

## Wheeler, Timothy

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**From:** Joan <calljoan4ahome@gmail.com>  
**Sent:** Friday, September 23, 2016 12:12 PM  
**To:** Weiss, Steven; Wheeler, Timothy; tenajaeca@gmail.com  
**Subject:** Kennel permit/tenaja

I am thoroughly against this many dogs being on one property. There are Rules/Guidelines and CC&R's that are in place and should not be changed for one individual. If they are then more people will want these changed as well. Next maybe it will be 30 pitbulls someone would want to raise for fighting. If these people want to raise this many dogs they should have checked out the CC&R's for the area before buying there and not trying to force us all to accept this. We all bought out here to have peace and quiet and not be surrounded by dogs that bark or get out and attack horses or other animals.

I know the Beckers well. They are good honest people who go to my church. They are some of the best people out there who will help anyone in need. They are not bad people at all. They bought out here to have peace and quiet. And so did we. I am totally against this many dogs being on one property even if they were nonaggressive dogs. We are supposed to only have 4 dogs total on our 5 acres correct? You can call me to ask me any questions you may have regarding the Beckers. I would vouch for them any day. Thank you, Joan Patterson/Realtor

Sent from my iPhone and please excuse any typos or misspellings.

## Wheeler, Timothy

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**From:** Reem Haddad <rchaddd@yahoo.com>  
**Sent:** Friday, September 23, 2016 5:03 PM  
**To:** Wheeler, Timothy  
**Subject:** The McVickers' Application for a Class II Kennel

Dear Mr. Wheeler,

I am writing you on behalf of Tim and Elizabeth McVicker. They are kind and good people that follow the rules and goes above and beyond to meet all the requirements when caring for their personal husky dogs.

Please support their application for a Class II Kennel for their personal well-mannered husky dogs that do not bark like others claim.

The McVickers are decent respectable people.

If you have any questions, please let me know. Thank you.

Sincerely,

Reem Haddad  
[rchaddd@yahoo.com](mailto:rchaddd@yahoo.com)

September 19, 2016

Riverside County Transportation and Land Management  
4080 Lemon St.  
Riverside CA 92501

RE: Class II Kennel Application, 17370 Via Abril, Murrieta CA 92562, Timothy and Elizabeth McVickers

Dear Director and Members of the Board;

I was present at the August 29, 2016 hearing in regards to the Class II Kennel application made by Shadow Husky Rescue and Timothy and Elizabeth McVickers. My 40-acre property at 43475 Tenaja Road, Murrieta shares a property line with the McVickers.

A statement was made by the McVickers' attorney using my name that was correct but in its incompleteness was meant to mislead. I wish to speak to that statement. The McVickers' attorney said that, "Neighbor Tina Clippinger has stated that the McVickers' dogs have never been aggressive toward her." That statement is correct however, it was in reply to the investigation made by animal control generating from a complaint that the McVickers' dogs came onto my property and killed 2 chickens. During the investigation, Officer David Harris asked me if the dogs had been aggressive toward me. I answered, "No". That in no way represents that I do not think the dogs are aggressive. I DO think the dogs are aggressive because they behaved in an aggressive and destructive manner when they came onto my property and killed 2 chickens. Officer Harris asked if I personally saw the dogs kill the chickens; Answer, "No". However, the dogs were identified by my tenants as the huskies that were in the pictures taken by the McCowens as the same ones that were harassing the chickens, and trying to get in the cage. My tenant had to leave to pick up her 4 year old daughter from pre-school and when she returned less than an hour later she came home to find the dead animals. This is the same day the dogs attacked a donkey and horse on a property on the opposite side of the McVickers at the McCowen's property. No reasonable person can deny the McVickers dogs killed the chickens that day after coming onto my property.

It is improper and unethical of the McVickers' attorney to turn my honest statements against me. I am in opposition to the granting of a kennel. I believe these dogs to be aggressive because they have been aggressive. My tenants have three children who live and play on my property; one child is only 4 years old. A small child would be completely defenseless against one or more dogs. The dogs have come onto my property before and dogs remember—the McVickers tout the high intelligence of this breed; they know there are animals on the property that can be gamed. I recognize that the McVickers have presented their efforts of installation of fencing, however, it only takes one time. Ladies and Gentlemen of Riverside County, it only takes one time! One time for the dogs to come back to my property and if a child was near the prey such as chickens and turkeys (which we have) and would be between the dogs intent upon prey, she or he would be defenseless. Does the County wish to take on the responsibility of

allowing a Class II Kennel? If so, the County of Riverside is putting me, my tenants and family, my guests, at risk of great bodily harm or death for endorsing a permit for 25 pack animals. The County does so knowing that members of the surrounding properties and community members and property owners are in strong opposition for the permit.

I have a grandson who I bring to my ranch. Friends with children visit my property, we have picnics and campouts; I host the annual Tenaja Community Picnic. I am entitled to the quiet enjoyment of my property. I have right to live without fear of a pack of dogs coming to my property. Allowing up to 25 dogs next door to my property is in direct opposition of my rights as a land owner. My rights to quiet enjoyment, the rights of my neighbors to the quiet enjoyment of their property CANNOT be usurped or bypassed because the McVickers want to keep 25 dogs. One property owner does not have the right to create a climate of fear, impose a nuisance upon and destroy the quiet enjoyment of surrounding properties.

in the hearing we were subject to supporters of the McVickers, and the McVickers themselves argument that they have spent “so much money”, “used quality materials”, “done extensive planning”, etc., Sirs and Madams of the board, we all have done that. However, we did our improvements, built our homes, barns, fencing, and projects SUBJECT TO THE APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE per our CC&Rs—which ALL of our properties are subject to. The McVickers are attempting to circumvent the CC&Rs by maintaining the Tenaja Community Services District and Architectural Control Committee are invalid entities. The Tenaja Community has existed since the 1960s—Mrs. McVicker is a person using her clout as an attorney who wants her way, no matter what, regardless of the destruction or opposition, discounting the rights of others, who is attempting to find a loophole in ripping apart a governing body that has functioned legally as a governing body for over 55 years.

At the previous hearing there was an overwhelming amount of information presented by the McVickers that I feel was an attempt to cloud and distract the issue. The issue is a class II kennel in a rural residential area that has the opposition of many, many neighbors. The only persons who spoke in opposition were the neighbors. Of those who spoke in support of the McVickers, not a single person, with exception of the McVickers are property owners in Tenaja.

**NO PROPERTY OWNERS SPOKE IN SUPPORT—NO SUPPORTERS WERE PROPERTY OWNERS.**

I recognize that counties have a problem with unwanted dogs, cats, and other animals. I recognize that the McVickers have a heart for this breed and will go to great lengths to save even one. However, that is not an argument for a Class II Kennel that outweighs the opposition of many property owners in the community.

In my letter dated August 28, 2016 I cited the numbers of animals allowed according to the zoning on my 40-acre property and included a table showing the numbers of animals I could ostensibly put on my property in the ratio of allowable per zoning. If I was inclined to rescue and keep as personal pets in a similar ratio—because I believe even saving one is important—the numbers are overwhelming.

**What if my passion for horses, goats, pigs, cows, donkeys, sheep was the same as the McVickers and their huskies?**

The table shows animals in the same ratio of allowable animals as the McVickers have done with dogs. I will include that table again and add a second one with the maximum number in the same ratio of dogs a Class II Kennel would permit.

Table below represents 4.5 times the number of allowable animals which, at 18 dogs is the exact times the number of legally allowable dogs.

Animal Type	Per acre	Total acres	Legally Allowable	Same variance as applicant	Total
Horses	5	40	200	x 4.5	900
Bovine	5	40	200	x 4.5	900
Goats	10	40	400	x 4.5	1800
Sheep	10	40	400	x 4.5	1800
Mini horses/donkeys	10	40	400	x 4.5	1800

A Class II Kennel would allow for 6.25 times the number of legally allowable dogs on a single residence—4 dogs per residence legally to 25 dogs in a Class II Kennel.

Animal Type	Per acre	Total acres	Legally Allowable	Same variance as applicant	Total
Horses	5	40	200	x 6.25	1,250
Bovine	5	40	200	x 6.25	1,250
Goats	10	40	400	x 6.25	2,500
Sheep	10	40	400	x 6.25	2,500
Mini horses/donkeys	10	40	400	x 6.25	2,500

To restate from Aug. 28 letter—these numbers are absurd. Would the County of Riverside even listen to an argument similar to the McVickers'? I should have be allowed 4.5 to 6.25 the number of legally allowable animals because, A) I have a passion for the voiceless, cast-away animal, B) I have spent over two million dollars on a facility, C) It does not matter that the neighbors will be negatively impacted, D) The effect on the environment is questionable, E) My collection of person animals is in violation of governing CC&Rs, F) I currently have many times more than are legally allowed but I shouldn't be law-abiding and be required to remove them because I am trying to get a permit. ***Again, I ask, what if my passion for horses, goats, pigs, cows, donkeys, sheep was the same as the McVickers and their huskies? Why should I not be afforded the same extrapolation of numbers that the McVickers are asking for?***

- The answer is, ***because it is not in the best interest of the greatest good and I WOULD BE HARMING MY NEIGHBORS FOR MY OWN AGENDA.*** No reasonable person would consider these numbers reasonable. This would put me in the category of “animal hoarder”; a term Animal Control Services is all too familiar with. According to ASPCA.org animal hoarding is partially defined as, “An individual possesses more than the typical number of companion animals.” Clearly, 25 dogs is more than the typical number of companion animals.

#### Real Estate Values

My property will be nearly impossible to sell unless severely discounted if a Class II Kennel is allowed next door. The surrounding properties, including mine will be adversely affected. This project is against Tenaja’s CC&Rs which are designed to help protect our property values. No property owner, including the McVickers, has the right to dismiss compliance AKA defiance, of the CC&Rs.

Again, I ask that the County of Riverside uphold its duty to protect the rights of property owners within the County to the quiet enjoyment of their property, take into serious consideration the duty of care that the county authorities overseeing this application are in place for the consideration of all residents and their right thereof, and provide the continued protection and assurances due the residents of the County of Riverside through the fair and uniform administration and enforcement of all codes and laws.

I pray the County of Riverside deny the application of Timothy and Elizabeth McVicker and Shadow Husky Rescue a Class II Kennel permit to be operated in this residential rural setting.

Respectfully,

Tina D. Clippinger  
43475 Tenaja Rd  
Murrieta CA 92562

## Wheeler, Timothy

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**From:** Hongran Stone <hongran.stone@gmail.com>  
**Sent:** Friday, September 23, 2016 1:09 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Please deny the Class II Kennel Permit request

Mr. Weiss and Mr. Wheeler,

As a nearby property owner, I am writing to you to express my strong concern on the request for a Class II Kennel to confine up to 25 Siberian huskies in the Tenaja community. This commercial use clearly violates our CC&R's, but doesn't it also violate county ordinances?

My husband and I spent many years in studying and visiting rural properties along the west coast from Washington to southern California. We eventually bought a 20 acres lot in Tenaja community in 2005 as an ideal and unique community, rural nature yet convenient to reach city life.

The request of holding 25 Siberian huskies in a confined area and have the dogs stay there for the rest of their life is inhumane in its nature, unsafe to its neighbor, and reduce the value of this rural area due to the howling noise they make...

It is no difference than giving these dogs life-sentence to prison. It is well published that Siberian huskies exhibit high energy indoors, have special exercise needs, and may be destructive "without proper care". I can only imagine the "howling" of these 25-huskies for freedom and dignity because they are being confined in a small area. How many care-giver the family is planning of hiring? Taking care of 25 dogs day in and day out is not a small job, cleaning, feeding, walk the dogs, and provide constant companionship, otherwise the dogs are ended being neglected..

Please deny this request as a violation of our CC&Rs, for its safety risks, and for the negative impact it will have on our community.

Thank you.

Hongran Fan  
Avenida de Matorral

## Wheeler, Timothy

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**From:** Debra Brown <calle-el-sauce@verizon.net>  
**Sent:** Friday, September 23, 2016 10:47 AM  
**To:** Wheeler, Timothy  
**Cc:** Weiss, Steven  
**Subject:** RE: Kennel Hearing - PP25922

Mr. Wheeler:

I know the above Kennel Hearing is being addressed again on Monday, September 26th, and wanted to reiterate my continued support in granting the requested Kennel License Permit. I truly believe that the party requesting the permit has but one goal in mind, to house their dogs in a safe and secure environment, and that they are not proposing to operate an animal rescue and/or breeding facility.

Thank you again for your consideration.

