

Carolyn Syms Luna
Director

RIVERSIDE COUNTY
PLANNING DEPARTMENT

file

DATE: May 12, 2011

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: AGRICULTURAL PRESERVE NO. 1005, CHANGE OF ZONE NO. 7744 and
CONDITIONAL USE PERMIT NO. 3576

(Charge your time to these case numbers)

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

- | | |
|---|--|
| ☐ Place on Administrative Action (Receive & File; EOT) | ☒ Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA) |
| ☐ Labels provided If Set For Hearing | ☒ Publish in Newspaper: |
| ☐ 10 Day ☐ 20 Day ☐ 30 day | (1st Dist) Press Enterprise |
| ☐ Place on Consent Calendar | ☒ Mitigated Negative Declaration |
| ☐ Place on Policy Calendar (Resolutions; Ordinances; PNC) | ☒ 10 Day ☐ 20 Day ☐ 30 day |
| ☐ Place on Section Initiation Proceeding (GPIP) | ☒ Notify Property Owners (app/agencies/property owner labels provided) |
| | Controversial: ☐ YES ☒ NO |

Designate Newspaper used by Planning Department for Notice of Hearing:
(1st Dist) Press Enterprise

Need Director's signature by 6/16/11

Please schedule on the July 12, 2011 BOS Agenda

Documents to be sent to County Clerk's Office for Posting within five days:

Notice of Determination and Mit Neg Dec Forms
Fish & Game Receipt (CFG5014)

Do not send these documents to the County Clerk for
posting until the Board has taken final action on the subject cases.

Docs sent 6/16/11

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

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

"Planning Our Future... Preserving Our Past"

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
April 28, 2011

SUBJECT: AGRICULTURAL PRESERVE NO. 1005, CHANGE OF ZONE NO. 7744 and CONDITIONAL USE PERMIT NO. 3576 – EA41665 - Applicant: Andre Hozen - Engineer/Rep: Robert Tyler - First Supervisorial District – Rancho California Zoning District – Southwest Area Plan – Rural: Rural Mountainous (R:RM) (10 Acre Minimum) - Location: Northerly of De Luz Road, southerly of Buena Vista Road and easterly of Buena Loma Road – 1 Gross Acre – Rural Residential (R-R) and Light Agricultural - 10 Acre minimum (A-1-10) zoning - **REQUEST:** The **Agricultural Preserve** case proposes to cancel a Williamson Act Preserve contract and diminish a portion of the property from Rancho California No. 14. The **Change of Zone** proposes to change a portion of two existing lots from Light Agricultural - One Acre Minimum (A-1-1) to Rural Residential (RR). **Conditional Use Permit** is a proposal to legalize an existing private cemetery known as the Molokan Sanctuary - APN: 933-180-038.

RECOMMENDED MOTION:

- 1) **THE PLANNING DIRECTOR RECOMMENDS TO THE BOARD OF SUPERVISORS:**

APPROVAL of **AGRICULTURAL PRESERVE CASE NO. 1005**, a proposal to diminish Rancho California No.14 and cancel the associated land conservation contract as depicted on Map No. 1005, subject to the Conditions of Approval and based on the findings and conclusions contained in Attachment No. 1; and,

Carolyn Syms Luna
Carolyn Syms Luna
Planning Director

Initials:
CSL:dm/ms

(continued on attached page)

Dep't Recomm.: ☐ Consent ☒ Policy
Per Exec. Ofc.: ☐ Consent ☐ Policy

Prev. Agn. Ref.

District: First

Agenda Number:

The Honorable Board of Supervisors

Re: AGRICULTURAL PRESERVE NO. 1005, CHANGE OF ZONE NO. 7744 and
CONDITIONAL USE PERMIT NO. 3576

Page 2 of 2

- 2) **AT THE DECEMBER 12, 2010 PLANNING COMMISSION HEARING, THE PLANNING DEPARTMENT RECOMMENDED APPROVAL; and THE PLANNING COMMISSION RECOMMENDS:**

APPROVAL of CHANGE OF ZONE NO. 7744, amending the zoning classification on a portion of the subject property from Light Agricultural 10 Acre Minimum (A-1-10) to Rural Residential (RR) in accordance with Exhibit #3, based upon the findings and conclusions incorporated in the staff report; and,

APPROVAL of CONDITIONAL USE PERMIT NO. 3576, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

Conditional Use Permit No. 3576 and Change of Zone No. 7744 are being processed concurrently with Agricultural Preserve Case No. 1005. The Environmental Assessment studied the impacts of the Agricultural Preserve cases in addition to the accompanying entitlements. The Conditional Use Permit and accompanying entitlements constitute the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract and diminishment of the parcel from the affected agricultural preserve. The property consists of one lot with two APNs. Only a portion of one APN (3.07 of the 13.39 acres of APN 933-180-037), and the entirety of the second APN (0.32 acres of APN 933-180-038) is currently encumbered by an Agriculture Preserve and subsequent contract. The Conditional Use Permit proposes to legalize an existing private cemetery known as the Molokan Sanctuary. The proposal would permit the existing use, as well as permit an additional 250 interments.

Andre and Katherine Hozen are requesting consideration of Agricultural Preserve Case No. 1005 (AG01005). AG01005 proposes to diminish a total of 3.39 acres of Rancho California Agricultural Preserve No. 14, Map No. 329, and cancel the land conservation contract as it applies to a portion of the Conditional Use Permit site. On July 30, 2009, the Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) considered an application to diminish Rancho California Agricultural Preserve No. 14, Map No. 329, as depicted on Map No. 1005.

Pursuant to Government Code Section 51284.1, a copy of the complete application for tentative cancellation was submitted to the State Department of Conservation (SDC) for a mandatory 30-day review and comments. Staff received no responses. Appraisals are attached to this Form 11.

CAPTAC recommended APPROVAL of the proposed cancellation. The Planning Director concurs based on the findings and conclusions found in Attachment No. 1.

ATTACHMENT NO. 1

AGRICULTURAL PRESERVE CASE NO. 1005 (AG01005)

CONDITIONS OF APPROVAL for Agriculture Preserve Case No. 1005 (AG01005):

The applicant shall comply with the following conditions prior to issuance a Certificate of Final Cancellation as outlined in Government Code Section 51283.4:

1. The cancellation fee of \$10,625.00 for AG1005 shall be paid; and,
2. All conditions necessary for the County to issue grading permits for any portion of Conditional Use Permits shall have been met.
3. The landowner shall notify the Board of Supervisors when all conditions and contingencies enumerated in the Certificate of Tentative Cancellation have been satisfied.

Within 30 days of receipt of such notice, and upon determination that the conditions and contingencies have been satisfied, the Board of Supervisors shall cause to be executed and recorded a Certificate of Final Cancellation.

FINDINGS:

1. A 3.39 gross acre portion of the 13.71 gross acre site is subject to an agricultural preserve contract.
2. The site is located in the Southwest Area plan, more specifically it is located on the Santa Rosa Plateau, at the end of Buena Loma Road near De Luz Road.
3. The project site is currently a private cemetery.
4. According to the Natural Resource Conservation Service, the soils Capability Classification as indicated in the USDA Soil Survey for Eastern Riverside County indicates that the site is one hundred (100) percent within Class III, Class IV, and Class VI.
5. Andre and Katherine Hozen have entered into a land conservation contract with the County of Riverside for land within Rancho California Preserve No. 14. This contract is dated January 1, 1975 and was recorded on February 28, 1975 as Instrument No. 24227 in the Office of the County Recorder of Riverside, California.
6. The subject parcels affected by the proposed diminishment are included under this single contract.
7. The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural

ATTACHMENT NO. 1

AGRICULTURAL PRESERVE CASE NO. 1005 (AG01005)

Preserves in Riverside County and Government Code Section 51245. A Notice of Non-Renewal was filed with the Planning Department on October 13, 2008, and was recorded by the Riverside County Clerk and Recorder on October 14, 2008 as Instrument No. 2008-0551239. Accordingly, the Board, by a majority of its members, finds that the cancellation is for land on which a notice of non-renewal has been served.

8. Pursuant to the owner's notice of non-renewal submitted on October 13, 2008, the land conservation contract on the subject parcels will expire on January 1, 2019 (GC§51245 and R&T Code §426(c)).
9. Conditional Use Permit No. 3576 and accompanying entitlements are being processed with this Agricultural Preserve case. Conditional Use Permit No. 3576 and accompanying entitlements constitute the applicant's proposed alternative land use of the site upon cancellation of the current land conservation contract and diminishment of the parcels from the affected agricultural preserve. The Conditional Use Permit proposes to legalize an existing private cemetery known as the Molokan Sanctuary. The proposal would permit the existing use as well as permit an additional 250 interments.
10. Upon approval of Conditional Use Permit No. 3576 and accompanying entitlements, the proposed alternative use will be consistent with the existing Riverside County General Plan and the proposed zoning.
11. The cancellation fee was determined by the Riverside County Assessor's Office to be \$10,625.00.
12. The cancellation is not likely to result in the removal of adjacent lands from agricultural use, as the proposed use will not attract large numbers of visitors or residents.
13. Cancellation of the contract will not result in discontinuous patterns of development, as the proposed cemetery use is similar in nature to the surrounding agricultural uses. Additionally, the cemetery use will prohibit development of the site that would be incompatible with the nearby agricultural uses.
14. The project site features a lake, neighboring groves, hillsides, natural parking, and seclusion from urban areas. All of these foster an ideal environment to intern members of a specific faith.

ATTACHMENT NO. 1

AGRICULTURAL PRESERVE CASE NO. 1005 (AG01005)

CONCLUSIONS:

1. The cancellation is for land on which a notice of non-renewal has been served.
2. The cancellation will not result in the removal of adjacent lands from agricultural use beyond that already envisioned by the Board of Supervisors and the General Plan. Accordingly, the Board, by a majority of its members, finds that the proposed cancellation is not likely to result in the removal of adjacent lands from agricultural use.
3. The cancellation is for an alternative use which will be consistent with the applicable provisions of the County General Plan upon project approval.
4. The cancellation will not result in discontinuous patterns of urban development.
5. There is no proximate non-contracted land that offers the same combination of attributes essential to the requirements of some faiths burial requirements.

RESOLUTION NO. 2011-088
DISESTABLISHMENT OF RANCHO CALIFORNIA
AGRICULTURAL PRESERVE NO. 14
(Government Code Section 51231)

WHEREAS, Ranchavo, LTD. II, entered into a Land Conservation Contract with the County of Riverside pursuant to the California Land Conservation Act of 1965 (Government Code Section 51200 et seq.), which contract is dated January 1, 1975, and was recorded February 28, 1975, as Instrument No. 24227, in the Office of the County Recorder of Riverside County, California; and,

WHEREAS, Andre and Katherine Hozen, the subsequent property owners of Assessor's Parcel No. (APN) 933-180-038 (which went to 933-180-037 and 933-180-038), filed a Notice of Nonrenewal on October 13, 2008, which notice was recorded on October 14, 2008, as Instrument No. 2008-0551239, in the Office of the County Recorder of Riverside County, California;

WHEREAS, the filing of said Notice of Nonrenewal resulted in the expiration of the contract as it applies to the subject property on January 1, 2019, pursuant to Government Code Section 51245 and 51246;

WHEREAS, Andre and Katherine Hozen have requested to have the property removed from the boundaries of the agricultural preserve; now, therefore,

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on _____, 2011, that:

1. Rancho California Agricultural Preserve No. 14, Map No. 329, dated January 1, 1975, and on file in the Office of the Clerk of this Board, is amended by deleting therefrom the area shown on the map entitled "AGRICULTURAL PRESERVE MAP NO. 1005: (DIMINISHMENT) OF RANCHO CALIFORNIA

1 **AGRICULTURAL PRESERVE NO. 14"** and described by boundary
2 description thereof, as fully set forth in the attached document entitled
3 **"EXHIBIT A, RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO.**
4 **14, MAP NO. 1005 (DIMINISHMENT),"** which is made part of this resolution,
5 said map and description both being on file in the Office of the Clerk of the
6 Board.

- 7 2. The diminishment of Rancho California Agricultural Preserve No. 14, Map No.
8 1005, is consistent with the provisions of the Land Conservation Act of 1965, the
9 Riverside County General Plan, and the Rules and Regulations Governing
10 Agricultural Preserves in Riverside County as adopted by the Board of
11 Supervisors.

12 **BE IT FURTHER RESOLVED** that the Clerk of this Board shall file and record
13 copies of this resolution, map and boundary description in the Office of the County Recorder
14 of Riverside County, California, with the Director of Conservation of the State of California,
15 and with the Office of the Assessor of Riverside County, California.

16 ///

17 ///

**AGRICULTURAL PRESERVE
TECHNICAL ADVISORY COMMITTEE REPORT**

Preserve Name & No. Rancho California Agricultural Preserve No. 14 Map No. 1005
Applicant's Name: Andre & Katherine Hozen Date Received 9-17-08
Address: 2653 Ardsheal Drive, La Habra Heights, CA 90631 Supv. Dist. First

1. **Planning Department**

- A. Type of Application: _____ Establish _____ Enlarge
_____ Disestablish _____ X _____ Diminish
- B. Acreage: 2 parcels totaling 13.71 acres
- C. Cities within 1 mile: None
- D. Existing Zoning: Light Agriculture - 10 acre minimum lot size (A-1-10)
- E. Existing Land Use: Agriculture - Scattered groves, Single-Family Residential
- F. General Plan Land Use: Rural: Rural Mountainous (RM-R)
- G. General Location: Northerly of De Luz Road, southerly of Buena Vista Road,
Easterly of Los Gatos Road and west of and adjacent to
Buena Loma Road in the Rancho California area of
western Riverside County.

