



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

Agenda Item No.

(ID # 17739)
MEETING DATE:
Wednesday, December 01, 2021

SUBJECT: CONDITIONAL USE PERMIT NO. 3123 REVISION PERMIT NO. 1 and CHANGE OF ZONE NO. 2100119 - Intent to Adopt a Mitigated Negative Declaration for EA No. 42881 – Applicant: Living Free Animal Sanctuary-Engineer/Representative: KWC Engineers - Third Supervisorial District – San Jacinto Mountain Zoning Area- REMAP - Open Space-Recreation (OS-R) - Location: The project site is located northerly and easterly of Highway 74, southerly of Highway 243, and westerly of May Valley Road - 153.45 Acres - Zoning: Rural Residential-20 Acre Minimum (R-R-20) - REQUEST: A Conditional Permit revision for the expansion of the operations of an existing animal sanctuary, Class IV Kennel, Class II cattery and menagerie located on 153.45 gross acres. The proposal will extend and remove the expiration date on the existing Conditional Use Permit, continue the existing use of an animal sanctuary, and add additional buildings that will contribute to the existing use. A Change of Zone to change the Zoning Classification of the subject property from Rural Residential, 20-acre minimum (R-R-20) to Light Agriculture (A-1). APN: 567-140-014. Project Planner: Brett Dawson at (951) 955-0972 or email at bdawson@rivco.org.

PROPOSED PROJECT

Case Number(s):	CUP03123R1 CZ2100119
Environmental Type:	Mitigated Negative Declaration
Area Plan No.	REMAP
Zoning Area/District:	
Supervisorial District:	Third District
Project Planner:	Brett Dawson
Project APN(s):	567-140-014
Continued From:	



John Hildebrand, Planning Director 1/17/2021

PROJECT DESCRIPTION AND LOCATION

Change of Zone No. 2100119 proposes to change the Zoning Classification of the subject property from Rural Residential, 20-acre minimum (R-R-20) to Light Agriculture (A-1).

Conditional Use Permit No. 3123 Revision No. 1 is a proposal for the expansion of the operations of an existing animal sanctuary, Class IV Kennel, Class II Cattery and menagerie located on 153.45 acres (gross), which will include new structures on site.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

The proposal is to remove 1995 Condition of Approval (COA) No. 7.4 that established the expiration date on the existing Conditional Use Permit, continue the existing use of an animal sanctuary, and add additional buildings that will contribute to the existing use.

The existing project site consists of two caretaker residences, an administration building, dog kennel, cattery and cattery addition, sanctuary, gate house residence, shed, cat quarantine, meadow house/garage, pump house, horse barn, sheds, puppy quarantine, cistern, water tanks, dog park, primitive campground, main kennel, kennel house and arenas. An average of 10 employees are on the site daily. The facility is open to the public from 11 am to 5 pm daily except Wednesdays to visit the park, meet the animals, take a hike on one of the trails and dirt roads, and stay at the campground depending on season.

The proposed buildings consist of: 4001 square foot adult dog quarantine, 500 square foot woodshed, 3,012 square foot Equine Manager's residence, 2,976 square foot horse stable, 2,108 square foot kennel, 240 square foot puppy quarantine, 800 square foot RV Pad, parking and four equipment sheds.

Since the application came in to remove 1955 COA No. 7.4 expiration for the Conditional Use Permit No. 3123, the County's Land Use Ordinance (Ordinance No. 348) has been updated wherein Class IV Kennels and Class II Catteries are no longer permitted within the Rural Residential zone. The change of zone to Light Agriculture was recommended as Class IV Kennels and Class II Catteries and menageries are permitted with the approval of a Conditional Use Permit.

The description as included above constitutes the "Project" as further referenced in this staff report.

The Project site is located north and east of Highway 74, south of Highway 243, and west of May Valley Road.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

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

ADOPT a MITIGATED NEGATIVE DECLARATION for ENVIRONMENTAL ASSESSMENT NO. 42881 based on the findings and conclusions provided in the initial study, attached hereto, and the conclusion that the Project will not have a significant effect on the environment;

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

TENTATIVELY APPROVE CHANGE OF ZONE NO. 2100119, amending the zoning classification for the subject property from Rural Residential, 20-acre minimum (R-R-20) to Light Agricultural (A-1) Zone based upon the findings and conclusion incorporated in the staff report, pending final adoption of the Zoning Ordinance by the Board of Supervisors; and,

APPROVE CONDITIONAL USE PERMIT NO. 3123 REVISION NO. 1, based upon the findings and conclusions incorporated into the staff report, subject to the attached advisory notification document and conditions of approval.