Debra Brown  
20955 Calle El Sauce  
Murrieta, CA 92562  
Cell: 714/785-4834

-----Original Message-----

From: Wheeler, Timothy [<mailto:TWHEELER@rctlma.org>]  
Sent: Wednesday, September 14, 2016 7:50 AM  
To: 'Debra Brown'  
Cc: Weiss, Steven  
Subject: RE: Kennel Hearing - PP25922

Ms. Brown,

The Director's Hearing for the Class II Kennel (PP25922) was continued to September 26, 2016.

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St - 12th floor  
Riverside, CA 92501  
951-955-6060

-----Original Message-----

From: Debra Brown [<mailto:calle-el-sauce@verizon.net>]  
Sent: Tuesday, September 13, 2016 10:03 PM  
To: Wheeler, Timothy  
Cc: Weiss, Steven  
Subject: Re: Kennel Hearing - PP25922

Out of curiosity -What was the final determination ?



Debra Brown  
Sent from my iPad

> On Aug 22, 2016, at 8:45 AM, Wheeler, Timothy <[TWHEELER@rctlma.org](mailto:TWHEELER@rctlma.org)> wrote:

>

> Ms. Brown,

>

> Thank you for your email reply to this project. I will include this

> email

as part of my report package.

>

> Tim Wheeler

> Urban Regional Planner III

> 4080 Lemon St - 12th floor

> Riverside, CA 92501

> 951-955-6060

>

>

>

> -----Original Message-----

> From: Debra Brown [<mailto:calle-el-sauce@verizon.net>]

> Sent: Sunday, August 21, 2016 6:43 PM

> To: Weiss, Steven; Wheeler, Timothy

> Subject: Kennel Hearing - PP25922

>

> Dear Mr Weiss and Mr Taylor:

>

> I am writing to you, in support of APPROVING the Kennel Application #  
PP25922, set for hearing on August 29, 2016.

>

> While I am an equine owner and also ride the trails of La Cresta and  
Tenaja, I strongly believe that this area is large enough to support not only equine ranches but canine kennels as well.  
All should have a place here on the Santa Rosa Plateau.

>

> The minimum parcel is 5 acres, with many properties encompassing 10  
> acres

or more. This is not the City. Those of us who reside here have chosen it for a reason. It is beautiful, natural land,  
abundant with space and  
wildlife. A home for both domestic and wild creatures alike. It is not by  
any means specific to equine.

>

> I do not see how the granting of a Kennel Permit would encroach on any

> of

the equine owners' ability to ride and enjoy the many horse trails throughout the area. While some may view a kennel  
of 'proposed huskies' as a nuisance, a good kennel owner will take appropriate steps to safely confine their animals  
within their property and away from neighboring residences. Additionally, I believe that kennels are subject to  
regulations

and inspections beyond that of normal dog licensing. If down the road  
offenses are found or documented nuisances received, wouldn't the kennel permit then be revoked? The approval of  
kennel license is not "set in stone" for all time. Obviously, its ability to remain within the community will, in the long  
run, be dependent upon its Owners.

>

> Please know that I am not in anyway affiliated with the owners of the proposed kennel, nor do I have any personal affiliation with the equine owners who are opposed to the kennel. I assume that I have been solicited by the opposing equine owners as a "fluke", as I am both an equine owner and resident on the plateau - I am also a member of the Santa Rosa Plateau Riding Club. Thus, through one of these avenues they have obtained my email address and seem to believe they can count on my opposing support, which is NOT the case.

>

> I vote to give the person(s) that are seeking a kennel license permit,

> the

opportunity to prove themselves fit and the chance to successfully operate a safe, clean and contained kennel. I know firsthand that equine owner's can be somewhat aloof, but seriously, if equine ranches are allowed and canine kennels are not, how is that justifiable?

>

> Thank you for your considering my favorable perspective, as well as

> the

opposition of others.

>

> Debra Brown

> 20955 Calle El Sauce

> La Cresta, CA 92562

>

> Sent from my iPad

>

## Wheeler, Timothy

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**From:** Robbin Glatman <robbinglat@gmail.com>  
**Sent:** Friday, September 23, 2016 11:04 AM  
**To:** Wheeler, Timothy  
**Subject:** Husky s

My name is Robbins Glatman. I live in Irvine California. I met Tim and Liz at the Irvine dog park about 3 years ago. I have assisted over a half dozen times with loading and unloading their dogs in to the dog park in Irvine. I have never seen such loving caring and confident owners. The dogs seem to love Tim and Liz. I have two dogs of my own that the Husky s seem to accept easily. There has not been a time when the dogs got into any scuffle s.

Thank you for your time.

Robbin Glatman  
35 Montenegro  
Irvine, California 92614  
robbinglat@gmail .com

## Wheeler, Timothy

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**From:** Robert Burdge <rburdge@sbcglobal.net>  
**Sent:** Friday, September 23, 2016 11:48 AM  
**To:** Weiss, Steven; Wheeler, Timothy  
**Subject:** Kennel Permit Plot Plan No. 29522  
**Attachments:** TimWheelerLetter.pdf

Dear Mr. Weiss & Mr. Wheeler,

Please find my letter attached to this email that is in full support of Tim and Elizabeth McVicker's Kennel Permit Plot Plan # 29522. If you have any questions or concerns feel free to contact me, I have included my contact info in the letter. Thanks and have a great day.

Thanks,  
Robert Burdge

September 23, 2016

Tim Wheeler  
Urban Regional Planner III  
4080 Lemon St – 12th floor  
Riverside, CA 92501

Re: Class II Kennel License  
Shadow Husky Ranch

Dear Mr. Wheeler,

I request that Riverside County support the Plot Plan No. 29522 Class II Kennel license application for Tim and Elizabeth McVicker.

Liz and Tim McVicker are friends of mine. I have had the enjoyment of their beautiful huskies interacting and playing with my own dog, Sarah Jane. I have never seen their personal huskies behave badly or unruly. They are very non-aggressive and certainly not barkers. It has been my experience that their dogs are very social, enjoy people and interact well with other dogs. I have visited Tim and Liz and their dogs numerous times and always experienced the dogs' behavior to be friendly and social.

Tim and Liz treat their personal dogs like family members because they are family to Tim and Liz. They definitely do not operate a commercial business out of their home. Nor do they adopt their dogs out! The times that I have visited Tim and Liz in their home, their dogs are in their home with them. Their whole house is arranged for the care and comfort of their huskies!

I have been present at the Riverside County hearings. I believe that the Tenaja community is over-reacting and personally targeting the McVickers based only on "what ifs". I have personally observed Tim and Liz's dogs lovingly being taken care of, much like children. Liz even cooks balanced home meals for their dogs and the dogs spend much of their time in the home. These dogs are not vicious and have adapted well to the love and care that Tim and Liz provide for their personal dogs.

I would respectfully request that Riverside County not set the precedent for targeting individuals rather than the issue of whether or not the McVickers have complied with all requirements for their Class II Kennel license. Throughout these hearings, it is very apparent that the parties complaining have nothing factual to base their accusations on to support their allegations against Tim and Liz McVicker. These allegations against Tim and Liz by a few members of the Tenaja community are of a very personal nature and should be dismissed by Riverside County.

Sincerely,  
Robert F. Burdge, Jr.  
27170 Monk St.  
Sun City, CA 92586  
714-404-6165

cc: Steve Weiss, AICP  
Planning Director

## Wheeler, Timothy

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**From:** Weiss, Steven  
**Sent:** Sunday, September 25, 2016 6:05 PM  
**To:** Wheeler, Timothy; Clack, Shellie; Perez, Juan; Hildebrand, John  
**Subject:** Fwd: PP25922/Class II Kennel Hearing

Sent from my iPad

Begin forwarded message:

**From:** Scott Becker <[scttbecker@gmail.com](mailto:scttbecker@gmail.com)>  
**Date:** September 25, 2016 at 5:33:40 PM PDT  
**To:** Steven Weiss <[sweiss@rctlma.org](mailto:sweiss@rctlma.org)>  
**Subject:** Fwd: PP25922/Class II Kennel Hearing

Mr Weiss.

As I mentioned in my previous email I am a Marine Corps Veteran. One of the reasons I could no longer make it a career was due to my severe Tinnitus, or ringing in the ears that was caused by exposure to extremely loud noises over a period of time. I am considered 20% permanently disabled by the VA as a result of the Tinnitus. The Tinnitus was directly related to my job as a Demolitions Expert and Anti Tank Gunman while in the Marine Corps.

Tinnitus is a condition that can never be cured, but can be treated, and the treatment requires that I am not exposed to loud noises or continuous noise. Loud noises instantly will trigger the Tinnitus and it can last for days or even weeks. After speaking to my Doctor and discussing the current situation with the neighbors dogs last week he confirmed that the noise that these dogs generate can contribute negatively to my condition. The Anxiety, Stress and Noise that these dogs have created in my life has directly affected my hearing and is disrupting the prescribed treatment of not being subjected to loud or continuous noise. I am not sure if my medical condition can be taken into consideration in this case, but I thought I make you aware of it.

Thank you,

Scott Becker

## Ringling In The Ears (Tinnitus) and Anxiety

Ringling in the ears (Tinnitus) description:

This symptom can be experienced in a number of ways and can vary from person to person. For example, common descriptions of this symptom include:

- Hearing a high-pitched ringling, low rumbling, swooshing, sloshing, buzzing, roaring, whooshing, whistling, hissing, whizzing, chirping, beating, humming, pulsing, throbbing, and a pumping sound in an ear or ears.
- Having a high pitched hissing sound ringling in the background.
- Having a high frequency ringling sound in an ear or ears.
- Having a 'stopped up' feeling and/or 'plugged' sound in one or both ears.
- Having an inability to hear certain sounds because the ringling sound is too loud.
- Having what seems like water in your ear that causes your hearing to have a hollow or low rumbling sound.
- Feeling like your hearing is muted and/or subdued.
- Feeling like there is a pressure in your ear that's causing the hissing sounds.
- In quiet environments these sounds can seem louder and the feelings more intense.

The ringling in the ears (Tinnitus) symptom can persistently affect one ear only, can shift and affect the other ear, can affect both ears, or can switch back and forth between ears and over and over again.

The ringling in the ears (Tinnitus) symptom can come and go rarely, occur frequently, or persist indefinitely. For example, you may get ringling in the ears once and a while and not that often, get it off and on, or have it all the time.

The ringling in the ears (Tinnitus) symptom may precede, accompany, or follow an escalation of other anxiety sensations and symptoms, or occur by itself.

The ringling in the ears (Tinnitus) symptom can precede, accompany, or follow an episode of nervousness, anxiety, fear, and elevated stress, or occur 'out of the blue' and for no apparent reason.

The ringling in the ears (Tinnitus) symptom can range in intensity from slight, to moderate, to severe. It can also come in waves, where it's strong one moment and eases off the next.

The ringling in the ears (Tinnitus) symptom can change from day to day, and/or from moment to moment.

All of the above combinations and variations are common.

Many people notice their ringling in the ears more so when resting, relaxing, and/or when trying to go to sleep.

<http://noisewatchaus.blogspot.com/2007/06/addendum-to-publication-does-barking.html?m=1>



## R-A Residential Agricultural, Article VIb

### Typical Uses Include:

One-family dwellings. Mobile home on permanent foundations on lots less than 2 ½ acres. Noncommercial keeping of horses, cattle, sheep, and goats on lots over 20,000 sf. and 100 ft. in width. Two such animals on each 20,000 sf. up to 1 acre, and two such animals on each additional acre. Some agricultural uses, and limited noncommercial animal husbandry, 4-H projects. Agricultural mobile homes permitted for owner/farm worker for each 10 acres being farmed. Mobile home parks with approved conditional use permit. Churches with approved public use permit.

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#### Minimum Lot Requirements:

Sq. feet: 20,000  
Width: 100 feet  
Depth: 150 feet

#### Minimum Setbacks:

Front: 20 feet  
Side: 5 feet  
Rear: 10 feet

#### Maximum Structural Height:

40 feet - Single Family

50-75 feet - Other buildings per Section 18.34 (pg. XVIII-80)

Floors: 3

Subsequently, the harassment 100% contrived by  
Scott Becker continued....

Restatement (2<sup>nd</sup>) of Torts Section 652A-B. *Publicly Placing Person in False Light*. One who gives publicity to a matter concerning another that places the other before the public in a false light is subject to liability to the other for invasion of his privacy, if (a) the false light in which the other was placed would be highly offensive to a reasonable person; and (b) the actor had knowledge of or acted in reckless disregard as to the falsity of the publicized matter and the false light in which the other would be placed.

## **There are no commercial activities taking place at our home:**

- ❖ In May, 2015, I advised Scott Becker that we would not be conducting any commercial activities at our home. Notwithstanding, Scott Becker has sent to the community at large, including all of the residents of Tenaja, La Cresta, and the Santa Rosa Plateau, and various Riverside governmental agencies numerous written statements authored by Scott Becker, claiming that we are operating a commercial business from our home.
- ❖ He has had a notary signing party at his home to garner support.
- ❖ He has also used his position as Board member on the Tenaja Community Services District as a bully pulpit to transmit negative criticism of our personal pets.
- ❖ Scott Becker is conducting a commercial business of horse boarding from his home.

