverside County Clerk

FROM: Riverside County Planning Department  
 4080 Lemon Street, 12th Floor  
P. O. Box 1409  
Riverside, CA 92502-1409

38686 El Cerrito Road  
Palm Desert, California 92211

SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.

Change of Zone No. 7846 (CZ No. 7846)

Project Title/Case Numbers

Phayvanh Nanthavongdouangsy

County Contact Person

951-955-6573

Phone Number

N/A

State Clearinghouse Number (if submitted to the State Clearinghouse)

Claudette Poole

Project Applicant

321 William Pettinger Place Fallbrook CA, 92028

Address

North of Calle De Los Pinos, south of Calle Cordoniz, east of El Cariso Road, and west of Highway 74

Project Location

Change of Zone No. 7846 proposes to change the existing zoning of General Commercial (C-1/C-P) zone to Residential Agricultural (R-A) zone. No new environmental document is required because all potentially significant effects on the environment have been adequately analyzed in the previously certified Environmental Impact Report No. 441 pursuant to applicable legal standards and have been avoided or mitigated pursuant to that earlier EIR, and none of the conditions described in CEQA Guidelines Section 15162 exist based on the staff report findings and conclusions for this project, which is incorporated herein by reference. CZ No. 7846 will not result in any new significant environmental impacts not identified in the certified EIR No. 441. CZ No. 7846 will not result in a substantial increase in the severity of previously identified significant effects, does not propose and substantial changes which will require major revisions to EIR No. 441, no considerably different mitigation measures have been identified and no mitigation measures found infeasible have become feasible because of the following: CZ No. 7846 is changing the property's zoning classification to R-A Zone to be consistent with the approved General Plan, the subject site was included within the project boundary analyzed in EIR No. 441, there are no changes to the mitigation measures included in EIR No. 441, and CZ No. 7846 does not propose any changes to the approved General Plan analyzed in EIR No. 441.

Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on August 18, 2015, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A finding that nothing further is required was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$50.00) and reflect the independent judgment of the Lead Agency.
3. Mitigation measures WERE NOT made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS NOT adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the earlier EIR, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

Signature

Title

Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

DM/dm Revised 6/22/2015

Y:\Planning Case Files-Riverside office\CZ07846\PC\CZ07846\_NOD Form.docx

Please charge deposit fee case#: ZEA ZCFG06106 .

FOR COUNTY CLERK'S USE ONLY

EA 38614

STATE OF CALIFORNIA - THE RESOURCES AGENCY  
DEPARTMENT OF FISH AND GAME  
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt # 200301036

Lead Agency: COUNTY PLANNING  
County Agency of Filing: Riverside  
Project Title: EIR 441; EA 38614; COMPREHENSIVE GPA 618  
Project Applicant Name: COUNTY PLANNING  
Project Applicant Address: 4080 LEMON ST. 9TH FLOOR RIVERSIDE, CA 92501  
Project Applicant: Local Public Agency

CHECK APPLICABLE FEES:

- Environmental Impact Report \$850.00
  - Negative Declaration
  - Application Fee Water Diversion (State Water Resources Control Board Only)
  - Project Subject to Certified Regulatory Programs
  - County Administration Fee \$64.00
    - Project that is exempt from fees (De Minimis Exemption)
    - Project that is exempt from fees (Notice of Exemption)
- Total Received \$914.00

C. [Signature]

Signature and title of person receiving payment: \_\_\_\_\_

Notes:



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT** **AGENCY** **D**  
RIVERSIDE COUNTY

**NOTICE OF DETERMINATION** **OCT 07 2003**

TO:

- Office of Planning and Research (OPR)  
1400 Tenth Street, Room 121  
Sacramento, CA 95814
- County Clerk  
County of Riverside

FROM:

- Riverside County Planning Department
- 4080 Lemon Street, 9th Floor  
P. O. Box 1409  
Riverside, CA 92502-1409
- 82-675 Highway 111, 2nd Floor  
Indio, CA 92201

GARY L. ORSO

- Riverside County Transportation Department
- 4080 Lemon Street, 8th Floor  
P. O. Box 1090  
Riverside, CA 92502-1090

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the California Public Resources Code.

