

















# **OPPOSITION TO THE CLASS II KENNEL**

**By Tenaja Environmental  
Concerns Association**

**RECEIVED**  
AUG 29 2016

ADMINISTRATION  
RIVERSIDE COUNTY  
PLANNING DEPARTMENT



**Land Use in  
Santa Rosa Ranches  
and its CC&Rs**

# History of Land Development

- December 19, 1968 CC&Rs were recorded for property within the Santa Rosa Ranch development.
- The County review and approved the CC&Rs in order to approve the development of the Santa Rosa Ranch area.
- In 1985 Tenaja Community Services District was formed to undertake local agency functions including Santa Rosa Ranch development.
- The CC&Rs were amended in November 25, 1998, to declare that Tenaja Community Services District would appoint an Architectural Control Committee to review and approve development projects governed by the CC&Rs.

# Tenaja Community Services District

- The Tenaja Community Services District has two standing committees, one of which reviews and approves development project pursuant to CC&Rs.
- That committee is called the Architectural Control Committee (“ACC”).

# County Ordinances

- Ordinance 348.18.1. **CONFLICTING REGULATIONS.** If any section of this ordinance is in conflict with any other section thereof, or another County ordinance, then the more stringent requirements shall apply.
- Ordinance 17.292.060 (B) “This section shall neither replace the requirements of, nor overwrite the terms of any private CC&Rs.”

# County Requirements for Plot Plans

- 17.216.040 - Requirements for approval.
- No plot plan shall be approved unless it complies with the following standards:
- (1) The proposed use must conform to all the requirements of the general plan and with all applicable requirements of state law and the ordinances of Riverside County.

# **County Requirements for Animal Rescuer**

- **Animal rescuer may keep a maximum of four personal (not for adoption or sale) dogs and nine personal (not for adoption or sale) cats and must include these animals as "personal pets" on the animal rescue permit application. These animals are included in the overall count that will change the category to class II kennel permit for eleven (11) dogs or more and a cattery license for ten (10) or more cats.**

## ACC Approved a Shed

- The project applicants proposed installation of a shed that was approved by the ACC.
- On March 2016, the applicants were informed that if the project was altered, then the project needed to come back to the ACC for approval.
- The applicants never resubmitted their Class II Kennel project.
- ACC informed the County that CC&Rs have been interpreted to prohibit Class II Kennels as commercial uses.

# Summary

- The project violates the Santa Rosa Ranch CC&Rs
- It violates the County's ordinance not to overwrite personal CC&RS
- It violates the County's ordinance that limits personal dogs to 4 dogs for dog rescuers and residential use
- The ACC has not approved the project presented
- The County should deny the project

# **Class II Kennels are Business Use**

# How Many Dogs Can I Have?

- According to the County of Riverside's Planning Department's own website the answer to the question:
- One to four dogs on a property is allowed without a Kennel permit issued from the Planning Department.
- Four dogs is the limit for personal, residential use.

## **Class II Kennel**

- Dictionary defines “kennel” as: an establishment where dogs or cats are bred, raised, trained, or boarded.
- Breeding, raising for sale, training and boarding are business endeavors.
- California Building Code classifies “kennels” as “BUSINESS USE”.
- San Bernardino County title defines “kennels” under 84.04.050 Commercial Kennels and/or Catteries.

## Other Agencies Definitions

- City of Riverside: “Commercial Kennel” shall have the same meaning as “Kennel” as defined in Chapter 19.910 Definitions, of the Municipal Code.
- City of Newport Beach Code states: “Commercial kennel” means any place where more than three dogs over the age of four months, three cats over the age of four months, or three other animals are treated, conditioned, boarded, raised or offered for sale for any form of compensation, including, but not limited to, donations by any person or entity.
- Somona County A commercial kennel, defined as keeping 5 or more dogs and/or cats for commercial purposes, is allowed with a Use Permit and a license from the Animal Control.”

# The Project is Commercial Use

- Shadow Husky Rescue is a non-profit corporation registered in the State of California.
- The name of the corporation signifies it is a dog rescue commercial operation.
- Shadow Husky Rescue and the applicants solicit for donations on their website.
- The applicants have forms on their website for adoption of their dogs.

# Conclusion

- Residential Property owners should not be able to circumvent the limit on the number of dogs for personal use by applying for a kennel permit.
- The County of Riverside definition for “kennel” should be classified properly as a commercial or business use as other jurisdictions have done, like San Bernardino County.
- A Class II Kennel, allowing 25 dogs, should never be considered “personal use”.
- The evidence show this project is not personal use; it is commercial use.

# Siberian Huskies

# Siberian Husky Traits

- Agile
- Playful
- Requires vigorous exercise
- Requires mental stimulation
- Very high prey drive
- Digging and howling are favorite pastimes
- Without exercise and mental stimulation, Huskies are massively destructive.

## Siberian Husky Traits (cont'd)

- Experts at escaping from a yard, known as the “Houdini” of dogs.
- Destructive chewing
- “Frankly, too much dog for most people.”

“Siberian Husky Temperament, Personality, Behavior, Traits, and Characteristics” by dog breed expert Michele Welston)

# Prey Drive or Instinct

- Prey drive is defined as the instinctive inclination of a carnivore to pursue and capture prey.
- Prey drive is an instinct – i.e. it is genetically programmed. It cannot be trained out or unlearned.

## Huskies have strong prey drives

- Siberian Huskies have a strong prey drive, and generally do not get on well with cats and other small animals (rabbits, guinea pigs, ferrets, etc) and birds. (Siberian Husky Club)
- Huskies will chase down and grab, potentially harming and even killing another dog. (Sixteen-feet.com)
- Huskies have been known to chase down and kill cats, squirrels, badgers, chickens, pigs, possums, deer and other livestock.

# Escape Artists

- Huskies are expert escape artists, there's no denying it. This is something many husky owners are experienced with, and something that many breeders warn new husky owners about. ([MyHusky.com](http://MyHusky.com))
- Huskies will dig under fences or jump/climb over them.

# Applicants Dogs Running Loose



# Husky 3<sup>rd</sup> Most Dangerous

Breed	Bodily harm	Child Victims	Adult Victims	Breaths	Maiming	% of dog population
Pit bull	2235	911	806	233	1268	4.4
Rottweiler	495	278	131	81	277	2.2
<b>Husky</b>	<b>71</b>	<b>44</b>	<b>5</b>	<b>24</b>	<b>20</b>	<b>0.05</b>
German shepherd	96	60	28	14	59	2.3
Chow	55	36	16	7	37	0.01%

Top Ten Most Dangerous Breeds Based on their Fatalities

## Applicants' Dogs Attack Livestock

- On February 1, 2016, Shelby McCowen heard barking and went to her front door to see 4 large Siberian Huskies viciously barking at her horse. They had the horse surrounded and were biting at his front and rear legs. Ms. McCowen attempted to yell at the dogs to stop when they began approaching her barking viciously. Ms. McCowen went back in her house and called for help. Her horse tried to run away but the dogs chased after him. The dogs circled her shed and started biting her donkey that was penned. The donkey kicked one of the dogs that had bitten the donkey's back leg which made the dog leave. The three remaining dogs continued to bark, chase and bit her horse and donkey until they tired and returned to the applicants' property.

## Howling a favorite past time

- “Their mournful howling will have your neighbors calling the cops.”

Michele Welton (35 years as a dog breed advisor.)

# Siberians Howl when

- They are in boarded (kennels)
- Hear a baby cry
- Hear a siren
- Respond to other dogs
- Are lonely
- Are bored
- When they are not mentally stimulated

## Howling can be heard 10 miles away

- Siberian Husky is rated the 6<sup>th</sup> loudest dog by the American Kennel Club.
- The howl is low pitched and long in duration in order to carry it for miles.

(I love dogs, “Eight Fun Facts about Siberian Huskies.”)

# Typical Single Howl



# Community Howl

- If you own more than one Siberian you may find they start a community howl.
- Because they howl at different pitches and use different modulating tones, which echo and bounce off walls, a pair of Siberians can easily sound like dozens.
- This trick is used by wolves to often fool their opponents into believing that the pack is larger than it really is.  
(MyHusky.com)

# The Community Howl



# Applicants' Community How!



**Another Single Siberian Howl**



**SO FUNNY**

# Please Deny the Project

- These dogs require vigorous exercise not to act out;
- The dogs are predatory, escape artists and considered the 3<sup>rd</sup> most dangerous breed of dog;
- Applicants' dogs have already gotten out and attacked livestock; and
- The noise is unacceptable.

**Applicants Have No  
Prior Kennel  
Experience**

# The Applicants

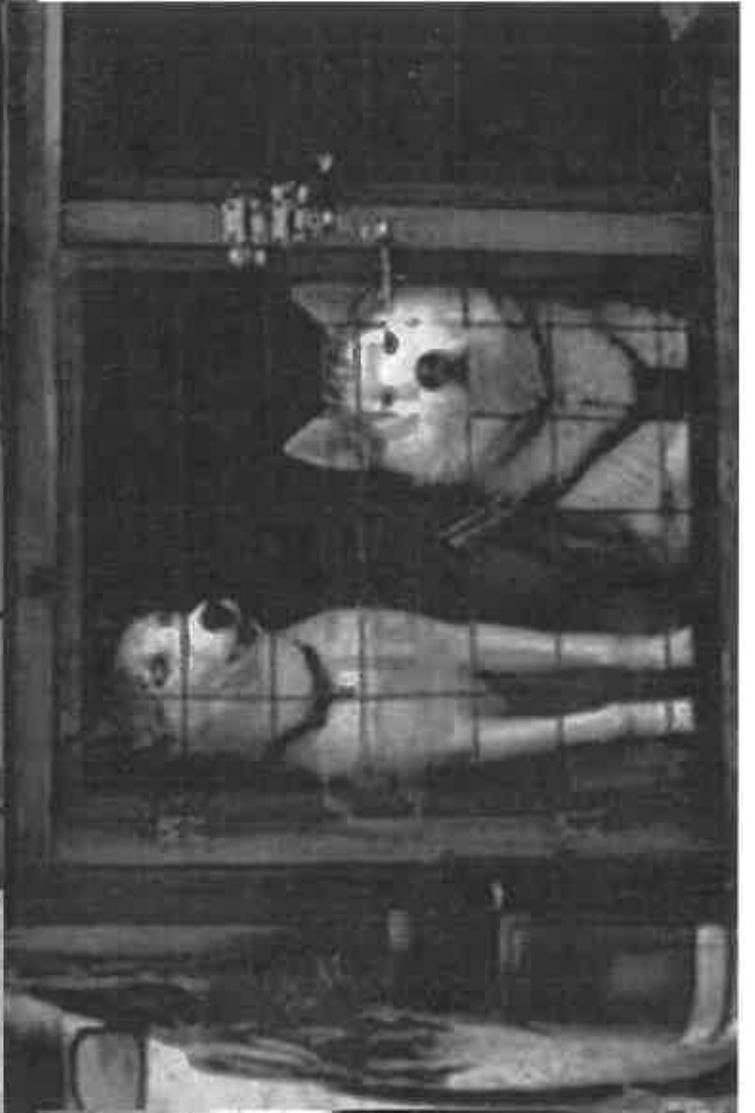
- Tamara Elizabeth McVickers is a Family Law Attorney
- Tim McVickers is a truck driver
- Neither intend to quit their jobs to be kennel operators
- The intent is to pay non-resident, employees to run their kennel business
- All these factors should make dog lovers upset because dogs require love, attention, exercise and companionship

# A Day in the Life of 25 Dogs

- The McVickers wake up and leave for work.
- The project proposes to place 25 dogs in a 480 square foot shed.
- Siberian huskies can run up to 100 miles per day and can easily run 20 miles a day.
- This is inhumane and cruel to this type of dog.

# A Day in the Life of 25 Dogs

- After working all day, the applicants arrive home around 6:30p.m.
- After feeding themselves and 25 dogs, that gives them maybe 2.5 hours (10pm) to give 25 dogs the love and affection they require.
- That is 6 minutes for each dog.
- It's not fair to the dog.
- The applicants are proposing to sentence these dogs to a jail cell for the rest of their lives.



# Personal Use

- The application states “dogs for personal use only”
- Is personal use to mean “pets”?
- If so, dogs as pets deserve their own owner, they deserve to be walked daily, they deserve to have a home and family of their own.
- Most kennels either board dogs temporarily or adopted them out. It’s a business.

# Past Experience

- Lots of people think they can start kennels
- In 2006, LA Attorney Charlotte Spadaro started a rescue kennel and was eventually convicted for animal cruelty
- In 2007, Phyllis Wilson also convicted for animal cruelty for starting up a rescue kennel
- The Humane Society has dozens of horror stories of people starting up kennels; only to end in cruelty to animals.
- Kennel operations is a business; not a hobby. It requires experience, not just good intentions.