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Sarina Becker, 951-894-2390

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 Online Link: FastAd: #816084

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 Black Canyon Dressage property offers premier regulation size dressage arena with fantastic footing, awesome trails off property, QUIET & CLEAN, great place to do your show work. In cool, north Ramona. Fullservice, from \$250/mo. Pls contact Carol 858/449-1663  
 blackcanyondressage.com for details, and to meet our Friesian horses.  
 Online video: FastAd: #899949

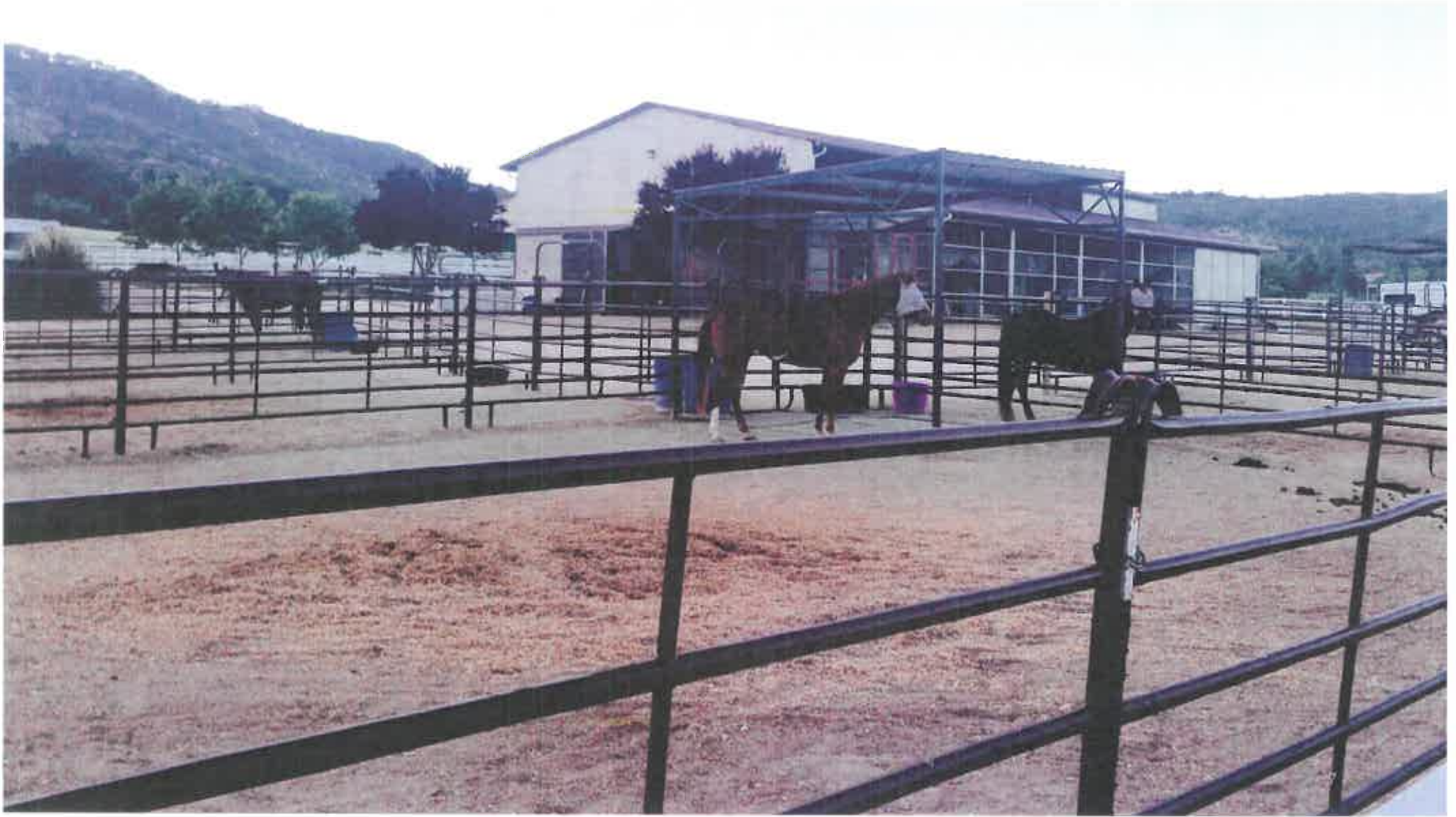
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**About**

Becker Meadows Ranch is located at the address 17250 Via Abril in Murrieta, California 92562. They can be contacted via phone at (951) 894-2390 for pricing, hours and directions. Becker Meadows Ranch specializes in Meetings, Sporting Events, Christmas.

Becker Meadows Ranch has an annual sales volume of 501K - 999,999. .

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**Information**

**CONTACT INFORMATION**  
Phone: (951) 894-2390

**ADDITIONAL INFORMATION:**  
Employee Size: 1 To 4  
Exact Employee Count: 1  
Exact Sales Volume: 75000  
Location Type: Single Location  
Sales Volume: 501K - 999,999

**CATEGORIES:**  
Professional Services  
Party Planning Services  
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Beverages, Exotics & Tropicals, Advertising Balloons, Invitations, Gift Certificates, Costumes, Chairs, Juice, Chicken, Shoes

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**About**

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**D&B Market Identifier:**

**Source Information**

D&B Completed Analysis: 10/18/2015  
 Current Date: 12/19/2015

**Company Information**

DUNS: 83-202-1146  
 Name: BECKER MEADOWS RANCH  
 Address: 17250 VIA ABRIL  
 MURRIETA, CA  
 92561-7379  
 County: RIVERSIDE  
 Telephone: 951-894-2390  
 Year Started: 2009

**Sales Information:**

Annual Sales Revision Date: 09/29/2015  
 Annual Sales (US): \$50,323 -ESTIMATED  
 1-Yr-Ago: \$ NOT AVAILABLE  
 3-Yr-Ago: \$ NOT AVAILABLE  
 Sales Territory: LOCAL  
 Number of Accounts: 1

**Employee Information**

Employee Total: 1  
 1-Yr-Ago: 1  
 3-Yr-Ago: 1  
 Employees Here: 1 -ACTUAL

**Executive(s) Information**

1. Executive Name: SARINA BECKER  
 Executive Title: OWNER

**Business Description:**

Line of Business: BUSINESS CONSULTING SERVICES  
 Industry Group: SERVICES - PROFESSIONAL  
 Primary SIC: 8748 BUSINESS CONSULTING, NEC, NSK

**Company History/Operations/Relationships &**

**Other Information**

The Company's Specifics:  
 DUNS: 83-202-1146  
 MSA Code: 6780  
 MSA Name: RIVERSIDE-SAN BERNARDINO, CA  
 Business Is A: SINGLE LOCATION SMALL BUSINESS COTTAGE INDUSTRY PROPRIETORSHIP  
 Establishment Is: US OWNED

## Commercial Activities Aside from Scott Becker's commercial activities in the Area Include but are not limited to:

- ❖ Numerous residents who conduct horse boarding
- ❖ Liberty Oaks (immediately next door to McVicker's home)
- ❖ Friesian Focus
- ❖ Cattle Grazing for Jack in the Box (immediately West of McVickers' property)
- ❖ Breeding German Shephards (5.1 miles)
- ❖ Breeding Alpaca (Llama) (7.0 miles)
- ❖ Breeding Maremma Livestock Guardian Dogs (9.3 miles)
- ❖ Training Seeing Eye Dogs (4.8 miles)
- ❖ A Pet Hotel (0.25 miles)



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Home Breeding Club | Home F.R. Breeding Club




**Mario J/R Sport**  
 Imported July 8, 1996  
 Height: 16.3 hands  
 Weighing: 215

Home Breeding Club




Ankje G.



Adriana Verkocht

Internet Explorer browser window showing the website **fresianfocus.com**. The page title is "Friesians for Sale | Friesian F...". The browser address bar shows "fresian focus".



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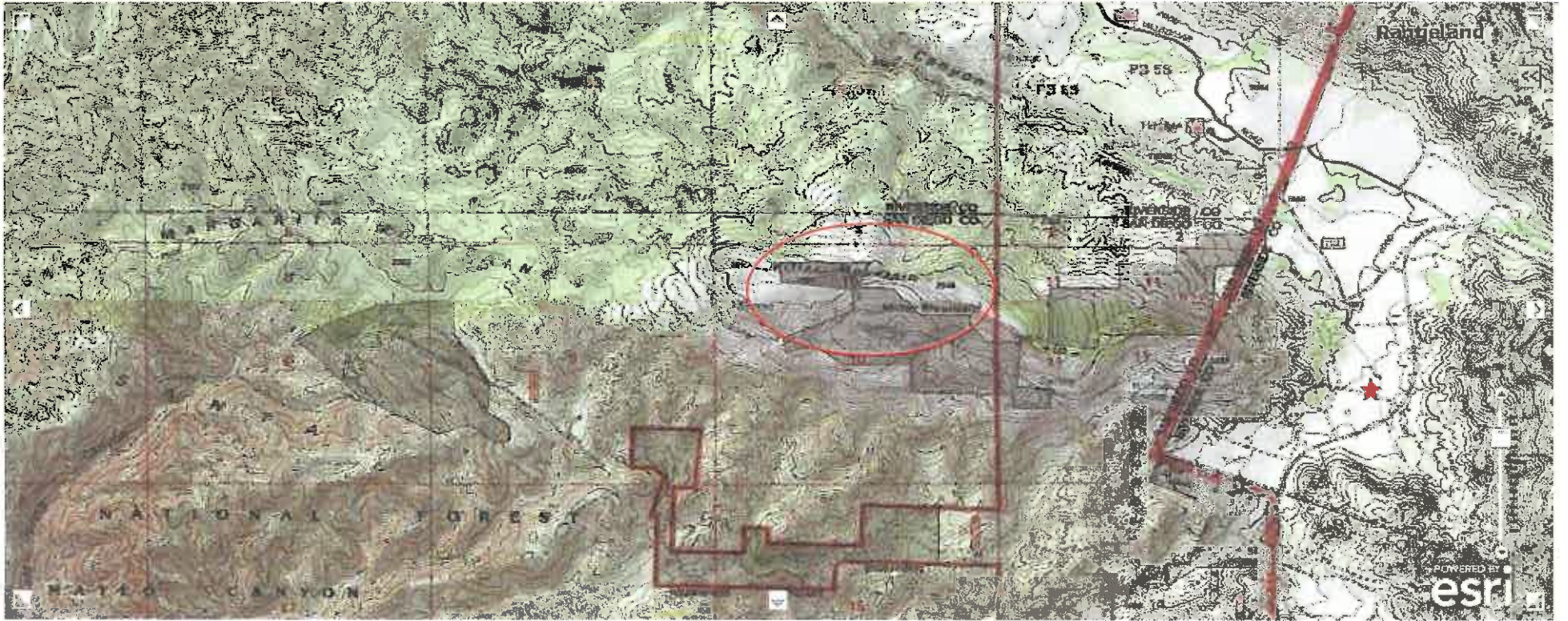
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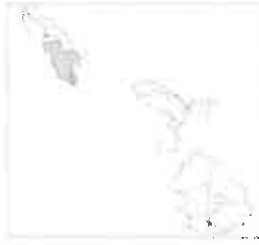
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**Land Management Plan Strategy - Suitable Land Uses (San Mateo)**

Land Management Plan Strategy - Suitable Land Uses

Prospectus - Place-Based Program Emphasis

San Mateo



Theme: A day-use retreat. The San Mateo Place is one of the few remaining wildland areas in southern California that is bordered by large natural reserves. The Place offers opportunities for challenge, solitude, and contemplation close to urban populations, as well as exceptional opportunities for trail-based recreation, including mountain-biking in the northern half of the Place. The Place supports the southern-most population of native steelhead trout and exceptional botanical values. The Ortega Highway (California State Highway 74) is an important variable in this landscape.

A number of abandoned mines exist within the Place. Two grazing allotments, El Cariso-Verdugo and the Miller section of the Miller Mountain-Tenaja, allotment are also located here. In addition, two recreation residence tracts are located in San Juan and Hot Springs Canyons.

**Key Contacts**

- Jeff Heys, Environmental Coordinator
- (858) 674-2959
- jcheys@fs.fed.us

A number of abandoned mines exist within the Place. Two grazing allotments, El Cariso-Verdugo and the Miller section of the Miller Mountain-Tenaja, allotment are also located here. In addition, two recreation residence tracts are located in San Juan and Hot Springs Canyons.