2. **Agricultural Commissioner**

- A. Existing agricultural uses or crops, acreage, and average income or crop return per acre for last year (County-wide values):
Not currently engaged in commercial agriculture.
- B. Number and type of livestock: None.

3. **Cooperative Extension**

- A. Suitable commercial agricultural uses: Avocado and citrus groves, grapes.
- B. Availability of irrigation water: Not an issue.
- C. Nuisance effects: None.

4. **Natural Resource Conservation Service**

- A. Types of soils and soils capability classifications: (SEE ATTACHED LIST)

B. Comparison of soil acreage (estimated):

_____ % Class I & II
_____ % Class III, IV, & VI
_____ % Class VII & VIII

C. Has a Soils Conservation Plan been prepared for this property? _____

D. Soils problems: _____

5. Assessor

A. Last annual assessed valuation: _____ RV: \$ _____

B. Estimated annual assessed valuation: _____ FBV: \$ _____

C. Estimated differential: \$ _____

D. Penalty fee (if applicable): \$ _____

E. Assessor's parcel numbers, acreage and owner's names:

APN 933-180-037-0*(13.39 ac) (A) \$28,808 (B) \$76,238 (C) \$47,430 (D) \$41875

APN 933-180-038-1*(00.32 ac) (A) \$ 427 (B) \$ 1,817 (C) \$ 1,390 (D) \$1,000

*Acreage subject to cancellation 3.07 and 0.32, respectively

Andre & Katherine Hozen

2653 Ardsheal Drive

La Habra Heights, CA 90631

6. County Counsel

7. Committee recommendation on application: ☒ Acceptable ☐ Not acceptable

Summary and Conclusions:

The Comprehensive Agricultural Preserve Technical Advisory Committee (CAPTAC) evaluated the proposed cancellation of the land conservation contract on the subject site. The purpose of this evaluation was to determine if the proposed cancellation is consistent with the purpose of the Land Conservation Act of 1965. Based on its evaluation, CAPTAC could make the five findings necessary to conclude that the proposed cancellation is consistent with the Land Conservation Act of 1965 (Act). Based on its findings, CAPTAC concluded that the proposed cancellation is consistent with the Land Conservation Act of 1965 and, as a result, CAPTAC is recommending that the Riverside County Board of Supervisors grant the proposed cancellation. CAPTAC, by a majority of its members (the Natural Resource Conservation Service was not

present), affirmed five of the five findings necessary to conclude that the proposed cancellation is consistent with the Act. CAPTAC made the following findings:

I. **The cancellation is for land on which a Notice of Non-Renewal has been served pursuant to Section 401 of the Rules and Regulations Governing Agricultural Preserves in Riverside County and Government Code Section 51245.** A Notice of Non-Renewal was filed with the Planning Department on **November 3, 2008**, and was recorded by the Riverside County Clerk and Recorder on **November 5, 2008** as Instrument No. **2008-0587412**. CAPTAC, by a majority of its members, found that a Notice of Non-Renewal had been served on the site.

II. **The cancellation is not likely to result in the removal of adjacent lands from agricultural use.** The subject parcels are located in the Southwest Area Plan (SWAP) of western Riverside County in the Santa Rosa Plateau/De Luz area. This area is set in the Santa Ana Mountains west of the Cities of Temecula and Murrieta and is characterized by rolling hills, steep slopes, and valleys, which are dotted with avocado and citrus farms on large lots, generally ranging between 5 to 25 acres. Land use on the subject parcels consist of groves, an agricultural storage building, a single-family residence and private cemetery used for religious purposes.

Of the 13.71-acre site, only 3.07-acres are located within an agricultural preserve and under current contract. This appears to have been the result of Lot Line Adjustment No. 3538 which was approved by the Riverside County Planning Department on December 18, 1991. Technically, this lot line adjustment should not have occurred between the noncontracted parcel and the contracted parcel because it results in the contracted portion of the parcels being smaller than the minimum size required for entry into an agricultural preserve and has also resulted in split zoning on the site. Additionally, a private cemetery is not permitted in the A-1-10 zone. Based on these factors, the Riverside County Planning Department is requiring that the property owner cancel the contract on the portion of land affected and diminish it from the boundaries of the agricultural preserve. CAPTAC, by a majority of its members, found that this cancellation in and of itself will not result in the removal of adjacent lands from agricultural use.

III. **The cancellation is for an alternative use which is consistent with the applicable provisions of the County general plan.** The subject parcel is located in the Southwest Area Plan (SWAP) of western Riverside County in the Santa Rosa Plateau/De Luz area. This area is set in the Santa Ana Mountains west of the Cities of Temecula and Murrieta and is characterized by rolling hills, steep slopes, and valleys, which are dotted with avocado and citrus farms on large lots, generally ranging between 5 to 25 acres. Land use on the subject parcels consist of groves, an agricultural storage building, a single-family residence and private cemetery used for religious purposes.

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under current contract. This appears to have been the result of Lot Line Adjustment No. 3538 which was approved by the Riverside County Planning Department on December 18, 1991. Technically, this lot line adjustment should not have occurred between the noncontracted parcel and the contracted parcel because it results in the contracted portion of the parcels being smaller than the minimum size required for entry into an agricultural preserve and has also resulted in split zoning on the site. Additionally, a private cemetery is not permitted in the A-1-10 zone. Based on these factors, the Riverside County Planning Department is requiring that the property owner cancel the contract on the portion of land affected and diminish it from the boundaries of the agricultural preserve. CAPTAC, by a majority of its members, found that upon approval of Conditional Use Permit No. 3576 and possibly a change of zone, the existing use on the subject parcels will be consistent with the Riverside County General Plan and Land Use Zoning Ordinance No. 348.

IV. **The cancellation will not result in discontinuous patterns of urban development.** The parcel is located in the Southwest Area Plan (SWAP) and is designated Rural Mountainous (RM), which allows development of one dwelling unit per 10 acres (1 dwelling unit /10 acres). The subject parcel is also located within the Santa Rosa Plateau/De Luz Policy Area. The intent of this Policy Area is to allow smaller lot subdivisions while ensuring that land use constraints are properly addressed through engineering studies and building design. The subject parcel is surrounded on the north, south, east and west by parcels which are designated RM and zoned A-1-10, A-1-20 (Light Agriculture - 20 acres minimum lot size), R-A-10, R-A-20 (Residential Agriculture - 10 and 20 acre minimum lot size), and R-R (Rural Residential). Surrounding uses are similar, with the exception of the private cemetery, and most properties still support agricultural uses. Many parcels located in this area are within an agricultural preserve and under current contract. This cancellation is an exception and does not propose urban development but is being processed to allow for a continuation of the property owners religious practices. CAPTAC, by a majority of its members, found that the proposed cancellation will not result in discontinuous patterns of urban development.

V. **There is no proximate non-contracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land.** As indicated in the County Geographic Information System maps, most of the land in the area is subject to contract, already subdivided or subject to geographical constraints. Surrounding uses are similar and most properties still support agricultural uses. Many parcels located in this area are within an agricultural preserve and under current contract. This cancellation is an exception and does not propose urban development but is being processed to allow for a continuation of the property owners religious practices. CAPTAC, by a majority of its members, found that development of the contracted land would provide more contiguous patterns of urban development than development of proximate, non-contracted land.

AG01005 – RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 14, MAP NO. 329

Findings:	Planning	Ag. Commissioner	Cooperative Extension	Natural Resource Conservation Service	Assessor
1. That the cancellation is for land on which a notice of nonrenewal has been served.	TRUE	TRUE	TRUE		TRUE
2. The cancellation is not likely to result in the removal of adjacent lands from agriculture	TRUE	TRUE	TRUE		TRUE
3. The cancellation is for an alternative use which is consistent with the applicable provisions of the County general plan.	TRUE	TRUE	TRUE		TRUE
4. The cancellation will not result in discontinuous patterns of urban development.	TRUE	TRUE	TRUE		TRUE
5. A. There is no proximate noncontracted land which is both available and suitable for the use to which it is proposed the contracted land be put, or, B. Development of the contracted land would provide more contiguous patterns of urban development than development of proximate noncontracted land.	FALSE	5B) TRUE	5B) TRUE		5B) TRUE
	TRUE				

Use True (Agree) or False (Do Not Agree) to answer each statement.



COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER
BOX SPRINGS DISTRICT OFFICE
6221 BOX SPRINGS BLVD
RIVERSIDE CA 92507
(951) 486-6570

TAUNA MALLIS
ASSISTANT
County Clerk-Recorder Division

LARRY W. WARD
Assessor-County Clerk-Recorder

To: Jeff Stone, CHAIRMAN, BOARD OF SUPERVISORS
From: LARRY W. WARD, ASSESSOR - CLERK - RECORDER
Re: CERTIFICATION OF CANCELLATION VALUATION OF LAND (AG01005)
FOR AGRICULTURAL PRESERVE RANCHO CALIF NO 15 MAP NO 329
(ANDRE & KATHERINE HOZEN)

DATE: 01-12-2010

CERTIFICATE OF CANCELLATION VALUE BASED ON CURRENT MARKET VALUE

I, the undersigned, hereby certify, pursuant to the provisions of Government Code Section 51283(a) and Title 18, California Administrative Code, Section 470, that the cancellation valuation for the below described property is as follows:

<u>Assessor's Parcel No.</u>	<u>Current Market Value</u>	<u>Cancellation Value</u>	<u>Cancellation Fee</u>
933-180-037-0	77,000	77,000	9,625.00
933-180-038-1	8,000	8,000	1,000.00
TOTAL:	<u>85,000</u>	<u>85,000</u>	<u>10,625.00</u>
TOTAL CANCELLATION FEE [Per Section 51283 (a)]			\$10,625.00
TOTAL CURRENT MARKET VALUE:			85,000

Very truly yours,

LARRY W. WARD
ASSESSOR - CLERK - RECORDER

Date: 01-12-2010

by James Harlow
JAMES HARLOW, Supervising Appraiser,
Riverside County Assessor



LARRY W. WARD
Assessor-County Clerk-Recorder

**COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER
BOX SPRINGS DISTRICT OFFICE
6221 BOX SPRINGS BLVD
RIVERSIDE CA 92507
(951) 486-6570**

TAUNA MALLIS
ASSISTANT
County Clerk-Recorder Division

**Assessor's Parcel Number
& Agricultural Preserve Cancellation Valuation Summary**

EFF 07/29/2009:

Per list submitted by County Of Riverside Planning Department

APN	ACRES	CANC VALUE	%	CANC FEE
933-180-037-0	3.07	\$77,000	12.50%	\$9,625
933-180-038-1	0.32	\$8,000	12.50%	\$1,000
2	<u>3.39 AC</u>	<u>\$85,000</u>		<u>\$10,625</u>

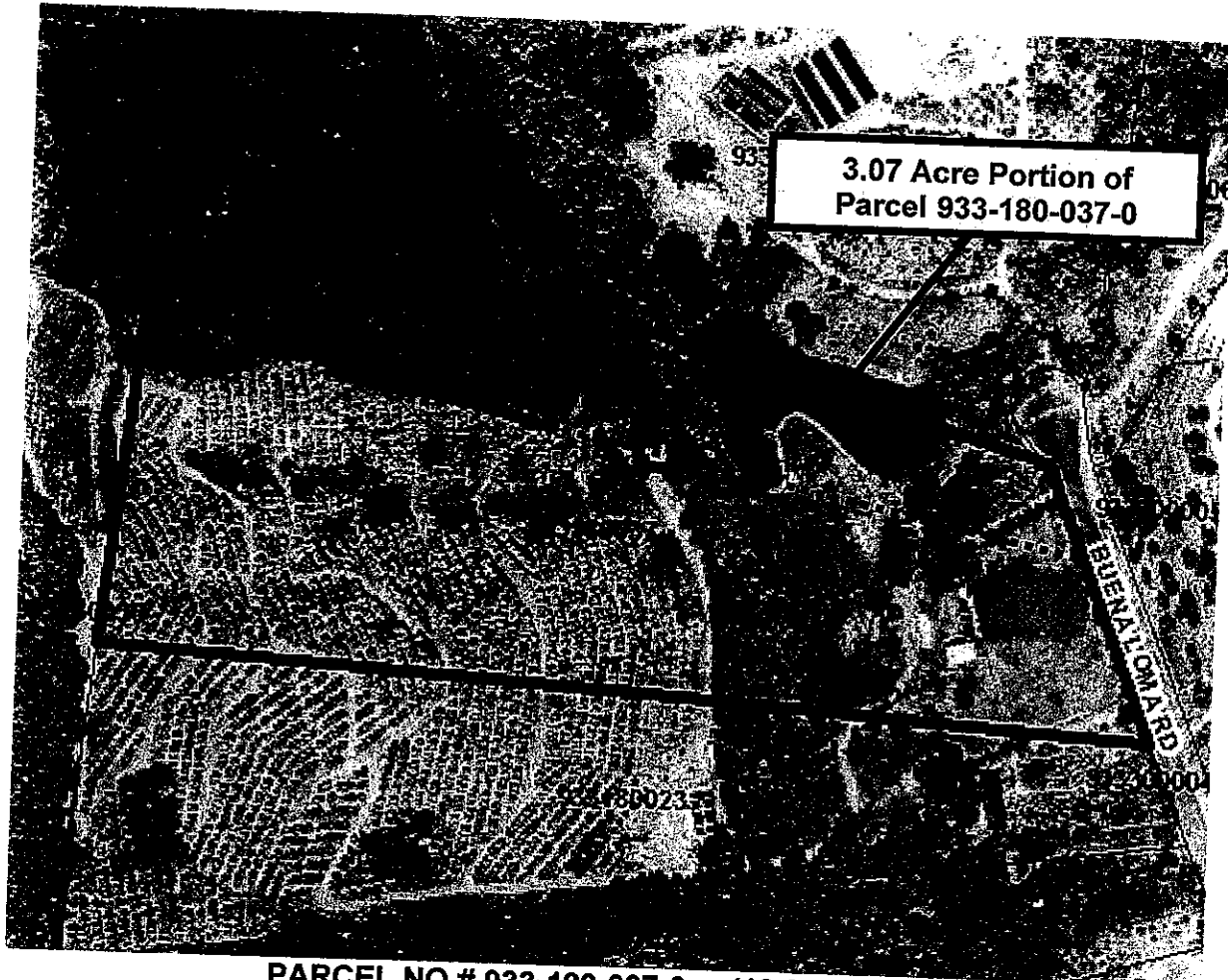


LARRY W. WARD
Assessor-County Clerk-Recorder

**COUNTY OF RIVERSIDE
ASSESSOR-COUNTY CLERK-RECORDER
BOX SPRINGS DISTRICT OFFICE
6221 BOX SPRINGS BLVD
RIVERSIDE CA 92507
(951) 486-6570**