PROJECT DATA

Land Use and Zoning:

	Specific Plan: N/A
	Specific Plan Land Use: N/A
Existing General Plan Foundation Component:	Open Space
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	Open Space: Recreation (OS:R)
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Uses	
North:	Open Space: Conservation Habitat (OS:CH)
East:	Open Space: Rural (OS:RUR)
South:	Agriculture (AG)
West:	Rural Residential (RR), Very Low Density Residential (VLDR), Agriculture (AG)
Existing Zoning Classification:	Rural Residential, 20-acre minimum (R-R-20)
Proposed Zoning Classification:	Light Agriculture (A-1)
Surrounding Zoning Classifications	
North:	Natural Assets, 160-acre minimum (N-A-160)
East:	Residential Agricultural, 20-acre minimum (R-A-20)
South:	Residential Agricultural, 40-acre minimum (R-A)
West:	Rural Residential, 2.5-acre minimum (R-R-2½) and

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

	Residential Agriculture, 2.5-acre minimum (R-A-2½)
Existing Use:	Animal Sanctuary
Surrounding Uses	
North:	Vacant land
East:	Vacant land
South:	Vacant land
West:	Scattered Single-family Residential

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):	153.45 Gross Acres	Min 20,000 square feet
Setbacks:	Closest building is approx. 30 feet from side yard	20' front, 5' side 10' rear
Height:	18'4"	40'

Located Within:

City's Sphere of Influence:	No
Community Service Area ("CSA"):	Yes, #152, 153
Special Flood Hazard Zone:	No
Agricultural Preserve:	No
Liquefaction Area:	Yes – Moderate
Subsidence Area:	Yes – Susceptible
Fault Zone:	Yes – Hot Springs Fault
Fire Zone:	Yes – Very High
Mount Palomar Observatory Lighting Zone:	Yes – Zone B
WRCMSHCP Criteria Cell:	No
CVMSHCP Conservation Boundary:	No
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	No

Parking:

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Parks and Recreational Uses	102,598 active square feet	1 space/8000 square feet of active recreational area	13	20
TOTAL:				

PROJECT LOCATION MAP

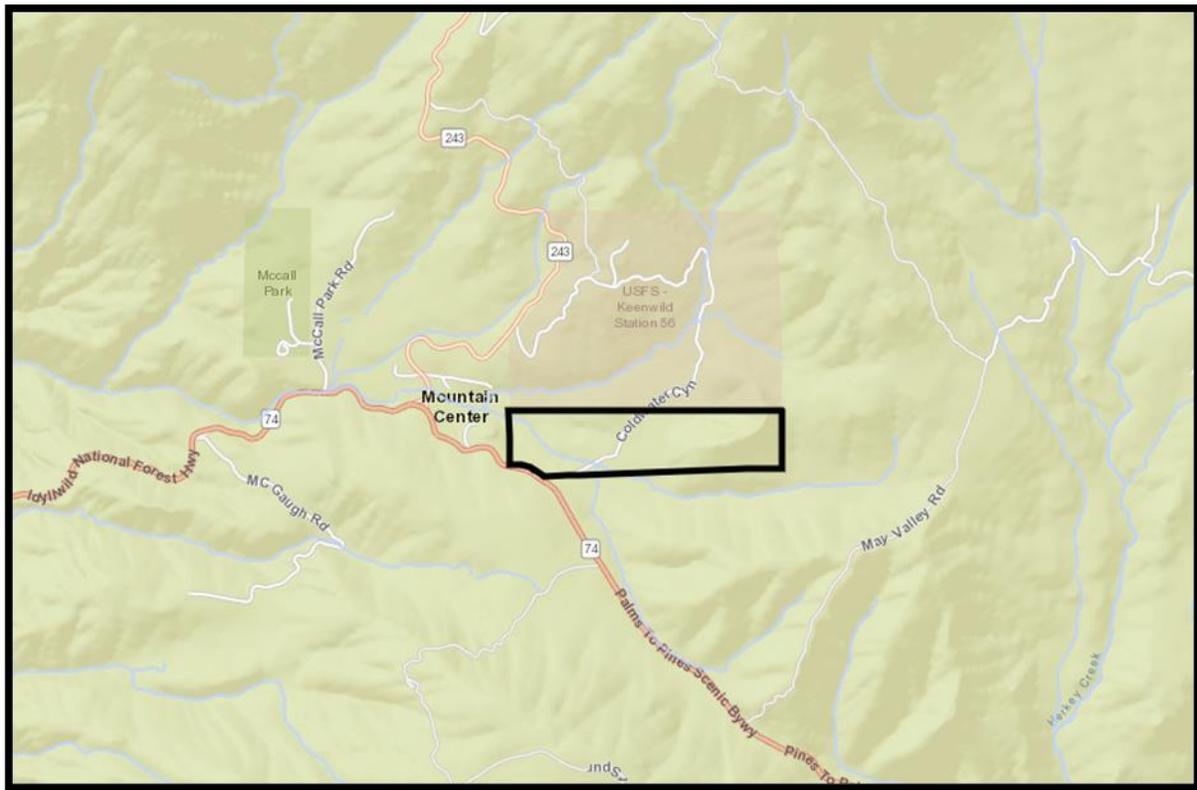


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

The Living Free Animal Sanctuary’s mission is to rescue dogs, cats and horses from animal shelters and care for them until they are adopted. An average of 10 employees are on site daily.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

The facility is open to the public from 11 am to 5 pm daily except Wednesdays to visit the site, meet the animals, and stay at the tent camp ground depending on the season.

The shelters have been designed to accommodate a variety of animals and fowl and wildlife if necessary. The following animals may be sheltered on the facility: cats, dogs, chickens, cows, ducks, exotic birds, frogs, geese, goats, horses, mules, pigs, and turtles.

On March 29, 1995, Revised Permit No. 155 for Conditional Use Permit No. 3123 went before the Planning Commission. The proposal was to add 1,546 square feet to an existing kennel structure. The Planning Commission adopted de minimis findings, Negative Declaration for Environmental Assessment No. 36801 and approval of Revised Permit No. 155/Conditional Use Permit No. 3123.