EIR No. 441 Comprehensive General Plan Amendment No. 618 (GPA00618) and Environmental Assessment No. 38614 (BA38614)  
Project Title: Case Numbers  
SCH No. 2002051143 Gerald V. Jolliffe (909) 955-3161  
State Clearinghouse Number Contact Person Area Code/No./Ext.  
Riverside County Planning Department, P. O. Box 1409, Riverside CA 92502-1409  
Project Applicant/Property Owner and Address  
All of unincorporated Riverside County, California  
Project Location

Adoption of a new General Plan for the County of Riverside --- The new General Plan for the County of Riverside and its constituent Area Plans would designate the location of future residential, commercial, industrial, agricultural, rural, and conservation uses and would further specify the appropriate densities for residential development. The new General Plan includes all State-mandated elements, plus an Air Quality Element. The Open Space and Conservation required elements are combined into a Multipurpose Open Space Element.  
Project Description

It is to advise that the Riverside County Board of Supervisors has approved the above-referenced project on October 7, 2003, and has made the following determinations regarding that project:

1. The project  will,  will not have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for the project and certified pursuant to the provisions of the California Environmental Quality Act. (\$914 fee)
  - An addendum to an Environmental Impact report was prepared for the project and certified pursuant to the provisions of the California Environmental Quality Act. (\$64 fee)
  - A Negative Declaration was prepared for the project pursuant to the provisions of the California Environmental Quality Act. (\$1,314 fee)
  - The project was undertaken pursuant to and in conformity with Specific Plan No. ?? (??) for which an Environmental Impact Report was certified or a Negative Declaration adopted. All potentially significant effects of the project were adequately analyzed in the earlier EIR or Negative Declaration and were avoided or mitigated pursuant to that earlier EIR or Negative Declaration. NO FURTHER ENVIRONMENTAL DOCUMENTATION IS REQUIRED. (\$64 fee)
3. Mitigation Measures  were,  were not made a condition of the approval of the project.
4. Findings were made in accordance with Section 21081 of the California Public Resources Code.
5. A statement of Overriding Considerations  was,  was not adopted for the project.
6. A de minimis finding  was,  was not made for the project in accordance with Section 711.4 of the California Fish and Game Code.

This is to certify that the Final EIR, with comments, responses and record of project approval is available to the general public at:

- Riverside County Planning Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501
- Riverside County Planning Department, 82-675 Highway 111, Room 209, Indio, CA 92201
- Riverside County Transportation Department, 4080 Lemon Street, 9th Floor, Riverside, CA 92501

*[Signature]* Clerk of the Board Office October 7, 2003  
 Signature Maria J. Villareal, Deputy Title Date

COUNTY CLERK  
 Neg. Declaration/No Determination  
 Filed per P.R.C. 21152

TO BE COMPLETED BY OPR Date Received for Filing and Posting at OPR:	FOR COUNTY CLERK'S USE ONLY POSTED <b>OCT 07 2003</b> Removed: <b>NOV 07 2003</b> By: <i>[Signature]</i> Dept. County of Riverside, State of California 10/07/03 15.2
---------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**ORIGINAL**

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

\* REPRINTED \* R0318520

4080 Lemon Street  
Second Floor  
Riverside, CA 92502  
(951) 955-3200

39493 Los Alamos Road  
Suite A  
Murrieta, CA 92563  
(951) 600-6100

38686 El Cerrito Road  
Palm Desert, CA 92211  
(760) 863-8277

\*\*\*\*\*  
\*\*\*\*\*

Received from: COUNTY OF RIVERSIDE - TLMA  
paid by: JV 0000576128 \$914.00  
paid towards: CFG02705 CALIF FISH & GAME: EIR  
FISH & GAME FOR EIR00441 (GPA00618)  
at parcel #:  
appl type: CFG2

By ADANELYA Oct 01, 2003 12:57  
posting date Oct 01, 2003

\*\*\*\*\*  
\*\*\*\*\*

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$850.00
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at [www.rctlma.org](http://www.rctlma.org)

**PLANNING COMMISSION HEARING  
REPORT OF ACTIONS  
SEPTEMBER 17, 2014**

Fifth/Fifth Supervisorial District - Location: Southwest corner of Reservoir Avenue and Hansen Avenue - Zoning: Scenic Highway Commercial - **REQUEST:** To permit an existing 3,270 sq. ft. liquor store building with the sale of beer, wine and distilled spirits for off premise consumption on 0.5 gross acres. Project Planner: Paul Rull at (951) 955-0972 or email [prull@rctlma.org](mailto:prull@rctlma.org). (Quasi-judicial)

**FOUND** the project exempt from California Environmental Quality Act; AND, **APPROVED** of a **DETERMINATION OF PUBLIC CONVENIENCE AND NECESSITY**; and, **APPROVED** of **CONDITIONAL USE PERMIT NO. 3683**, as modified at hearing.