TAUNA MALLIS
ASSISTANT
County Clerk-Recorder Division

GIS Aerial View



PARCEL NO # 933-180-037-0 (13.39 ACRES)
PARCEL NO # 933-180-038-1 (0.32 ACRES)

EXHIBIT A
RANCHO CALIFORNIA AGRICULTURAL PRESERVE NO. 15
MAP NO. 1005
(DIMINISHMENT)

A parcel of land being Parcel 1 and Lot "A" of Parcel Map 10577, as shown by Map on file in Parcel Map Book 53, Pages 89 and 90, together with a portion of Parcel 4 of Parcel Map 7301, as shown by Map on file in Parcel Map Book 30, Pages 41 through 45, inclusive, in the Office of the County Recorder of Riverside County, California, more particularly described as follows:

Beginning at the Northwesterly corner of said Parcel 1, as shown on said Map;

Thence South 75° 23' 37" East along the Northerly line of said Parcel 1 a distance of 602.84 feet to the Southwesterly corner of said Parcel 4, said Parcel Map 7301;

Thence North 18° 48' 55" West along the Westerly line of said Parcel 4 a distance of 210.00 feet;

Thence South 73° 20' 17" East a distance of 775.59 feet;

Thence North 68° 19' 01" East a distance of 34.00 feet to a point on the centerline of Buena Loma Road, as shown on said Parcel Map 7301;

Thence South 21° 40' 59" East along said centerline a distance of 208.10 feet to the Northeasterly corner of Lot "A", as shown on said Parcel Map 10577;

Thence South 21° 40' 27" East along the Easterly line of said Lot "A", said line being the centerline of Buena Loma Road a distance of 210.00 feet to the Southeasterly corner of said Lot "A";

Thence North 86° 35' 10" West along the Southerly line of said Lot "A" and along the Southerly line of said Parcel 1 a distance of 1498.34 feet to the Southwesterly corner of said Parcel 1;

Thence North 06° 20' 58" East along the Westerly line of said Parcel 2 a distance of 465.00 feet to the true point of beginning.

The herein described parcel of land contains 13.711 acres, more or less.

Assessor Parcel No.	Acres (net)	Owners
933-180-037-0	13.39	Andre and Katherine Hozen, husband and wife as joint tenants
933-180-038-1	00.32	Andre and Katherine Hozen, husband and wife as joint tenants
Total	13.71	

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 3/24/2011.

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

APN (s) or case numbers AG1005 For

Company or Individual's Name Planning Department.

Distance buffered 7000'.

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

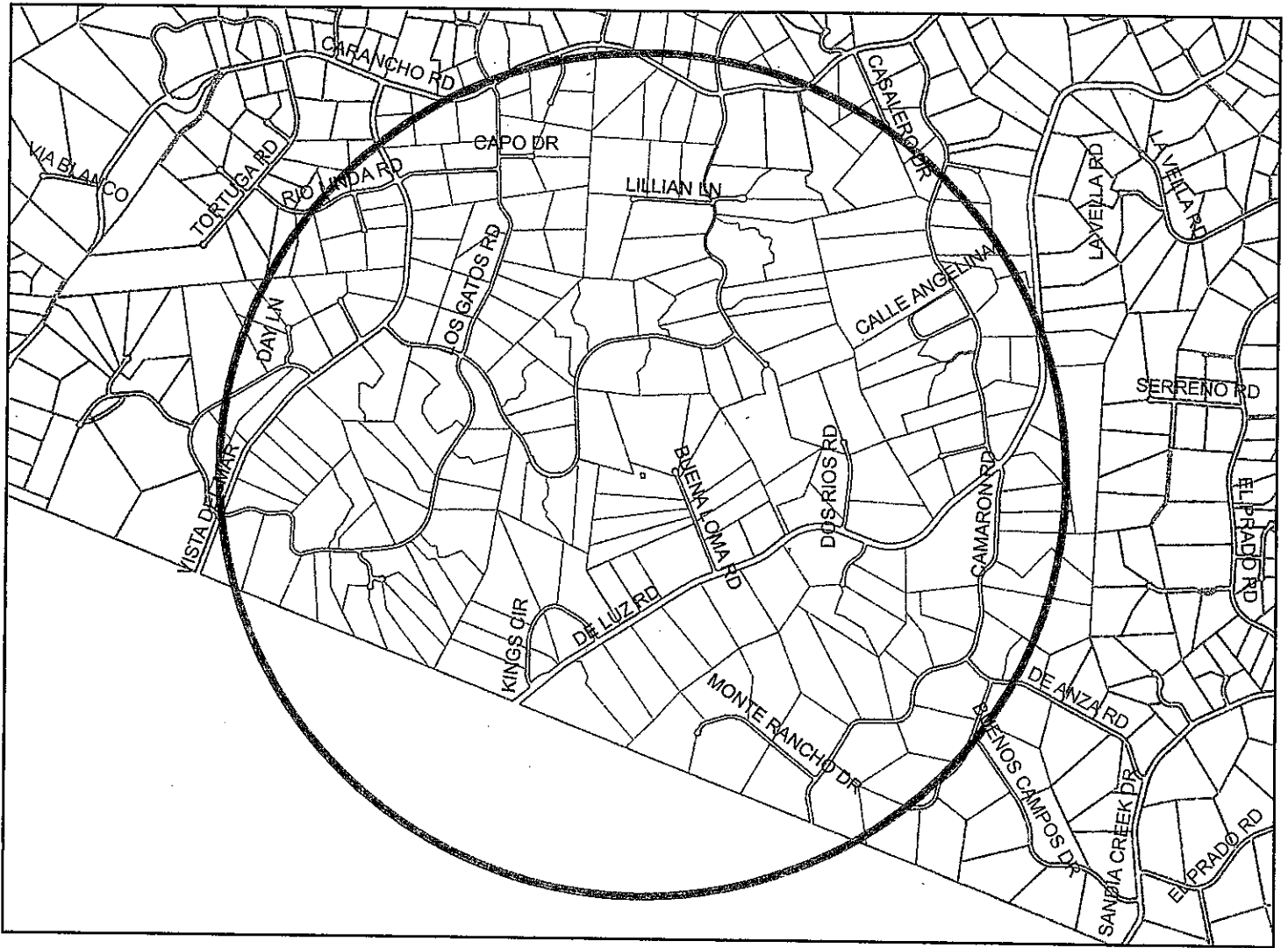
ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

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

✓ 4/28/2011 cgm
EXPIRES: 10/28/2011

7000 feet buffer



Selected Parcels

933-170-021	934-200-001	933-300-003	933-120-047	933-120-046	933-110-045	933-100-047	933-170-042	933-170-041	933-120-029
933-110-044	933-170-022	933-190-005	933-140-026	933-180-038	933-300-004	933-180-023	933-180-037	933-130-054	933-160-028
933-070-044	934-110-003	933-160-025	933-180-033	933-180-040	934-200-006	934-200-009	933-140-036	933-160-030	933-110-024
933-170-016	933-090-025	933-090-026	933-090-024	933-090-023	933-100-036	933-100-040	933-100-035	933-300-001	933-280-008
934-320-004	933-100-018	933-170-030	933-120-016	933-120-017	933-120-018	933-120-019	933-120-042	933-070-042	933-180-024
933-180-025	933-070-056	933-280-006	933-180-028	933-260-004	933-110-034	933-080-031	933-180-021	934-210-010	933-070-071
933-070-020	933-070-064	933-070-062	933-170-032	933-160-027	933-170-020	933-160-033	933-160-032	933-180-027	933-190-004
933-120-050	933-290-001	933-070-053	933-120-040	933-120-038	933-120-039	933-120-041	933-080-027	933-080-029	933-080-012
933-250-004	933-240-003	933-240-002	933-190-003	933-130-040	933-100-038	933-100-037	933-100-016	933-100-015	933-100-017

90 parcels shown



3,250 1,625 0 3,250 Feet

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.