## Final Remarks

- This project should be denied because kennel operations require experience;
- The applicants have no prior experience, work all day and cannot devote the time required;
- Past experience teaches us that to permit kennels for this type of operation may subject the dogs to intolerable conditions.
- Siberian Huskies were bred to be working dogs and are happiest running on a line; not doing time.

# DECEPTION

# Deceptive Acts

- December 13, 2014 the Orange County Register quotes Tim McVicker as launching a Husky rescue.
- August 14, 2015, McVicker's applied for a Class I Kennel Permit when there was already 14 dogs on the property.
- Class I Kennel Permit withdrawn and Class II Kennel submitted.

# Deceptive Acts

- The applicant applied to the Architectural Control Committee (“ACC”) for installation of a “shed” but never told them they were actually building a Class II Kennel application.
- The County application states for “personal use” while there is a website clearly shows a rescue and adoption business.
- Shadow Husky Rescue, Inc. is a corporation, a business entity; not a residential use.
- Applicant states noise is below acceptable levels which contradicts ALL experts on the breed and the evidence.

# ACC Approved a Tough Shed

- The ACC reviewed and approved an application for a “tough shed” for storage purposes.
- The Tenaja County Service District sent the applicants a letter dated, March 7, 2016 informing them that the ACC had only approved a tough shed.
- The letter informed the applicants if any changes were made to their project, they needed to come back to the ACC for approval.
- They never did.

# Shadow Husky Rescue, Inc.



# Mission Statement

- Shadow Husky Rescue, Inc. Mission Statement
- Our mission at Shadow Husky Rescue, Inc., is to rescue huskies that are displaced, rescued, unwanted, abused, lost, abandoned or scheduled for euthanasia and provide them with a second chance at life by finding them permanent homes.

# Shadow Husky Rescue Website

- Rescuing Rosa
- July 27, 2016/0 Comments/in Happy Endings, News /by Tim McVicker Master Wolf picked up Rosa this afternoon after leaving her at the Inland Valley Shelter over the week end for her Spaying surgery. What a sweet heart of a precious little girl that was going to be put to death over the weekend do to to many dogs in the shelter and listed vicious of all things!! Rosa is as sweet as they come not a bark or a whine from her even after surgery and being in the Shelter for a stay. Please call me if interested in adopting her she will make your life perfect with her unconditional love for you. Call Master Wolf at 949 290-3217 and go on our Web SiteShadowHuskyRescue.com and fill out an adoption form you can send it or E-mail it to MasterWolf@ShadowHuskyRescue.com Rosa could change your life forever!! Rosa will be in foster care until permanent home is found.

# Non-Profit Goals

- **Finding safe foster homes and permanent placement for Siberian Huskies** in loving and supportive homes where they will be loved and well taken care of. Managing and investigating all potential husky adoption families.
- Providing food, shelter and medical care for **adoptable huskies** by distributing food and paying for medical care for animals needing permanent placement.

# Non-Profit Goals

- **NETWORKING**
- Sponsoring adoption events for huskies in collaboration with animal shelters and other rescue organizations.
- **SOLICITING DONATIONS**
- Soliciting donations to help expand operations to generate public awareness and education and to encourage as many adoptions of husky animals to prevent euthanasia of husky dogs in shelters.

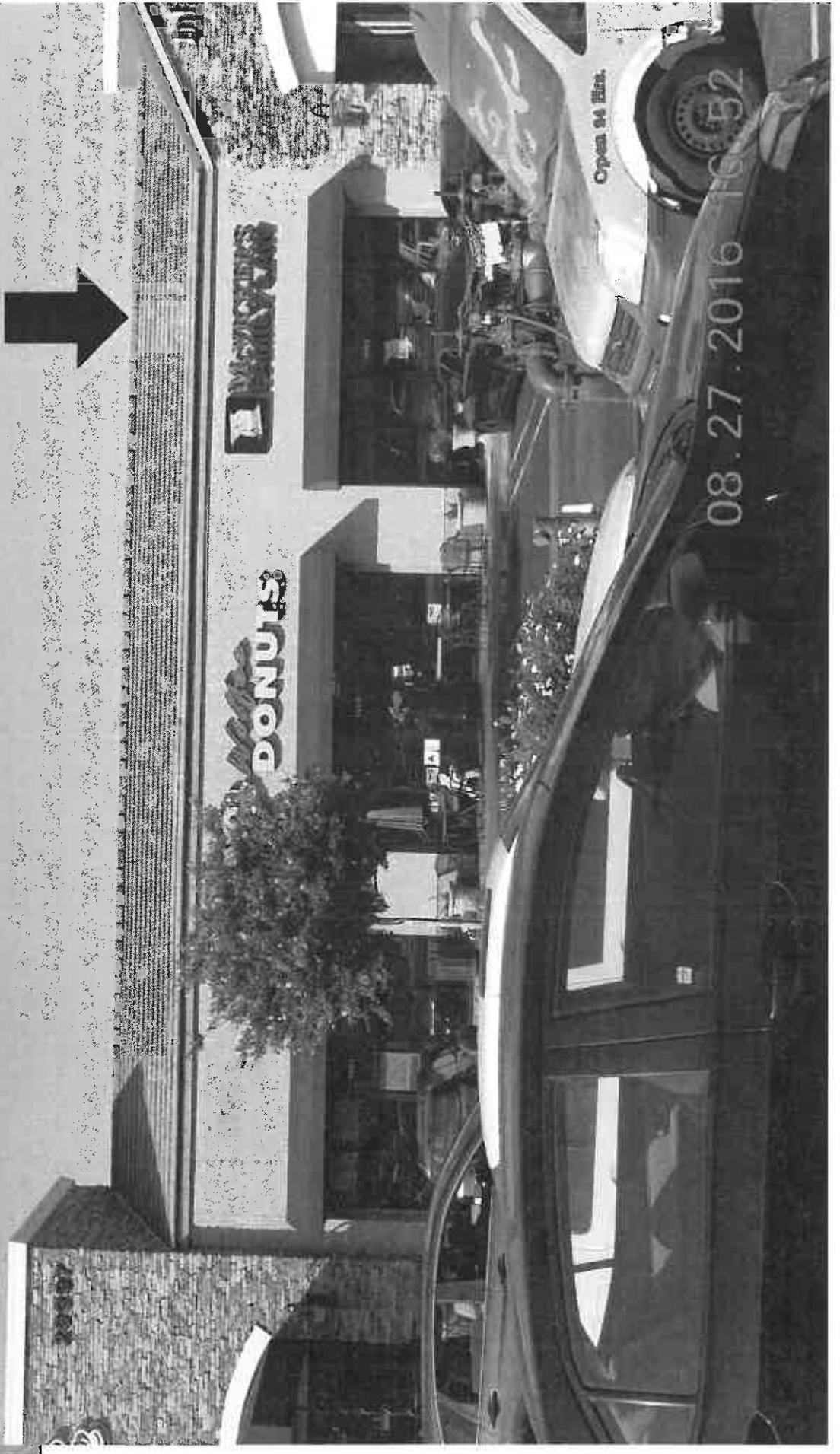
# From Applicants' Website

- Every contribution helps
- Every penny and every second matters in our business. It takes time and effort to do what we do and we are serious about saving lives. We are eternally grateful to those help us out and appreciate any help you are willing to give.
- All donations go towards expenses for medical bills, food, transportation and other necessities. Feel free to contact us if you would like to donate your time, supplies or become a foster parent to help our cause.

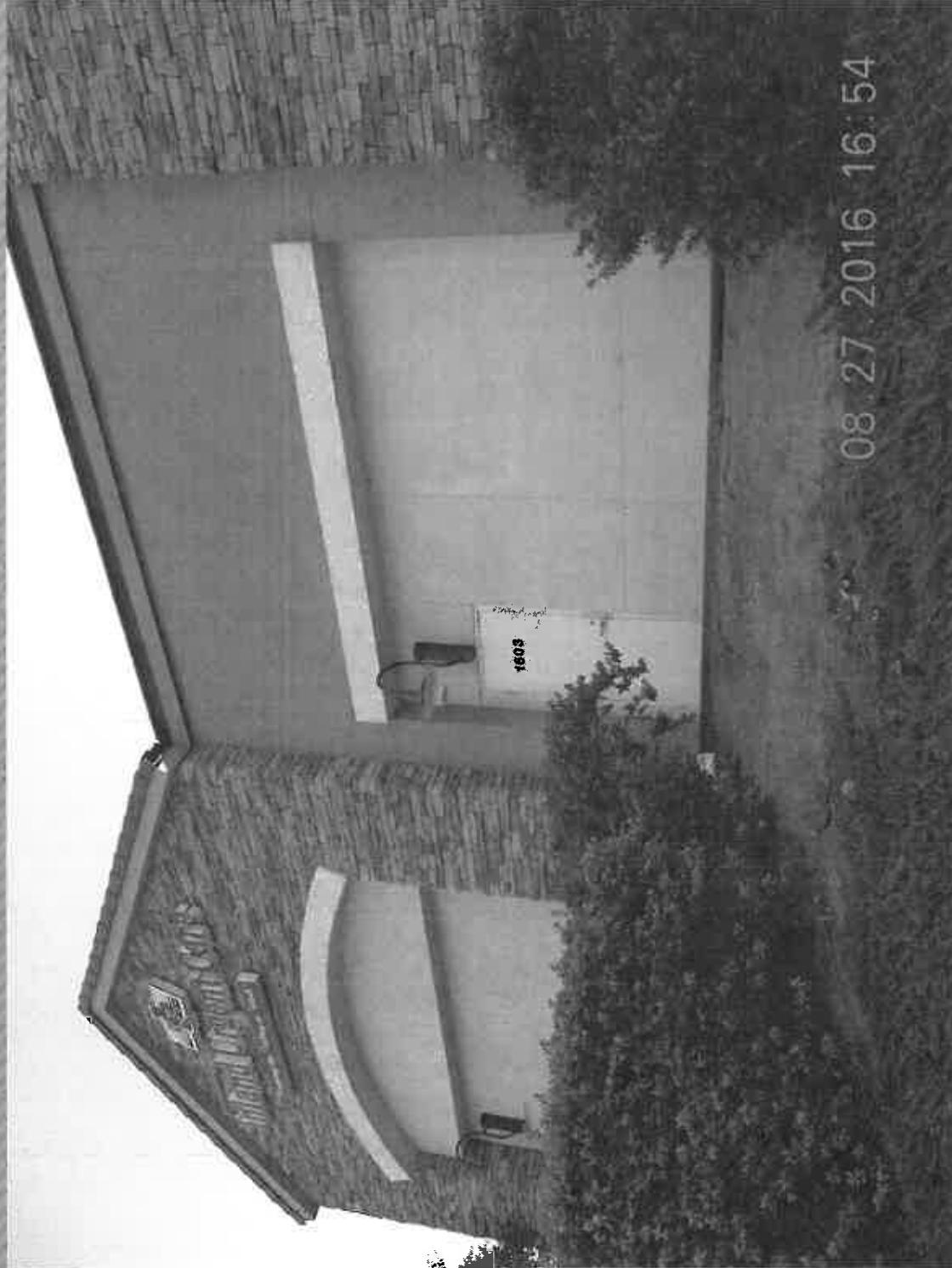
# Shadow Husky Rescue Inc.

<b>Entity Name</b>	<b>Shadow Husky Rescue, Inc.</b>
Entity Number	C3832804
Date Filed	10/07/2015
Status	ACTIVE
Jurisdiction	California
Entity Address	<b>29997 Canyon Hills Rd., STE 1603</b>
Entity City, State, Zip	<b>Lake Elsinore, CA 92532</b>
Agent for Service of Process	Tamara Elizabeth McVicker
Agent Address	29997 Canyon Hills Rd. STE 1603
Agent City, State, Zip	Lake Elsinore, CA 92532

# McVicker's Family Law Office



# The Back Side of the Law Office



# Application Misrepresentation

- The application today is based on misrepresentations of the facts.
- The Class II Kennel is for commercial use.
- The project was never approved by the ACC.
- Shadow Husky Rescue is conducting rescue, adoptions, fund-raising activities.
- Shadow Husky Rescue is a non-profit corporation.
- The address for Shadow Husky Rescue is a law office; not approved for rescue or adoption of dogs.

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## Conclusion

- Based upon the numerous inconsistencies, failure to get ACC approval and obvious commercial use, the County of Riverside should deny the Project.

# SUMMARY

# Summary

- The Project violates the existing CC&Rs
- The Project is a commercial use of the Property.
- Siberian Huskies are escape artists with strong, dangerous predatory traits that love to run in packs, dig and howl.
- The applicants have no prior kennel experience and work full time away from the property.
- The applicants have misrepresented the facts at every step of the process including ACC approval, project description, kennel address.