- 4.7 CHANGE OF ZONE NO. 7846** - No New Environmental Documentation is Required - Applicant: Claudette Poole - Engineer/Representative: Chance Bainum - First/First Supervisorial District - El Cariso Zoning District - Elsinore Area Plan: Rural Residential (R: RR) (5 acres min.) - Location: North of Calle De Los Pinos, south of Calle Cordoniz, east of El Cariso Rd., and west of Ortega Highway (Highway 74) - 0.5 Acres - Zoning: General Commercial (C-1/C-P) Zone - **REQUEST:** Change of Zone to Residential Agricultural (R-A) Zone. Project Planner: Phayvanh Nanthavongdouangsy at (951) 955-6573 or email [pnanthav@rctlma.org](mailto:pnanthav@rctlma.org). (Legislative)

**Planning Commission Action:**  
By A Vote Of 5-0,

**PLANNING COMMISSION RECOMMENDS THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:**  
**FIND NO NEW ENVIRONMENTAL DOCUMENT IS REQUIRED:** and,  
**APPROVE CHANGE OF ZONE NO. 7846**, as modified at hearing.

**5.0 WORKSHOP**

5.1 NONE

**6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA**

**7.0 DIRECTOR'S REPORT**

**8.0 COMMISSIONER'S COMMENTS**

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

A\* REPRINTED \* R1408459

4080 Lemon Street  
Second Floor  
Riverside, CA 92502  
(951) 955-3200

39493 Los Alamos Road  
Suite A  
Murrieta, CA 92563  
(951) 694-5242

38686 El Cerrito Rd  
Indio, CA 92211  
(760) 863-8271

\*\*\*\*\*  
\*\*\*\*\*

Received from: CLAUDETTE POOLE  
paid by: CK 6507 CZ07846 \$50.00  
paid towards: CFG06106 CALIF FISH & GAME: DOC FEE  
at parcel:  
appl type: CFG3

By \_\_\_\_\_ Aug 07, 2014 09:20  
MGARDNER posting date Aug 07, 2014

\*\*\*\*\*  
\*\*\*\*\*

Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$50.00

Overpayments of less than \$5.00 will not be refunded!



# RIVERSIDE COUNTY PLANNING DEPARTMENT

*Steve Weiss, AICP  
Planning Director*

Date: June 24, 2015

Claudette Poole  
321 William Pettinger  
Fallbrook, CA 92028

Subject: CHANGE OF ZONE NO. 7846

Dear Applicant/Owner:

This letter is to inform you that the Planning Department has transmitted a package for the project to the Clerk of Board of Supervisors with a request it be scheduled on a Board agenda.

At this time, the Clerk has not yet scheduled this project for a Board of Supervisors date. Please review the upcoming County Board of Supervisors agendas at the following webpage: <http://rivcocob.org/agendas-and-minutes/> to determine when this project is scheduled.

Attached is the Form 11 and Planning Commission Minutes outlining the recommendations to the Board of Supervisors that is intended to supplement the staff report provided previously.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, ACIP  
Planning Director

---

Phayvanh Nanthavongdouangsy, Project Planner

Attachments: Form 11 and Planning Commission Minutes

Y:\Planning Master Forms\Templates\BOS Forms\Notice to Applicant-Rep of intent to schedule for BOS\_Revised 021715.docx

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

Desert Office · 77-588 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7040

*"Planning Our Future... Preserving Our Past"*

**PROPERTY OWNERS CERTIFICATION FORM**

I, VINNIE NGUYEN, certify that on 8/14/2014.

The attached property owners list was prepared by Riverside County GIS.