APN: 933170021, ASMT: 933170021
170021 LOS GATOS
C/O HOSSAIN BERENJI
9601 WILSHIRE BLV NO 630
BEVERLY HILLS CA 90210

APN: 933180037, ASMT: 933180037
ANDRE J HOZEN, ETAL
2653 ARDSHEAL DR
LA HABRA HEIGHTS CA 90631

APN: 934200001, ASMT: 934200001
9349 COPPER LANE
C/O BALTAZAR MEJIA
10645 NUEVA CT
FONTANA CA 92337

APN: 933130054, ASMT: 933130054
ANGELA SALVATORE, ETAL
0

APN: 933300003, ASMT: 933300003
ABRAHAM SALOMON, ETAL
C/O MARGARET GOLDMAN
41820 VIA DEL MONTE
TEMECULA CA 92592

APN: 933070044, ASMT: 933070044
ANTONIO CARLOS BARCELO, ETAL
1210 RAINBOW HILLS RD
FALLBROOK CA 92028

APN: 933110044, ASMT: 933110044
AGRISPECT INC
P O BOX 793
TEMECULA CA 92593

APN: 934110003, ASMT: 934110003
ANTONIO MEJIA, ETAL
17249 FAIRFAX CT
FONTANA CA 92336

APN: 933170022, ASMT: 933170022
ALFRED SECUNDA
1360 N LAUREL AVE NO 9
LOS ANGELES CA 90046

APN: 933160025, ASMT: 933160025
ARTHUR DORF, ETAL
2500 6TH AVE NO 907
SAN DIEGO CA 92103

APN: 933190005, ASMT: 933190005
AMBER DAWN DEAR
31825 ABRAZO ST
MURRIETA CA 92563

APN: 933180040, ASMT: 933180040
ARTURO HERNANDEZ
1306 CARRIAGE LN
CORONA CA 92880

APN: 933140026, ASMT: 933140026
ANA HERNANDEZ SCHNEIDER, ETAL
1781 MOORPARK DR
BREA CA 92821

APN: 934200006, ASMT: 934200006
BACILIO MEJIA, ETAL
17249 FAIRFAX CT
FONTANA CA 92336

APN: 934200009, ASMT: 934200009
BARRY R SHREIAR, ETAL
23 AUGUSTA LN
NEWPORT BEACH CA 92660

APN: 933140036, ASMT: 933140036
BASSEM A KABBARA
849 BERKENSTOCK LN
PLACENTIA CA 92870

APN: 933160030, ASMT: 933160030
BERNARD M BIDART, ETAL
5452 RIVERSIDE DR
CHINO CA 91710

APN: 933110024, ASMT: 933110024
BETTY JANE MCCLOSKEY
28120 AUCKLAND CT
SUN CITY CA 92586

APN: 933170016, ASMT: 933170016
BIJAN NEJADNIK, ETAL
1295 USTILAGO DR
SAN RAMON CA 94582

APN: 933090023, ASMT: 933090023
BLAINE L CURTIS, ETAL
1554 SLEEPING INDIAN RD
FALLBROOK CA 92028

APN: 933100036, ASMT: 933100036
BRIAN GRANT CLEMENCE
47075 CAMARON RD
TEMECULA CA 92590

APN: 933100040, ASMT: 933100040
BRIAN GRANT CLEMENCE
25135 LAS PALMERAS
TEMECULA CA 92590

APN: 933100035, ASMT: 933100035
BRIAN GRANT CLEMENCE
47075 CAMARON RD
TEMECULA CA 92590

APN: 933300001, ASMT: 933300001
BRUCE C LINSLEY, ETAL
P O BOX 3167
IDYLLWILD CA 92549

APN: 933280008, ASMT: 933280008
BRUCE LEONARD
0

APN: 934320004, ASMT: 934320004
BUENOS CAMPOS
C/O JIM ARTHUR
1224 GREYSTONE PARK DR
BIRMINGHAM AL 35242

APN: 933100018, ASMT: 933100018
C RONALD KOONS, ETAL
23552 CAMPESTRE
MISSION VIEJO CA 92675

APN: 933170030, ASMT: 933170030
CAROL R ARMSTRONG
47 VIA PALACIO
SAN CLEMENTE CA 92673

APN: 933120016, ASMT: 933120016
CHARLES C LEE, ETAL
44952 VISTA DEL MAR
TEMECULA CA 92590

APN: 933280006, ASMT: 933280006
CLOYD P REEG
12984 CAMINITO BAUTIZO
SAN DIEGO CA 92130

APN: 933120017, ASMT: 933120017
CHARLES C LEE, ETAL
0

APN: 933180028, ASMT: 933180028
COAST PROP LTD PARTNERSHIP
379 AVOCADO CREST
LA HABRA HEIGHTS CA 90631

APN: 933120042, ASMT: 933120042
CHARLES C LEE, ETAL
44952 VISTA DEL MAR
TEMECULA CA 92590

APN: 933260004, ASMT: 933260004
CONRAD HOLDINGS
7432 W SAHARA AVE NO 103
LAS VEGAS NV 89117

APN: 933070042, ASMT: 933070042
CHARLES C PALMER, ETAL
1701 KINGS RD
NEWPORT BEACH CA 92663

APN: 933110034, ASMT: 933110034
CORNELIS H CLAUS
16202 WAYFARER LN
HUNTINGTON BEACH CA 92649

APN: 933180024, ASMT: 933180024
CHARLES R COLABELLA, ETAL
45485 BUENA LOMA RD
TEMECULA CA 92590

APN: 933080031, ASMT: 933080031
CUC T TRAN, ETAL
340 COASTLINE DR
SEAL BEACH CA 90740

APN: 933180025, ASMT: 933180025
CHARLES R COLABELLA, ETAL
0

APN: 933180021, ASMT: 933180021
DANIEL N PEPIN
41088 DE LUZ MURRIETA RD
FALLBROOK CA 92028

APN: 933070056, ASMT: 933070056
CHARLES Z FEDAK, ETAL
6081 ORANGE AVE
CYPRESS CA 90630

APN: 934210010, ASMT: 934210010
DAVID A CLARK
P O BOX 5975
SAN CLEMENTE CA 92674

APN: 933070071, ASMT: 933070071
DAVID J KOSMAN, ETAL
2121 HARRIMAN LN NO 3
REDONDO BEACH CA 90278

APN: 933180027, ASMT: 933180027
EMILIO F RODRIGUEZ, ETAL
2159 N SAN ANTONIO
UPLAND CA 91786

APN: 933070020, ASMT: 933070020
DCF FAMILY LTD PARTNERSHIP
C/O DAVID W FRENCH
5739 CALLE POLVOROSA
SAN CLEMENTE CA 92673

APN: 933190004, ASMT: 933190004
ERIC V BOSTROM
0

APN: 933070062, ASMT: 933070062
DIAMOND HEIGHTS SHOPPING CENTER INC
P O BOX 31665
SAN FRANCISCO CA 94131

APN: 933120050, ASMT: 933120050
EUGENE BIANCHI, ETAL
44500 VISTA DEL MAR
TEMECULA CA 92590

APN: 933170032, ASMT: 933170032
DICK A ANGEL, ETAL
43605 LOS CATOS RD
TEMECULA CA 92590

APN: 933290001, ASMT: 933290001
EVA M JOHNSON
685 S LA POSADA CIR GH1002
GREEN VALLEY AZ 85614

APN: 933160027, ASMT: 933160027
DOUGLAS ALLEN INGLES, ETAL
P O BOX 892365
TEMECULA CA 92589

APN: 933070053, ASMT: 933070053
FARMLAND PROP
615 S DUPONT HIGHWAY
DOVER DE 19901

APN: 933170020, ASMT: 933170020
DOUGLAS E POTTS, ETAL
0

APN: 933120041, ASMT: 933120041
FEDERICO ENTERPRISES INC
C/O GORMAN CO
940 CALLE NEGOCIO STE 135
SAN CLEMENTE CA 92673

APN: 933160032, ASMT: 933160032
EDWARD GATTA, ETAL
128 HIGH ST
EXETER NH 3833

APN: 933080027, ASMT: 933080027
FIVE SAFE T
C/O SHAHIN TEHRANI
1225 CASIANO PL
LOS ANGELES CA 90049



APN: 933080012, ASMT: 933080012
GEORGE J DEMOS, ETAL
NO 114 376
23905 CLINTON KEITH RD
WILDOMAR CA 92595

APN: 933100017, ASMT: 933100017
HENRY SOUTH CAMARON RANCH
P O BOX 300867
ESCONDIDO CA 92030

APN: 933250004, ASMT: 933250004
GERALD D BARNES, ETAL
7051 AVENIDA DE SANTIAGO
ANAHEIM CA 92807

APN: 933110035, ASMT: 933110035
HERMINIO S ACADEMIA, ETAL
27160 CACTUS AVE
MORENO VALLEY CA 92555

APN: 933240002, ASMT: 933240002
GREGORY WANG, ETAL
15531 REGALADO ST
HACIENDA HEIGHTS CA 91745

APN: 933160029, ASMT: 933160029
HITENDRA M BHAGAT
1456 S MANHATTAN AVE
FULLERTON CA 92831

APN: 933190003, ASMT: 933190003
HARVEY JACK MULLER
8112 FLORENCE AVE
DOWNEY CA 90240

APN: 933070048, ASMT: 933070048
IMRE CZIRAKI, ETAL
2242 N HWY 395
FALLBROOK CA 92028

APN: 933130040, ASMT: 933130040
HELEN LOVAAS
5925 LAKE VISTA DR
BONSALL CA 92003

APN: 933120051, ASMT: 933120051
JAMES FREDETTE
P O BOX 9806
NEWPORT BEACH CA 92658

APN: 933100016, ASMT: 933100016
HENRY DE LUZ RANCH
P O BOX 300867
ESCONDIDO CA 92030

APN: 933070026, ASMT: 933070026
JAMES P FRENCH, ETAL
0

APN: 933100015, ASMT: 933100015
HENRY DELUZ RANCH
P O BOX 27867
ESCONDIDO CA 92027

APN: 933070063, ASMT: 933070063
JAMES R BIRMINGHAM, ETAL
P O BOX 1150
TEMECULA CA 92593



APN: 933160031, ASMT: 933160031
JANET L CRUMLEY
9941 BRIER LN
SANTA ANA CA 92705

APN: 933130056, ASMT: 933130056
JOHN C BUCHKO, ETAL
0

APN: 933170038, ASMT: 933170038
JEFFERY W LIN, ETAL
C/O SANDY LIN
P O BOX 609
MONTEBELLO CA 90640

APN: 933140033, ASMT: 933140033
JOHN MONTALVO, ETAL
5676 E BLUE SKY DR
SCOTTSDALE AZ 85262

APN: 933180018, ASMT: 933180018
JEFFREY A SARGENT, ETAL
83760 SWINTON DR
INDIO CA 92203

APN: 933140042, ASMT: 933140042
JOHN P NEET
26845 JEFFERSON AVE STE A
MURRIETA CA 92562

APN: 933130030, ASMT: 933130030
JEFFREY KURT LORITZ, ETAL
0

APN: 933140043, ASMT: 933140043
JOHN PAUL CARDIN, ETAL
4340 PARKVIEW DR
LAKEWOOD CA 90712

APN: 934310006, ASMT: 934310006
JEROME J BURKE
P O BOX 1538
TEMECULA CA 92593

APN: 933070061, ASMT: 933070061
JOHN S THOE
0

APN: 933110025, ASMT: 933110025
JOANN B SILVEY
0

APN: 933100020, ASMT: 933100020
JORDAN E WALKER, ETAL
2944 RUBIDOUX BLV
RIVERSIDE CA 92509

APN: 933150023, ASMT: 933150023
JOHN A CHAPMAN
24546 ARTEMIA AVE
MISSION VIEJO CA 92691

APN: 933180030, ASMT: 933180030
JOSE DE JESUS PEREZ, ETAL
0

APN: 933160022, ASMT: 933160022
 JOSEPH A SALINE, ETAL
 312 EUCALYPTUS DR
 REDLANDS CA 92373

APN: 933070069, ASMT: 933070069
 KEVIN EARL KING, ETAL
 0

APN: 933170031, ASMT: 933170031
 JUAN M NUNO, ETAL
 C/O EFRAIN NUNO
 1206 S STANDARD AVE
 SANTA ANA CA 92701

APN: 934210009, ASMT: 934210009
 L A R D INV LTD PARTNERSHIP
 C/O ARTHUR FLORES
 13635 FREEWAY DR
 SANTA FE SPRINGS CA 90670