On March 14, 2016, the applicant submitted Conditional Use Permit No. 3123R1 for the expansion of an existing animal sanctuary. The Original CUP No.3123 expired on March 25, 2015. The revision will remove 1995 COA No. 7.4 that established an expiration date on the CUP.

The Project is a nonprofit and relies on the donations of others, including architectural services. The site plan includes several buildings that were initially proposed, however between the initial submittal and the drafting of this staff report, the applicant has requested not to include several buildings as they are no longer proposed. These buildings include the following: proposed tent platforms, hay barn, care kennel, care kennel residence, arena, round pen, animal shelters, and cattery (Building 21).

The existing Project site consists of two caretaker residences, an administration building, dog kennel, cattery and cattery addition, sanctuary, gate house residence, shed, cat quarantine, meadow house/garage, pump house, horse barn, sheds, puppy quarantine, cistern, water tanks, dog park, primitive campground, main kennel, kennel house and arenas. An average of 10 employees are on the site daily. The facility is open to the public from 11 am to 5 pm daily except Wednesdays to visit the park, meet the animals, take a hike on one of the trails and dirt roads, and stay at the campground depending on season.

The proposed buildings consist of: 4001 square foot adult dog quarantine, 500 square foot woodshed, 3,012 square foot Equine Manager's residence, 2,976 square foot horse stable, 2,108 square foot kennel, 240 square foot puppy quarantine, 800 square foot RV Pad, parking and four equipment sheds.

Related Cases: CUP03123, CUP02534, PP25223, PP25411, PP25872, and PP14445.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

ENVIRONMENTAL REVIEW / ENVIRONMENTAL FINDINGS

An Initial Study (IS) and a Mitigated Negative Declaration (MND) have been prepared for this project in accordance with the California Environmental Quality Act (CEQA). Based on the findings in the Environmental Assessment No. EA42881 the Project will not have a significant effect on the environment with incorporation of mitigation measures addressed in the IS/MND. The IS identified potentially significant impacts in regard to the issues areas of Biological Resources, Paleontological Resources, Tribal Cultural Resources and Public Services; however, with incorporation of mitigation measures the impacts were reduced to less than significant. Based on the Initial Study's conclusions, the County of Riverside determined that an MND is appropriate for the proposed Project pursuant to the State CEQA Guidelines. The IS and MND represents the independent judgment of Riverside County. The documents were circulated for public review per the California Environmental Quality Act Statute and Guidelines Section 15105 on November 11, 2021 and no comments were received.

FINDINGS AND CONCLUSIONS

In order for the County to approve the proposed project, the following findings are required to be made:

Land Use Findings:

1. The Project site has a General Plan Land Use Designation of Open Space: Recreation (OS:R). The Open Space-Recreation land use designation allows for active and passive recreational uses such as parks, trails, camp grounds, athletic fields, golf courses, and off-road vehicle parks. Ancillary structures may be permitted for recreational opportunities. Actual building or structure size, siting, and design will be determined on a case by case basis.

Land Use Policy 25.2 states, "Provide for a balanced distribution of recreational amenities."

Land Use Policy 23.2 states, "Require that structures be designed to maintain the environmental character in which they are located."

The existing animal sanctuary facility allows for visitors to meet animals of the facility and engage in passive recreational activities such as primitive camping, and hikes along the trails that circulate along the project boundary. In addition, the Open Space-Recreational land use is for recreational uses such as parks. Located within the central northern portion of the project site is an approximately one (1) acre dog park which

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

allows for facility guests and pets to recreate. Therefore, the proposed facility is consistent with the Open Space-Recreation (OS-R) Land Use Designation.

2. The Project is located within the Zoning Classification of Rural Residential, 20-acre minimum (R-R-20). The proposed Change of Zone No. 2100119 requests to change the project site's Zoning Classification to Light Agriculture (A-1). The proposed Change of Zone is consistent with the Riverside County General Plan land use designation of Open Space-Recreation (OS-R), as the existing animal sanctuary facility allows for visitors to meet animals of the facility and engage in passive recreational activities such as hikes along the trails that circulate along the project boundary. In addition, the Open Space-Recreation land use is for recreational uses such as parks. Located within the central northern portion of the project site is an approximately one (1) acre dog parks which allows for facility guests and pets to recreate. The Light Agriculture Zone permits these uses which facilitate the overall character, and intent of the Open Space General Plan Designation. The proposed A-1 zoning classification will provide the opportunity to operate an animal sanctuary as proposed by CUP03121R1, that is consistent with the Open Space- Recreation designation. Therefore, the proposed Change of Zone is consistent with the General Plan Foundation and Land Use Designation
3. The site is located within the Riverside Extended Map Area Plan (REMAP). REMAP Policies 6.1, and 6.2 specifically call out uses related to the summer camp/retreat use, whereby the existing use is compatible with the Riverside Extended Map Area Plan.

REMAP 6.1: Encourage the development of privately owned and operated recreational and educational facilities such as camping areas, recreational vehicle parks, equestrian stables, campgrounds and equestrian parks to supplement public recreational facilities.