APN (s) or case numbers CZ07846 For

Company or Individual's Name Planning Department

Distance buffered 600'

Pursuant to application requirements furnished by the Riverside County Planning Department, Said list is a complete and true compilation of the owners of the subject property and all other property owners within 600 feet of the property involved, or if that area yields less than 25 different owners, all property owners within a notification area expanded to yield a minimum of 25 different owners, to a maximum notification area of 2,400 feet from the project boundaries, based upon the latest equalized assessment rolls. If the project is a subdivision with identified off-site access/improvements, said list includes a complete and true compilation of the names and mailing addresses of the owners of all property that is adjacent to the proposed off-site improvement/alignment.

I further certify that the information filed is true and correct to the best of my knowledge. I understand that incorrect or incomplete information may be grounds for rejection or denial of the application.

NAME: Vinnie Nguyen

TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2<sup>nd</sup> Floor

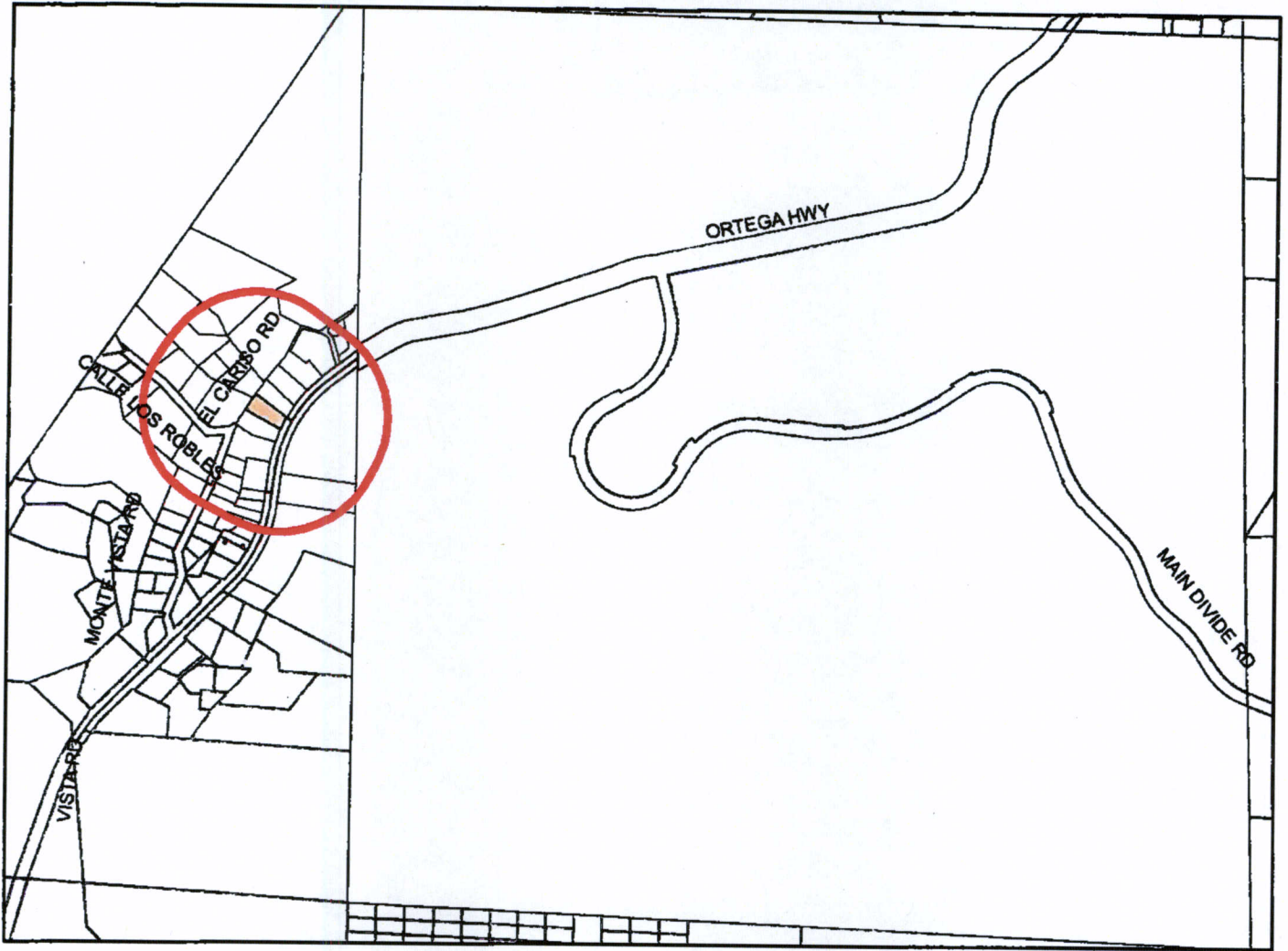
Riverside, Ca. 92502

TELEPHONE NUMBER (8 a.m. - 5 p.m.): (951) 955-8158

*\*checked by Phayvank N.  
Expires Feb. 14, 2015*

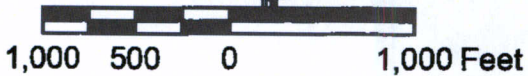


**CZ07846 (600 feet buffer)**



**Selected Parcels**

386-030-006	386-020-001	386-030-004	386-030-013	386-030-014	386-040-033	386-030-022	386-040-030	386-040-010	386-060-032
386-030-008	386-040-007	386-030-023	386-030-011	386-030-012	386-040-023	386-040-025	386-080-003	386-060-031	386-030-007
386-040-028	386-040-008	386-060-033	386-080-001	386-030-003	386-040-026	386-040-034	386-060-049	386-060-047	386-060-030
386-040-027	386-040-029	386-050-001	386-030-009	386-030-010	386-090-010	386-090-012	386-080-002	386-030-005	386-030-001
386-030-002	386-060-019	386-060-048	386-040-024						



Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