APN: 933140024, ASMT: 933140024
 JULIAN O VILLASENOR, ETAL
 652 FAIRMONT DR
 CLAREMONT CA 91711

APN: 933070087, ASMT: 933070087
 LAMB LIVING TRUST, ETAL
 C/O STRATHAM GROUP
 2201 DUPONT DR STE 300
 IRVINE CA 92612

APN: 933230003, ASMT: 933230003
 KAFFER ENTERPRISES
 C/O WILLIAM J KAFFER
 23300 DE ANZA ROAD
 TEMECULA CA 92590

APN: 933170023, ASMT: 933170023
 LAURENN PRATER BARKER
 P O BOX 1913
 FALLBROOK CA 92088

APN: 933180019, ASMT: 933180019
 KENNETH CHIN
 23914 BESSMER
 WOODLAND HILLS CA 91367

APN: 933150026, ASMT: 933150026
 LORRAINE J CARDIN
 16604 CREEKSIDE RD
 RIVERSIDE CA 92503

APN: 933200002, ASMT: 933200002
 KENNETH J LOHSEN, ETAL
 61 ARBOR FIELD WAY
 LAKE GROVE NY 11755

APN: 933160043, ASMT: 933160043
 LOS GATOS ROAD LOT 6
 9941 BRIER LN
 SANTA ANA CA 92705

APN: 933130059, ASMT: 933130059
 KEVIN D BITHER, ETAL
 21151 RIO LINDA RD
 TEMECULA CA 92590

APN: 933200003, ASMT: 933200003
 MANUEL J MARTINEZ, ETAL
 6608 N VISTA AVE
 SAN GABRIEL CA 91775

APN: 933140025, ASMT: 933140025
MANUEL RUIZ, ETAL
21489 COMO ST
WILDOMAR CA 92595

APN: 933070055, ASMT: 933070055
MERVIN E JOHNSON, ETAL
5748 BRIARTREE DR
LA CANADA CA 91011

APN: 933250005, ASMT: 933250005
MARGARET L KIBBETT
0

APN: 933070043, ASMT: 933070043
MICHAEL L PATTON, ETAL
4325 HOLLOW TREE CT
YORBA LINDA CA 92886

APN: 933080017, ASMT: 933080017
MARK H BALAN, ETAL
19871 YORBA LINDA BLV 105
YORBA LINDA CA 92686

APN: 933130060, ASMT: 933130060
MICHAEL TAVERRITE, ETAL
44539 VISTA DEL MAR
TEMECULA CA 92590

APN: 933170037, ASMT: 933170037
MARTHA SCHAFER
15501 PRATT CIR
HUNTINGTON BEACH CA 92647

APN: 933130051, ASMT: 933130051
MICHELLE L SWANK
0

APN: 933050039, ASMT: 933050039
MARTIN M LEE, ETAL
5450 VESPER AVE NO 320B
SHERMAN OAKS CA 91411

APN: 933120037, ASMT: 933120037
MIGUEL DALTON, ETAL
24361 PEACOCK ST
LAKE FOREST CA 92630

APN: 933120044, ASMT: 933120044
MATTHEW T HAND, ETAL
2032 CUMBRE CT
CARLSBAD CA 92009

APN: 933160024, ASMT: 933160024
MORRIE A EFSEAFF, ETAL
8233 CALMADA AVE
WHITTIER CA 90602

APN: 933250006, ASMT: 933250006
MEHRANGIZ H MOFID, ETAL
P O BOX 1263
LA CANADA CA 91012

APN: 933110048, ASMT: 933110048
NATH INV INC
44600 EL CALIMAR RD
TEMECULA CA 92590

APN: 933140022, ASMT: 933140022
PALACIO PROP TRUST
C/O MELODY BARNETT
835 N FAIRFAX
LOS ANGELES CA 90046

APN: 933070058, ASMT: 933070058
RCM CAPITAL PARTNERS, ETAL
C/O GARY MCMILLAN
29379 RANCHO CALIF NO 201
TEMECULA CA 92591

APN: 933300005, ASMT: 933300005
PAO SHENG TUNG, ETAL
4861 FRATUS DR
TEMPLE CITY CA 91780

APN: 933100039, ASMT: 933100039
RICHARD E SOUZA
1955 PADDOCK LN
NORCO CA 92860

APN: 934210011, ASMT: 934210011
PAUL C BUHLER, ETAL
0

APN: 933080022, ASMT: 933080022
RICHARD L OCONNOR
58 LINDA ISLE
NEWPORT BEACH CA 92660

APN: 933080034, ASMT: 933080034
PERSEPOLIS INC
PMB T131
2533 N CARSON ST
CARSON CITY NV 89706

APN: 933140028, ASMT: 933140028
RICHARD RODENBERG, ETAL
P O BOX 296
SUN CITY CA 92586

APN: 934210005, ASMT: 934210005
PYONG O YU, ETAL
2141 SKYE DR
RIVERSIDE CA 92506

APN: 933100043, ASMT: 933100043
ROBERT D RICHARDSON, ETAL
P O BOX 793
TEMECULA CA 92593

APN: 933110037, ASMT: 933110037
RALPH E SWAPP, ETAL
P O BOX 413
TEMECULA CA 92593

APN: 933070072, ASMT: 933070072
ROBERT GLEN BARNHARDT
94 TROON CIR
DURANGO CO 81301

APN: 933070084, ASMT: 933070084
RANCHO LOS GATOS 93
P O BOX 300867
ESCONDIDO CA 92030

APN: 933120036, ASMT: 933120036
ROBERT J KULWICKI, ETAL
0

APN: 933170048, ASMT: 933170048
ROBERT JOHN EGGERING, ETAL
21158 BUENA VISTA RD
TEMECULA CA 92590

APN: 933160037, ASMT: 933160037
ROGER CRUMLEY
9941 BRIER LN
SANTA ANA CA 92705

APN: 933180034, ASMT: 933180034
ROBERT K HECKLER, ETAL
29856 PINEHURST DR
MURRIETA CA 92563

APN: 933160039, ASMT: 933160039
ROGER CRUMLEY
501 N GOLDEN CIRCLE DR 100
SANTA ANA CA 92705

APN: 933100031, ASMT: 933100031
ROBERT O STANTON, ETAL
0

APN: 933160042, ASMT: 933160042
ROGER L CRUMLEY
9941 BRIER LN
SANTA ANA CA 92705

APN: 933100032, ASMT: 933100032
ROBERT Q STANTON, ETAL
43205 BUSINESS PARK DR
TEMECULA CA 92590

APN: 933180039, ASMT: 933180039
RONALD M HERZER, ETAL
0

APN: 933140031, ASMT: 933140031
ROBERTA J GOODWIN
30077 SKIPJACK ST
SUN CITY CA 92587

APN: 933070024, ASMT: 933070024
RONALD W NIEDRINGHAUS, ETAL
1276 INDIAN SPRINGS DR
GLEN DORA CA 91741

APN: 933180036, ASMT: 933180036
ROBERTO RAMOS, ETAL
P O BOX 782
TEMECULA CA 92593

APN: 933270003, ASMT: 933270003
ROSALYN HALL
45935 VIA ESPERANZA
TEMECULA CA 92590

APN: 933160041, ASMT: 933160041
ROGER CRUMLEY
C/O AMY ACCT CORP
501 N GOLDEN CIR DR 100
SANTA ANA CA 92705

APN: 933110032, ASMT: 933110032
RUEBEN CALIXTO, ETAL
C/O CALIXTO IND INC
31307 SANTIAGO RD
TEMECULA CA 92592

APN: 933130053, ASMT: 933130053
RUSSELL AHONEN, ETAL
20999 RIO LINDA
TEMECULA CA 92590

APN: 933220002, ASMT: 933220002
SONNY S OPARAH, ETAL
2040 KNOXVILLE AVE
LONG BEACH CA 90815

APN: 933110036, ASMT: 933110036
SANDY LIN, ETAL
P O BOX 609
MONTEBELLO CA 90640

APN: 933280007, ASMT: 933280007
STEPHEN J MATHESON, ETAL
1196 PERRON GARVIN
WAGENER SC 29164

APN: 933080028, ASMT: 933080028
SHAHEEN BAKHTIAR
28241 CROWN VALLEY NO 207
LAGUNA NIGUEL CA 92677

APN: 934210013, ASMT: 934210013
STEVE MANOLAKIS, ETAL
0

APN: 933200004, ASMT: 933200004
SHERYL KUNKLE
P O BOX 909
TEMECULA CA 92593

APN: 933110020, ASMT: 933110020
STEVEN H INGLE, ETAL
43966 HIGHLANDER DR
TEMECULA CA 92592

APN: 934310005, ASMT: 934310005
SIDNEY D THORNTON, ETAL
45850 TIERRA RICA RD
TEMECULA CA 92590

APN: 933120032, ASMT: 933120032
STEVEN J LAYTON, ETAL
P O BOX 526
BONSALL CA 92003

APN: 933080026, ASMT: 933080026
SIERRA PROP DEV INC
P O BOX 560
TEMECULA CA 92593

APN: 933070070, ASMT: 933070070
SU JEN YEH HSU
1149 MYRA CT
UPLAND CA 91786

APN: 933100012, ASMT: 933100012
SIERRA PROPERTIES DEV INC
P O BOX 1537
TEMECULA CA 92593

APN: 933270004, ASMT: 933270004
T M CALANDRA, ETAL
0



APN: 933120034, ASMT: 933120034
TAE SIK PARK, ETAL
17503 LA BONITA WAY
CERRITOS CA 90703

APN: 933120030, ASMT: 933120030
VOGEL CORP
P O BOX 21158
1651 E BAY STREET
LOS ANGELES CA 90021

APN: 933070059, ASMT: 933070059
TAROPA INV
C/O AUGUSTIN R DIXIT
1525 N MAR VISTA AVE
PASADENA CA 91104

APN: 933140034, ASMT: 933140034
W L T CHUCK HIGBY, ETAL
21690 CRESTWIND RD
SAN MARCOS CA 92069

APN: 933120049, ASMT: 933120049
TERRY L HARRIS, ETAL
P O BOX 2426
TEMECULA CA 92593

APN: 933100046, ASMT: 933100046
WALTZ & WILEY
6075 LA JOLLA SENIC DR
LA JOLLA CA 92037

APN: 933170040, ASMT: 933170040
THOMAS MCCOY
P O BOX 56888
RIYADH 11564
KINGDOM OF SAUDI ARABIA 0

APN: 933260003, ASMT: 933260003
WILLIAM B. DEPUY, ETAL
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APN: 933120033, ASMT: 933120033
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APN: 933080033, ASMT: 933080033
WILLIAM FRANK FASSEL, ETAL
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APN: 933200001, ASMT: 933200001
VERNON W MONROE
1346 E WILSHIRE AVE
SANTA ANA CA 92705

APN: 933120043, ASMT: 933120043
WILLIAM H VOGEL
604 W 37TH ST
SAN PEDRO CA 90731

APN: 934200007, ASMT: 934200007
VINCENT NEAL IBANEZ
0

APN: 933120009, ASMT: 933120009
WILLIAM TEKUNOFF, ETAL
8441 YARROW ST
ROSEMEAD CA 91770

APN: 933160026, ASMT: 933160026
WORLD HEALING CENTER CHURCH
3400 WILLIAM D TATE AVE
GRAPEVINE TX 76051

APN: 933180017, ASMT: 933180017
YI CHENG, ETAL
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ARCADIA CA 91007

APN: 933160015, ASMT: 933160015
YOLANDA L FINCH
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VICTORVILLE CA 92395

APN: 933280005, ASMT: 933280005
YOLANDA L ROBLES
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APN: 933080030, ASMT: 933080030
YOSHI YOSHIHIKO FUKUBAYASHI, ETAL
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RIVERSIDE CA 92505

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C/O GEORGE ZIVELONGHI
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APN: 933120035, ASMT: 933120035
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Southern California Edison
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Rosemead, CA 91770

Director of the Department of Conservation
Interim Director Derek Chernow
801 K Street, MS 24-01
Sacramento, CA 95814

Riverside County LAFCO
3850 Vine Street, Suite 110
Riverside, CA 92507-4277

Applicant:
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La Habra Heights, CA 90631

Eng-Rep:
Tyler Monk & Associates
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Murrieta, CA 92562

Owner:
Molokan Sanctuary Trust
2653 Ardsheal Dr.
La Habra Heights, CA 90631



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Murrieta, CA 92562

Owner:
Molokan Sanctuary Trust
2653 Ardsheal Dr.
La Habra Heights, CA 90631

Agenda Item No.: 4.3
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: First
Project Planner: Matt Straite
Planning Commission: December 1, 2010

Change of Zone No. 07744
Conditional Use Permit No. 03576
E.A. Number: 41665
Applicant: Andre Hozen
Engineer/Representative: Tyler Monk and Associates

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

Change of Zone No. 7744 proposes to change the zoning designation on a portion of the lot from Light Agricultural- Ten Acre Minimum (A-1-10) to Rural Residential (RR) consistent with Exhibit No. 3.

Conditional Use Permit No. 3576 is a proposal to legalize an existing private cemetery known as the Molokan Sanctuary. The proposal would permit the existing use as well as permit additional interments. The proposed maximum number of interments is 250. The project was not a code violation.

There are two Assessor Parcel Numbers on the site, one 13.39 acre APN, used mostly for avocado groves, and one .32 acre APN. The smaller APN is not a lot created by a subdivision, rather it was created for tax purposes. The site contains some shed structures and a bridge for farm equipment, but there are no residential structures on the site. The project is located in the Southwest Area plan, more specifically it is located on the Santa Rosa Plateau, at the end of Buena Loma Road near De Luz Road.

ISSUES OF POTENTIAL CONCERN:

This project has many unique facets that should be explained.

Previous Interments/Background: The existing conditions for the site include six previous interments. In the State of California, a collection of burials does not become a cemetery until more than six interments have taken place. Ordinance No. 348 permits cemeteries in a Rural Residential zoning designation with a Conditional Use Permit. All previous interments were legal. Such interments do not require any local government actions, only State approvals in compliance with the California Health and Safety code, which have been secured. When the applicant reached the legal definition of a cemetery they applied with the County for a Conditional Use Permit to continue interments as an official cemetery. This cemetery would be a private cemetery and would require no action on the part of any local cemetery districts, as private religious cemeteries are not required to be members of the district. The applicant is a trust established by a Church in Orange County entitled the Molokan Church. Their membership is currently comprised of about 60 members. Pursuant to the religious tenants of their faith, interment must occur as soon as possible once a member of the Church passes away. The need for quick action necessitates a private religious cemetery. No alteration to the site will occur. The site is currently kept natural with no headstones, simply an existing white picket fence. No improvements or structures are proposed.

Agricultural Preserve: A portion of the project is lots are within the Rancho California 18 Agricultural Preserve. A notice of Non-renewal has been filed with the County (AG01005) and will be sent to the Board of Supervisors with the final project.

MSHCP/HANS: The project is partially within Multi Species Habitat Conservation Plan Criteria Cell number 7420. The project has been processed through the Habitat Assessment and Negation process (HANS No. 1955) and conservation has been required. The proposed use is contiguous to the areas to

5. Existing Land Use (Ex. #1):
6. Surrounding Land Use (Ex. #1):
7. Project Data:

Agricultural- 10 Acre Minimum (A-1-10) to the north, east and west.

Avocado groves and cemetery

Avocado groves and single family residential

Total Acreage: 4200 sq ft. (.28 ac)

Total Proposed Interments: 250

8. Environmental Concerns:

See attached environmental assessment

RECOMMENDATIONS:

ADOPTION of a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 41665**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

TENTATIVE APPROVAL of **CHANGE OF ZONE NO. 7744**, amending the zoning classification on a portion of the subject property from Light Agricultural Ten Acre Minimum (A-1-10) to Rural Residential (RR) in accordance with Exhibit# 3, based upon the findings and conclusions incorporated in the staff report; and,

APPROVAL of **CONDITIONAL USE PERMIT NO. 3576**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Rural: Rural Mountainous (R:RM) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Rural Residential (RR) zoning classification of Ordinance No. 348, and with all other applicable provisions of Ordinance No. 348.
3. The public's health, safety, and general welfare are protected through project design.
4. The proposed project is clearly compatible with the present and future logical development of the area.
5. The proposed project is consistent with the State requirements for a private religious cemetery.
6. The proposed project will not have a significant effect on the environment.
7. The proposed project will not preclude reserve design for the Multi-Species Habitat Conservation Plan (MSHCP).

FINDINGS: The following findings are in addition to those incorporated in the summary of findings and in the attached environmental assessment, which is incorporated herein by reference.

1. The project site is designated Rural: Rural Mountainous (R:RM) on the Southwest Area Plan.

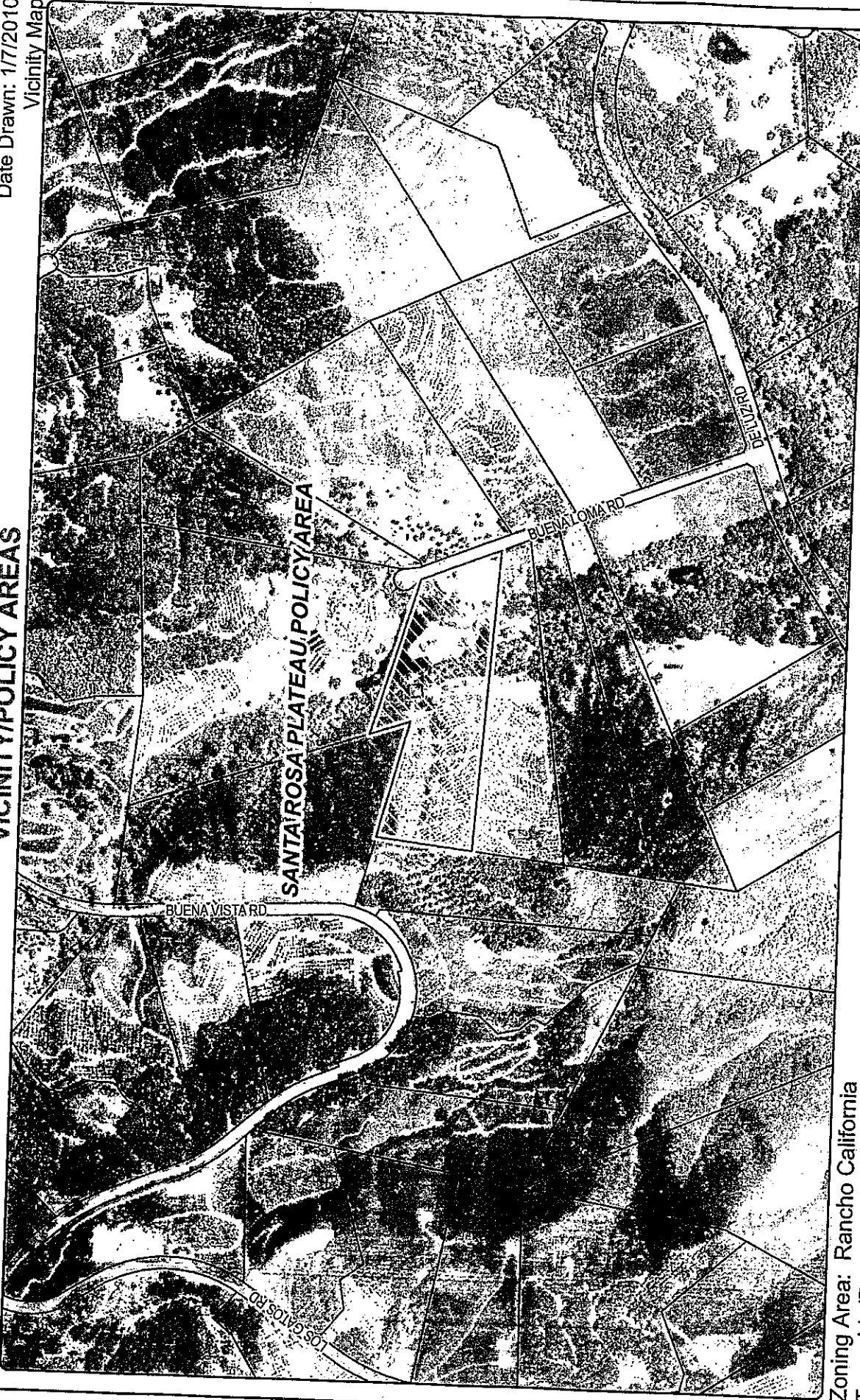
6. This project was reviewed by the Land Development Committee 1 time on the following date
10/6/2009.
7. Deposit Based Fees charged for this project, as of the time of staff report preparation, total
\$21,000.