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Farm Welcome!



View from a corner of the female pasture



Our Shiloh's



His first ones



Our Shiloh's

## Alpacas 15

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- Huacaya Open Female 7
- Huacayo Male 7

### Herdsires

- Huacaya 7

### Sold 1

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**Sarah Letts-Smith**  
November 24, 2015


10 new Maremma livestock guardian pups born today... Will likely have a few to sell once reservations are filled...



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Agenda Item No.: 4.1  
Area Plan: Southwest  
Zoning District: Rancho California  
Supervisorial District: First  
Project Planner: Tim Wheeler  
Planning Commission: January 18, 2017

APPEAL OF PLOT PLAN NO. 25922  
CEQA Exempt  
Applicant: Timothy and Elizabeth McVicker  
Engineer/Representative: Lisa Merritt



Steve Weiss, AICP  
Planning Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

This appeal concerns the Planning Director's approval of Plot Plan No. 25922, which proposes to establish a Class II Kennel to house and care for the property owners' own personal dogs. There are currently 18 dogs at this location. A Class II Kennel allows between 11 to 25 dogs. As shown on Exhibit A, the project includes a proposed 480-square-foot accessory structure for kennel use; an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing patio cover (attached to the existing dwelling); and food and water troughs under the patio cover. The proposed Class II kennel will not be open to the public.

The project is proposed to be located on a 6.20-gross-acre lot with an existing single-family residential home on the north side of Via Abril, south and east of Calle Cielo, and west of Tenaja Road at 17370 Via Abril. There is a blue-line stream that runs through the middle of the property. To the west of the blue-line stream is an existing 6-foot-high chain link fence. The entire property is surrounded by a 5-foot-high white vinyl fence with wire mesh that includes grates for water flow at the north and south sections of the blue-line stream. Additionally, there are double entry gates.

The appeal application, staff reports, and memorandum documents provided at the Planning Director's hearings are attached hereto and incorporated herein by reference.

### ISSUES OF POTENTIAL CONCERN:

The project was heard at the Planning Director's hearing on August 29, 2016. The Planning Director heard staff's recommendation of approval of the plot plan for a Class II Kennel. The applicant and speakers in favor of or in opposition to the project were heard and presentations given. The Planning Director kept the public hearing open and continued the project to September 26, 2016, to correct the CEQA noticing and provide further review of the project.

At the September 26<sup>th</sup> Planning Director's hearing, additional public comments and presentations were given by both the applicant and parties in favor of or in opposition to the project. The Planning Director heard testimony from the public and the applicant regarding fencing to ensure the dogs remain on the applicant's property. Based on the public testimony, the Planning Director modified the conditions of approval by changing one condition regarding caretaker or hired employee(s) and added three (3) new conditions of approval regarding additional fencing and yearly inspections by Code Enforcement and reports provided to Code Enforcement. With these modifications and additions, the Planning Director approved the project at the hearing. A Notice of Decision was provided to the applicant and appellant on

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September 29, 2016. The 10 day period for the Notice of Decision was between September 30, 2016 to October 11, 2016. On October 7, 2016, Scott Becker (the appellant) submitted an appeal.

The appeal application submitted by the appellant in opposition of the Class II Kennel approval cited the following reasons for the appeal:

1. The conditions of approval failed to require clearance from the Tenaja Community Services District which has already denied the application for violations of the property's Covenants, Conditions and Restrictions (CC&Rs).
2. A Class II Kennel is in direct conflict with the General Plan policies for the Santa Rosa Plateau which should guide land use decisions.
3. The Project was incorrectly categorically exempt from CEQA under Section 15301 and 15303. Section 15301 allows for an exemption for "existing uses" and the Class II Kennel is not an existing use.
4. Residents in the area testified as to problems with noise and the dogs howling.
5. Public safety regarding the type of dogs in the care of the applicants (huskies) deemed the fourth most dangerous animal based upon injuries or deaths to humans.
6. No hydrology studies regarding mitigation measures to address fecal and urine matter that will flow into the blue line stream that runs through the project property.
7. The definition of a Class II Kennel has been incorrectly applied to "personal dogs" which circumvents the County's limitation of four (4) per residential property.
8. Misrepresentation by the applicant of the project being a dog rescue operation under the guise of it being their own personal dogs so as to avoid complying with the County's requirements for a dog rescue operation.

Staff has the following responses to the reasons provided by the appellant:

1. The Tenaja Community Services District (TCSD) has no authority over land use determinations on properties within the County of Riverside, per Declaration of CC&Rs (parcels); TCSD Ordinance No. 1 of TCSD Establishing a Committee for the Enforcement of CC&Rs for Tracts within District Boundaries; and Memorandum dated April 16, 2001 regarding TCSD Basic Powers. The District has jurisdiction only over road improvements within their service area and workmanship or materials for structures per their Architectural Control Committee, per TCSD Architectural Control Committee (ACC) Plan Submittal requirements. Project opponents expressed concerns that the proposed Class II Kennel does not comply with applicable CC&Rs. The Project opponent referenced Section 18.1 of Ordinance No. 348, which provides that if any section of Ordinance No. 348 is in conflict with any other section thereof, or another County ordinance, then the more stringent requirements apply. Section 18.1 is not applicable to CC&Rs because private CC&Rs are not a County ordinance. CC&Rs are between private parties rather than between a governmental entity and a private party, and the County is not a party to the CC&Rs. Therefore, consistency with these private CC&Rs is a private property issue, and enforcement is done by the homeowners association, not the County of Riverside.



2. The General Plan's Rural Mountainous land use designation allows limited animal keeping and agricultural activities. Additionally, the Southwest Area Plan of the General Plan reiterates these uses in the Area Plan's Table 1: Land Use Designations Summary. A Class II Kennel is limited animal keeping, therefore, consistent with the subject site's land use designation.
3. As stated in the previous Planning Director's Staff Reports and this Appeal Staff Report for the Planning Commission, the project meets the requirements of the CEQA exemptions under State CEQA Guidelines sections 15301 & 15303. Also, that the Planning Director made findings that none of the exceptions in States CEQA Guidelines section 15300.2 apply. Please refer to items 15 thru 21 in this Appeal of Plot Plan No. 25922 Staff Report in regards to staff's finding for CEQA exemptions.

Note that the previous notice for the first Planning Director's hearing dated August 29, 2016 incorrectly stated the environmental determination sent out to property owners within a 1,600-foot-radius of the project site, as well as to those who requested notification by mail regarding the project. The original notice stated that a Mitigated Negative Declaration was being prepared. When the Planning Director's hearing was kept open for public comments and continued until September 26, 2016; noticing for that hearing was corrected to reflect an exemption from CEQA per sections 15301 and 15303. Noticing for this Appeal of Plot Plan No. 25922 was noticed for the same exemptions per CEQA.

4. The proposed project is located within the vicinity of a small number of other single family residences and vacant properties. There is an adjacent residential property directly to the east that is approximately 210 feet from the subject property and 380 feet northeast from the closest dog run and exercise area. This adjacent residence has equestrian-related activities on their property. To the south of Via Abril is another residence with equestrian-related activities (approximately 330 feet from the closest area of the subject property to which dogs have access). To the west there is a vacant parcel with permits issued for a dwelling to be constructed (approximately 960 feet from the closest are of the subject property to which dogs have access). And the parcel to the north is vacant. The project has been conditioned to include fencing with battens or wooden slats to assist in visual restriction and noise reduction. Also, Exhibit F (for fencing) denotes the area on the project site where the Class II Kennel will be located. Since Exhibit F shows no reason for kennel activity on the east side of the blue line stream, this restricts the kennel activity to just around the existing residence and the dog exercise and play areas on the west side of the blue line stream. This will restrict the dogs from interfacing with the existing equestrian property and provide a greater distance for any noise to travel.

The project must comply with Ordinance No. 847, which establishes countywide standards regulating noise. The project must also comply with Ordinance No. 878, which provides complaint procedures for noisy animals. In the past, one complaint has been made by a neighbor (case A15-036506 by Scott Becker), and an Animal Control hearing occurred on March 17, 2016. Based on the documented information provided by the Department of Animal Services and provided by the parties, as well as information presented by the testifying witnesses, Animal Control found that the owner's dogs should not be classified at this time as a public nuisance. It was emphasized that the hearing was strictly to determine whether the owner's dogs qualified as "noisy animals" as defined in Section 5 of Ordinance No. 878. A copy of the Animal Control hearing is provided within this Appeal Staff Report packet.

Included in the previous Planning Director's Staff Report and this Appeal Staff Report are the Noise Impact Analysis prepared by Roma Stromberg dated February 23, 2016 and a revised Noise Impact Analysis dated August 19, 2016.

To further address noise concerns, the following conditions of approval have been imposed on the project: (10 E. Health 1 and 10. Planning 6). The Environmental Health condition of approval requires the project to comply with Industrial Hygiene's recommendation that the dogs be kept indoors between the hours of 10 p.m. and 7 a.m. 7 days a week. The condition of approval (10 Planning 6) requires the dogs to be confined in a house-type enclosure between the hours of 8 p.m. and 7 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am. The applicant proposes to house the dogs within their private residence or within the 480 square foot accessory structure.

5. An existing double entry gate to the project site has been installed and, with the inclusion of the 6 or 7 foot high fencing with battens or wooden slats to be installed, further provides a restricted area for the kennel, and the height of the fencing should prevent the dogs from exiting the area perimeter of the kennel.
6. The California Department of Fish and Wildlife-Inland Desert Region (CFG) previously reviewed the Exhibit A for this project and had no further comments or concerns regarding the blue line stream and the kennel project. Further contact with the California Department of Fish and Wildlife regarding the restricted area on the west side of the blue line steam for the kennel and additional fencing resulted in no further comments from California Department of Fish and Wildlife regarding these revised conditions.
7. Ordinance No. 348 states that five (5) dogs or more requires a Class I Kennel, which allows up to 10 dogs on the project site. A Class II Kennel allows from 11 to 25 dogs on the project site. The term "personal dogs" as it pertains to this project is denoting that the project site is not being operated as a commercial dog kennel. There is no commercial parking for customers and no required road improvements for a commercial operation. Applicant states the dogs they have and want are for their own personal enjoyment.
8. The term rescue does not factor into the approval of this project since it is not a commercial operation being sought by the applicant. The applicant has stated previously that they assist people in inquiring dogs (huskies) for themselves by their non-profit organization. The non-profit organization is not run from the subject project site. The office location of the non-profit organization is 29997 Canyon Hills Suite 1603, Lake Elsinore, CA.

As of the date of both Planning Director hearings, the Planning Department received numerous inquiries, in writing, by email and by phone. All written correspondence provided for both hearings are included in this Appealed Staff Report packet. Staff will provide an update at the January 18<sup>th</sup> public hearing if additional correspondences are submitted regarding the project.

Planning Staff is recommending the Planning Commission deny the appeal and uphold the Planning Director's approval of Plot Plan No. 25922 based on the findings below:

**SUMMARY OF FINDINGS:**

- |                                       |                                                                                                     |
|---------------------------------------|-----------------------------------------------------------------------------------------------------|
| 1. Existing General Plan Land Use:    | Rural: Rural Mountainous (R: RM)                                                                    |
| 2. Surrounding General Plan Land Use: | Rural: Rural Mountainous (R: RM) to the north, east, west, and south.                               |
| 3. Existing Zoning:                   | Residential Agricultural – 5 Acre Minimum (R-A-5)                                                   |
| 4. Surrounding Zoning:                | Residential Agricultural – 5 Acre Minimum (R-A-5) to the north and east, Rural Residential (R-R) to |

- |                            |                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                            | the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.                                                                                                                        |
| 5. Existing Land Use:      | Single family residence.                                                                                                                                                                               |
| 6. Surrounding Land Use:   | Single family residence with equestrian related activities to the east and south, vacant properties to the north and west; with said property to the west currently under construction for a dwelling. |
| 7. Project Data:           | Total Acreage: 6.20 gross                                                                                                                                                                              |
| 8. Environmental Concerns: | CEQA Exempt per State CEQA Guidelines sections 15301 and 15303                                                                                                                                         |

**RECOMMENDATIONS:**

**DENY THE APPEAL** of the Planning Director's decision on September 26, 2016, to approve Plot Plan No. 25922; and,

**UPHOLD THE PLANNING DIRECTOR'S FINDING THAT PLOT PLAN NO. 25922** is exempt from CEQA pursuant to State CEQA Guidelines sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures), based on the findings set forth in this staff report; and,

**UPHOLD THE PLANNING DIRECTOR'S APPROVAL OF PLOT PLAN NO. 25922**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in this staff report.