ASMT: 386030001, APN: 386030001  
WILLIAM NICHOLS  
32391 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040008, APN: 386040008  
MICHAEL MUENZER  
32470 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386030006, APN: 386030006  
DANA MORTENSEN, ETAL  
C/O JACQUELINE AYER  
2010 W AVENUE K STE 701  
LANCASTER CA 93536

ASMT: 386040010, APN: 386040010  
CLARKE DEV INC  
P O BOX 2607  
CAPISTRANO BEACH CA 92624

ASMT: 386030007, APN: 386030007  
DONNA KIRK, ETAL  
33700 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040023, APN: 386040023  
EDWIN MIGGE  
13810 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386030009, APN: 386030009  
LISA GILLMORE, ETAL  
32451 EL CARISO RD  
LAKE ELSINORE, CA. 92530

ASMT: 386040024, APN: 386040024  
WOLFGANG DEGIORGIO  
13840 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386030012, APN: 386030012  
DARCIE DUNLOP  
39962 MILKMAID LN  
MURRIETA CA 92562

ASMT: 386040025, APN: 386040025  
HEIDI PETTIT  
32443 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386030023, APN: 386030023  
LOREE GASS, ETAL  
25242 STAYSAIL DR  
DANA POINT CA 92629

ASMT: 386040026, APN: 386040026  
JANET MARPLE, ETAL  
32457 ORTEGA HWY  
LAKE ELSINORE CA 92530

ASMT: 386040007, APN: 386040007  
CLAUDETTE POOLE  
27290 MADISON AVE STE 200  
TEMECULA CA 92590

ASMT: 386040027, APN: 386040027  
SCOTT BROWNSON  
32550 EL CARISO RD  
LAKE ELSINORE CA 92530



ASMT: 386040028, APN: 386040028  
DAPHNE PRITIKIN, ETAL  
32487 EL CARISO  
LAKE ELSINORE, CA. 92530

ASMT: 386060031, APN: 386060031  
LISA GRACE, ETAL  
32485 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386040029, APN: 386040029  
SHERRY CUCULIC, ETAL  
13820 CALLE DE LOS ROBLE  
LAKE ELSINORE, CA. 92530

ASMT: 386060032, APN: 386060032  
CLARKE DEV INC  
32371 ALIPAZ ST NO 12  
SAN JUAN CAPO CA 92675

ASMT: 386040030, APN: 386040030  
NICOLE BLACK, ETAL  
13881 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386060033, APN: 386060033  
CYNTHIA ALLINGHAM, ETAL  
32476 EL CARISO RD  
LAKE ELSINORE, CA. 92530