Y:\Planning Case Files-Riverside office\CUP03576\PC Hearing\CZ7744 and CUP03576 Staff Report.doc
Date Prepared: 01/01/01
Date Revised: 6/08/09 by RJuarez

RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP03576
VICINITY/POLICY AREAS

Supervisor Buster
District 1

Date Drawn: 1/7/2010
Vicinity Map



Zoning Area: Rancho California
Township/Range: T8SR4W
Section: 22 & 23

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.lrra.co/riverside/cup03576index.html>

Assessors Bk. Pg. 933-18
Thomas Bros. Pg. 977 C4
Edition 2009

0 460 920 1,840 2,760

Feet

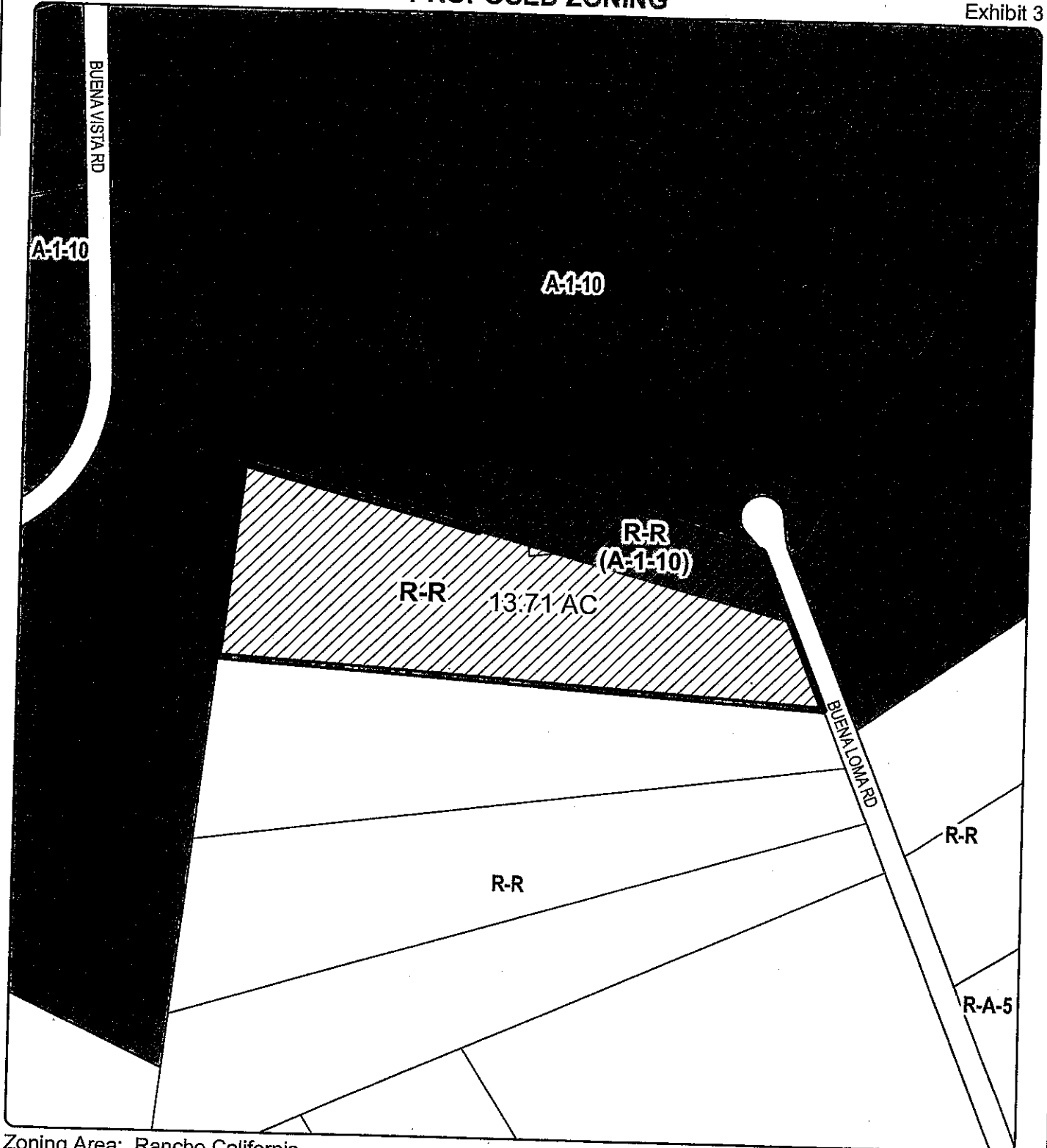
RIVERSIDE COUNTY PLANNING DEPARTMENT

CZ03576 / CUP03576

PROPOSED ZONING

Supervisor Buster
District 1

Date Drawn: 9/2/2010
Exhibit 3



Zoning Area: Rancho California
Township/Range: T8SR4W
Section: 22 & 23

Assessors Bk. Pg. 933-18
Thomas Bros. Pg. 977 C4
Edition 2009

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0 160 320 640 960
Feet

RIVERSIDE COUNTY PLANNING DEPARTMENT

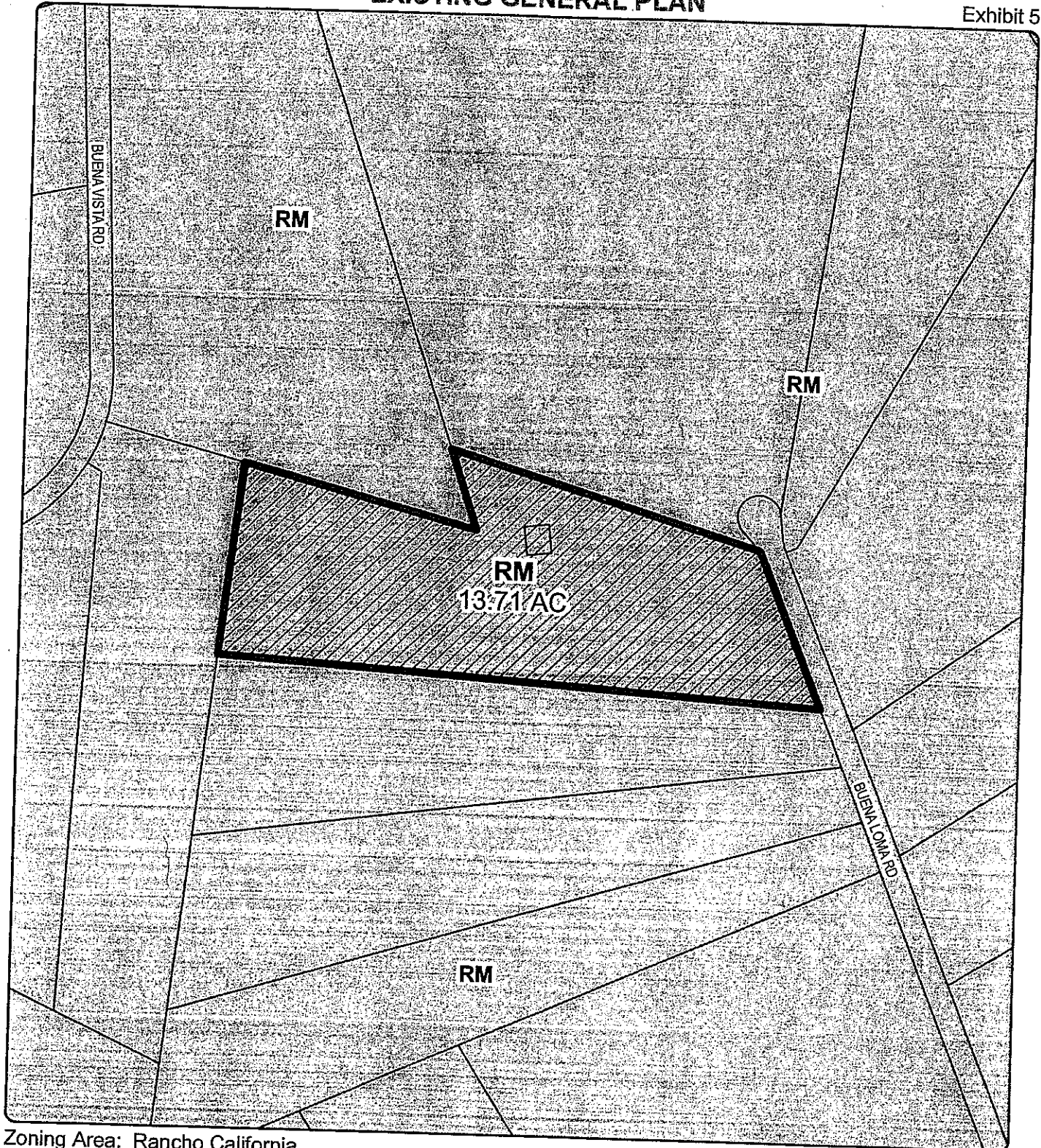
CUP03576

EXISTING GENERAL PLAN

Date Drawn: 1/7/2010

Exhibit 5

Supervisor Buster
District: 1



Zoning Area: Rancho California
Township/Range: T8SR4W
Section: 22 & 23

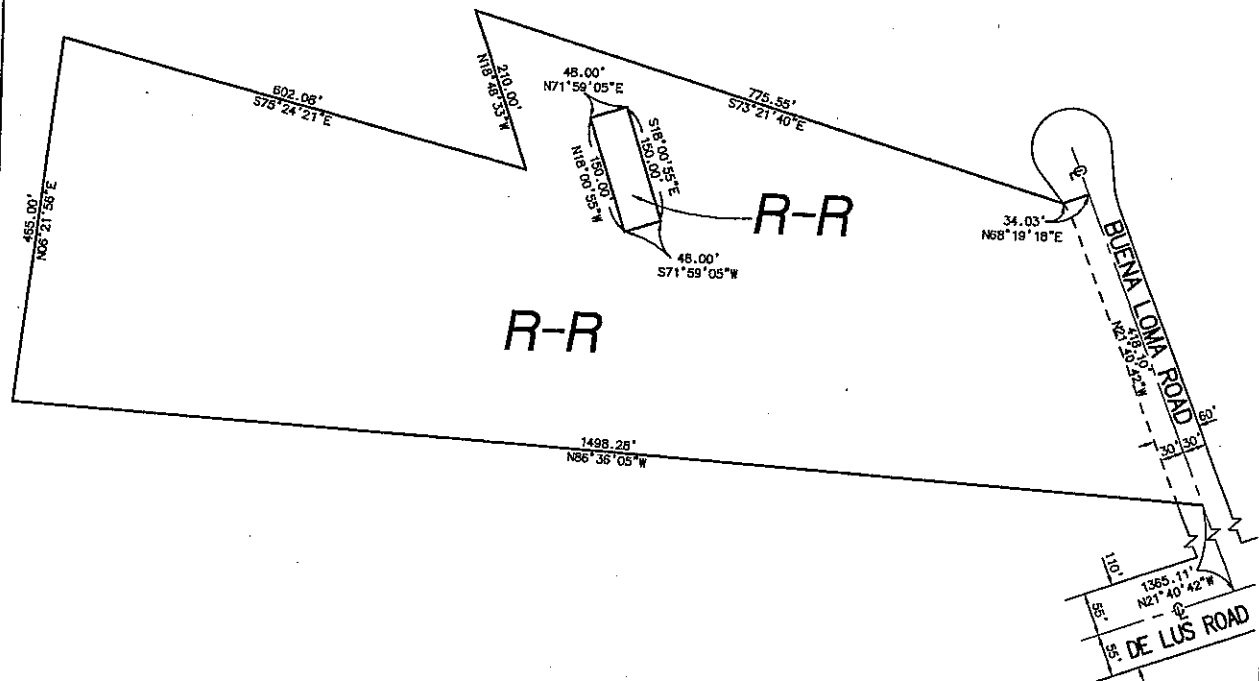


Assessors Bk. Pg. 933-18
Thomas Bros. Pg. 977 C4
Edition 2009

DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.uma.co.riverside.ca.us/index.html>

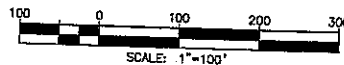


SEC. 22, T.8S., R.4W. S.B.B. & M.
SEC. 23, T.8S., R.4W. S.B.B. & M.



LEGEND

R-R RURAL RESIDENTIAL



MAP NO.
CHANGE OF OFFICIAL ZONING PLAN
AMENDING
MAP NO. 2, ORDINANCE NO. 348
CHANGE OF ZONE CASE NO.
ADOPTED BY ORDINANCE NO.
NOVEMBER 11, 2009
RIVERSIDE COUNTY BOARD OF SUPERVISORS

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** The site's General Plan land use designation is Rural: Rural Mountainous (R:RM) (10 Acre Minimum). The project meets all applicable land use policies.
2. **Circulation:** The proposed project will add overall trips to the area. Due to the size of the project, the existing roads will be sufficient to provide adequate access and circulation for the property. The proposed project meets all other applicable circulation policies of the General Plan.
3. **Multipurpose Open Space:** The proposed project meets all applicable Multipurpose Open Space Element policies.
4. **Safety:** The proposed project is not located in a flood zone, fault zone, or dam inundation area. There is no liquefaction potential for the project site. The proposed project site is not susceptible to subsidence. The project is within a high fire area. The proposed project meets all applicable Safety Element policies.
5. **Noise:** The proposed project meets all applicable Noise Element policies.
6. **Housing:** The project is not proposing any residential units. The project meets with all applicable Housing element policies.
7. **Air Quality:** The proposed project meets all applicable Air Quality Element policies.