**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 has a General Plan Land Use designation of Rural: Rural Mountainous (R: RM), and it is located within the Southwest Area Plan within the First Supervisorial District.
2. The project site is surrounded by properties that have a General Plan Land Use designation of Rural: Rural Mountainous (R: RM).
3. The project site is surrounded by properties with a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5) to the north and east, Rural Residential (R-R) to the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.
4. The project site has a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5).
5. Pursuant to Section 18.45.b.2. of Ordinance No. 348, a Class II Kennel (11 to 25 dogs) is allowed in the Residential Agricultural (R-A) zoning classification with an approved plot plan.
6. Section 18.45.c. of Ordinance No. 348 establishes the following development standards for Class II Kennels:
  - a. Class II Kennels must include a single family dwelling to be used by a live-in caretaker.
  - b. No parcel with a kennel may contain more than the maximum number of detached single family dwelling units permitted by the existing zoning on the property.

- c. Multi-family dwelling units and attached single family dwelling units are not permitted in conjunction with kennels.
  - d. The minimum lot size for a kennel in an agricultural, residential, rural or open space zone is one acre (gross).
  - e. The applicant must obtain and continuously maintain all necessary licenses from the Riverside County Health Department.
  - f. All kennels are subject to Ordinance No. 630 (Regulating the Keeping and Control of Dogs, Cats, and Other Animals and Providing for the Control and Suppression of Rabies), which requires dogs to have currently valid license tags and be vaccinated against rabies, among other requirements.
7. The project is consistent with the above-referenced development standards for the following reasons:
- a. The project site has a permitted residence (dwelling) on site that is used by a live-in caretaker (either by the applicants or two caregivers of the dogs).
  - b. There is only one detached single family dwelling unit onsite, within the maximum number allowed in the R-A zone. Three (3) type of dwelling units shall be allowed on a property that has a Class II Kennel; a single family dwelling, a second unit, and a guest quarters (with no cooking kitchen).
  - c. There are no multi-family dwelling units, attached single family dwelling units, or additional single family dwelling units on the project site.
  - d. The lot size of the project site is 6.20 gross acres, which well exceeds the minimum required 1-acre gross lot size.
  - e. Pursuant to Ordinance No. 630, the applicant has the ongoing requirement that all dogs must have obtained and continuously maintain all licensing necessary from the Riverside County Health Department, be vaccinated against rabies, and otherwise comply with all other provisions of that ordinance. All dogs onsite currently meet these requirements. Included in the staff report are copies of Vaccinations and Microchipping of the dogs from the applicants.
8. Section 18.30.c of Ordinance No. 348 provides that no plot plan shall be approved unless it complies with the following standards:
- a. The proposed use conforms to all requirements of the General Plan, with applicable State Law and Riverside County Ordinances.
  - b. The overall development of the land is designed for protection of the public health, safety, and general welfare. It conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding properties.
  - c. For all plot plans which permit the construction of more than one structure on a single legally divided parcel shall be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in such a manner that each building is located on a separate legally divided parcel.
9. The proposed project meets all of the requirements of Ordinance No. 348 section 18.30.c. in that:
- a. The proposed project involves a Class II Kennel for the keeping of 11-25 dogs which is consistent with the Rural: Rural Mountainous General Plan land use designation which allows, among others, single family residential uses and limited animal keeping. Therefore, the project is consistent with the General Plan.
  - b. The proposed project design includes an insulated 480 square foot accessory structure with sound proofing materials. There is an existing 6 foot high chain-link fence surrounding the rear of the residential dwelling and along the west bank of the blue-line stream that runs

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through the middle of the property. Additionally, the property is surrounded by an existing 5 foot high white vinyl fence with mesh and includes a double entry gate to prevent the dogs from escaping the property. Per the added conditions from the Planning Director's hearing dated September 26, 2016; Exhibit F (for fencing) included in this Appeal Staff Report packet states that the chain-link fencing along the west bank of the existing blue-line stream will be increased in height to 7 feet tall with opaque battens or wooden slats and a 6 foot high chain-link fence will be constructed with opaque battens or wooden slats along the north section of the property line, west of the blue-line stream; down the east section of the property line and concluding to the south of the property line section until it meets with the 7 foot high chain-link fence at the west bank of the blue-line stream. The Exhibit F (for fencing) also restricts the location of the Class II Kennel to within said chain-link fence area and no use of the kennel will occur through or on the east bank of the blue-line stream. Condition of Approval (10 Planning 1) also requires compliance with all applicable County ordinances, State and Federal laws. Therefore, the project is designed for the protection of the public health, safety and general welfare. There are two Class I Kennels within the Tenaja area. Plot Plan No. 24937 was approved October 18, 2011 and Plot Plan No. 25921 was approved March 4, 2016. The latter, a Class I Kennel is 600 feet from the subject property. No complaints have been brought against that said kennel. The applicants have had up to 18 dogs on the proposed subject site since December of 2015 and only one (1) noise complaint filed (copies of the Animal Control hearing included in this report package). Therefore, the proposed project is compatible with the present and future logical development of the surrounding properties.

- c. Only one (1) accessory structure is to be constructed for this proposed use.
- 
10. This project site is located within Criteria Cell No. 7101 of the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP") Boundary, and, as a result, is subject to Western Riverside County Regional Conservation Authority ("RCA") review. A Habitat Evaluation and Acquisition Negotiation Strategy ("HANS") application (No. HANS00413) was submitted to the County in accordance with Resolution No. 2013-111 and was reviewed by the County and RCA. The project site and Criteria Cell No. 7101 are located in Cell Group 'O.' The MSHCP criteria calls for 30-40% conservation in the northern portion of Cell Group 'O.' This parcel is located in the southern portion of Cell Group 'O'. For that reason, the County has determined, and RCA has confirmed, that no portion of the project site is required to be conserved. The project site does however have a blue-line stream that runs through the middle of the parcel, which was delineated in 2004. The riparian drainage must be avoided, as indicated in the Environmental Constraint Sheet (ECS) on the property. This project fulfills those requirements. The riparian drainage area is fenced off by a 5 foot high white vinyl fence with wire mesh running parallel to the blue-line stream, and none of the uses proposed under this project are within the riparian drainage area.
  11. Existing on the project site are two (2), 5000 gallon water tanks for fire protection and suppression, and the proposed project has received clearance through the Riverside County Fire Department.
  12. All persons within the County of Riverside that keep and control dogs, including those with Class II Kennels, are required to comply with Ordinance No. 630, including Section 14 (Stray or Barking Dogs) and Section 23 (Public Nuisance). Among other provisions, Ordinance No. 630 forbids persons in charge of dogs from allowing stray or barking dogs. To the extent problems arise from any of the dogs that are housed at the proposed Class II Kennel, Ordinance No. 630 provides procedures and remedies for ameliorating such problems. The dogs located at the proposed

project location are current in their licensing and vaccinations. Copies of licensing and vaccinations have been included in the Staff Report package.

13. The Environmental Health Department review of the Noise Impact Analysis submitted for this project recommends that all dogs be housed indoors between the hours of 10:00 p.m. and 7:00 a.m. Planning has conditioned the project regarding Animal Confinement (10 Planning 6) to further address the noise concerns by requiring that all dogs shall be maintained and confined in a house-type enclosure (the 480 square foot accessory structure) or the private residence between the hours of 8:00 p.m. and 7:00 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am per the site plans Exhibit A. Included in the staff report package is a copy of the daily schedule and mission statement for the proposed project.
14. A Determination made by Animal Control Services per a hearing dated March 17, 2016 cited at this time the existing dogs owned by the applicants are not a public nuisance. It was emphasized that the hearing was strictly to determine whether the dogs are “noisy animals” as defined in Section 5 of Ordinance 878.
15. This project has been determined to be categorically exempt from CEQA, as set forth per Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.
  - a. Section 15301 under State CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. Under subsection (e), this includes additions to existing structures that will not result in an increase of 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less.
  - b. The proposed Class II Kennel includes the permitting of an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing 520 square-foot patio cover attached to the existing 2,818 square-foot dwelling; and food and water troughs under the patio cover. There are no alterations proposed to the existing 80-square-foot accessory structure, the existing dog playground area including fence, existing patio cover, or the food and water troughs. These will continue to be used as they are currently being used, they would merely be permitted upon approval of Plot Plan No. 25922. Therefore, they are covered by the Class 1 exemption.
  - c. Section 15303(e) under State CEQA Guidelines exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
  - d. The project also proposes new construction and location of a single, new 480-square-foot accessory structure for kennel uses. The 480-square-foot structure is appurtenant to the existing single family residence. The proposed 480-square-foot accessory structure is approximately the same size as a two-car garage, an explicitly exempt structure under State CEQA Guidelines section 15303(e). It is much smaller in square footage than other uses that are also explicitly exempt under State CEQA Guidelines section 15303(c). Therefore, it is exempt under the Class 3 exemption.

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- e. None of the exceptions under State CEQA Guidelines section 15300.2 apply. There is no designated, precisely mapped, or officially adopted environmental resource of hazardous or critical concern on the project site or in the project area. Because of its distance from other uses and the few other projects in the area, there are no cumulative impacts that would result from this project. There are no unusual circumstances that will lead the project to have a significant impact on the environment in terms of land use and zoning compatibility. The R:RM land use designation encourages preserving large lots and limited animal keeping. Additionally, the zoning ordinance allows the keeping of horses, farm or establishments for the selective or experimental breeding and raising of farm stock or animals and the keeping or raising of mature female crowing fowl. As a result, it is not unusual for this area to see a variety of animals being kept on properties. In addition, kennels and catteries, including Class II kennels, are a permitted use in the relevant zone with a plot plan on lots larger than one acre. At over 6 acres, the lot in question is significantly larger than the minimum required for this use.
  - f. There are no scenic resources onsite that will be damaged or that are within a highway officially designated as a state scenic highway. The project site has not been designated a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
16. There are no impacts as a result of this project that could affect the Santa Rosa Plateau Ecological Reserve as the kennel property is fully fenced, located approximately four (4) miles away and located over 200 feet way from a conservation area which is not an established wildlife corridor. The added condition of approval by the Planning Director regarding additional fencing of 6 feet in height along the north perimeter property line of the subject property and 7 feet in height east of the blue-line stream running through the subject property; all including the insert of wooden slats or battens will help prevent the dogs from climbing over the fences and keep them secluded in the project area of the kennel.
  17. The 480-square-foot accessory structure for kennel use is in concurrent processing with the Building Department under building permit BAS150253.

### **CONCLUSIONS:**

1. The proposed project is consistent with the General Plan land use designation of Rural: Rural Mountainous (R: RM) and the Residential Agricultural – 5 Acre Minimum (R-A-5) Zoning Classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
2. The public's health, safety, and general welfare are protected through project design.
3. The proposed project is compatible with the present and future logical development of the area.
4. The proposed project will not have a significant effect on the environment.
5. The proposed project will not preclude reserve design for the WRCMSHCP.

### **INFORMATIONAL ITEMS:**


1. Attached to this report are emails, letters, and other documents in opposition to and in support of this proposed Class II Kennel project.
2. The project site is **not** located within:

- a. A city sphere of influence; or
  - b. A 100-year flood plain, an area drainage plan, or dam inundation area; or
  - c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area; or
  - d. A Parks and Recreation District; or
  - e. A liquefaction area; or
  - f. Half-mile of a fault line or zone.
3. The project site is located within:
- a. The Southwest Area Plan; and
  - b. The Tenaja Community Service District; and
  - c. The WRCMSHCP; and
  - d. The boundaries of Murrieta Valley Unified School District; and
  - e. San Juan Watershed; and
  - f. A high fire and State Responsibility Area.
4. The subject site is currently designated as Assessor's Parcel Number 932-020-024



Agenda Item No.: 2.2  
Area Plan: Southwest  
Zoning District: Rancho California  
Supervisory District: First  
Project Planner: Tim Wheeler  
Directors Hearing: September 26, 2016  
Continued From: August 29, 2016

Plot Plan No. 25922  
CEQA Exempt  
Applicant: Timothy and Elizabeth McVicker  
Engineer/Representative: Lisa Merritt

  
Steve Weiss, AICP  
Planning Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

#### Project Description

Plot Plan No. 25922 proposes to establish a Class II Kennel to house and care for the property owners' own personal dogs. There are currently 18 dogs at this location. A Class II Kennel allows between 11 to 25 dogs. As shown on Exhibit A, the project includes a proposed 480-square-foot accessory structure for kennel use; an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing patio cover (attached to the existing dwelling); and food and water troughs under the patio cover. The proposed Class II kennel will not be open to the public.

#### Project Location

The project is proposed to be located on a 6.20-gross-acre lot with an existing single-family residential home on the north side of Via Abril, south and east of Calle Cielo, and west of Tenaja Road. There is a blue-line stream that runs through the middle of the property. To the west of the blue-line stream is an existing 6-foot-high chain link fence. The entire property is surrounded by a 5-foot-high white vinyl fence with wire mesh that includes grates for water flow at the north and south sections of the blue-line stream. Additionally there are double entry gates.