The privately owned animal sanctuary facility is consistent with REMAP Policy No. 6.1. More specifically, the project is privately owned by the Living Free Animal Sanctuary, a nonprofit organization, privately funded, which was founded in 1980. In addition, as indicated on the proposed site plan, the project has and/or will not only have facilities that will accommodate cats and dogs for the facility, but horses as well. Currently, the facility has an approximately 2,050 square foot horse barn and proposes a 2,976 square foot horse barn (mare motel) and an outside horse arena and pen, and supportive structures such as hay barns all of which will be constructed in future phases of development. The project also proposes a primitive camping area that will be utilized throughout the year.

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

REMAP 6.2: Encourage the development of public and/or private campgrounds with separate primitive camping from recreational vehicle-type camping.

As indicated in the proposed project description and site plan, the project proposes a primitive camp ground that will be utilized throughout the year and will allow guests of the facility to spend overnight trips within the facility.

4. The proposed use, a Class IV Kennel, and Class II Cattery and Menagerie is permitted within the proposed Light Agriculture Zone (A-1). The project site has a zoning classification of Rural Residential, 20-acre minimum (R-R-20). The proposed Change of Zone No. 2100119 requests to change the project site's Zoning Classification to Light Agriculture (A-1). Class IV kennels and Class II Catteries are permitted within the Light Agriculture zone. The Light Agriculture zone also permits menageries with the approval of a Conditional Use Permit. Ordinance No. 348 defines menageries as ..." Any lot or premises on which wild animals of the following types are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted use: Ten or more non-venomous reptiles. 25 or more mammals." Therefore, the proposed Change of Zone is consistent with the General Plan Foundation and Land Use Designation.

Entitlement Findings:

Change of Zone

Change of Zone No. 2100119 is a proposal to change the project site's Zoning Classification from Rural Residential, 20-acre minimum (R-R-20) to Light Agriculture (A-1) and is subject to the following findings:

5. The Project site's existing Zoning Classification is Rural Residential, 20-acre minimum (R-R-20). The proposed Change of Zone No. 2100119 requests to change the project site's Zoning Classification to Light Agriculture (A-1). The proposed Change of Zone is consistent with the Riverside County General Plan land use designation of Open Space-Recreation (OS-R), as the existing animal sanctuary facility allows for visitors to meet animals of the facility and engage in passive recreational activities such as hikes along the trails that circulate along the project boundary. In addition, the Open Space-Recreation land use is for recreational uses such as parks. Located within the central northern portion of the project site is an approximately one (1) acre dog parks which allows for which allows for facility guests and pets to recreate. The Light Agriculture Zone permits these uses which facilitate the overall character, and intent of the Open Space General Plan Designation. As detailed above in the Land Use Findings, the

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

proposed A-1 zoning classification will provide the opportunity to operate an animal sanctuary as proposed by CUP03121R1, which is consistent with the Open Space-Recreation designation. Class IV kennels and Class II Catteries are permitted within the Light Agriculture zone. The Light Agriculture zone also permits menageries with the approval of a Conditional Use Permit. Ordinance No. 348 defines menageries as ...” Any lot or premises on which wild animals of the following types are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted use: Ten or more non-venomous reptiles. 25 or more mammals.” Therefore, the proposed Change of Zone is consistent with the General Plan Foundation and Land Use Designation.

6. The proposed Change of Zone would maintain the primarily rural style residential atmosphere of the community that exists in the area, thus creating a compatible land use pattern that assists in protecting public health, safety, and welfare which is the foundational purpose of a General Plan. The health, safety and general welfare of the community have been reviewed and analyzed by the Environmental Assessment as well as reviewed by the Riverside County, Fire, Transportation and Environmental Health Departments and have been recommended for approval with the conditions of approval. Therefore, the proposed Change of Zone is consistent with the health, safety and general welfare of the community.
7. The change of zone is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because the project is not in any existing conservation plans nor is it home to any known endangered species. The Project, as reviewed and conditioned by the EPD Department, and as addressed in the Mitigated Negative Declaration, would be consistent with all applicable environmental standards of the County’s Ordinances.
8. The proposed Project is compatible with surrounding zoning, as the surrounding zoning consists of Natural Assets (N-A-160) to the north, Rural Agriculture 20 acre minimum (R-A-20) to the east, Rural Agriculture 40 acre minimum (R-A-40) to the south, and Rural Agriculture 2 ½ and 5 acre minimum zones to the west. The Light Agriculture zone is compatible with the surrounding Rural Agriculture and Natural Assets zones as all of these zones emphasize preserving the natural and rural nature of the region.
9. The Light Agriculture zone permits Menageries, Class IV kennels, and Class II Catteries with the approval of a Conditional Use Permit.

Conditional Use Permit

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

The following findings are required to approve the Conditional Use Permit.