## Summary (cont'd)

- Applicants intend to run a rescue kennel, solicit donations and adopt dogs out.
- All dogs need love and attention.
- These types of dogs require a chance to run for miles; not be penned up all day.
- Most of all, 25 Siberian Huskies whose howl can be heard ten miles away have no business in a quiet, rural, equestrian, residential neighborhood.

## **Conclusion**

**○ For all of these reasons, the residents of Santa Rosa Ranches and the Tenaja Environmental Concerns Association requests that the County deny this application.**

**Would you want to live  
next door to this?**



**AnimalHouseforReal**



County of Riverside  
Department of Animal Services  
Field Services Request and Activity Log

4-21-16 385

Received two separate complaints/concerns regarding the McVicker's dogs being loose on 2-1-16 but was not made aware of this until 3-18-16 for A16-050714 and the other complaint was on 4-6-16 for A16-053129. The first complaint was from Shelby McCowen, which I made contact at her property on 4/8/16, and it pertained to the McVickers having 4 dogs loose on 2-1-16 and gaining access to her property. According to her the dogs did not harm anyone or any animal on her property but were barking and acting "like a pack" towards her horse who was roaming the property and her donkey which was corralled. One of the dogs, according to Miss McCowen, was kicked by the donkey and the dog ran off and was unsure if the leg got broken. I asked what she would like me to do and explained the restraining order process at which time she stated she does not mind what happens when she is only concerned with the dogs getting out in the future and as long as the McVickers ensure the animals are properly confined she is good with it. On 4/20/16 I met with the McVickers at their property in La Cresta at which time I saw they have installed a secondary fence at the entrance of the property which once someone pulls in the primary gate the gate closes and then and only then is a second gate manually open to gain entrance into the main property. I asked what happened on the day of the incident and they told me a contractor working at the property left the property and had the gate transponder. One of their "workers" or "caregivers" had a group of dogs in the main yard for "Exercise time" when the contractor returned he unknowingly opened the gate and the dogs (4) got loose off property. The McVickers state the animals were all retrieved within 30 minutes of this occurring and that is why the secondary gate was installed and the gate needing to be opened manually so no one can unwillingly let any animals loose. While on the property they also showed me a secondary perimeter fence separating the dogs from getting close to the Becker's fence near their horses and the animals are never in the section that had become "blocked" off. They walked me throughout the whole property including inside the home and also showed me the foundation that has been set for their housing kennel. I noted large receptacles with potable water as well as the animals have several access points into the home and outside

continued:

I was at the property. I took pictures of many areas of the property for reference by our Department.

On 4/20/16 I met with Tina Clippinger at her property and also met with her worker who states on the 1st of February his wife was at home and saw 1 white husky on the property the stay at which is 13475 Tenaja Rd in La Cresta which directly across from the entrance gate of the McVicker's property. He states according to his wife she tried to "Shoo" the dog away but was unable to get the dog to leave. Not once was there a mention of the animal ever being aggressive but was just on the property. I was told the wife left to go pick up children from school and the dog was still hanging around but when she returned to the home there were 2 dead chickens. No one saw the incident just assume it was the dog that the wife saw that killed the chickens but no one was certain. Also states the dogs run the fence at the front of the McVicker property barking at the horses on the Clippinger property which I told them they are confine on their property so it would need to be filed as either a barking or nuisance complaint.

Both parties state they have not seen any of the McVickers animals loose since the incident which occurred on 2-1-16. The McVicker were aware of the McCowens complaint and had since spoke with The McCowens and them to explain the newly installed fence.

5-4-16 385

Received a large email from the McVickers which included people in the email group such as Supervisor Kevin Jefferies and Bob Magee. Sent email to supervision for proper delivery to department heads to make aware of who is being contacted and informed by parties involved.

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

January 14, 2016

Mr. Steve Uhlman  
County of Riverside, Dept. of Environmental Health  
3880 Lemon St, Suite 200  
Riverside, CA 92501

**Subject: Stationary Noise Standard vs. Nuisance Noise Standard for Dog Kennels**

Dear Sirs:

I need to express my concern for the application of Ordinance 847, Table 1 as a condition of approval. Due to low ambient noise levels, and the fact that the descriptor for the standards in Table 1 is a maximum noise event (aka, a very short noise event like one bark or one horse neighing or one loud bang) these noise standards are already being violated on a regular basis throughout the Tenaja Valley. For example a normal conversation would exceed the nighttime noise standard of 45 dBA Lmax if it was within 30 feet of the property line.

Due to the unrealistic expectations associated with a maximum noise event standard, the standards in Table 1 have not been used for noise impact assessment in the County for years. I have had many conversations with Steve Hinde, the previous reviewer of noise studies at the Department of Environmental Health, about these standards and he instructed me to use their Stationary Noise Source Standards to conduct analysis of dog kennel noise. If we were to utilize Ordinance 847 for project noise impact analysis an EIR would be required for almost every project in the County as noise impacts would be significant and unmitigable. It is my opinion that at some point someone who does not understand noise descriptors inadvertently used the term "maximum" when preparing Table 1 in Ordinance 847 and this term is incorrect.

For a CEQA document there are two noise standards that are routinely applied to dog kennels including Riverside County Code Section 6.08.150 and the County of Riverside Industrial Hygiene Stationary Noise Source Standards. Ordinance 6.08.150 states that it is unlawful for any person to keep or allow to be kept, or suffer or permit any dog to remain upon the premises under the control of such person, when such dog habitually barks, whines or makes loud or unusual noises in such a manner as to disturb the peace and quiet of the neighbors surrounding or in the vicinity of such premises, or whose barking or howling or other sound or cry interferes with any person of ordinary sensitivity in the reasonable and comfortable enjoyment of life and property. The Husky Ranch dogs clearly are not habitually barking, whining, howling and disturbing persons of ordinary sensitivity.

The Riverside County Department of Environmental Health's Office of Industrial Hygiene routinely requests that noise impacts associated with dog kennels be assessed in light of their Stationary Noise

Standards (attached). Specifically, the office requires that facility-related noise, as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home", must not exceed the following worst-case noise levels:

- 45 dBA – 10 minute noise equivalent level ( $L_{eq}$ ), between the hours of 10:00 PM and 7:00 AM (nighttime standard)
- 65 dBA – 10 minute noise equivalent level ( $L_{eq}$ ) between the hours of 7:00 AM and 10:00 PM (daytime standard)

The Husky Ranch should not be held to standards that other kennels and other projects throughout the County have not been subject to. If so, this project will set a new precedent.

Thank you for this opportunity to work with you. Please do not hesitate to call me if you have any questions or comments.

Sincerely,



**Roma Stromberg, Principal**  
**ROMA ENVIRONMENTAL**



X

**Distance from inner play area fence to Becker house**

Mentions inner play area fence to Becker's house  
Distance = 433.71

Google earth

11/20/2014 10:11:56 AM

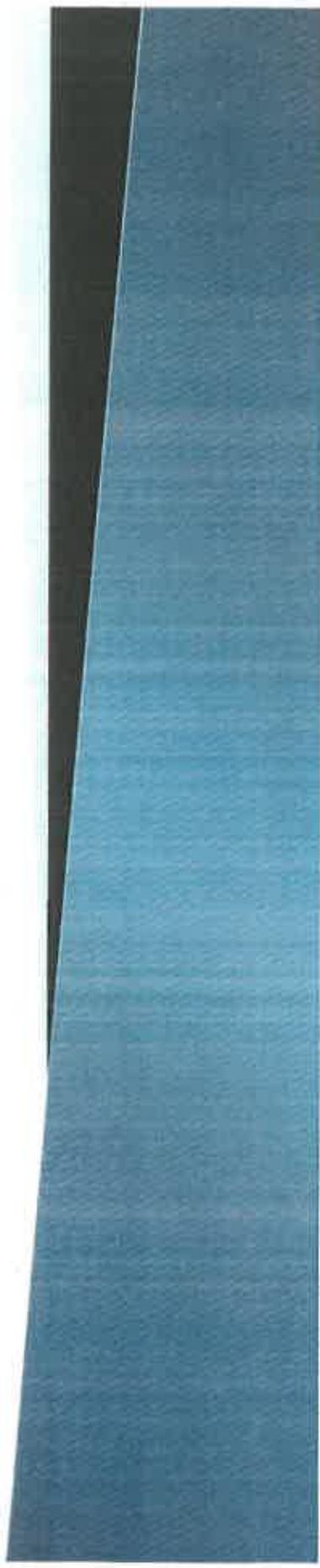


SWIMMING POOL AND DECKS IN OCCUPANCY  
IMPROVEMENTS AREA  
WATER TO BE ADDED

Handwritten text in the bottom left corner, possibly a signature or initials.

# **Objections to Plot Plan No. 25922**

**Tenaja Environmental Concerns Association**



# **Recap of the Testimony from the last Public Hearing**



## At the last Public Hearing. . .

- ▶ Elizabeth McVickers said she was not involved in Shadow Husky Rescue; and
- ▶ Introduced “other” people involved in Shadow Husky Rescue.