#### Noticing

A corrected notice for this September 26, 2016 was sent out to property owners within a 1,600-foot-radius of the project site, as well as to those who requested notification of the project. The correction was made to reflect that the project was CEQA Exempt. The original Notice of the project, which mistakenly stated that a Mitigated Negative Declaration was being prepared for it, was sent to all property owners within a 1,600-foot-radius of the project site, as well as to those who requested notification of the project. Both notifications are attached to the staff report.

As of the date this staff report was prepared, the Planning Department received numerous inquiries, in writing, by email and by phone. All written correspondence is included in this Staff Report packet. The communications received express concern that the proposed project will generate excessive uncontrollable noise and will be incompatible with their rural neighborhood. The Planning Department also received other communications that express support for the project. Staff will provide an update at the September 26<sup>th</sup> public hearing if additional correspondence was submitted on the project.

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**ISSUES OF POTENTIAL CONCERN:**

During the August 29, 2016 Director's Hearing, proponents and opponents of the proposed kennel expressed their views.

**Potential Violation of Conditions, Covenants and Restrictions (CC&R's):**

Project opponents expressed concerns that the proposed Class II Kennel does not comply with applicable (CC&Rs). The Project opponent referenced Section 18.1 of Ordinance No. 348 which provides that if any section of this ordinance is in conflict with any other section thereof, or another County ordinance, then the more stringent requirements apply. Section 18.1 is not applicable to CC&Rs because private CC&Rs are not a County ordinance. CC&Rs are between private parties rather than between a governmental entity and a private party. Therefore, consistency with private CC&Rs is a private property issue and enforcement is done by the homeowners association, not the County of Riverside.

During the hearing, Project opponents also referenced the codified section 17.292.060.B. This section appears in Ordinance No. 348 as Section 19.600.f.(2). Section 19.600 and the entire Article XIXi of Ordinance No. 348 is the Bermuda Dunes Neighborhood Preservation Overlay Zone. The intent of Article XIXi is to provide standards for the community of Bermuda Dunes. The subject property is not located in Bermuda Dunes community. Therefore, Article XIXi does not apply to the subject property.

**Potential Noise Issues:**

The proposed project is located within the vicinity of a small number of other single family residences and vacant properties. There is an adjacent residential property directly to the east that is approximately 210 feet from the subject property and 380 feet northeast from the closest dog activity of dog runs and exercise area. This adjacent residence has equestrian-related activities on their property. To the south of Via Abril is another equestrian-related residence (approximately 330 feet from the closest dog activity). To the west there is a vacant parcel with permits issued for a dwelling to be constructed (approximately 960 feet from the closest dog activity). And to the north, that parcel is vacant.

To address noise concerns, the following conditions of approval have been imposed on the project: (10 E. Health 1 and 10. Planning 6). The Environmental Health condition requires the project to comply with Industrial Hygiene's recommendation that the dogs be kept indoors between the hours of 10 p.m. and 7 a.m. 7 days a week. The condition (10 Planning 6) requires the dogs to be confined in a house-type enclosure between the hours of 8 p.m. and 7 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am. The applicant proposes to house the dogs within their private residence or within the 480 square foot accessory structure.

Additionally, the project must comply with Ordinance No. 847 which establishes countywide standards regulating noise. The project must also comply with Ordinance No. 878 that provides complaint procedures for noisy animals. Attached to this report is the Noise Impact Analysis prepared by Roma Stromberg dated February 23, 2016 and a revised Noise Impact Analysis dated August 19, 2016.

**SUMMARY OF FINDINGS:**

- |                                       |                                                                       |
|---------------------------------------|-----------------------------------------------------------------------|
| 1. Existing General Plan Land Use:    | Rural: Rural Mountainous (R: RM)                                      |
| 2. Surrounding General Plan Land Use: | Rural: Rural Mountainous (R: RM) to the north, east, west, and south. |

- |                            |                                                                                                                                                                                                        |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3. Existing Zoning:        | Residential Agricultural – 5 Acre Minimum (R-A-5)                                                                                                                                                      |
| 4. Surrounding Zoning:     | Residential Agricultural – 5 Acre Minimum (R-A-5) to the north an east, Rural Residential (R-R) to the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.                     |
| 5. Existing Land Use:      | Single family residence.                                                                                                                                                                               |
| 6. Surrounding Land Use:   | Single family residence with equestrian related activities to the east and south, vacant properties to the north and west; with said property to the west currently under construction for a dwelling. |
| 7. Project Data:           | Total Acreage: 6.20 gross                                                                                                                                                                              |
| 8. Environmental Concerns: | CEQA Exempt per State CEQA Guidelines sections 15301 and 15303                                                                                                                                         |

### **RECOMMENDATIONS:**

**FIND PLOT PLAN NO. 25922** exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures), based on the findings set forth in this staff report; and,

**APPROVE Plot Plan No. 25922**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

**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 has a General Plan Land Use designation of Rural: Rural Mountainous (R: RM), and it is located within the Southwest Area Plan within the First Supervisorial District.
2. The project site is surrounded by properties that have a General Plan Land Use designation of Rural: Rural Mountainous (R: RM).
3. The project site is surrounded by properties with a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5) to the north an east, Rural Residential (R-R) to the south, and Residential Agricultural – 10 Acre Minimum (R-A-10) to the west.
4. The project site has a zoning classification of Residential Agricultural – 5 Acre Minimum (R-A-5).
5. Pursuant to Section 18.45.b.2. of Ordinance No. 348, a Class II Kennel (11 to 25 dogs) is allowed in the Residential Agricultural (R-A) zoning classification with an approved plot plan.
6. Section 18.45.c. of Ordinance No. 348 establishes the following development standards for Class II Kennels:
  - a. Class II Kennels must include a single family dwelling to be used by a live-in caretaker.
  - b. No parcel with a kennel may contain more than the maximum number of detached single family dwelling units permitted by the existing zoning on the property.

- c. Multi-family dwelling units and attached single family dwelling units are not permitted in conjunction with kennels.
  - d. The minimum lot size for a kennel in an agricultural, residential, rural or open space zone is one acre (gross).
  - e. The applicant must obtain and continuously maintain all necessary licenses from the Riverside County Health Department.
  - f. All kennels are subject to Ordinance No. 630 (Regulating the Keeping and Control of Dogs, Cats, and Other Animals and Providing for the Control and Suppression of Rabies), which requires dogs to have currently valid license tags and be vaccinated against rabies, among other requirements.
7. The project is consistent with the above reference development standards for the following reasons:
- a. The project site has a permitted residence (dwelling) on site that is used by a live-in caretaker (either by the applicants or two caregivers of the dogs).
  - b. There is only one detached single family dwelling unit onsite, within the maximum number allowed in the R-A zone.
  - c. There are no multi-family dwelling units, attached single family dwelling units, or additional single family dwelling units on the project site.
  - d. The lot size of the project site is 6.20 gross acres, which exceeds the minimum required 1-acre gross lot size.
  - e. Pursuant to Ordinance No. 630, the applicant has the ongoing requirement that all dogs must have obtained and continuously maintain all licensing necessary from the Riverside County Health Department, be vaccinated against rabies, and otherwise comply with all other provisions of that ordinance. All dogs onsite currently meet these requirements. Included in the staff report are copies of Vaccinations and Microchipping of the dogs from the applicants.
8. Section 18.30.c of Ordinance No. 348 provides that no plot plan shall be approved unless it complies with the following standards:
- a. The proposed use conforms to all requirements of the General Plan, with applicable State Law and Riverside County Ordinances.
  - b. The overall development of the land is designed for protection of the public health, safety, and general welfare. It conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding properties.
  - c. For all plot plans which permit the construction of more than one structure on a single legally divided parcel shall be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in such a manner that each building is located on a separate legally divided parcel.
9. The proposed project meets all of the requirements of Ordinance No. 348 section 18.30.c. in that:
- a. The proposed project involves a Class II Kennel for the keeping of 11-25 dogs which is consistent with the Rural: Rural Mountainous General Plan land use designation which allows, among others, single family residential uses and limited animal keeping. Therefore, the project is consistent with the General Plan.
  - b. The proposed project design includes an insulated 480 square foot accessory structure with sound proofing materials. There is an existing 6 foot high chain-link fence surrounding the rear of the residential dwelling and along the west bank of the blue-line stream that runs through the middle of the property. Additionally, the property is surrounded by an existing 5

foot high white vinyl fence with mesh and includes a double entry gate to prevent the dogs from escaping the property. Condition of Approval (10 Planning 1) also requires compliance with all applicable County ordinances, State and Federal laws. Therefore, the project is designed for the protection of the public health, safety and general welfare. There are two Class I Kennels within the Tenaja area. Plot Plan No. 24937 was approved October 18, 2011 and Plot Plan No. 25921 was approved March 4, 2016. The latter Class I Kennel is 600 feet from the subject property. Therefore, the proposed project is compatible with the present and future logical development of the surrounding properties.

- c. Only one (1) accessory structure is to be constructed for this proposed use.
- 
10. This project site is located within Criteria Cell No. 7101 of the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP") Boundary, and, as a result, is subject to Western Riverside County Regional Conservation Authority ("RCA") review. A Habitat Evaluation and Acquisition Negotiation Strategy ("HANS") application (No. HANS00413) was submitted to the County in accordance with Resolution No. 2013-111 and was reviewed by the County and RCA. The project site and Criteria Cell No. 7101 are located in Cell Group 'O.' The MSHCP criteria calls for 30-40% conservation in the northern portion of Cell Group 'O.' This parcel is located in the southern portion of Cell Group 'O'. For that reason, the County has determined, and RCA has confirmed, that no portion of the project site is required to be conserved. The project site does however have a blue-line stream that runs through the middle of the parcel, which was delineated in 2004. The riparian drainage must be avoided, as indicated in the Environmental Constraint Sheet (ECS) on the property. This project fulfills those requirements. The riparian drainage area is fenced off by a 5 foot high white vinyl fence with wire mesh running parallel to the blue-line stream, and none of the uses proposed under this project are within the riparian drainage area.
  11. Existing on the project site are two (2) 5000 gallon water tanks for fire protection and suppression, and the proposed project has received clearance through the Riverside County Fire Department.
  12. All persons within the County of Riverside that keep and control dogs, including those with Class II Kennels, are required to comply with Ordinance No. 630, including Section 14 (Stray or Barking Dogs) and Section 23 (Public Nuisance). Among other provisions, Ordinance No. 630 forbids persons in charge of dogs from allowing stray or barking dogs. To the extent problems arise from any of the dogs that are housed at the proposed Class II Kennel, Ordinance No. 630 provides procedures and remedies for ameliorating such problems. The dogs located at the proposed project location are current in their licensing and vaccinations. Copies of licensing and vaccinations have been included in the Staff Report package.
  13. The Environmental Health Department review of the Noise Impact Analysis submitted for this project recommends that all dogs be housed indoors between the hours of 10:00 p.m. and 7:00 a.m. Planning has conditioned the project regarding Animal Confinement (10 Planning 6) to further address the noise concerns by requiring that all dogs shall be maintained and confined in a house-type enclosure (the 480 square foot accessory structure) or the private residence between the hours of 8:00 p.m. and 7:00 a.m., except that the dogs may be allowed to relieve themselves with a supervised caretaker at 3:30 am per the site plans Exhibit A. Included in the staff report package is a copy of the daily schedule and mission statement for the proposed project.