ASMT: 386040033, APN: 386040033  
BARBARA MITCHELL  
13780 CALLE DE LOS PINOS  
LAKE ELSINORE, CA. 92530

ASMT: 386060047, APN: 386060047  
MILDRED WOODS, ETAL  
137 CHILTON AVE  
SAN FRANCISCO CA 94131

ASMT: 386040034, APN: 386040034  
LINDA HOFFMAN, ETAL  
32471 ORTEGA HWY  
LAKE ELSINORE CA 92530

ASMT: 386060048, APN: 386060048  
DIANA POWELL, ETAL  
1 SEPULVEDA  
RCH SANTA MARGARITA CA 92688

ASMT: 386050001, APN: 386050001  
TODD ROBSON  
32463 ORTEGA HWY  
LAKE ELSINORE CA 92530

ASMT: 386060049, APN: 386060049  
SANDRA NICHOLSON, ETAL  
32490 EL CARISO  
LAKE ELSINORE, CA. 92530

ASMT: 386060030, APN: 386060030  
RUDOLPH ALTDORFFER  
29371 LAS CRUCES  
LAGUNA NIGUEL CA 92677

ASMT: 386080001, APN: 386080001  
REAL PHOENIX EXPERIMENT  
P O BOX 541  
SAN JUAN CAPO CA 92693



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ASMT: 386080002, APN: 386080002  
JANIE MCLEAN, ETAL  
32522 ORTEGA HWY  
LAKE ELSINORE, CA. 92530

ASMT: 386080003, APN: 386080003  
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517 MONTEREY LN NO A  
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# RIVERSIDE COUNTY PLANNING DEPARTMENT

**Juan C. Perez**  
**Interim Planning Director**

**TO:**  Office of Planning and Research (OPR)  
P.O. Box 3044  
Sacramento, CA 95812-3044  
 County of Riverside County Clerk

**FROM:** Riverside County Planning Department  
 4080 Lemon Street, 12th Floor  
P. O. Box 1409  
Riverside, CA 92502-1409

38686 El Cerrito Road  
Palm Desert, California 92211

**SUBJECT: Filing of Notice of Determination in compliance with Section 21152 of the California Public Resources Code.**

Change of Zone No. 7846 (CZ07846)

*Project Title/Case Numbers*

Phayvanh Nanthavongdouangsy  
*County Contact Person*

951-955-6573  
*Phone Number*

N/A  
*State Clearinghouse Number (if submitted to the State Clearinghouse)*

Claudette Poole  
*Project Applicant*

321 William Pettinger Place Fallbrook CA, 92028  
*Address*

North of Calle De Los Pinos, south of Calle Cordoniz, east of El Cariso Road, and west of Highway 74  
*Project Location*

Change of Zone No. 7846 proposes to change the existing zoning of General Commercial (C-1/C-P) zone to Residential Agricultural (R-A) zone. No new environmental document is required because all potentially significant effects on the environment have been adequately analyzed in the previously certified Environmental Impact Report No. 441 pursuant to applicable legal standards and have been avoided or mitigated pursuant to that earlier EIR, and none of the conditions described in CEQA Guidelines Section 15162 exist based on the staff report findings and conclusions for this project, which is incorporated herein by reference. CZ07846 will not result in any new significant environmental impacts not identified in the certified EIR No. 441. CZ07846 will not result in a substantial increase in the severity of previously identified significant effects, does not propose and substantial changes which will require major revisions to EIR No. 441, no considerably different mitigation measures have been identified and no mitigation measures found infeasible have become feasible because of the following: CZ07846 is changing the property's zoning classification to R-A Zone to be consistent with the approved General Plan, the subject site was included within the project boundary analyzed in EIR No. 441, there are no changes to the mitigation measures included in EIR No. 441, and CZ07846 does not propose any changes to the approved General Plan analyzed in EIR No. 441.  
*Project Description*

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on \_\_\_\_\_, and has made the following determinations regarding that project:

1. The project WILL NOT have a significant effect on the environment.
2. A finding that nothing further is required was prepared for the project pursuant to the provisions of the California Environmental Quality Act (\$50.00) and reflect the independent judgment of the Lead Agency.
3. Mitigation measures WERE NOT made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS NOT adopted.
5. A statement of Overriding Considerations WAS NOT adopted for the project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the earlier EIR, with comments, responses, and record of project approval is available to the general public at: Riverside County Planning Department, 4080 Lemon Street, 12th Floor, Riverside, CA 92501.