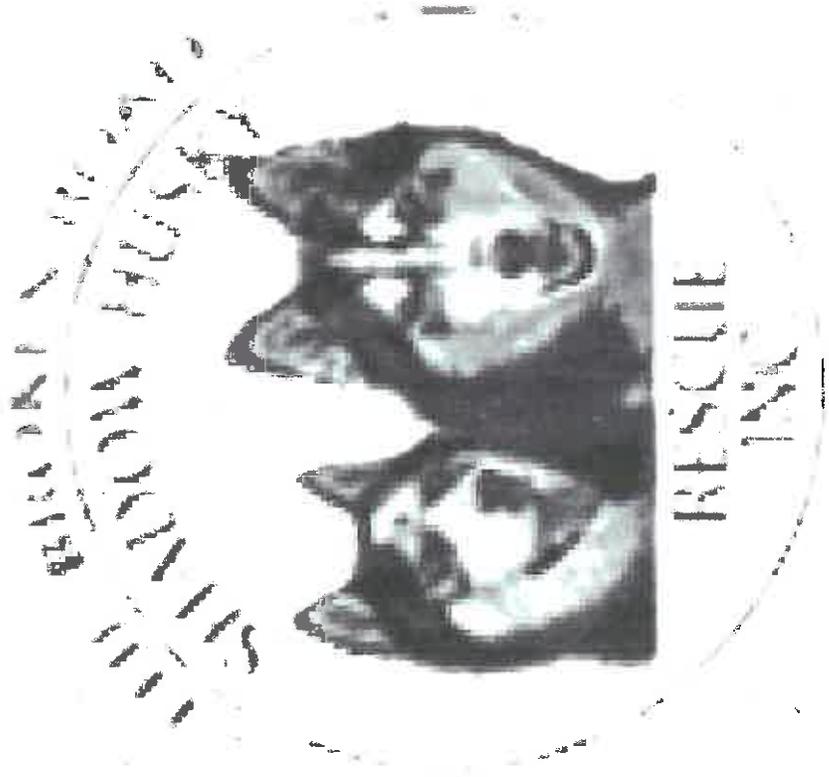


# Shadow Husky Rescue Inc.

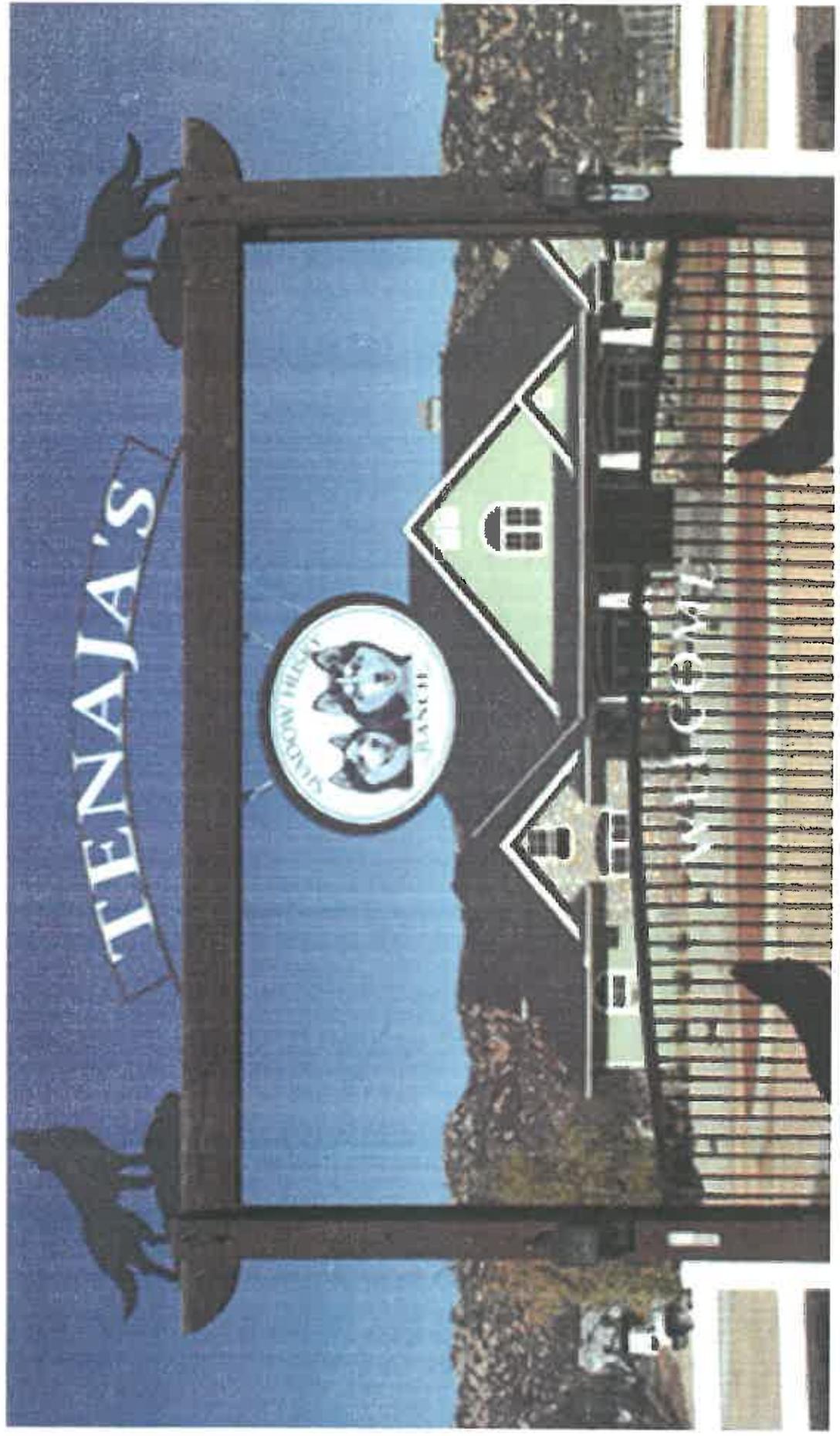
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# Shadow Husky Rescue, Inc.



# Project Site Main Gate



# Project Site Main Gate



# At the last Public Hearing

- ▶ You heard the McVickers' state the application is for their 18 personal pets.
- ▶ Richard Taylor testified they had 14 dogs at the time he informed the County of the violation.
- ▶ McVickers now have 18 personal pets.
- ▶ It is clear they are running a dog rescue operation.



# Rescue Operations

## Continue - Website

- ▶ **Master Wolf [Tim McVickers] had another great day picking up Maura from Inland Valley Shelter. . . Maura walked in the house like she's lived there for ever!! Kids loved her!!  
Happy Ending for Maura!**



# Tim McVickers aka Master Wolf

- ▶ Master Wolf's Up Date on Baby Girl!!!! Shadow Husky Rescue Foster for Baby Girl was able to find a permanent home for her the other day!!

Shadow Husky Rescue website



# Tim McVickers / Master Wolf

- ▶ Master Wolf always stops and gets his rescues a freedom burger . . .  
This is Lucky saved out of Castaic by Master Wolf after getting a call from them.

▶ [Shadow Husky Website](#)



## At the last Public Hearing

- ▶ Elizabeth McVicker was offered a condition of approval to limit her personal pets to “18.”
- ▶ She refused the limitation.
- ▶ Why?



# Conclusion

- ▶ **The McVickers do not have 18 personal pets; they are operating a non-profit, dog rescue on the property under the guise of “personal pets” .**



# At the last Public Hearing

- ▶ Testimony of Donte Caus stated he gave his dog to the McVickers (not one of the McVicker's personal pets); and
- ▶ he visits his dog at the McVicker's property.
- ▶ Due to rescue operations, this Project is generating unstudied traffic in the area.



## At the last Public Hearing

- ▶ How did the Mr. Caus find out about McVicker's personal pets on their property?
- ▶ ANSWER: The McVickers advertise their dog rescue services on their website.



# At the last Public Hearing

- ▶ The McVickers stated they are not involved in Shadow Husky Rescue, Inc. non-profit fundraising events. . . .



# Rescue & Fundraising

- ▶ In a few weeks we will be at the new Pet Smart for adoption day please come to Menifee store at Huan and the 215 freeway. Very excited to bring my other Foster Huskies to place in a furever home soon! Will let you know time and day when we get set up! Stay tuned for Maura's rescue coming your way next week! . Pledges are very welcome to help off set her surgery cost, thanks!

Master Wolf – Shadow Husky Rescue website



# Tim McVicker's Online Statement

- ▶ Every contribution helps. Every penny and every second matters in our business. It takes time and effort to do what we do and we are serious about saving lives. We are eternally grateful to those help us out and appreciate any help you are willing to give.
- ▶ All donations go towards expenses for medical bills, food, transportation and other necessities. Feel free to **contact us** if you would like to donate your time, supplies or become a foster parent to help our cause.



# Shadow Husky Rescue Website States:

- ▶ Where you can find us?
- ▶ Tenaja's Shadow Husky Ranch is located near the beautiful Santa Rosa Plateau in Murrieta, California.
- ▶ All rescue operations are run from our legal services office in Canyon Lake next to Wolfee Donuts.



# **Shadow Husky Rescue Website States:**

- ▶ **All rescue operations are run from our legal services office in Canyon Lake next to Wolfee Donuts.**



# McVicker's Family Law Office



## McVicker's Law Office

- ▶ Is not zoned for kennel operations;
- ▶ Has no facilities for dogs;
- ▶ There are no dogs at the location; and
- ▶ People with personal pets do not advertise their property location on an internet site for dog rescues.



FROM OUR ONE IS NEVER ENOUGH DEPT.

# DOGGIE STYLE

## MISSION VIEJO COUPLE SHARES PASSION FOR HUSKIES



Tim McVicker has lived in Mission Viejo for 30 years. Recently he and his wife purchased a ranch near Murrieta and turned it into the Shadow Husky Ranch. Tim drives a big rig truck by day and at night he and his wife rescue death-row huskies.

Tim says, "Sometimes life just takes you for a ride. I always wonder if I rescued these dogs or if it was the other way around". Tim and his wife Elizabeth, an attorney, are hardworking people who hold down full-time jobs and continue to do so while making this whole thing happen.

They both share a passion for adopted dogs and are committed to making Shadow Husky Ranch the perfect home for his family. Call Tim with any questions. He loves to spread the Husky Passion. 949 290-3217 [ShadowHuskyRescue.com](http://ShadowHuskyRescue.com).



# Doggie Style Article States:

- ▶ “Tim drives truck by day and at night he and his wife rescue death-row huskies.”





# Proponent Testimony from last Public Hearing

- ▶ **Jeremy Perkins, a founder of a dog rescue, testified “these guys [the McVickers] have stepped up to save huskies out of shelters.”**
- ▶ **Shane Roberts, owner of a Husky rescue, testified he “worked with Tim and Liz McVicker on many rescues.”**



# **This Project is a Dog Rescue**

- ▶ **Animal Rescue Operations are governed by Ordinance 630**
- ▶ **The Applicants have circumvented those requirements by alleging “personal pets” when the evidence is clear, a dog rescue and adoption business is being conducted.**
- ▶ **Animal Rescues require a permit from the Department of Animal Services.**



# **This Project is a Dog Rescue**

- ▶ **Ordinance 630.6 (2)(c) states:**
- ▶ **Animal Rescues may only have four (4) personal dogs.**



# CC&Rs That Govern The Project Site



## Tenaja Community Services District – Architectural Control Committee

- ▶ **McVicker’s submitted a plan for a “tough shed” not a Class II Kennel to the Architectural Control Committee.**
- ▶ **McVicker’s received approval to put in a storage shed; not a Class II Kennel.**
- ▶ **McVicker’s have been notified, they are in violation of the CC&Rs by their misrepresentation of their project.**



# Conditions of Approval

- ▶ **The County has always required Tenaja Community Services District approval or clearance as a condition of approval prior to issuing a permit.**



## **17402 Via Abril**

- ▶ **BRS150297 County's Conditions of Approval Prior to Building:**
- ▶ **80.TLMA 001 "Clearance from Tenaja Community Services District is Required Prior to Issuance of Permit."**



# 17250 Via Abril

- ▶ **BRS072134 County's Conditions of Approval Prior to Building:**
- ▶ **80.TLMA 001 "Prior to issuance of this permit, clearance must be obtained from the Tenaja Community Services District."**



# 17370 Via Abril –Project Site

- ▶ **BRS071556 County’s Conditions of Approval Prior to Building:**
- ▶ **80.TLMA 002 “Prior to Issuance of Permit, Clearance is Required from the Tenaja Community Services District. Please contact Arlene Miller for further details and requirements.”**



# Not Asking for Enforcement

- ▶ The County has required clearance from Tenaja Community Services District (“TCSD”) prior to issuance of any plot plan.
- ▶ The project property has been subject to that condition of approval in the past.
- ▶ The County is aware that clearance has not been given from TCSD.
- ▶ The County should require this project obtain clearance from TCSD prior to issuing a permit.



# **General Plan Policies for Santa Rosa Plateau**



# County's General Plan

- ▶ The Project is in the Southwest Area Plan
- ▶ Land Use decisions are governed by the Santa Rosa Plateau/De Luz Policy Area
- ▶ According to the General Plan “the unique Santa Rosa Ecological Reserve is located in here, and . . . Plays a significant role in setting the character for the area.”



# A Unique Community

The General Plan on the Santa Rosa Plateau:

“The community character of the Santa Rosa Plateau is determined by the area’s mountainous and rural environment. . . Homes here are typified by ranch style estates, many of which have an equestrian focus.

Extensive citrus groves and avocado orchards complete the sense of quiet and remoteness so predominant here.”



# Land Use Concepts

▶ “The Santa Rosa Plateau is designated for rural uses to maintain the existing rural residential character of these areas.”



# Land Use Concepts

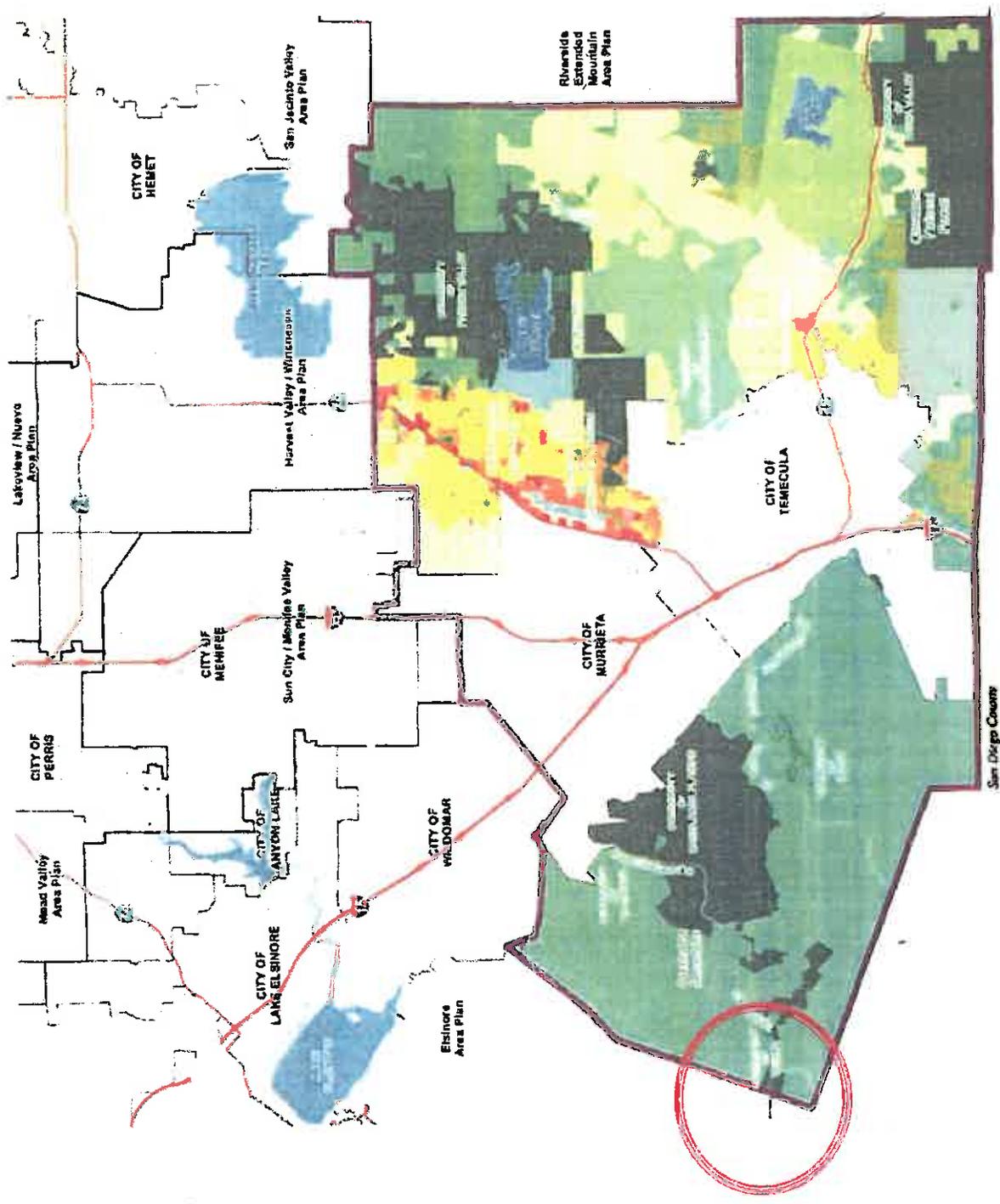
- ▶ “The Santa Rosa Plateau forms a high valley along the west side of the Southwest Planning Area and provides still another **unique environment** devoted to rural estates, groves and **natural habitat.**”



# Land Use Concepts

▶ “The Santa Rosa Ecological Reserve and the Cleveland National Forest are designated for open space uses to reflect the rich and *significant habitat* these areas provide.”