10. The proposed use conforms to all the requirements of the General Plan, and with all applicable requirements of State law and the ordinances of Riverside County. Findings on consistency with the General Plan and Land Use Ordinance are provided above in the Land Use Findings and the findings for the Change of Zone. Menageries and Class IV kennels and Class II Catteries are permitted within the Light Agriculture Zone with approval of a conditional use permit. The Project conforms to all applicable requirements of state law and other ordinances of Riverside County.
11. The overall development of the land shall be designed for the protection of—and shall not be detrimental to—public health, safety and general welfare, because, as detailed in the Initial study and mitigated negative declaration (EA42881) prepared for the project CUP03123R1, the project would not have a significant impact on the environment, in particular regarding health and safety factors considered, such as Air Quality, Hazards, and Noise.
12. The proposed use conforms to the logical development of the land and is compatible with the present and future logical development of the surrounding property, as the project site is currently utilized as the existing animal sanctuary. As noted previously, the project is consistent with the General Plan and is generally compatible with the surrounding larger lot residential land uses, thus creating a compatible land use pattern that assists in protecting public health, safety and welfare which is the foundational purpose of a General Plan. The project will comply with all applicable development standards and would not impede the present and future development of the surrounding properties.
13. That plan for the proposed use shall consider the location and need for dedication and improvement of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof. The proposed project has been conditioned by the Transportation Department to comply with County requirements within public road right-of-way and WQMP requirements per conditions of approval that require the project proponent to comply with County requirements within public road right-of-way, in accordance with Ordinance No. 461.. Condition (60- WQMP Access and Maint Easement) requires “Prior to issuance of a grading permit, the project-proponent shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMP facilities is provided. This requirement applies to both on-site and off-site property.” (60- Final WQMP) requires a final WQMP prior to grading permit issuance. (80- Trans- R-O-W Dedication) requires “Sufficient public street

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

right-of-way along SH-74 shall be conveyed for public use to provide for a 55 foot half- width right-of-way per Standard No. 95, Ordinance 461.”

14. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, 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 accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. The proposed project will be located within an existing parcel. The buildings all contribute to the existing operation. Due to the animal sanctuary uses of the buildings, there is no practical reason to subdivide the property.

Development Standards Findings:

Lot size shall not be less than 20,000 square feet, with a minimum average lot width of 100 feet and a minimum average lot depth of 150 feet, unless larger minimum lot area and dimensions are specified for a particular area or use, except as follows: The uses listed in Section 13.1.B. 1., 2., 3., 4. and 5. of Ordinance No. 348 shall not be required to have a lot area in excess of 20,000 square feet or an average lot width in excess of 100 feet, irrespective of the minimum zone requirements for a particular area. The project is not one of these uses, whereby it does not apply. The property is 153.45 acres with a width of 1,320 feet whereby it complies with these standards.

15. Minimum yard requirements shall be 20 feet front yard, five feet side yard, and ten feet rear yard. The closest building is the existing main kennel which has fences that are setback approximately 30 feet from the side yard. The remainder of the proposed and existing buildings are spaced throughout the property and well within the required setbacks of 20 feet front yard, 5 feet side yard and 10 feet rear yard.
16. One family residences shall not exceed forty (40') feet in height. No other building or structure shall exceed fifty (50') feet in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a building exceed seventy five (75') feet in height or any other structure exceed one hundred five (105') feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance. The tallest building is 18'4” which is the proposed continuous care kennel, whereby the project complies with this standard.
17. Animals on existing lots less than 100 feet in width. If the average lot width of an existing lot is less than 100 feet, animals shall be kept a minimum of 100 feet from the principal street frontage. If such lot is a corner lot, animals shall also be kept not less than 20 feet from the rear lot line. For purposes of this section, the principal street frontage is the street frontage

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

with the shortest dimension. The project lot exceeds 100 feet in width, therefore this requirement does not apply for the project.

18. Automobile storage space shall be provided as required by Section 18.12 of this ordinance. The unique nature of the project does not directly relate to any predesigned parking category defined in Section 18.12. The most similar use would be park and recreational uses which require 1 space per 8,000 square feet of active area. The total active area calculated is 102,598 square feet which requires 13 parking spaces.

Kennels and Catteries Development Standards:

Section 18.45 of Ordinance No. 348 provides that a Class IV Kennel is permitted in the Light Agriculture (A-1) zone, and Class II Cattery is permitted within the Light Agriculture (A-1) zone.

19. The following development standards shall apply to kennels and catteries and are in addition to the development standards for the applicable zoning classification. In the case of a conflict between these development standards and the development standards of the applicable zone, the more restrictive development standard shall apply.
20. LOCATION: a. Kennels or catteries shall not be placed on any lot with a multiple family dwelling. b. All kennels and catteries located in the C-1/C-P, C-P-S, C-R, or MU zones shall be located within a fully enclosed building. The project is to be located within the Light Agriculture (A-1) zone, whereby it would not apply.
21. LOT SIZE: Subject to permitted zoning, a kennel or Class II Cattery shall have a minimum lot size of one gross acre in the following zones: A-1, A-2, A-D, A-P, C/V, N-A, R-1, R1A, R-2, R-2A, R-3, R-3A, R-A, R-D, R-R, R-R-O, R-T-R, W-2, and W-2-M. There is no minimum lot size for a kennel or cattery in the C-1/C-P, C-P-S, C-R, I-P, M-H, MM, M-SC, or MU zones other than what is required by the existing zoning classification for the lot.
22. LICENSE: The applicant shall obtain and continuously maintain all necessary licenses from the Riverside County Department Animal Services.
23. 4. ORDINANCE NO. 630: All kennels and catteries are subject to the provisions of Ordinance No. 630.
24. CARETAKER: All kennels and catteries shall have an onsite caretaker.
25. Ordinance No 348 Section 21.51b define a menagerie as:

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

A. Any lot or premises on which one or more wild animals of the following types are kept:

1. Venomous reptiles.
2. Non-venomous reptiles that weigh more than ten pounds, not including turtles or tortoises.
3. Birds or members of the Aves class that weigh more than 20 pounds, not including poultry.
4. Mammals that weigh more than 20 pounds.