\_\_\_\_\_  
*Signature*  
Date Received for Filing and Posting at OPR: \_\_\_\_\_

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date*

DM/dm Revised 8/19/2014  
Y:\Planning Case Files-Riverside office\CZ07846\PC\CZ07846\_NOD Form.docx

Please charge deposit fee case#: ZEA ZCFG06106

**FOR COUNTY CLERK'S USE ONLY**

## INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT (“Agreement”), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California (“COUNTY”), and Claudette J. Poole (“PROPERTY OWNER”), relating to the PROPERTY OWNER’S indemnification of the COUNTY under the terms set forth herein:

### WITNESSETH:

**WHEREAS**, the PROPERTY OWNER has a legal interest in the certain real property described as APN 386-040-007 and 386-030-008 (“PROPERTY”); and,

**WHEREAS**, on August 7, 2014, PROPERTY OWNER filed an application for Change of Zone No. 7846 (“PROJECT”); and,

**WHEREAS**, judicial challenges of projects requiring discretionary approvals, including, but not limited to, California Environmental Quality Act determinations, are costly and time consuming. Additionally, project opponents often seek an award of attorneys’ fees in such challenges; and,

**WHEREAS**, since property owners are the primary beneficiaries of such approvals, it is appropriate that such owners bear the expense of defending against any such judicial challenge, and bear the responsibility of any costs, attorneys’ fees and damages which may be awarded to a successful challenger; and,

**WHEREAS**, in the event a judicial challenge is commenced against the PROJECT, the COUNTY has requested and the PROPERTY OWNER has agreed to defend, indemnify and hold harmless the COUNTY, its agents, officers, or employees from any claim, action or proceeding against the COUNTY, its agents, officers, or employees to attack, set aside, void or annul any approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the PROJECT or its associated environmental documentation (“LITIGATION”); and,

**WHEREAS**, this Agreement is entered into by the COUNTY and PROPERTY OWNER to establish specific terms concerning PROPERTY OWNER’S indemnification obligation for the PROJECT.

**NOW, THEREFORE**, it is mutually agreed between COUNTY and PROPERTY OWNER as follows:

1. ***Indemnification.*** PROPERTY OWNER, at its own expense, shall defend, indemnify and hold harmless the COUNTY, its agents, officers, and employees from and against any claim, action or proceeding brought against the

COUNTY, its agents, officers, and employees to attack, set aside, void or annul any approval of the PROJECT including any associated costs, damages, and expenses including, but not limited to, costs associated with Public Records Act requests submitted to the COUNTY related to the PROJECT and an award of attorneys' fees and costs incurred or arising out of the above-referenced claim, action or proceeding brought against the COUNTY ("Indemnification Obligation.")

2. **Defense Cooperation.** PROPERTY OWNER and the COUNTY shall reasonably cooperate in all aspects of the LITIGATION. Nothing contained in this Agreement, however, shall be construed to limit the discretion of COUNTY, in the interest of the public welfare, to settle, defend, appeal or to decline to settle or to terminate or forego defense or appeal of the LITIGATION. It is also understood and agreed that all litigation pleadings are subject to review, revision and approval by COUNTY's Office of County Counsel.

3. **Representation and Payment for Legal Services Rendered.** COUNTY shall have the absolute right to approve any and all counsel retained to defend COUNTY in the LITIGATION. PROPERTY OWNER shall pay the attorneys' fees and costs of the legal firm retained by APPLICANT to represent the COUNTY in the LITIGATION. Failure by PROPERTY OWNER to pay such attorneys' fees and costs may be treated as an abandonment of the PROJECT and as a default of APPLICANT's obligations under this Agreement.

4. **Payment for COUNTY's LITIGATION Costs.** Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. LITIGATION costs include any associated costs, fees, damages, and expenses as further described in Section 1. herein as Indemnification Obligation. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the PROJECT, PROPERTY OWNER shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). PROPERTY OWNER shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. Within ten (10) days of written notice from COUNTY, PROPERTY OWNER shall make such additional deposits. Collectively, the initial deposit and additional deposits shall be referred to herein as the "Deposit."

5. **Return of Deposit.** COUNTY shall return to PROPERTY OWNER any funds remaining on deposit after ninety (90) days have passed since final adjudication of the LITIGATION.