San Diego County

Data Source: Riverside County Planning

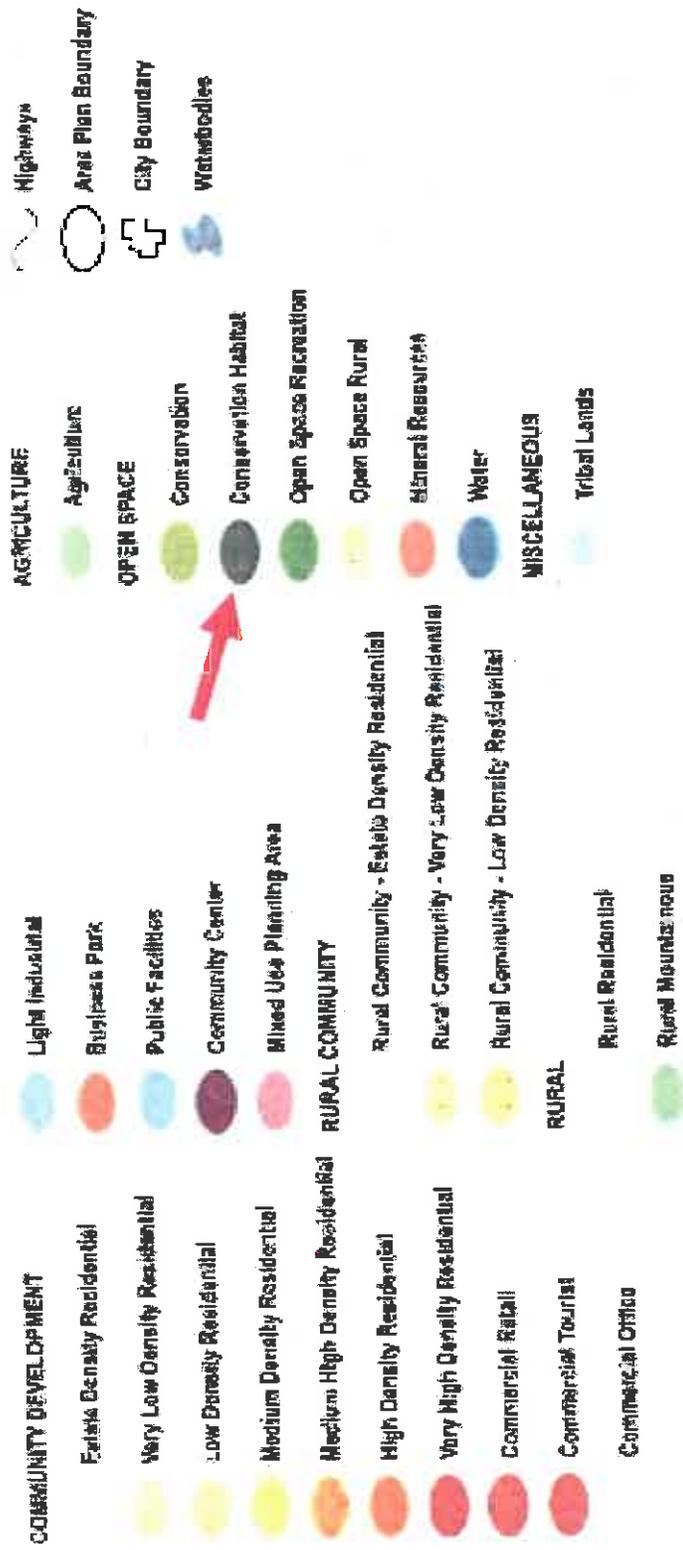


Figure 3



# Santa Rosa Plateau Policies

- ▶ Maintain the rural and natural character of the area.
- ▶ Address long term stability of the Santa Rosa Plateau Ecological Reserve.
- ▶ In order to maintain the Plateau's attributes, future development *must be* designed in accordance with the area's rural character.
- ▶ *Limit impacts to the ecological reserve.*



# MSHCP Program Policies

- ▶ Provide stepping-stone *habitat linkages* for the California gnatcatcher as well as other species through the preservation of land from the Santa Rosa Plateau . . .
- ▶ *Conserve the Tenaja corridor*, which promotes large mammal movement between the Cleveland National Forest and the Santa Rosa Plateau.



# Project Proponents Statements

- ▶ Elizabeth McVickers identified coyotes, mountain lions and diamond back rattlesnakes as the animals that are dangerous. These native animals require protection.
- ▶ Aldolpho Nieta testified his 60 lb husky got out and attacked a full size cow.
- ▶ Shane Roberts testified that Huskies have a higher prey drive than other dogs.



## **In Summary**

- ▶ **A Class II Kennel introduces a large number of non-native animals into an environmentally sensitive area.**
- ▶ **This large number of dogs will affect native animal corridors between Cleveland National Forest and Santa Rosa Plateau.**
- ▶ **Approval of this project will be in direct conflict with the County's Land Use Policies for the Santa Rosa Plateau and the MSHCP Policies.**



# Conclusion

- ▶ In R-A-5 zones, a Class II Kennel is permitted.
- ▶ However, the Santa Rosa Plateau is a unique, rural community with the two major wildlife habitats including the Cleveland National Forest and the Santa Rosa Ecological Preserve.
- ▶ A Class II Dog Kennel is not a “logical development of the land and not compatible with the present logical development of surrounding property.” (Section 18.30(C)(2))



# CLASS II KENNEL REQUIREMENTS



# McVickers Ignore Ordinances

- ▶ Before purchasing the property the McVickers were informed about the CC&Rs and the County's limit on 4 dogs.
- ▶ McVickers put in 14 dogs and began alterations to their property without County approval.
- ▶ Due to noise complaints, the McVickers submitted a Class I Kennel permit fully knowing they had 14 dogs on the property.



## **At the last Public Hearing**

- ▶ **Richard Taylor testified that the McVicker's originally applied for a Class I Kennel permit until they saw him taking pictures of the 14 dogs on their property.**
- ▶ **McVicker's revised their application to a Class II Kennel Permit only after realizing the County would be informed of the truth.**



# Class II Kennel Requirements

- ▶ Ordinance 348, Section 18.45 (c) (1) requires:
  - “All Class II Kennels shall include a single family dwelling to be used by a live-in caretaker.”



# Definition of Caretaker

- ▶ The County ordinance does not define “live-in caretaker”
- ▶ As the County knows, when words in a statute or law are not defined, then the common definition is applied.
- ▶ Dictionary.com defines “caretaker” as:  
“a person employed to look after  
people or animals”



# Definition of “Live-In”

- ▶ Dictionary.com defines “**live-in**” as:
  - “residing at the place of one’s employment”
- ▶ Merriam-Webster defines “**live-in**” as:
  - “living in the place where you work”



FROM OUR ONE IS NEVER ENOUGH DEPT.

# DOGGIE STYLE

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Tim with any questions. He loves to spread the Husky Passion. 949 290-3217 [ShadowHuskyRescue.com](http://ShadowHuskyRescue.com).



## Doggie Style Article States:

- ▶ **Tim drives truck by day** and at night he and his wife rescue death-row huskies.”
- ▶ “Tim and his wife Elizabeth, an attorney, are hard-working people who hold down **full time jobs** . . .”



## Ordinance 630.1 (m)

- ▶ Ordinance 630 relating to dogs and cats
- ▶ Custodian is defined as:
  - “Any person who intentionally provides care or sustenance for any animal, including but not limited to a dog or cat, on behalf of another, or represents the interests of the owner.”



## Eileen's Testimony

- ▶ Eileen testified as the “caretaker” who works Thursday, Friday and Saturday and does not live at the property.
- ▶ Eileen is not a “live-in caretaker”, she may be a caretaker or a “custodian.”



# Project Fails to Comply

- ▶ The Project has two CUSTODIANS/CARETAKERS but does NOT have a LIVE-IN CARETAKER as required under Section 18.45.
- ▶ The Property Owners work full-time elsewhere and do not meet the definition of “live-in caretakers.”
- ▶ The Project fails to meet the development requirements for a Class II Kennel.



# Plot Plans Requirements for Approval

- ▶ Ordinance 18.30 (c):  
“No plot plan shall be approved unless it complies with the following standards:
  - ▶ 1. The proposed use *must* conform to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County.”



# Plot Plans

## Requirements for Approval

- ▶ Ordinance 18.30 (c):
- ▶ “No plot plan shall be approved unless it complies with the following standards:
- ▶ 2. The overall development of the land shall be designed for the protection of the public health, safety and general welfare; to conform to the logical development of the land and to be compatible with the present and future logical development of the surrounding property.”

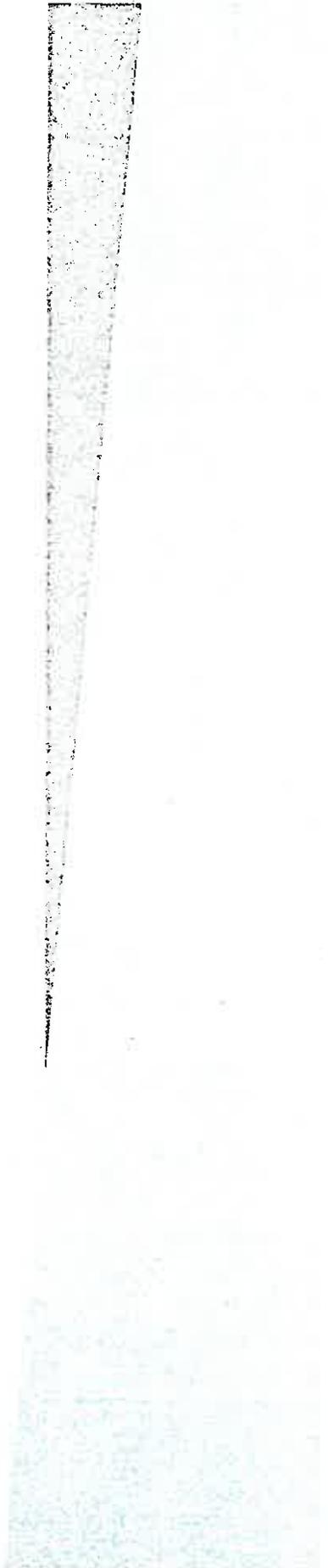


# Conclusions

- ▶ The live-in caretaker requirement has not been met.
- ▶ A Plot Plan cannot be approved if the project fails to comply with ALL State and County Ordinances.
- ▶ A Class II Kennel is not a logical development of the land and is not compatible with the present or future development of the surrounding property.”



# CEQA Considerations



## CEQA Categorical Exemption

- ▶ Section 15301 “existing facilities”;
  - ▶ and
  - ▶ Section 15303 “new construction”
- should not be applied to this project.



## Section 15301

- ▶ Section 15301 exemption for “existing facilities” should not be applied.
- ▶ “The key consideration is whether the project involves negligible or no expansion of an existing use.”