B. Any lot or premises on which wild animals of the following types are kept, regardless of weight, unless such animals are listed in a zone classification as a permitted use:

1. Ten or more non-venomous reptiles.
2. 25 or more mammals.

C. A wild animal that has been tamed or trained shall be considered a wild animal.

D. As used in this section, "wild animal" means any animal of the class Aves (birds), class Mammalia (mammals), class Amphibia (frogs, toads, salamanders), class Osteichthyes (bony fishes), class Crustacea (crayfish) or class Gastropoda (slugs, snails) which is not normally domesticated in this state as determined by the State Fish and Game Commission.

The Project houses horses, occasional steers used for training, and rabbits, classifying the Project as a menagerie. Wild animals are not kept on the premises. While development standards for menageries are not provided, the use is allowed in the Light Agriculture Zone subject to approval of a conditional use permit.

Fire Findings:

25. The Project site is located within a Cal Fire State Responsibility area (SRA) and is within a very high fire hazard severity zone. As part of being within an SRA, the Director of the Department of Forestry and Fire Protection or his/her designee must be notified of applications for building permits, tentative tract/parcel maps and use permits for construction of development within an SRA. Riverside County Code Section 8.32.050 c (2) states that the Fire Chief is authorized and directed to enforce all applicable State fire laws and provisions of this ordinance and to perform such duties as directed by the Board of Supervisors. As designated, the Riverside County Assistant Fire Marshall shall have the authority to enforce all applicable State fire laws that the notification requirement of Title 14 has been met. The following additional findings are required to be met:

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

- a. This Project has been designed so that it is in compliance with sections 4290 and 4291 of the Public Resources Code by providing a defensible space within each lot of 100 feet from each side, front and rear of the pad site, requiring that the site have fuel modification standards applicable to the Riverside County fire Department, requiring a minimum 10-foot clearance of all chimneys or stovetop exhaust pipes, no buildings shall be covered or have dead brush overhang the roof and requiring that the roof structure shall be maintained free of leaves, needles or other vegetation. (COA 0010-Fire-USE - FUEL MODIFICATION)
- b. Emergency water supply must be supplied by means of an established hydrant system maintained by the applicant. (0010-Fire-USE-#30-EMERGENCY WATER SUPPLY) Fire Department water systems for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance No 787 and the Riverside County Fire Department Standards. Any building constructed by this Project shall comply with the special construction provisions contained in Riverside County Ordinance No. 787, Title 14, the California Building Code and the Riverside County Fire Department Information Bulletin #08-05. Fire protection and suppression services will be available for the site through Riverside County Fire Department.
- c. The project meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and the Riverside County Ordinance No. 787. All necessary roadway infrastructure exists and the Project site is located adjacent to Highway 74. Adequate accessibility to the Project site will be available for all emergency vehicles.

Other Findings:

26. The Project site is not located within a Criteria Cell of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). However, it is located in the REMAP Area Plan. The project is consistent with sections 6.1.2, 6.1.3, 6.3.2, and 6.1.4 of the MSHCP.
27. The Project site is not located within a City Sphere of Influence.
28. The Project site is not located within an Airport Influence Area (AIA) boundary and is therefore not subject to the Airport Land Use Commission (ALUC) review.
29. The Project is in compliance with Assembly Bill 52 (AB52). Notices regarding this Project were mailed to eight requesting tribes. Consultation was requested by the Agua Caliente Band of Cahuilla in a letter dated April 29, 2016. The project was discussed during a

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

meeting held by July 26, 2017. The tribe provided information that the area is very sensitive and recommended complete avoidance of all cultural sites and features. Although no specific Tribal Cultural Resources were identified, the tribe provided recommendations for archaeological and tribal monitoring during grading activities. Condition of Approval (60-Planning-TCR.1) requires Native American monitoring. This will ensure that if subsurface tribal resources are identified during grading activities, they will be handled in a timely and culturally appropriate manner.

30. The Project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary, as identified by Ordinance No. 655 (Mt. Palomar). As provided in the Conditions of Approval, the Project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.
31. All persons within the County of Riverside that keep and control dogs, including those with Class IV Kennels, are required to comply with Ordinance No. 630, including Section 14 (Stray or Barking Dogs) and Section 23 (Public Nuisance). Among other provision, 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 IV Kennel, Ordinance No. 630 provides procedures and remedies for ameliorating such problems.

Conclusion:

32. For the reasons discussed above, as well as the information provided in the Initial Study, the proposed Project conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed project would not be detrimental to the health, safety or general welfare of the community.

PUBLIC HEARING NOTIFICATION AND COMMUNITY OUTREACH

This Project was advertised in the Press Enterprise Newspaper. Additionally, public hearing notices were mailed to property owners within 600 feet of the Project site. As of the writing of this report, Planning Staff has not received written communication/phone calls who indicated either support or opposition to the proposed Project.



**COUNTY OF RIVERSIDE
PLANNING DEPARTMENT
STAFF REPORT**

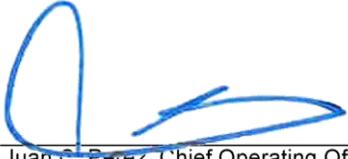
Agenda Item No.