B. General Plan Area Plan(s): Southwest

C. Foundation Component(s): Rural (R)

D. Land Use Designation(s): Rural Mountainous (RM) (10 Acre Minimum)

E. Overlay(s), if any: N/A

F. Policy Area(s), if any: Santa Rosa Plateau/ De Luz Policy Area

G. Adjacent and Surrounding:

1. **Area Plan(s):** Southwest Area Plan to the north, east, south, and west
2. **Foundation Component(s):** Rural (R) to the north, east, south, and west
3. **Land Use Designation(s):** Rural Mountainous (RM) (10 Acre Minimum) to the north, east, south, and west
4. **Overlay(s) and Policy Area(s):** Santa Rosa Plateau/De Luz Policy Area to the north, east, south, and west

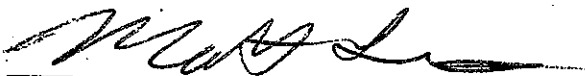
G. Adopted Specific Plan Information

1. **Name and Number of Specific Plan, if any:** N/A

exist. An **ADDENDUM** to a previously-certified EIR or Negative Declaration has been prepared and will be considered by the approving body or bodies.

☐ I find that at least one of the conditions described in California Code of Regulations, Section 15162 exist, but I further find that only minor additions or changes are necessary to make the previous EIR adequately apply to the project in the changed situation; therefore a **SUPPLEMENT TO THE ENVIRONMENTAL IMPACT REPORT** is required that need only contain the information necessary to make the previous EIR adequate for the project as revised.

☐ I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a **SUBSEQUENT ENVIRONMENTAL IMPACT REPORT** is required: (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any the following: (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects of the project on the environment, but the project proponents decline to adopt the mitigation measures or alternatives.



Signature

October 4, 2010

Date

Matt Straite, Project Planner

Printed Name

For Carolyn Syms Luna, Planning Director

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: GIS database, Ord. No. 655 (Regulating Light Pollution)

Findings of Fact:

- a) The project site is located approximately 24.76 miles from Mt. Palomar Observatory and within Zone B of Ordinance 655. It has the potential to interfere with the Observatory. The project, however, is not proposing any lighting. There will be no impacts.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

3. Other Lighting Issues

a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

☐	☐	☒	☐
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b) Expose residential property to unacceptable light levels?

☐	☐	☒	☐
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Source: On-site Inspection, Project Application Description

Findings of Fact:

- a) The proposed project will not create any new source of light. Therefore, the impact is considered less than significant.
- b) Surrounding land uses include single-family residential homes on large lots. The proposed project will not create any new source of light. Therefore, the impact is considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AGRICULTURE & FOREST RESOURCES Would the project

4. Agriculture

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐	☐	☐	☒
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b) Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?

☐	☐	☒	☐
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c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?

☐	☐	☒	☐
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5. Forest				
a) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?	☐	☐	☐	☒
b) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?	☐	☐	☐	☒

Source: Riverside County General Plan Figure OS-3 "Parks, Forests and Recreation Areas," and Project Application Materials.

Findings of Fact:

a) The County does not have zoning that is specific to the preservation of forest land or timberland. Therefore the proposed project will not conflict with any forest land zoning.

b and c) The project site has been used for avocado farming. The site contains some riparian areas; however, none of these are considered forest land per the Public Resources Code. Therefore, the project will not result in the loss of any forest land.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

AIR QUALITY Would the project

6. Air Quality Impacts

a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d. Expose sensitive receptors which are located within 1 mile of the project site to project substantial point source emissions?	☐	☐	☐	☒
e. Involve the construction of a sensitive receptor located within one mile of an existing substantial point source emitter?	☐	☐	☐	☒
f. Create objectionable odors affecting a	☐	☐	☐	☒

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required.

BIOLOGICAL RESOURCES Would the project

7. Wildlife & Vegetation

a. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	☐	☒	☐	☐
b. Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	☐	☒	☐	☐
c. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	☐	☒	☐	☐
f. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
g. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

Source: GIS database, WRC-MSHCP and/or CV-MSHCP, On-site Inspection

Findings of Fact:

- a) The proposed project is located within a Multiple Species Habitat Conservation Plan (MSHCP) Criteria Cell. A natural watercourse meanders through the project site. Three conservation easements are required, one .43 acres, one .61 acre and another .17 acre, these generally follow the stream through the site. The proposed use is near area to be conserved; however, the Riverside Conservation Authority (RCA) has indicated that the proposed use is consistent

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------------	--	---------------------------------------	--------------

Monitoring: The mitigation measures will be monitored by the Riverside County Building and Safety Department through the plan check process.

CULTURAL RESOURCES Would the project

8. Historic Resources

a.	Alter or destroy an historic site?	☐	☐	☐	☒
b.	Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5?	☐	☐	☐	☒

Source: On-site Inspection, Project Application Materials, Cultural Resources Assessment (PD-A 4647) by L & L Environmental Inc. dated July 30, 2009

Findings of Fact:

- a) Most of the parcel is presently a cemetery and agricultural production, the project site itself, which is only a subset of the entire parcel, is currently only used for and as a cemetery. A Cultural Resource Assessment found no record of a historic site within the boundaries of the project site. The project will not alter or destroy a historic site. The project will have no impact to historic resources.
- b) No historical resources as defined in California Code of Regulations, Section 15064.5 exist on the project site. A Cultural Resources Assessment explained that the project will not have a negative impact on historical resources

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

9. Archaeological Resources

a.	Alter or destroy an archaeological site.	☐	☐	☒	☐
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, Section 15064.5?	☐	☐	☒	☐
c.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
d.	Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☒

Source: Project Application Materials, Cultural Resources Assessment (PD-A 4647) by L & L Environmental Inc. dated July 30, 2009

Findings of Fact:

- a-b) A records search determined fourteen surveys were recorded within a one-mile radius of the project site; as a result of those surveys, one archaeological site has been previously recorded within one mile of the site. However, based on the nature of the project, no grading will occur.

Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Source: Riverside County General Plan Figure S-2 "Earthquake Fault Study Zones," GIS database, Geologist Comments

Findings of Fact:

- a-b) According to RCLIS (GIS database), the proposed project is not located within a fault zone. Based, based on the review of aerial photos, site mapping and literature research, there is no evidence of active faults crossing trending toward the subject site. In addition, the site is not located within one-half miles from an earthquake fault zone. Therefore, the potential for this site to be affected by surface fault rupture is considered low.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

12. Liquefaction Potential Zone

- a. Be subject to seismic-related ground failure, including liquefaction?

☐	☐	☒	☐
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Source: Riverside County General Plan Figure S-3 "Generalized Liquefaction,"

Findings of Fact:

- a) According to RCLIS (GIS database), there is a low potential for this site to be affected by seismically induced liquefaction. Less than significant impacts are anticipated.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

13. Ground-shaking Zone

- Be subject to strong seismic ground shaking?

☐	☐	☒	☐
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Source: Riverside County General Plan Figure S-4 "Earthquake-Induced Slope Instability Map," and Figures S-13 through S-21 (showing General Ground Shaking Risk)

Findings of Fact:

- a) According to General Plan Figure S-4, the proposed project site is not located in an area which is susceptible to landslide risk as a result of seismic activity. Figure S-13 of the General Plan indicates that the proposed project site is located in an area that has a very high ground-shaking risk. The proposed development will be required to comply with the latest edition of the California Building Code (CBC 2007) which takes into consideration earthquake risk. This

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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a. Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?

Source: On-site Inspection, Project Application Materials

Findings of Fact:

- a) The project is not located near any volcanic sites. However, the project is located along a year round stream and two small lakes. The project site may experience mudflow and seiche. These will not create any risks or hazards that will pose a danger to as there are no residences or staff that will be on site except during funeral services. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

17. Slopes

a. Change topography or ground surface relief features?	☐	☐	☒	☐
b. Create cut or fill slopes greater than 2:1 or higher than 10 feet?	☐	☐	☒	☐
c. Result in grading that affects or negates subsurface sewage disposal systems?	☐	☐	☐	☒

Source: Project Application Materials, Building and Safety – Grading Review

Findings of Fact

- a) The project proposes no or site altering activities. Therefore, the impact is considered less than significant.
- b) No slopes with a slope ratio greater than two to one (2:1) (horizontal run: vertical rise) are proposed. Therefore, the impact is considered less than significant.
- c) No septic or sewer systems are proposed. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

18. Soils

a) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
b) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating	☐	☐	☐	☒

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure S-8 "Wind Erosion Susceptibility Map," Ordinance 460, Section 14.2 and Ordinance 484

Findings of Fact:

- a) The project site lies within a moderate area of wind erosion. The project will not generate any blowsand. Therefore, the impact is considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

GREENHOUSE GAS EMISSIONS Would the project

21. Greenhouse Gas Emissions

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

☐ ☐ ☒ ☐

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

☐ ☐ ☐ ☒

Source: Application materials

Findings of Fact:

- a) The Planning Department does not require a greenhouse gas numerical analysis for small projects that would not contribute cumulatively significant amounts of exhaust emissions or generate cumulatively considerable levels of GHGs from fuel combustion or involve substantial water and electricity demands. The project is not proposing any construction, nor will the operational impacts generate significant greenhouse gasses. Funeral services will result in 6-8 cars travelling to the site, likely from Orange County. However, services are infrequent and will not generate a significant amount of travel.

- b) As of the creation of this environmental analysis, the only adopted policy that would impact this project at the time of approval would be AB 32. This project does not conflict with the requirements of AB 32.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

HAZARDS AND HAZARDOUS MATERIALS Would the project

22. Hazards and Hazardous Materials

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

☐ ☐ ☒ ☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Commission?				
c. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
d. For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒

Source: Riverside County General Plan Figure S-19 "Airport Locations," GIS database

Findings of Fact:

- a) The project site is not located within an Airport Master Plan; therefore will not result in an inconsistency with an Airport Master Plan. Therefore, there is no impact.
- b) The project site is not located within an Airport Master Plan; therefore will not require to be reviewed by the Airport Land Use Commission. Therefore, there is no impact.
- c) The project site is not located within an airport land use plan; therefore the project will not create a safety hazard for people residing or working in the project area in reference to a public airport or public use airport. Therefore, there is no impact.
- d) The project site is not located within the vicinity of a private airstrip, or heliport, and therefore would not result in a safety hazard for people residing or working in the project area. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

24. Hazardous Fire Area

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☒ | ☐ |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Source: Riverside County General Plan Figure S-11 "Wildfire Susceptibility," GIS database

Findings of Fact:

- a) The proposed project is located within a high fire area. The site allows for secondary access for emergency vehicles and no structures are proposed. Therefore, it is not anticipated that the proposed project would expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, the impact is considered less than significant.

Mitigation: No mitigation is required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) The site will use natural irrigation and will not require any water connections. The Rancho California Water District currently provides water to the site for agricultural purposes, however, the proposed project should not impact the existing demand.
- d) The project will not create or contribute to any water runoff.
- e) The proposed project is not located within a 100-year flood zone. Therefore, no impacts are anticipated.
- f) The project is not proposing any housing located within a 100-year flood zone. Therefore, no impacts are anticipated.
- g) The proposed project is not anticipated to substantially degrade water quality (refer to Finding of Fact 23b. Therefore, impacts are considered less than significant.
- h) The site project will not require the use of any BMP's as no alteration to the site will occur. Therefore, there is no impact.

Mitigation: No mitigation is required.

Monitoring: No monitoring is required.

26. Floodplains

Degree of Suitability in 100-Year Floodplains. As indicated below, the appropriate Degree of Suitability has been checked.

NA - Not Applicable ☐

U - Generally Unsuitable ☐

R - Restricted ☒

a. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

☐ ☐ ☒ ☐

b. Changes in absorption rates or the rate and amount of surface runoff?

☐ ☐ ☒ ☐

c. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam (Dam Inundation Area)?

☐ ☐ ☒ ☐

d. Changes in the amount of surface water in any water body?

☐ ☐ ☒ ☐

Source: Riverside County General Plan Figure S-9 "100- and 500-Year Flood Hazard Zones," Figure S-10 "Dam Failure Inundation Zone," Riverside County Flood Control District Flood Hazard Report/Condition, GIS database

- a) A watercourse exists through the site. The project will avoid the natural watercourses. Therefore, impacts are considered less than significant with mitigation.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	☐	☐	☐	☒

Source: Riverside County General Plan Land Use Element, Staff review, GIS database

Findings of Fact:

- a) The proposed project site is currently zoned Light Agriculture – Ten Acre Minimum (A-1-10) and Rural Residential (RR). However, the proposed project includes a Change of Zone as the current parcel features split zoning. The Change of Zone proposes to make the entire parcel Rural Residential (RR) to maintain consistency throughout the project site. The proposed project is consistent with the standards for the proposed zoning. No impacts related to zoning will occur.
- b) The site is surrounded by land which is zoned Light Agriculture – 10 Acre Minimum (A-1-10) to the north, east, and west and Rural residential (RR) to the south; therefore, the proposed project is compatible with the existing surrounding zoning.
- c) The proposed project is surrounded by large-lot, single-family homes to the north, east, and south, vacant land to the east, south, and west, and orchards to the south and west. The project is compatible with existing and future land uses in the area.
- d) The land use designation for the proposed project site is Rural: Rural Mountainous (R:RM) (10 Acre Minimum). The project is consistent with the Rural: Rural Mountainous (R:RM) (10 acre minimum) land use designation. The proposed project will not result in an alteration of the present or planned land use of this area. The proposed project is consistent with the land use designation and policies of the General Plan.
- e) The proposed project will not disrupt or divide the physical arrangement of an established community.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

MINERAL RESOURCES Would the project

29. Mineral Resources

a) Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
c) Be an incompatible land use located adjacent to a State classified or designated area or existing surface mine?	☐	☐	☐	☒

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Source: Riverside County General Plan Figure S-19 "Airport Locations," County of Riverside Airport Facilities Map

Findings of Fact:

- a) The proposed project site is not located within an Airport Influence Area; therefore, the project will not expose people residing on the project site to excessive noise levels related to air traffic. Therefore, no impacts are expected.
- b) The proposed project site is not located within the vicinity of a private air strip; therefore, the project will not expose people residing on the project site to excessive noise levels. No impacts are expected.