## Not An “Existing Use”

- ▶ **The Class II Kennel is not an existing use; it’s an illegal, unauthorized use.**
- ▶ **Applicants have placed 18 dogs on their property in violation of the County’s ordinance.**
- ▶ **Violating County ordinance without County approval does not make the project an existing use.**



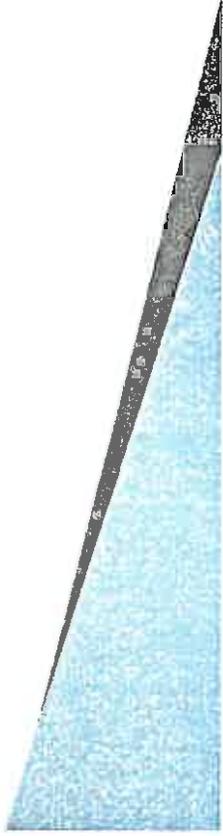
## Not an “Existing Use”

- ▶ At the last Hearing project applicants showed pictures of their project already under construction before the County has even approved the project.
- ▶ The applicants are not waiting for County approval; they are improving project in violation of County Ordinances.



## Section 15301(e)(2)

- ▶ Existing uses are applied to:
- ▶ Interior partitions, electrical or plumbing;
- ▶ Existing highways, streets, sidewalks, etc;
- ▶ Restoration or rehab of existing facilities;
- ▶ Additions to existing structures provide –  
“**The area in which the project is located is  
NOT ENVIRONMENTALLY SENSITIVE.**”



## Section 15301 Fails

- ▶ The use is not existing but a significant impact to the existing and surrounding uses.
- ▶ A Class II Dog Kennel has not been an approved use at the site.
- ▶ The project is located near environmentally sensitive lands.



## Section 15303

Section 15303 “New Construction of Small Structures”

Class 3 consists of construction and location of new, small facilities.



## Section 15303

Examples include:

- ▶ Adding single-family residence to a residential zone.
- ▶ Adding a duplex or multi-family structure.
- ▶ Adding a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances.
- ▶ Water main, sewage, electrical, gas and street improvements
- ▶ Accessory structures like garages, carports, patios, swimming pools and fences.



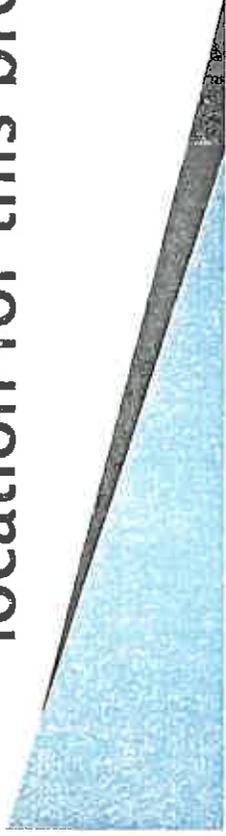
## Section 15303 Fails

- ▶ While a shed structure would fall under Section 15303, new construction of small facilities; the Project is not simply adding an accessory structure.
- ▶ None of the examples provided consistent of a major change to the use of the land.



# BIOLOGICAL RESOURCES

- ▶ Siberian Huskies are escape artists, the dogs have already gotten out;
- ▶ They have a high prey drive and have already killed chickens, attacked a donkey and a horse;
- ▶ Based on solid, factual data, Huskies are the 4<sup>th</sup> most dangerous dog due to its kill and injury statistics;
- ▶ Huskies were bred to run long distances in packs; the Tenaja Valley is not an appropriate location for this breed.



# BIOLOGICAL RESOURCES

- ▶ The proposed project is located between Cleveland National Forest and Santa Rosa Plateau and identified as “dark green” on the MSCHP map
- ▶ The County, the State, and numerous local entities have joined together to restore the wildlife corridors and native habitats in this area that this project will have a negative impact on.
- ▶ Cleveland National Forest has not been contacted regarding this project.



# NOISE ISSUE

- ▶ The noise study conducted was self-serving at best;
- ▶ The McVickers knew when the study was going to done.
- ▶ Last public hearing you heard from the people who live in Tenaja Valley, the dogs howl and create noise issues.
- ▶ Residents presented an actual clip of the howling which simply cannot be ignored by statements from people who have visited once or twice.



# NOISE ISSUE

- ▶ The reason the residents got involved is because of the noise.
- ▶ Elizabeth McVicker's testified to her inalienable rights but failed to consider her neighbors' right to QUIET enjoyment of their property.
- ▶ The introduction of 18-25 dogs into a place described in the General Plan as "sense of quiet and remoteness" will forever destroy that "quiet".



# Summary

- ▶ The applicants have misrepresented the project to the County, it is not personal pets. It is a dog rescue operation.
- ▶ Tim and Elizabeth McVickers are founders of Shadow Husky Rescue. The website clearly identifies the rescue dogs are at the property.
- ▶ The County has required TCSD prior approval on all other projects in Tenaja Valley and should not exclude this project from the same condition of approval.



# Summary

- ▶ The proposed project does not comply with the requirements of the Class II Kennel for failing to have a live-in caretaker that resides in the residence.
- ▶ As a rescue operation, the proposed project does not comply with Ordinance 630.



# Summary

- ▶ The proposed project is incompatible with the County's General Plan Policies for the Santa Rosa Plateau, the MSHCP, the Cleveland National Forest Restoration Plan.
- ▶ If approved, that decision will come under scrutiny by agencies for failure to consider the surrounding properties and logical future development of both the Cleveland National Forest and the Santa Rosa Plateau environment.



# Summary

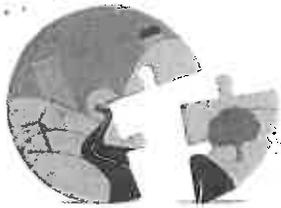
- ▶ The applicants applied for a permit after violating the County's ordinance that limits personal pets to 4 dogs.
- ▶ They are running a dog rescue operation at the property.
- ▶ They are in violation of the CC&Rs.
- ▶ They have already completed improvements on the property without county approval.
- ▶ They have used the internet to incite people with false claims of persecution.



## Conclusion

- ▶ The applicants have failed to abide by any of the local or county laws until forced to do so.
- ▶ A Plot Plan may not be approved under such circumstances.
- ▶ For all of these reasons, this project should be denied. The Santa Rosa Plateau is an inappropriate location for a Class II Kennel.





# RIVERSIDE COUNTY PLANNING DEPARTMENT

1/20/15 case

Carolyn Syms Luna  
Director

## APPLICATION FOR LAND USE PROJECT

CHECK ONE AS APPROPRIATE:

- PLOT PLAN                       CONDITIONAL USE PERMIT     TEMPORARY USE PERMIT  
 REVISED PERMIT                       PUBLIC USE PERMIT                       VARIANCE

PROPOSED LAND USE: \_\_\_\_\_

ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE: \_\_\_\_\_

*ALL APPLICATIONS MUST INCLUDE THE INFORMATION REQUIRED UNDER ANY SUPPLEMENTAL INFORMATION LIST APPLICABLE TO THE SPECIFIC PROJECT. ADDITIONAL INFORMATION MAY BE REQUIRED AFTER INITIAL RECEIPT AND REVIEW. INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.*

CASE NUMBER: PP25922                      DATE SUBMITTED: 11-20-15

### APPLICATION INFORMATION

Applicant's Name: TIMOTHY AND ELIZABETH MCVICKER                      E-Mail: EMCVICKER [REDACTED]@MCVICKERSFAMILYLAW.COM

Mailing Address: 29997 CANYON HILLS ROAD, SUITE 1603

LAKE ELSINORE	Street	
	CA	92532
City	State	ZIP

Daytime Phone No: (951) 244-8759                      Fax No: (951) 244-3109

Engineer/Representative's Name: LISA MERRITT/SOUTHLAND ENGINEERING                      E-Mail: LMERRITT@SOUTHLANDENGINEERING.COM

Mailing Address: 2200 BUSINESS WAY, SUITE 100

RIVERSIDE	Street	
	CA	92501
City	State	ZIP

Daytime Phone No: (951) 788-8488                      Fax No: (951) 788-0481

Property Owner's Name: MCVICKER                      E-Mail: EMCVICKERFAMILYLAW@MCVICKERSFAMILYLAW.COM

Mailing Address: 29997 CANYON HILLS ROAD, SUITE 1603

LAKE ELSINORE	Street	
	CA	92532
City	State	ZIP

Daytime Phone No: (951) 244-8759                      Fax No: (951) 244-3109

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

Desert Office · 77-588 El Duna Court, Suite H  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future... Preserving Our Past"

**APPLICATION FOR LAND USE PROJECT**

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

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

**AUTHORIZATION FOR CONCURRENT FEE TRANSFER**

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

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

**TIMOTHY & ELIZABETH MCVICKER**

PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

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

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

**TIMOTHY MCVICKER**

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

**TAMARA ELIZABETH MCVICKER**

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the property is owned by more than one person, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

See attached sheet(s) for other property owners' signatures.

**PROPERTY INFORMATION:**

Assessor's Parcel Number(s): 932-020-024

Section: 12

Township: 8 SOUTH

Range: 5 WEST

**APPLICATION FOR LAND USE PROJECT**

Approximate Gross Acreage: 6.20

General location (nearby or cross streets): North of VIA ABRIL, South of CALLE CIELO, East of VACANT LAND/SD COUNTY LINE, West of TENAJA ROAD

Thomas Brothers map, edition year, page number, and coordinates: 976, B1 39TH EDITION

Project Description: (describe the proposed project in detail)  
TO ESTABLISH A CLASS II KENNEL TO HOUSE AND CARE FOR THEIR OWN PERSONAL DOGS.

Related cases filed in conjunction with this application:

Is there a previous application filed on the same site: Yes  No

If yes, provide Case No(s). PP25861 FOR CLASS I KENNEL (Parcel Map, Zone Change, etc.)

E.A. No. (if known) N/A E.I.R. No. (if applicable): N/A

Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes  No

If yes, indicate the type of report(s) and provide a copy: \_\_\_\_\_

Is water service available at the project site: Yes  No  PRIVATE ON-SITE WELL

If "No," how far must the water line(s) be extended to provide service? (No. of feet/miles) \_\_\_\_\_

Will the project eventually require landscaping either on-site or as part of a road improvement or other common area improvements? Yes  No

Is sewer service available at the site? Yes  No  SUBSURFACE SEWAGE DISPOSAL SYSTEM

If "No," how far must the sewer line(s) be extended to provide service? (No. of feet/miles) \_\_\_\_\_

Will the project result in cut or fill slopes steeper than 2:1 or higher than 10 feet? Yes  No

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: NONE

**APPLICATION FOR LAND USE PROJECT**

Estimated amount of fill = cubic yards 0

Does the project need to import or export dirt? Yes  No

Import 0 Export 0 Neither 0

What is the anticipated source/destination of the import/export?

N/A

What is the anticipated route of travel for transport of the soil material?

N/A

How many anticipated truckloads? 0 truck loads.

What is the square footage of usable pad area? (area excluding all slopes) 260,000 +/- sq. ft.

Is the project located within 8½ miles of March Air Reserve Base? Yes  No

If yes, will any structure exceed fifty-feet (50') in height (above ground level)? Yes  No

Is the project located within 1000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Section 65944 of the Government Code? (See California Office of Planning and Research website: <http://cm/luca.projects.atlas.ca.gov/>) Yes  No

Is the project located within the boundaries of an Airport Land Use Compatibility Plan adopted by the Riverside County Airport Land Use Commission? Yes  No

Does the project area exceed one acre in area? Yes  No

Is the project located within any of the following watersheds (refer to Riverside County Land Information System (RCLIS) (<http://www3.tima.co.riverside.ca.us/pa/rclis/index.html>) for watershed location)?

Santa Ana River  Santa Margarita River  Whitewater River

Please note: If your project is within the San Jacinto River as shown on the RCLIS, please check Santa Ana River above and use the Santa Ana River worksheet, "Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Santa Ana River Region" on the following pages.

**APPLICATION FOR LAND USE PROJECT**

**HAZARDOUS WASTE AND SUBSTANCES STATEMENT**

Government Code Section 65962.5 requires the applicant for any development project to consult specified state-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project and any alternatives are located on an identified site and shall specify any lists. Under the statute, no application shall be accepted as complete without this signed statement.

I (We) certify that I (we) have investigated our project and any alternatives with respect to its location on an identified hazardous waste site contained on all lists compiled pursuant to Government Code Section 65962.5 and that my (our) answers are true and correct. My (Our) investigation has shown that:

The development project and any alternatives proposed in this application are not contained on the lists compiled pursuant to Section 65962.5 of the Government Code.

The development project and any alternatives proposed in this application are contained on the lists compiled pursuant to Section 65962.5 of the Government Code. Accordingly, the following information is provided and incorporated herein. Attach a separate sheet setting forth the following information with respect to each list.