14. This project has been determined to be categorically exempt from CEQA, as set forth per Section 15301 (Existing Facilities) and Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines.
15. Section 15301 under State CEQA Guidelines exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. Under subsection (e), this includes additions to existing structures that will not result in an increase of 50 percent of the floor area of the structures before the addition or 2,500 square feet, whichever is less.
16. The proposed Class II Kennel includes the permitting of an existing 80-square-foot accessory structure for kennel use; an existing dog playground area which is enclosed by an existing 6-foot-high chain-link fence; an existing 520 square-foot patio cover attached to the existing 2,818 square-foot dwelling; and food and water troughs under the patio cover. There are no alterations proposed to the existing 80-square-foot accessory structure, the existing dog playground area including fence, existing patio cover, or the food and water troughs. These will continue to be used as they are currently being used. Therefore, they are covered by the Class 1 exemption.
17. Section 15303(e) under State CEQA Guidelines exempts the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
18. The project also proposes new construction and location of a single, new 480-square-foot accessory structure for kennel uses. The 480-square-foot structure is appurtenant to the existing single family residence. The proposed 480-square-foot accessory structure is approximately the same size as a two-car garage, an explicitly exempt structure under State CEQA Guidelines section 15303(e). It is much smaller in square footage than other uses that are also explicitly exempt under State CEQA Guidelines section 15303(c). Therefore, it is exempt under the Class 3 exemption.
19. None of the exceptions under State CEQA Guidelines section 15300.2 apply. There is no designated, precisely mapped, or officially adopted environmental resource of hazardous or critical concern on the project site or in the project area. Because of its distance from other uses and the few other projects in the area, there are no cumulative impacts that would result from this project. There are no unusual circumstances that will lead the project to have a significant impact on the environment in terms of land use and zoning compatibility. The R:RM land use designation encourages preserving large lots and limited animal keeping. Additionally, the zoning ordinance allows the keeping of horses, farm or establishments for the selective or experimental breeding and raising of farm stock or animals and the keeping or raising of mature female crowing fowl. Kennels and catteries are a permitted use with a plot plan. As a result, it is not unusual for this area to see a variety of animals being kept on properties.
20. There are no scenic resources onsite that will be damaged or that are within a highway officially designated as a state scenic highway. The project site has not been designated a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government Code.
21. There are no impacts as a result of this project that could affect the Santa Rosa Plateau Ecological Reserve as the kennel property is fully fenced, located approximately four (4) miles

away and located over 200 feet way from a conservation area which is not an established wildlife corridor.

22. The 480-square-foot accessory structure for kennel use is in concurrent processing with the Building Department under building permit BAS150253.

**CONCLUSIONS:**

1. The proposed project is consistent with the General Plan land use designation of Rural: Rural Mountainous (R: RM) and the Residential Agricultural – 5 Acre Minimum (R-A-5) Zoning Classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
2. The public's health, safety, and general welfare are protected through project design.
3. The proposed project is compatible with the present and future logical development of the area.
4. The proposed project will not have a significant effect on the environment.
5. The proposed project will not preclude reserve design for the WRCMSHCP.

**INFORMATIONAL ITEMS:**

1. Attached to this report are emails, letters, and other documents in opposition to and in support of this proposed Class II Kennel project.
2. The project site is **not** located within:
  - a. A city sphere of influence; or
  - b. A 100-year flood plain, an area drainage plan, or dam inundation area; or
  - c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area; or
  - d. A Parks and Recreation District; or
  - e. A liquefaction area; or
  - f. Half-mile of a fault line or zone.
3. The project site is located within:
  - a. The Southwest Area Plan; and
  - b. The Tenaja Community Service District; and
  - c. The WRCMSHCP; and
  - d. The boundaries of Murrieta Valley Unified School District; and
  - e. San Juan Watershed; and
  - f. A high fire and State Responsibility Area.
4. The subject site is currently designated as Assessor's Parcel Number 932-020-024

RIVERSIDE COUNTY PLANNING DEPARTMENT  
PP25922  
**VICINITY/POLICY AREAS**

Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016  
Vicinity Map



Zoning Area: Rancho California

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 underlying zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)705-3200 (Western County) or in Palm Desert at (760)863-8277 (Eastern County) or Website <http://planning.sactron.com>



RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25922

LAND USE

Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016

Exhibit 1



Zoning Area: Rancho California

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.rctdms.org>

RIVERSIDE COUNTY PLANNING DEPARTMENT

PP25922

EXISTING GENERAL PLAN

Supervisor: Jeffries  
District 1

Date Drawn: 07/08/2016

Exhibit 5



Zoning Area: Rancho California

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

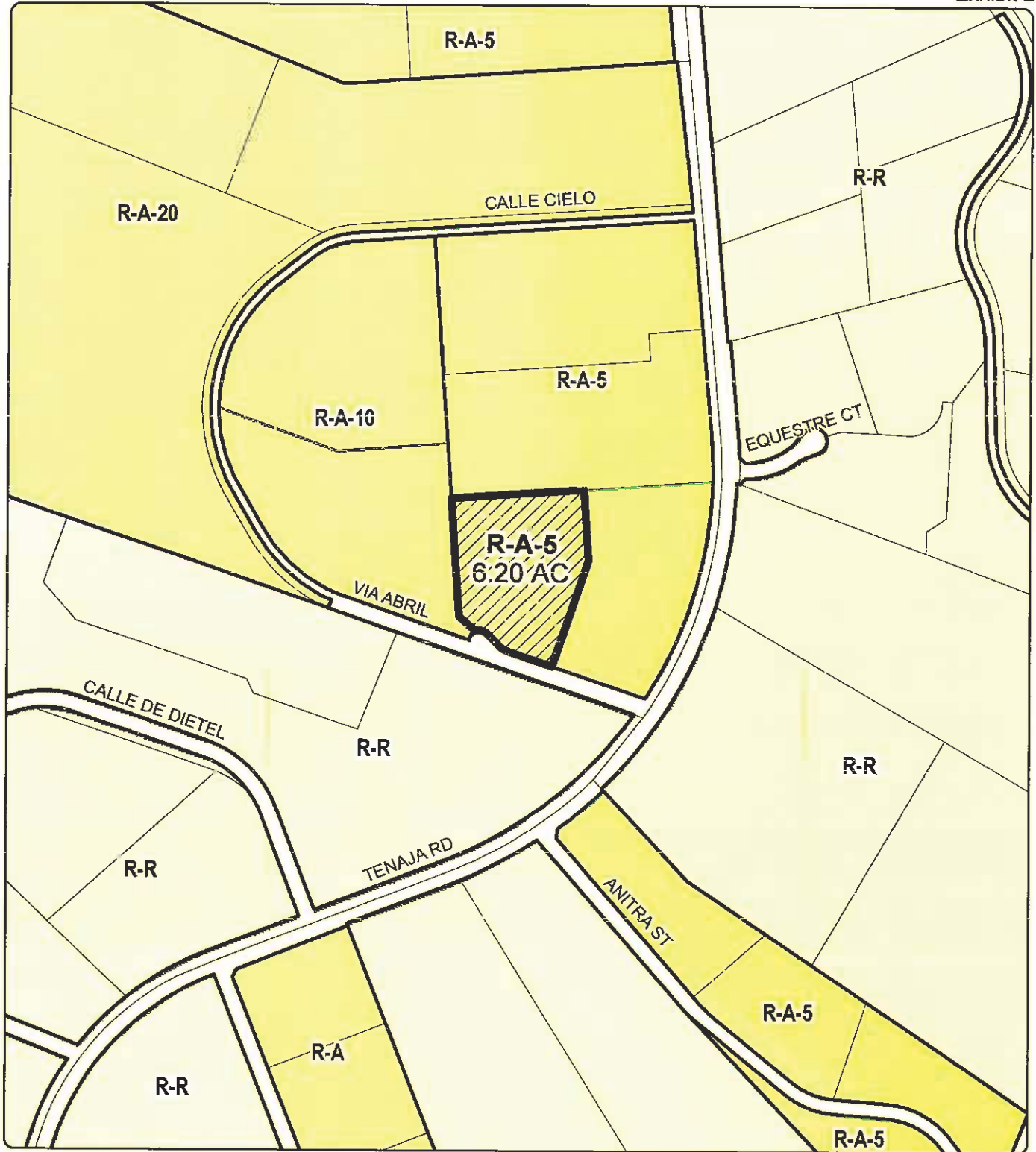
PP25922

EXISTING ZONING

Supervisor: Jeffries  
District 1

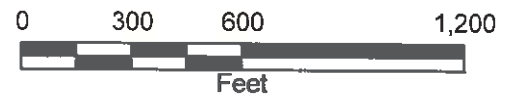
Date Drawn: 07/08/2016

Exhibit 2



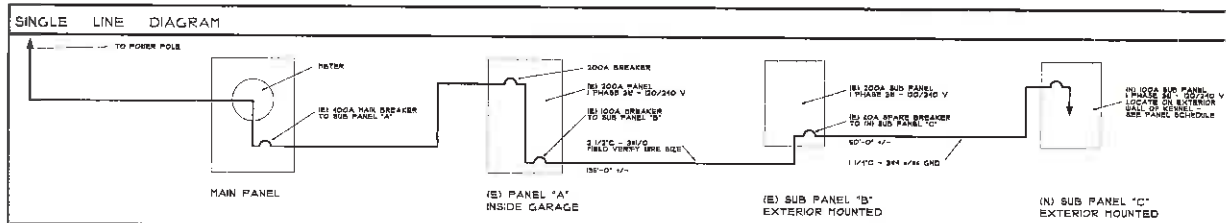
Zoning Area: Rancho California

Author: Vinnie Nguyen



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### PANEL SCHEDULE

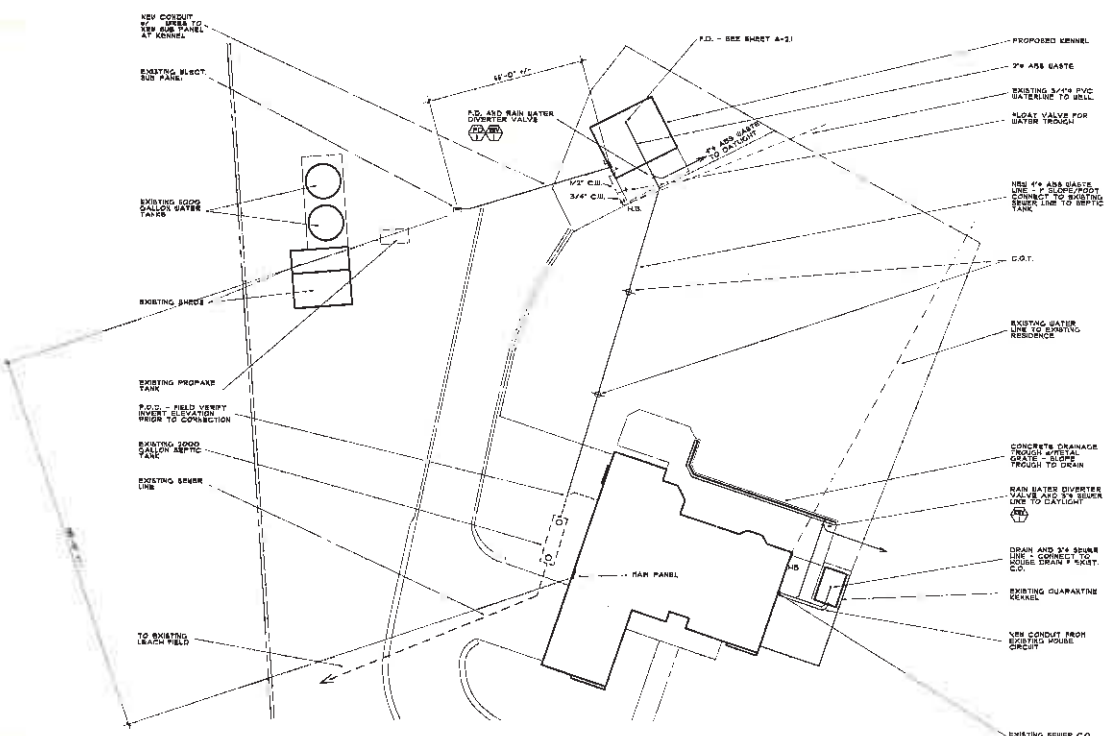
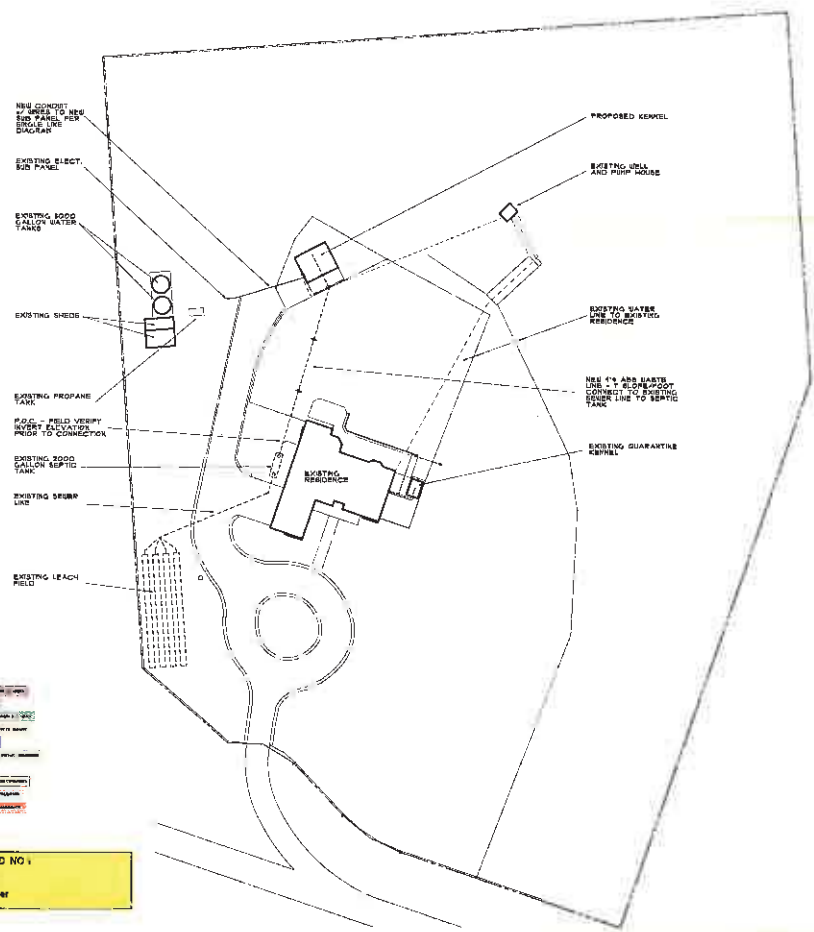
VOLTAGE: 120/240  
 PHASE: 1  
 WIRE: 3 A.I.C. 10,000