6. **Notices.** For all purposes herein, notices shall be effective when personally delivered, delivered by commercial overnight delivery service, or sent by

certified or registered mail, return receipt requested, to the appropriate address set forth below:

COUNTY:  
Office of County Counsel  
Attn: Melissa Cushman  
3960 Orange Street, Suite 500  
Riverside, CA 92501

PROPERTY OWNER :  
Claudette Poole  
321 William Pettinger  
Fallbrook, CA 92028

Claudette Poole  
27290 Madison Ave.  
Temecula, CA 92590

With a copy to:  
Chance Bainum  
P.O. Box 892  
Winchester, CA 92596

7. ***Default and Termination.*** This Agreement is not subject to termination, except by mutual agreement or as otherwise provided herein. In the event of a default of PROPERTY OWNER's obligations under this Agreement, COUNTY shall provide written notification to PROPERTY OWNER of such alleged default and PROPERTY OWNER shall have ten (10) days after receipt of written notification to cure any such alleged default. If PROPERTY fails to cure such alleged default within the specified time period or otherwise reach agreement with the COUNTY on a resolution of the alleged default, COUNTY may, in its sole discretion, do any of the following or combination thereof:

- a. Deem PROPERTY OWNER's default of PROPERTY OWNER's obligations as abandonment of the PROJECT and as a breach of this Agreement;
- b. Rescind any PROJECT approvals previously granted;
- c. Settle the LITIGATION.

In the event of a default, PROPERTY OWNER shall remain responsible for any costs and attorney's fees awarded by the Court or as a result of settlement and other expenses incurred by the COUNTY related to the LITIGATION or settlement.

8. ***COUNTY Review of the PROJECT.*** Nothing in this Agreement shall be construed to limit, direct, impede or influence the COUNTY's review and consideration of the PROJECT.

9. ***Complete Agreement/Governing Law.*** This Agreement represents the complete understanding between the parties with respect to matters set forth herein. This Agreement shall be construed in accordance with the laws of the State of California.



10. **Successors and Assigns.** The obligations specific herein shall be made, and are binding on the successors in interest of the PROPERTY OWNER, whether the succession is by agreement, by operation of law or by any other means.

11. **Amendment and Waiver.** No modification, waiver, amendment or discharge of this Agreement shall be valid unless the same is in writing and signed by all parties.

12. **Severability.** If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Agreement shall not be affected thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

13. **Survival of Indemnification.** The parties agree that this Agreement shall constitute a separate agreement from any PROJECT approval, and if the PROJECT, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.

14. **Interpretation.** The parties have been advised by their respective attorneys, or if not represented by an attorney, represent that they had an opportunity to be so represented in the review of this Agreement. Any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be applied in interpreting this Agreement.

15. **Captions and Headings.** The captions and section headings used in this Agreement are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

16. **Jurisdiction and Venue.** Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed in the Courts of Riverside County, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court or jurisdiction.

17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange facsimile or electronic counterparts, and facsimile or electronic counterparts shall serve as originals.

18. **Joint and Several Liability.** In the event there is more than one PROPERTY OWNER, the liability of PROPERTY OWNER shall be joint and several, and PROPERTY OWNER each of them shall be jointly and severally liable for performance of all of the obligations of PROPERTY OWNER under this Agreement.

19. **Effective Date.** The effective date of this Agreement is the date the parties sign the Agreement. If the parties sign the Agreement on more than one date, then the last date the Agreement is signed by a party shall be the effective date.

**IN WITNESS WHEREOF,** the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.

**COUNTY:**  
COUNTY OF RIVERSIDE,  
a political subdivision of the State of California

By: Steven Weiss  
Steven Weiss  
Riverside County Planning Director

Dated: 8/3/15

**PROPERTY OWNER:**

Claudette J. Poole

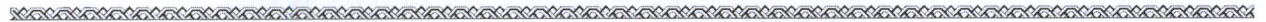
By: Claudette J. Poole  
Claudette J. Poole

Dated: 7/8/2015

FORM APPROVED COUNTY COUNSEL  
BY: Michelle Clack 7/29/15  
MICHELLE CLACK DATE

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of Riverside )

On 7/8/15 before me, B.M. Vanlandingham, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Claudette J. Poole  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