Name of Applicant:

Address:

Phone number:

Address of site (street name and number if available, and ZIP Code):

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number:

Specify any list pursuant to Section 65962.5 of the Government Code:

Regulatory Identification number:

Date of list:

Applicant (1)

Date

10-22-2015

Applicant (2)

Date

10-22-2015

**HAZARDOUS MATERIALS DISCLOSURE STATEMENT**

Government Code Section 65850.2 requires the owner or authorized agent for any development project to disclose whether:

1. Compliance will be needed with the applicable requirements of Section 25505 and Article 2 (commencing with Section 25531) of Chapter 6.95 of Division 20 of the Health and Safety Code or the requirements for a permit for construction or modification from the air pollution control district or air quality management district exercising jurisdiction in the area governed by the County.

Yes  No

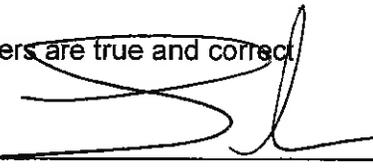
**APPLICATION FOR LAND USE PROJECT**

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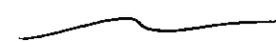
2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions.

Yes  No

I (we) certify that my (our) answers are true and correct.

Owner/Authorized Agent (1)  \_\_\_\_\_

Date 10-22-2015

Owner/Authorized Agent (2)  \_\_\_\_\_

Date 10-22-2015

**APPLICATION FOR LAND USE PROJECT**

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Santa Ana River Region <sup>1</sup>		
<b>Project File No.</b>		
<b>Project Name:</b>	MCVICKERS CLASS II KENNEL	
<b>Project Location:</b>	17370 VIA ABRIL, MURRIETA	
<b>Project Description:</b>	ESTABLISH A CLASS II KENNEL	
<b>Applicant Contact Information:</b>	ELIZABETH MCVICKER 951-244-8759	
<b>Proposed Project Consists of, or includes:</b>		<b>YES NO</b>
Significant Redevelopment: The addition or replacement of 5,000 square feet or more of impervious surface on an already developed site. Does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, original purpose of the constructed facility or emergency redevelopment activity required to protect public health and safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Residential development that create 10,000 square feet or more of impervious surface (collectively over the entire project site), including residential housing subdivision requiring a Final Map (i.e. detached single family home subdivisions, multi-family attached subdivisions, condominiums, or apartments, etc.).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
New Industrial and commercial development where the land area <sup>1</sup> represented by the proposed map or permit is 10,000 square feet or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automotive repair shops (Standard Industrial Classification (SIC) codes <sup>2</sup> 5013, 5014, 5541,7532, 7533, 7534, 7536, 7537, 7538, 7539)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mixed use developments that create 10,000 square feet or more of impervious surface (collectively over the entire project site).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restaurants (SIC code 5812) where the land area of development is 5,000 square feet or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hillside developments 5,000 square feet or more which are located on areas with known erosive soil conditions or where natural slope is 25 percent or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Developments of 2,500 square feet of impervious surface or more adjacent to (within 200 feet) or discharging directly into ESA's "Directly" means situated within 200 feet of the ESA; "discharging directly" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parking lots of 5,000 square feet or more exposed to stormwater, where "parking lot" is defined as a land area or facility for the temporary storage of motor vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Retail Gasoline Outlets that are either 5,000 square feet or more of impervious surface with a projected average daily traffic of 100 or more vehicles per day.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Projects other than Transportation Projects, that are implemented by a Permittee and similar in nature to the priority projects described above and meets the thresholds described herein.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Development Projects whose site conditions or activity pose the potential for significant adverse impacts to water quality.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<sup>1</sup> Land area is based on acreage disturbed.	<input type="checkbox"/>	<input type="checkbox"/>
<sup>2</sup> Descriptions of SIC codes can be found at <a href="http://www.osha.gov/pls/irmis/sicsearch.html">http://www.osha.gov/pls/irmis/sicsearch.html</a> .	<input type="checkbox"/>	<input type="checkbox"/>
<b>DETERMINATION: Circle appropriate determination.</b>		
If <b>any</b> question answered "YES" Project requires a project-specific WQMP.		
If <b>all</b> questions answered "NO" Project requires incorporation of Site Design and source control (BMPs) imposed through Conditions of Approval or permit conditions.		

**APPLICATION FOR LAND USE PROJECT**

Checklist for Identifying Projects Requiring a Project-Specific Standard Stormwater Mitigation Plan (SSMP) within the Santa Margarita River Region		
<b>Project File No.</b>		
<b>Project Name:</b>	MCVICKERS FAMILY CLASS II DOG KENNEL	
<b>Project Location:</b>	17370 VIA ABRIL, MURRIETA	
<b>Project Description:</b>	TO ESTABLISH A CLASS II DOG KENNEL	
<b>Applicant Contact Information:</b>	ELIZABETH MCVICKER, 951-244-8759	
<b>Proposed Project Consists of, or includes:</b>		
<b>Redevelopment.</b> The creation, addition or replacement of at least 5,000 square feet of impervious surfaces on an already developed site and the existing development and/or the redevelopment project falls under the project categories or locations listed below in this table. Where redevelopment results in an increase of less than 50% of the impervious surfaces of previously existing development, and the existing development was not subject to SSMP requirements, the numeric sizing criteria [MS4 Permit requirement F.1.d. (6)] applies only to the addition or replacement, and not to the entire development. [Note: Where redevelopment results in an increase of more than 50% of the impervious surfaces of a previously existing development, the numeric sizing criteria applies to the entire development.]	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>New Development.</b> The creation of 10,000 square feet or more of impervious surfaces (collectively over the entire project site) including commercial, industrial, residential, mixed-use, and public projects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Automotive repair shops.</b> A facility that is categorized in any one of the following Standard Industrial Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline Service Stations, 7532–Top, Body & Upholstery Repair Shops and Paint Shops, 7533–Automotive Exhaust System Repair Shops, 7534–Tire Retreading and Repair Shops, 7536–Automotive Glass Replacement Shops, 7537–Automotive Transmission Repair Shops, 7538–General Automotive Repair Shops, 7539–Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Automotive repair shops.</b> A facility that is categorized in any one of the following Standard Industrial Classification (SIC) Codes 5013–Motor vehicle supplies or parts, 5014–Tires & Tubes, 5541–Gasoline Service Stations, 7532–Top, Body & Upholstery Repair Shops and Paint Shops, 7533–Automotive Exhaust System Repair Shops, 7534–Tire Retreading and Repair Shops, 7536–Automotive Glass Replacement Shops, 7537–Automotive Transmission Repair Shops, 7538–General Automotive Repair Shops, 7539–Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Restaurants.</b> (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.) Where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SSMP requirements except for structural treatment control BMPs [MS4 Permit requirement F.2.b(3)] and numeric sizing criteria requirement [MS4 Permit Requirement F.1.d.(6)] and hydromodification requirement [MS4 Permit requirement F.1.h].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>All Hillside development greater than 5,000 square feet.</b> Any development that creates greater than 5,000 square feet of impervious surface which is located in an area with known erosive soil conditions, where the development will include grading on any natural slope that is 25% or greater.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Environmentally Sensitive Areas (ESAs).</b> 1 All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**APPLICATION FOR LAND USE PROJECT**

flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.		
<b>Impervious parking lots of 5,000 sq. ft. or more.</b> A land area or facility for the temporary parking or storage of motor vehicles used personally for business or commerce.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Streets, roads, highways, and freeways.</b> Includes any paved impervious surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Retail Gasoline Outlets (RGOs).</b> Includes RGOs that meet the following criteria: (a) 5,000 square feet or more, or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles per day.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Areas that include but are not limited to all CWA Section 303(d) impaired water bodies; areas designated as Areas of Special biological Significance by the State Water Resources Control Board (Water Quality Control Plan for the San Diego Basin (1994) and amendments); State Water Quality Protected Areas; water bodies designated with the RARE beneficial use by the State Water Resources Control Board (Water Quality Control Plan for San Diego Basin (1994) and amendments); areas designated as preserves or their equivalent under the Natural Communities Conservation Program within the Cities and County of Orange; and any other equivalent environmentally sensitive areas which have been identified by the Copermitees.</p> <p>The Basin Plan for the San Diego Basin WQMPSSMP (also referred to as a WQMP).  <a href="http://www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/update082812/Chpt_2_2012.pdf">www.waterboards.ca.gov/sandiego/water_issues/programs/basin_plan/docs/update082812/Chpt_2_2012.pdf</a>.            The most recent CWA Section 303(d) list can be found at:  <a href="http://www.swrcb.ca.gov/rwgcb9/water_issues/programs/303d_list/index.shtml">http://www.swrcb.ca.gov/rwgcb9/water_issues/programs/303d_list/index.shtml</a>.</p>		
<p><b>DETERMINATION: Circle appropriate determination.</b></p>		
<p>If <b>any</b> question answered "YES" SSMP (also referred to as a WQMP).</p>		
<p>If <b>all</b> questions answered "NO" Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.</p>		

**APPLICATION FOR LAND USE PROJECT**

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Whitewater River Region		
Project File No.		
Project Name:		
Project Location:		
Project Description:		
Applicant Contact Information:		
<b>Proposed Project Consists of New Construction on a Previously Disturbed and Undisturbed Parcel includes:</b>	<b>YES</b>	<b>NO</b>
Single-family hillside residences that create 10,000 square feet, or more, of impervious area where the natural slope is 25% or greater.	<input type="checkbox"/>	<input type="checkbox"/>
Single-family hillside residences that create 10,000 square feet of impervious area where the natural slope is 10% or greater where erosive soil conditions are known.	<input type="checkbox"/>	<input type="checkbox"/>
Commercial and Industrial developments of 100,000 square feet or more.	<input type="checkbox"/>	<input type="checkbox"/>
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013--Motor vehicle supplies or parts, 5014--Tires & Tubes, 5541--Gasoline Service Stations, 7532--Top, Body & Upholstery Repair Shops and Paint Shops, 7533--Automotive Exhaust System Repair Shops, 7534--Tire Retreading and Repair Shops, 7536--Automotive Glass Replacement Shops, 7537--Automotive Transmission Repair Shops, 7538--General Automotive Repair Shops, 7539--Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input type="checkbox"/>
Retail gasoline outlets disturbing greater than 5,000 square feet.	<input type="checkbox"/>	<input type="checkbox"/>
Restaurants disturbing greater than 5,000 square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.)	<input type="checkbox"/>	<input type="checkbox"/>
Home subdivisions with 10 or more housing units.	<input type="checkbox"/>	<input type="checkbox"/>
Parking lots of 5,000 square feet or more, or with 25 or more parking spaces, and potentially exposed to Urban Runoff.	<input type="checkbox"/>	<input type="checkbox"/>
<b>DETERMINATION: Circle appropriate determination.</b>		
If <b>any</b> question answered "YES" Project requires a project-specific WQMP.		
If <b>all</b> questions answered "NO" Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.		

## INDEMNIFICATION AGREEMENT

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

### WITNESSETH:

**WHEREAS**, the PROPERTY OWNER has a legal interest in the certain real property described as APN 932-020-024 (“PROPERTY”); and,

**WHEREAS**, on November 20, 2015, PROPERTY OWNER filed an application for Plot Plan No. 25922 (“PROJECT”); and,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROPERTY OWNER:  
Timothy & Tamara McVicker  
29997 Canyon Hills Rd., Ste. 1603  
Lake Elsinore, CA 92532

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

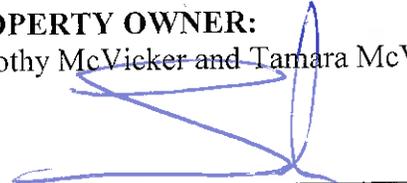
**COUNTY:**  
COUNTY OF RIVERSIDE,  
a political subdivision of the State of California

By:   
Steven Weiss  
Riverside County Planning Director

Dated: 8/25/16

FORM APPROVED COUNTY COUNSEL  
BY:  8/23/16  
MELISSA R. CUSHMAN DATE

**PROPERTY OWNER:**  
Timothy McVicker and Tamara McVicker

By:   
Timothy McVicker

Dated: 8/19/2016

By:   
Tamara McVicker

Dated: 8/19/2016

# CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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

State of California }

County of Riverside }

On August 19, 2016 before me, Shannon R. Ballester, Notary Public  
(Here insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Shannon R. Ballester  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
Indemnification Agreement  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages 3 Document Date 8/19/16

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- \_\_\_\_\_  
(Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/~~she~~/~~they~~, ~~is~~ /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

## NOTICE OF PUBLIC HEARING

**A PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY DIRECTOR'S HEARING** to consider the project shown below:

**PLOT PLAN NO. 25922** – CEQA Exempt per Section 15301 and 15303 – Applicant: Timothy & Elizabeth McVicker – Engineer/Representative: Southland Engineering – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountain (R:RM) (10 Acre Minimum) – Location: Northerly of Via Abril, westerly of Tenaja Rd, and southerly & easterly of Calle Cielo – 6.20 Gross Acres – Zoning: Residential Agricultural – 5 Acre Minimum (R-A-5) **REQUEST:** Propose 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. 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 Planner: Tim Wheeler at 951-955-6060 or email at [twheeler@rctlma.org](mailto:twheeler@rctlma.org).