(ID # 17734)
MEETING DATE:
Wednesday, December 01, 2021

SUBJECT: EXECUTIVE OFFICE TECHNICAL COMMITTEE: Receive and File, and Provide Comment on Draft Redistricting Maps and Receive and File the Public Testimony Package. All Districts. [\$0]

PROPOSED PROJECT

Case Number(s):	N/A
Environmental Type:	
Area Plan No.	
Zoning Area/District:	
Supervisorial District:	All Districts
Project Planner:	Rania Odenbaugh
Project APN(s):	
Continued From:	



Juan C. Perez, Chief Operating Officer 11/24/2021

PROJECT DESCRIPTION AND LOCATION

Presentation of Redistricting draft maps to the Riverside County Advisory Redistricting Commission.

PROJECT RECOMMENDATION

EXECUTIVE OFFICE TECHNICAL COMMITTEE RECOMMENDATIONS:

1. Receive and file the attached public testimony package containing all public comments received through November 22, 2021; and
2. Receive public comment, prioritize, and forward draft maps labeled EOTC Fv5, Hv7.2, and Community Map 1.4 to the Board of Supervisors for consideration at the December 7th Public Hearing.

PROJECT DATA

Land Use and Zoning:	
	Specific Plan: N/A

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

Specific Plan Land Use:	N/A
Existing General Plan Foundation Component:	
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation:	
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	
Surrounding General Plan Land Uses	
North:	
East:	
South:	
West:	
Existing Zoning Classification:	
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	
East:	
South:	
West:	
Existing Use:	
Surrounding Uses	
North:	
South:	
East:	
West:	

Project Details:

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Project Site (Acres):		
Existing Building Area (SQFT):		
Proposed Building Area (SQFT):		

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

<i>Item</i>	<i>Value</i>	<i>Min./Max. Development Standard</i>
Floor Area Ratio:		
Building Height (FT):		
Proposed Minimum Lot Size:		
Total Proposed Number of Lots:		
Map Schedule:		

Parking:

<i>Type of Use</i>	<i>Building Area (in SF)</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
TOTAL:				

Located Within:

City's Sphere of Influence:	N/A
Community Service Area ("CSA"):	N/A
Special Flood Hazard Zone:	N/A
Agricultural Preserve:	N/A
Liquefaction Area:	N/A
Subsidence Area:	N/A
Fault Zone:	N/A
Fire Zone:	N/A
Mount Palomar Observatory Lighting Zone:	N/A
WRCMSHCP Criteria Cell:	N/A
CVMSHCP Conservation Boundary:	N/A
Stephens Kangaroo Rat ("SKR") Fee Area:	N/A
Airport Influence Area ("AIA"):	N/A

PROJECT BACKGROUND AND ANALYSIS

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

Every ten years, after the federal census, district boundaries for federal, state, and local elected offices are redrawn to reflect new population data and shifting populations to ensure equal voter representation to the extent possible. This process is called redistricting.

Under State law, the Board of Supervisors may establish, by resolution, ordinance or charter amendment, an independent redistricting commission, a hybrid redistricting commission, or an advisory redistricting commission composed of residents of the County to complete the redistricting of the five County Supervisorial districts.

Elections Code 23002 applies to Advisory Redistricting Commissions. It states in relevant part, “(b) Notwithstanding any other law, the local jurisdiction may prescribe the manner in which members are appointed to the commission; (c) A person who is an elected official of the local jurisdiction, or a family member, staff member, or paid campaign staff of an elected official of the local jurisdiction shall not be appointed to serve on the commission; (d) A local jurisdiction may impose additional requirements or restrictions on the commission, members of the commission, or applicants to the commission in excess of those prescribed by this section.”

On November 17, 2020 (Agenda Item 3.3), the Riverside County Board of Supervisors established the 2021 Advisory Redistricting Commission by resolution, which is the existing Planning Commission for the County of Riverside and is a Brown Act body of five members selected by the Board of Supervisors. Each Planning Commissioner is a resident of the County, with one Planning Commissioner representing each Supervisorial District. The Planning Commission receives support through the County of Riverside Planning Department and regularly meets on the first and third Wednesdays of each month.

The 2021 Advisory Redistricting Commission (ARC) receives direct support through a Technical Committee established by the County Executive Office (EOTC), which is comprised of staff from the Executive Office, County Counsel, Riverside County Information Technology Department, Registrar of Voters, and Transportation Land Management Agency, as well as the five Chiefs of Staff for each Supervisorial District. Both the ARC and the EOTC have been committed to ensuring as much public participation as possible in the Redistricting process and ensuring that

the final Board recommended map(s) will accurately and fairly represent the residents of Riverside County pursuant to applicable laws.

In prior census years, data collection was complete by July of the census year. However, due to challenges in collecting data posed by the COVID-19 pandemic, the Census Bureau extended data collection to October 2020. In addition, during prior census and redistricting cycles, the Census Bureau released data to the states for distribution to local governments by April of the year following the census. This year, the Redistricting Data was forecasted for

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

release to states by September 2021, nearly five months later than prior redistricting cycles. The significant delays on the release of data by both the federal and state governments have created a very tight timeline for local jurisdictions to complete the redistricting process, which by law must be complete by no later than December 15, 2021, to allow for those districts to be ready for use in the June 7, 2022 primary election.