PANEL "NDC" LOCATION: EXTERIOR WALL MOUNTING: SURFACE FEED: BOTTOM

LOCATION	BATTAGE		LTC	REC	INT	OT	NEC	DATE	NEC	DATE	BATTAGE		LOCATION				
	L-1	L-2									L-1	L-2					
CP RECEPTACLES	340		2	20	1						3	80	LIGHTS AND FAN				
ATTIC FAN			1	20	3							100	AC RECEPTACLE				
C/O SMOKE DETECTOR	100			20	16								SPACE				
SPACE				20	7								SPACE				
SPACE				20	7								SPACE				
SPACE				20	7								SPACE				
WATTS per PHASE													840	100	310	1000	WATTS per PHASE
TOTAL CONNECTED BATS													L-1 = 1130	L-2 = 1240	TOTAL CONNECTED BATS 2370		TOTAL AMPS: 10AMPS

### LOAD CALCULATIONS

3000 sq. ft. x 3 VA =	1,000 VA	FIRST 10,000 VA =	10,000 VA	NEW LOAD PANEL "C" x 15 AMPS =	3,350 VA
2 SMALL APPLIANCES =	3,000 VA	4,500 VA x 40% =	1,800 VA	EXISTING	2,120 VA
OVER =	4,000 VA	3 A.C. UNITS x 18 AMPS =	8,100 VA	TOTAL =	2,120 VA
DISHWASHER =	1,200 VA	5 HP WELL PUMP x 11.2 AMPS =	4,200 VA	TOTAL AMPS =	135 AMPS
DRYER =	5,000 VA			EXISTING SERVICE =	400 AMPS
TOTAL =	22,000 VA	TOTAL =	21,300 VA		



SITE PLAN - ELECTRICAL AND PLUMBING SCALE: 1/4" = 40'-0"

PARTIAL SITE PLAN - ELECTRICAL AND PLUMBING SCALE: 1/4" = 20'-0"

- LEGEND
- EXISTING ELECTRICAL
  - EXISTING PLUMBING
  - PROPOSED ELECTRICAL
  - PROPOSED PLUMBING
  - PROPOSED KENNEL
  - PROPOSED SHEDS
  - PROPOSED PROPANE TANK
  - PROPOSED WATER TANK
  - PROPOSED SEWER LINE
  - PROPOSED LEACH FIELD

CASE: PF20822 AMD NO. 1  
 EXHIBIT A  
 DATE: 5-16-2016  
 PLANNER: T. Wheeler

**PRA** architecture space planning interior design

220 W. 4TH ST. SUITE 100  
 DENVER, CO 80202  
 (303) 733-1111  
 www.pra.com

ARCHITECT  
 CENTRAL CALIFORNIA  
 200 W. 4TH ST.  
 DENVER, CO 80202  
 (303) 733-1111  
 www.pra.com



MR. and MRS. **TIMOTHY McVICKER**  
 17370 VIA ABRIL MURRIETA CALIFORNIA 92562

CLASS II DOG KENNEL for

DATE: 04-05-2014  
 RUN CHECK: 04-05-2014  
 REVISION:  
 REVISION:  
 REVISION:  
 REVISION:

**A-1.1**



CASE: PP23822 AND NO 1  
 EXHIBIT: C  
 DATE: 5-18-2016  
 PLANNER: T Wheeler

LEGEND  
 [Color swatches and material callouts]



WEST ELEVATION



SOUTH ELEVATION



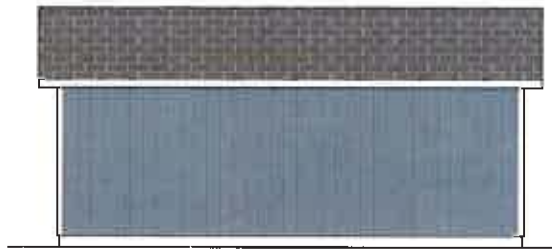
WEST ELEVATION



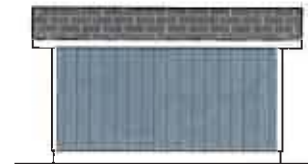
SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

EXTERIOR ELEVATIONS

NOT TO SCALE

EXTERIOR ELEVATIONS

NOT TO SCALE

NOTE:  
 COLORS TO MATCH EXISTING RESIDENCE AND OTHER STRUCTURES ON SITE.

**RRA** RICHARD RAINES ARCHITECT  
 1015 WETA DENNIS CALIFORNIA  
 PROJECT AND FAX 707 938 8800  
 PHONE 707 938 8800

CLASS II DOG KENNEL for  
**MR. and MRS. TIMOTHY McVICKER**  
 17370 VIA ABAIL MURRIETA CALIFORNIA 92562

DATE: 04-05-2016  
 PLAN CHECK: 04-05-2016  
 REVISION:  
 REVISION:  
 REVISION:  
 REVISION:

**A-3.1**





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

Receipt #: 17-21529

State Clearinghouse # (if applicable): \_\_\_\_\_

Lead Agency: COUNTY PLANNING Date: 01/20/2017

County Agency of Filing: RIVERSIDE Document No: E-201700061

Project Title: PLOT PLAN NO 25922

Project Applicant Name: RIVERSIDE COUNTY PLANNING Phone Number: (951) 955-6060

Project Applicant Address: 4080 LEMON STREET, RIVERSIDE, CA 92501

Project Applicant: LOCAL PUBLIC AGENCY

CHECK APPLICABLE FEES:

- Environmental Impact Report \_\_\_\_\_
- Negative Declaration \_\_\_\_\_
- Application Fee Water Diversion (State Water Resources Control Board Only) \_\_\_\_\_
- Project Subject to Certified Regulatory Programs \_\_\_\_\_
- County Administration Fee \_\_\_\_\_ \$50.00
- Project that is exempt from fees (DFG No Effect Determination (Form Attached)) \_\_\_\_\_
- Project that is exempt from fees (Notice of Exemption) \_\_\_\_\_

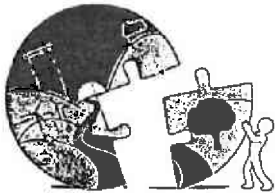
Total Received \_\_\_\_\_ \$50.00

Signature and title of person receiving payment:



Deputy \_\_\_\_\_

Notes:



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) FROM: Riverside County Planning Department  
P.O. Box 3044  4080 Lemon Street, 12th Floor  38686 El Cerrito Road  
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201  
 County of Riverside County Clerk Riverside, CA 92502-1409

Project Title/Case No.: Plot Plan No. 25922

Project Location: In the unincorporated area of Riverside County, more specifically located on the north side of Via Abril, south and east of Calle Cielo, and west of Tenaja Road

Project Description: Plot Plan No. 25922 proposes to establish a Class II Kennel to house and care for the property owners own personal dogs. The project includes a proposed 480 square foot dog house, an existing 80 square foot dog house, a dog playground area, and an existing patio cover attached to the dwelling with food and water troughs. The kennel is not open to the public.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Timothy and Elizabeth McVicker, 29997 Canyon Hills Road, Ste 1603, Lake Elsinore, CA 92532

Exempt Status: (Check one)  
 Ministerial (Sec. 21080(b)(1); 15268)  Categorical Exemption (15301 – Existing Facilities and 15303 - New Construction or Conversion of Small Structures)  
 Declared Emergency (Sec. 21080(b)(3); 15269(a))  Statutory Exemption (\_\_\_\_\_)  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Other: \_\_\_\_\_

Reasons why project is exempt: Pursuant to CEQA section 15301, a Class 1 exemption for Existing Facilities can be found as the project site has an existing dog play area and an existing 80 sq. ft. shed will be purposed now for the proposed kennel use. Also pursuant to CEQA section 15303, a Class 3 exemption for New Construction or Conversion of Small Structures can be found as the applicant is constructing one small structure totaling 480 sq. ft. for the proposed kennel use.

Tim Wheeler Project Planner 951-955-6060 Phone Number  
[Signature] County Contact Person  
[Signature] Signature Urban Regional Planner III Title January 18, 2017 Date

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

FILED / POSTED

County of Riverside  
Peter Aldana  
Assessor-County Clerk-Recorder

E-201700061  
01/20/2017 03:15 PM Fee: \$ 50.00  
Page 1 of 1

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



CALL (951) 368-9222  
EMAIL: legals@pe.com

# THE PRESS-ENTERPRISE

DATE	ORDER NUMBER	PO Number	PRODUCT	SIZE	Amount
4/22/17	0010936424		PE Riverside	2 x 95 Li	280.80

Invoice text: Appeal of PP 25922

RECEIVED RIVERSIDE COUNTY  
 CLERK / BOARD OF SUPERVISORS  
 2017 APR 28 PM 1:06

*Planning  
17.1 of 05/02/17*

Placed by: Cecilia Gil

## Legal Advertising Memo Invoice

BALANCE DUE

280.80

SALES/CONTACT INFORMATION	ADVERTISER INFORMATION			
	BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER	ADVERTISER/CLIENT NAME
Nick Eller 951-368-9229	04/22/2017	5209148	5209148	BOARD OF SUPERVISORS

PLEASE DETACH AND RETURN THIS PORTION WITH YOUR REMITTANCE

ADVERTISER/CLIENT NAME		
BOARD OF SUPERVISORS		
BILLING DATE	BILLED ACCOUNT NUMBER	ADVERTISER/CLIENT NUMBER
04/22/2017	5209148	5209148
BALANCE DUE	ORDER NUMBER	TERMS OF PAYMENT
280.80	0010936424	DUE UPON RECEIPT

BILLING ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS



Legal Advertising Memo Invoice

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
'PO BOX 1147'  
RIVERSIDE, CA 92502

CALIFORNIA NEWSPAPERS PARTNERSHIP  
Riverside Press-Enterprise  
PO BOX 54880  
LOS ANGELES CA 90054-0880

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

### PROOF OF PUBLICATION OF

Ad Desc.: Appeal of PP 25922 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**04/22/2017**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: April 22, 2017

At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE  
PO BOX 1147  
RIVERSIDE, CA 92502

Ad Number: 0010936424-01

P.O. Number:

### Ad Copy:

#### NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON AN APPEAL OF THE PLANNING COMMISSION'S DECISION TO UPHOLD THE APPROVAL OF A PLOT PLAN IN THE RANCHO CALIFORNIA - SOUTHWEST AREA PLAN, FIRST SUPERVISORIAL DISTRICT

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, May 2, 2017, at 10:30 A.M.**, or as soon as possible thereafter, to consider the appeal filed by Timothy and Elizabeth McVicker - Southland Engineering, of the Planning Commission's decision to uphold the Planning Director's approval of **Plot Plan No. 25922**, proposing to establish a Class 11 Dog Kennel, which would allow for the keeping of 11 to 25 dogs, and for the construction of a 480 square-foot accessory kennel building ("the project"). The project is located north of Via Abril, west of Tenaia Road, and south-east of Calle Cielo in the Rancho California Zoning Area - Southwest Area Plan, First Supervisorial District.

The Planning Commission recommended to uphold approval of the project and deny the appeal.

The proposed project case file may be viewed from the date of this notice until the public hearing, Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Riverside County Planning Department, 4080 Lemon Street, 12 Floor, Riverside, CA 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT JOHN HILDEBRAND, PROJECT PLANNER, AT (951) 955-1888 OR EMAIL: jhildebr@rivco.org.

Any person wishing to testify in support of or in opposition to the proposed project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the proposed project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way, other than specifically proposed.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to hearing.

Please send all written correspondence to: Clerk of the Board, Post Office Box 1147, Riverside, CA 92502-1147.

Dated: April 19, 2017  
Kecia Harper-Ihem, Clerk of the Board  
By: Karen Barton, Board Assistant

4/22

**ATTACHMENTS FILED**  
**WITH**  
**THE CLERK OF THE BOARD**