TIME OF HEARING: 1:30 pm or as soon as possible thereafter  
DATE OF HEARING: SEPTEMBER 26, 2016  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
1ST FLOOR, CONFERENCE ROOM 2A  
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project, please contact Tim Wheeler, Project Planner at 951-955-6060 or e-mail [twheeler@rctlma.org](mailto:twheeler@rctlma.org), or go to the County Planning Department's Director's Hearing agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Director will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on 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 comments received prior to the public hearing will be submitted to the Planning Director, and the Planning Director will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Director may amend, in whole or in part, the proposed project. 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.

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: Tim Wheeler  
P.O. Box 1409, Riverside, CA 92502-1409

## NOTICE OF PUBLIC HEARING

**A PUBLIC HEARING** has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the **RIVERSIDE COUNTY DIRECTOR'S HEARING** to consider the project shown below:

**PLOT PLAN NO. 25922** – Intent to Adopt a Mitigated Negative Declaration – Applicant: Timothy & Elizabeth McVickers – Engineer/Representative: Southland Engineering – First Supervisorial District – Rancho California Zoning Area – Southwest Area Plan – Rural: Rural Mountainous (R:RM) (10 Acre Minimum) – Location: Northerly of Via Abril, westerly of Tenaja Road, and southerly & easterly of Calle Cielo – 6.20 Gross Acres – Zoning: Residential Agricultural – 5 Acre Minimum (R-A-5) **REQUEST:** The Plot Plan purposes to establish a Class II Kennel to house and care for the property owner's own personal dogs. The project includes a 480 sq. ft. dog house. The kennel is not open to the public. Project Planner: Tim Wheeler at (951) 955-6060 or email [twheeler@rctlma.org](mailto:twheeler@rctlma.org).

TIME OF HEARING: 1:30 pm or as soon as possible thereafter  
DATE OF HEARING: AUGUST 29, 2016  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
1ST FLOOR, CONFERENCE ROOM 2A  
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project, please contact Tim Wheeler, Project Planner at 951-955-6060 or e-mail [twheeler@rctlma.org](mailto:twheeler@rctlma.org), or go to the County Planning Department's Director's Hearing agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

The Riverside County Planning Department has determined that the above-described application is exempt from the provisions of the California Environmental Quality Act (CEQA). The Planning Director will consider the proposed application at the public hearing.

The case file for the proposed project may be viewed Monday through Friday, from 8:00 A.M. to 5:00 P.M. at the Planning Department office, located at 4080 Lemon St. 12th Floor, Riverside, CA 92501.

Any person wishing to comment on 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 comments received prior to the public hearing will be submitted to the Planning Director, and the Planning Director will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Director at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Director may amend, in whole or in part, the proposed project. 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.

Please send all written correspondence to:  
RIVERSIDE COUNTY PLANNING DEPARTMENT  
Attn: Tim Wheeler  
P.O. Box 1409, Riverside, CA 92502-1409

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 7/8/2016,

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

APN (s) or case numbers PP25922 For

Company or Individual's Name Planning Department,

Distance buffered 1600'.

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

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

NAME: Vinnie Nguyen

TITLE GIS Analyst

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

Riverside, Ca. 92502

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

**PP25922 (1600 feet buffer)**



**Selected Parcels**

932-020-022	932-040-021	932-050-034	932-040-014	932-040-015	932-050-030	932-050-032	932-050-040	932-050-043	932-390-014
932-050-041	932-050-037	932-040-019	932-050-010	932-030-025	932-030-027	932-040-010	932-040-013	932-050-038	932-020-027
932-050-033	932-050-036	932-050-035	932-020-003	932-020-023	932-050-044	932-020-017	932-040-018	932-020-019	932-020-024
932-030-011	932-030-019	932-030-022	932-020-021	932-020-026	932-020-025	932-050-045	932-040-011	932-050-031	



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

ASMT: 932020003, APN: 932020003  
TIFFANY NELSON MCDANIEL, ETAL  
43017 TENAJA RD  
MURRIETA, CA. 92562

ASMT: 932020027, APN: 932020027  
PETER MCGOWEN  
42991 TENEJA RD  
MURRIETA, CA. 92562

ASMT: 932020019, APN: 932020019  
FRANK MINNAMEYER, ETAL  
17402 VIA ABRIL  
MURRIETA, CA. 92562

ASMT: 932030022, APN: 932030022  
T CLIPPINGER, ETAL  
20670 AVD DE ARBOLES  
MURRIETA CA 92562

ASMT: 932020022, APN: 932020022  
LUISA VILLATORO, ETAL  
14761 ATHEL AVE  
IRVINE CA 92606

ASMT: 932030027, APN: 932030027  
LUIGI VERNOLA  
12218 BOMBARDIER ST  
NORWALK CA 90650

ASMT: 932020023, APN: 932020023  
SARINA BECKER, ETAL  
17250 VIA ABRIL  
MURRIETA CA 92562

ASMT: 932040010, APN: 932040010  
PHYLISS SUNINS, ETAL  
P O BOX 907  
MURRIETA CA 92564

ASMT: 932020024, APN: 932020024  
TAMARA MCVICKER, ETAL  
17370 VIA ABRIL  
MURRIETA, CA. 92562

ASMT: 932040011, APN: 932040011  
NANCY FLEMING, ETAL  
43870 ANITRA ST  
MURRIETA, CA. 92562

ASMT: 932020025, APN: 932020025  
WESTERN RIVERSIDE CO REGIONAL CON AU  
3525 14TH ST  
RIVERSIDE CA 92501

ASMT: 932040013, APN: 932040013  
CATHERINE KAZMARK, ETAL  
43905 ANITRA ST  
MURRIETA, CA. 92562

ASMT: 932020026, APN: 932020026  
WESTERN RIVERSIDE CO REG CONSERV AUT  
C/O DEPT OF FAC MANAGEMENT  
3133 MISSION INN AVE  
RIVERSIDE CA 92507

ASMT: 932040015, APN: 932040015  
TERI LAIDLAW, ETAL  
29642 NOVACELLA  
LAGUNA NIGUEL CA 92677



ASMT: 932040018, APN: 932040018  
MARY SCHMIT, ETAL  
17020 CALLE DE LINA  
MURRIETA, CA. 92562

ASMT: 932050035, APN: 932050035  
CATHERINE BACA, ETAL  
43200 TENAJA RD  
MURRIETA, CA. 92562

ASMT: 932040019, APN: 932040019  
KENNETH MISKAM  
P O BOX 1077  
MURRIETA CA 92564

ASMT: 932050036, APN: 932050036  
SHELLEY TAYLOR, ETAL  
17540 EQUESTRE CT  
MURRIETA, CA. 92562

ASMT: 932040021, APN: 932040021  
LEYDA BEQUER, ETAL  
4980 HIDDEN GLEN LN  
YORBA LINDA CA 92887

ASMT: 932050037, APN: 932050037  
FRANCES JOHNSON  
17545 EQUESTRE CT  
MURRIETA, CA. 92562

ASMT: 932050010, APN: 932050010  
PATRICIA CONTRERAS, ETAL  
17249 MARIPOSA AVE  
RIVERSIDE CA 92504

ASMT: 932050040, APN: 932050040  
JOHN CARTER, ETAL  
PMB 289  
23905 CLINTON KEITH RD 114  
WILDOMAR CA 92595

ASMT: 932050031, APN: 932050031  
KATHLEEN WORTHEY, ETAL  
43455 CALLE COLLADO  
MURRIETA, CA. 92562

ASMT: 932050041, APN: 932050041  
DOMENICK ALDELLIZI  
P O BOX 752  
MURRIETA CA 92564

ASMT: 932050032, APN: 932050032  
ROSANNA NOVAK, ETAL  
30831 AVENIDA BUENA SUERTE  
TEMECULA CA 92591

ASMT: 932050043, APN: 932050043  
JO ANN COKER, ETAL  
43930 ANITRA ST  
MURRIETA CA 92562

ASMT: 932050034, APN: 932050034  
ALICIA BAUSLEY, ETAL  
17520 EQUESTRE CT  
MURRIETA, CA. 92562

ASMT: 932050044, APN: 932050044  
SHUKUEI HAYASHI, ETAL  
32452 AZORES RD  
DANA POINT CA 92629



ASMT: 932050045, APN: 932050045  
WESTERN RIVERSIDE COUNTY REG CON AUT  
C/O ECONOMIC DEV AGENCY  
3043 10TH ST STE 500  
RIVERSIDE CA 92501

ASMT: 932390014, APN: 932390014  
GAME WILDLIFE CONSERV, ETAL  
C/O BILL GALLUP  
1807 13TH ST  
SACRAMENTO CA 95814



County of Riverside Animal Services  
Attn: Chris Mayer  
6851 Van Buren Blvd  
Jurupa Valley, CA 92509

County of Riverside Animal Services  
Attn: Chris Mayer  
6851 Van Buren Blvd  
Jurupa Valley, CA 92509

Southland Engineering  
Attn: Lisa Merritt  
2200 Business Way, Suite 100  
Riverside, CA 92501

Southland Engineering  
Attn: Lisa Merritt  
2200 Business Way, Suite 100  
Riverside, CA 92501

McVicker's Family Law Mediation Ctr.  
29997 Canyon Hills Road, Suite 1603  
Lake Elsinore, CA 92532

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29997 Canyon Hills Road, Suite 1603  
Lake Elsinore, CA 92532

Larry David Myers  
Attorney At Law  
400 South Ramona Ave., Suite 213  
Corona, CA 92879

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Attorney At Law  
400 South Ramona Ave., Suite 213  
Corona, CA 92879

Tyler & Bursch, LLP  
Attn: Marty J Nicholson, Esq.  
24910 Las Brisas Rd. Suite 110  
Murrieta, CA 92562

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Attn: Marty J Nicholson, Esq.  
24910 Las Brisas Rd. Suite 110  
Murrieta, CA 92562

## Wheeler, Timothy

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**From:** Marty Nicholson <mnicholson@tylerbursch.com>  
**Sent:** Monday, May 16, 2016 9:50 PM  
**To:** Wheeler, Timothy  
**Subject:** PP25922

Hi,

Please add me to the list of interested persons on PP25922. I understand you believe that TCSD does not have any power to review this project.

However, it's CC&Rs require architectural review of projects. Please explain how the proposed building structures do not fall under TCSD design review since the CC&Rs state "all buildings" and it is my understanding there is a proposed building under consideration.

Thank you for your time.

Sincerely,

Marty

**Marty J. Nicholson, Esq.**

**TYLER & BURSCH, LLP**  
LAWYERS & ADVISORS

24910 Las Brisas Road, Suite 110

Murrieta, California 92562

Tel: (951) 600-2733

Fax: (951) 600-4996

[www.tylerbursch.com](http://www.tylerbursch.com)

**THIS E-MAIL MESSAGE MAY CONTAIN CONFIDENTIAL AND/OR PRIVILEGED INFORMATION AND IS FOR THE SOLE USE OF THE INTENDED RECIPIENT(S). ANY UNAUTHORIZED REVIEW, USE, DISCLOSURE, OR DISTRIBUTION IS PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER BY REPLY E-MAIL OR TELEPHONE AT (951) 600-2733 AND DESTROY ALL COPIES OF THE ORIGINAL MESSAGE, AS WELL AS ANY ATTACHMENTS. THANK YOU.**



# 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 accessory structure for kennel use, an existing 80 square foot accessory structure for kennel use, 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 McVickers, 17370 Via Abril, Murrieta, CA 92562

**Exempt Status: (Check one)**

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

**Reasons why project is exempt:** 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 patio cover attached to the existing 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. 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.

Tim Wheeler, Project Planner 951-955-6060  
County Contact Person Phone Number

[Signature] Urban Regionl Planner III July 25, 2016  
Signature Title Date

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

Please charge deposit fee case#: ZEA ZCFG No. -\*\*SELECT\*\*  
**FOR COUNTY CLERK'S USE ONLY**



COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

\* REPRINTED \* R1512949

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

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

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

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

Received from: MCVICKER TIMOTHY AND TAMARA \$50.00  
paid by: CK 174  
paid towards: CFG06232 CALIF FISH & GAME: DOC FEE  
FOR EA42860  
at parcel #: 17370 VIA ABRIL MURR  
appl type: CFG3

By \_\_\_\_\_ Nov 20, 2015 14:37  
MGARDNER posting date Nov 20, 2015

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

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

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

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