The EOTC has attended several ARC meetings since the ARC was established by the Board. During these meetings, the EOTC has provided updates, presented draft maps, and gathered feedback from both the ARC and the public.

At the October 6 ARC meeting, the EOTC presented four draft maps, labeled EOTC A, B, C and D, and received comments from the public and the ARC. At that time, the ARC was made aware that draft maps EOTC A, B, C and D did not include the California's adjusted U.S. Census Data for breakdown of voting age population data by ethnicity, the Citizen Voting Age Population (CVAP) data, and prisoner population, as this information was not available for analysis at the time of the creation of those maps.

On October 14, 2021 the EOTC created three additional draft maps, EOTC E, F, and G. The EOTC updated the original maps A, B, C, and D and the additional maps E, F, and G to include the California's adjusted U.S. Census Data for breakdown of voting age population data by ethnicity, the CVAP data, and prisoners population data.

On October 19, the EOTC presented draft EOTC maps A through G as well as several maps submitted by the public to the Board of Supervisors at a public hearing. At the conclusion of the public hearing, the Board of Supervisors directed the EOTC to do the following:

1. No longer consider draft EOTC Maps A through D;
2. Deem draft EOTC Maps E through G as Board Drawn and bring them forward to the ARC on November 3rd for review and consideration for the purpose of providing recommendations to the Board of Supervisors for a November 9th public hearing;
3. Direct the EOTC to apply CVAP data to the draft maps submitted by the Inland Empire Redistricting Hub, Debbie Walsh, and Jerry Sincich and bring them forward to the ARC on November 3rd for review and consideration for the purpose of providing recommendations to the Board of Supervisors for the November 9th public hearing;
4. Draft an additional map (EOTC H) to include Temecula, Murrieta, Wildomar, Lake Elsinore, Temescal Valley, Wine Country, and French Valley into one District for consideration by the ARC;
5. Request that any draft maps from the public or EOTC be submitted to the EOTC by 5pm on November 1st;

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

6. Direct the EOTC to hire an external consultant to conduct an assessment of racially polarized voting in the county as an additional measure to assist in determining compliance with Section 2 of the Voting Rights Act; and
7. Schedule a 5th public hearing for the November 16th Board of Supervisors meeting.

After the October 19th public hearing, the EOTC drafted additional maps, draft EOTC Maps H, I, and J. Additionally, slight boundary revisions were made to draft EOTC Maps F and G. The revisions did not substantially impact the population numbers for those draft maps.

On November 3rd, the EOTC presented EOTC maps E, F, G, H, I, and J, and Community Maps 1.0, 1.1, 1.2, 3.0, 3.1, 3.2, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 5.0, 5.1, and 6.0 to the ARC for the purpose of providing recommendations to the Board of Supervisors. After receipt of public comment and subsequent deliberation, the ARC voted to send EOTC Maps F, G, H, I, and Community Map 1.2 submitted by the IE Redistricting Hub, to the Board of Supervisors for further discussion and consideration at the November 9th Public Hearing.

On November 9th, the Board of Supervisors held a public hearing to receive public testimony on the remaining maps. During the public hearing, the Brown and Black Alliance presented a revised version of a previously submitted map which the Board agreed to reconsider as Community Map 6.1. At the conclusion of the public hearing, the Board of Supervisors directed the EOTC to do the following:

1. Make revisions to existing maps that would attempt to keep the San Gorgonio Pass together, keep Moreno Valley and Perris together, keep Woodcrest and Good Hope together, do clean-up work for the Temescal Valley area, and to continue work adjusting the lines on existing maps;
2. Conduct a Racially Polarized Voting analysis on EOTC Draft Maps Fv5, Gv2, Hv7.1, Iv2, Community Maps 1.3 and 6.1, and conduct the analysis on any revisions to existing maps described by the Board of Supervisors;
3. Update the Board at the November 16th public hearing on the analysis; and
4. Schedule an additional public hearing on December 7th.

On November 16th, the Board of Supervisors held a public hearing to receive public testimony on EOTC Draft Maps Fv5, Gv2, Hv7.1, Iv2, and Community Maps 1.3 and 6.1. After receiving public testimony, the Board discussed revising Community Map 1.3 to address concerns expressed by the public regarding splitting of the San Gorgonio Pass. At the conclusion of the public hearing, the Board directed the EOTC to move EOTC Maps Fv5, Hv7.1, and Community Map 1.3, as revised, to the ARC for consideration at the December 1, 2021 meeting.

Detailed versions of the remaining maps for ARC consideration can be found at the following link: <https://storymaps.arcgis.com/stories/89e5352b6b9c4a3386944fb0caa0c5e9>

**COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT**

Impact on Residents and Businesses

The County's redistricting efforts will have a direct impact on the residents and businesses of Riverside County as the results will maintain a proportionate number of voters between supervisorial districts and will determine representation at the County level.

ATTACHMENTS:

- A. Public Testimony Package as of 11/22/21 – Email
- B. Public Testimony Package as of 11/22/21 – Survey
- C. Redistricting Draft Maps – EOTC Fv5, Hv7.2, and Community Map 1.4
- D. Draft Map Analysis Matrix



Gregory F. Priamos, Director County Counsel 11/23/2021