Mitigation: No mitigation required.

Monitoring: No monitoring required.

31. Railroad Noise

NA ☒ A ☐ B ☐ C ☐ D ☐ ☐ ☐ ☐ ☒

Source: Riverside County General Plan Figure C-1 "Circulation Plan", GIS database, On-site Inspection

Findings of Fact:

- a) The proposed project is not located in the vicinity of any railroads. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

32. Highway Noise

NA ☒ A ☐ B ☐ C ☐ D ☐ ☐ ☐ ☐ ☒

Source: On-site Inspection, Project Application Materials

Findings of Fact:

- a) The proposed project is not located in the vicinity of a major highway. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) The proposed project will not exposure people to or generate excessive ground-borne vibration or ground-borne noise levels. Therefore, there is no impact.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

POPULATION AND HOUSING Would the project

35. Housing

a. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
b. Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	☐	☐	☐	☒
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
d. Affect a County Redevelopment Project Area?	☐	☐	☐	☒
e. Cumulatively exceed official regional or local population projections?	☐	☐	☐	☒
f. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

Source: Project Application Materials, GIS database, Riverside County General Plan Housing Element

Findings of Fact:

- The proposed project site is currently agriculture and a cemetery; thus, the proposed project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- The proposed project will not create permanent employment opportunities; therefore, it will not create a demand for additional housing.
- The proposed project site is currently agriculture and a cemetery; therefore, it will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- The project is not located within or near a County Redevelopment Project Area.
- The project proposes no structures.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Monitoring: No monitoring measures are required

38. Schools

☐	☐	☒	☐
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Source: Riverside Unified School District correspondence, GIS database

Findings of Fact:

The Riverside Unified School District provides public education services for the project area. The project will not impact schools in any way.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

39. Libraries

☐	☐	☒	☐
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Source: RCIP

Findings of Fact:

The proposed project will not impact libraries in any way.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

40. Health Services

☐	☐	☒	☐
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Source: RCIP

Findings of Fact:

The proposed project will not impact health services in any way.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

RECREATION

41. Parks and Recreation

a. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐	☐	☒	☐
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b. Would the project include the use of

☐	☐	☒	☐
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	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Alter waterborne, rail or air traffic?	☐	☐	☐	☒
e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	☐	☐	☒	☐
f) Cause an effect upon, or a need for new or altered maintenance of roads?	☐	☐	☒	☐
g) Cause an effect upon circulation during the project's construction?	☐	☐	☒	☐
h) Result in inadequate emergency access or access to nearby uses?	☐	☐	☐	☒
i) Conflict with adopted policies, plans or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities?	☐	☐	☐	☒

Source: RCIP, Riverside County Transportation Department Review, Riverside County Fire Department Review

Findings of Fact:

a) The proposed project will increase vehicular traffic; however, the Transportation Department did not require a traffic study for the proposed project. The project will not cause an increase in traffic which is substantial in relation to the existing traffic loads and capacity of the street system. Nor will the project conflict with any County policy regarding mass transit. The impact is considered less than significant.

b) The project will not conflict with any congestion management plans.

c & d) The proposed project is not located within an Airport Influence Area. The project will not change air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Therefore, there is no impact.

e) The proposed project will not substantially increase hazards to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment). Therefore, there is no impact.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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- b) The proposed project will be served by the Rancho California Water District. Therefore, it is anticipated that the project will have sufficient water supplies available and would not require new or expanded entitlements to serve the project. Therefore, the impact is considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

46. Sewer

a) Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, the construction of which would cause significant environmental effects?

☐ ☐ ☒ ☐

b) Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

☐ ☐ ☒ ☐

Source: Department of Environmental Health Review

Findings of Fact:

- a and b) The proposed project is not proposing the use of any septic tanks. Therefore, the impact is considered less than significant.

Mitigation: No mitigation measures are required.

Monitoring: No monitoring measures are required.

47. Solid Waste

a) Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

☐ ☐ ☒ ☐

b) Does the project comply with federal, state, and local statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?

☐ ☐ ☒ ☐

Source: RCIP, Riverside County Waste Management District correspondence

Findings of Fact:

- a-b) The project will not generate construction or demolition waste. The project will be served by Riverside County Waste Management Department. The proposed project will not require nor result in the construction of new landfill facilities, including the expansion of existing facilities.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
50. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

Source: Staff review, Project Application Materials

Findings of Fact: Implementation of the proposed project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

51. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?	☐	☐	☒	☐
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Source: Staff review, Project Application Materials

Findings of Fact: The project does not have impacts which are individually limited, but cumulatively considerable.

52. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐
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Source: Staff review, project application

Findings of Fact: The proposed project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

CAPCOA, CEQA and Climate Change, January 2008.

CONDITIONAL USE PERMIT Case #: CUP03576

Parcel: 933-180-037

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1

USE - PROJECT DESCRIPTION

RECOMMND

The use hereby permitted is to legalize an existing private cemetery known as the Molokan Sanctuary. The proposal would permit the existing use as well as permit additional interments. The project site is a small portion of a 13.71 acre lot with two APN numbers. Most of the lot features avocado groves, but 0.32 acres is proposed to be used as a private religious cemetery. A maximum of 250 interments will be permitted. The site is intended to be left as natural as possible, parking will be on dirt, no lighting is proposed, no improvements are proposed.

10. EVERY. 2

USE - HOLD HARMLESS

RECOMMND

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (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 an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the project. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the COUNTY.

10. EVERY. 3

USE - DEFINITIONS

RECOMMND

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3576 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Conditional Use Permit No. 3576, Exhibit A, dated 8/25/10.

10. EVERY. 4

USE - 90 DAYS TO PROTEST

RECOMMND

The project developer has 90 days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations

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10. GENERAL CONDITIONS

10.BS GRADE. 5 USE-G1.4 NPDES/SWPPP (cont.)

RECOMMND

Additionally, at the time the county adopts, as part of any ordinance, regulations specific to the N.P.D.E.S., this project (or subdivision) shall comply with them.

E HEALTH DEPARTMENT

10.E HEALTH. 1 NO PLUMBING PROPOSED OR EXIST

RECOMMND

Conditional Use Permit#3576 is not proposing any plumbing nor does any plumbing exist on site. Therefore, no proposal to connect to sanitary sewer or to an onsite wastewater treatment system will be required at this time. However, the Department of Environmental Health (DEH) reserves the right to regulate in accordance with County Ordinances should further information indicate the requirements.

FLOOD RI DEPARTMENT

10.FLOOD RI. 1 USE FLOOD HAZARD REPORT

RECOMMND

Conditional Use Permit 03576 is a proposal to legalize an existing private cemetery in the Santa Rosa area of Rancho California on the west side of Buena Loma Road north of De Luz Road. This proposal is located on a small portion (approximately 0.28-acres) of a 13-acre property which is primarily in use as an orchard.

While no improvements are proposed with this submittal, it should be noted that the large watercourse which traverses the property could restrict access from Buena Loma Road to the cemetery during periods of heavy runoff.

The District does not object to this proposal.

PLANNING DEPARTMENT

10.PLANNING. 1 USE - LC LANDSCAPE REQUIREMNTS

RECOMMND

Prior to the installation or rehabilitation of 2,500 square feet or more of landscaped area, the developer/ permit holder/landowner shall:

1) Submit landscape and irrigation plans to the County Planning Department for review and approval. Such plans shall be submitted as a Minor Plot Plan subject to the appropriate fees and inspections as determined by the

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10. GENERAL CONDITIONS

10. PLANNING. 3

USE - LOW PALEO (cont.)

RECOMMEND

1. All site earthmoving shall be ceased in the area of where the fossil remains are encountered. Earthmoving activities may be diverted to other areas of the site.
2. The applicant shall retain a qualified paleontologist approved by the County of Riverside.
3. The paleontologist shall determine the significance of the encountered fossil remains.
4. Paleontological monitoring of earthmoving activities will continue thereafter on an as-needed basis by the paleontologist during all earthmoving activities that may expose sensitive strata. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The supervising paleontologist will have the authority to reduce monitoring once he/she determines the probability of encountering any additional fossils has dropped below an acceptable level.
5. If fossil remains are encountered by earthmoving activities when the paleontologist is not onsite, these activities will be diverted around the fossil site and the paleontologist called to the site immediately to recover the remains.
6. Any recovered fossil remains will be prepared to the point of identification and identified to the lowest taxonomic level possible by knowledgeable paleontologists. The remains then will be curated (assigned and labeled with museum* repository fossil specimen numbers and corresponding fossil site numbers, as appropriate; places in specimen trays and, if necessary, vials with completed specimen data cards) and catalogued, an associated specimen data and corresponding geologic and geographic site data will be archived (specimen and site numbers and corresponding data entered into appropriate museum repository catalogs and computerized data bases) at the museum repository by a laboratory technician. The remains will then be accessioned into the museum* repository fossil collection, where they will be permanently stored, maintained, and, along with associated specimen and site data, made available for future study by qualified scientific investigators. * The County of Riverside must be

CONDITIONAL USE PERMIT Case #: CUP03576

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10. GENERAL CONDITIONS

10.PLANNING. 5

GEN - INADVERTANT ARCHAEO FIND (cont.)

RECOMMND

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance.

1. All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the Planning Director to discuss the significance of the find.

2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.

3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

10.PLANNING. 6

USE - OWNER/OPERATOR CHANGE

RECOMMND

Any change in ownership of the project property shall require an application and approval of a Revision to the Conditional Use Permit. Additionally, in the event that any part of the project facilities as shown on EXHIBIT A is leased, licensed or rented to any person, group, agency or company, an application and approval of a Revision to the Conditional Use Permit is also required.

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10. GENERAL CONDITIONS

10.PLANNING. 27

USE - EXTERIOR NOISE LEVELS (cont.)

RECOMMND

other similar noise sensitive land use. In the event noise exceeds this standard, the permittee or the permittee's successor-in-interest shall take the necessary steps to remedy the situation, which may include discontinued operation of the facilities. The permit holder shall comply with the applicable standards of Ordinance No. 847.

10.PLANNING. 30

USE - CAUSES FOR REVOCATION

RECOMMND

In the event the use hereby permitted under this permit,
a) is found to be in violation of the terms and conditions of this permit,
b) is found to have been obtained by fraud or perjured testimony, or
c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.

10.PLANNING. 42

USE - BASIS FOR PARKING

RECOMMND

Ordinance 348, section 18.12 regulating parking, outlines provisions for cemetery parking requirements. This section explains that cemeteries require "1 space per 35 square feet of net assembly room area, 1 space/ employee, and 1 space/ vehicle operated on the grounds by the propriety institution." As the ordinance explains, parking is required when an assembly area is proposed as part of the cemetery. This case proposes no structures, and no assembly area. Thus, staff requested additional information from the applicant regarding typical service sizes in order to assess possible peak capacity for parking.

A letter provided by the applicant's representative indicates that between six and eight vehicles will be present for private services. Additionally, the applicant has requested that the site stay as natural as possible to comply with the tenants of their faith. In an effort to remain sensitive to the needs of the applicant, the neighbors, the MSHCP needs, the site, and to assure adequate peak parking for the site, the project is proposing to use an existing portion of the site for service parking, unimproved. This area is delineated on the exhibit. The area will be kept free of any striping or paving. While Section 18.12 requires stripping, it does so to assure that parking stall size and setback requirements

11/04/10
16:49

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 11

CONDITIONAL USE PERMIT Case #: CUP03576

Parcel: 933-180-037

10. GENERAL CONDITIONS

10.TRANS. 7 USE - COUNTY WEB SITE

RECOMMND

Additional information, standards, ordinances, policies, and design guidelines can be obtained from the Transportation Department Web site:
<http://rctlma.org/trans/>. If you have questions, please call the Plan Check Section at (951) 955-6527.

20. PRIOR TO A CERTAIN DATE

BS GRADE DEPARTMENT

20.BS GRADE. 1 USE- EXISTING BRIDGE TO CODE

RECOMMND

A Riverside County Records search indicates a building permit was not issued for the construction of the existing bridge indicated on the site plan for Conditional Use Permit 03576.

Within 180 days of final approval of CUP03576, the applicant is required to obtain a building permit and perform all necessary engineering and construction to bring the existing bridge into conformance with the California Building Code and Ordinance 457.

EPD DEPARTMENT

20.EPD. 1 EPD- RECORD EASEMENT

RECOMMND

As determined through HANS 1955, a total of 1.21 acres as shown on the exhibit for CUP03576, dated 08/25/10 shall be dedicated via a conservation easement to the RCA (Regional Conservation Authority) within 120 days of project approval. The applicant shall work with the RCA to set up this easement and provide documentation that the easement has been established to EPD. This easement must be recorded with the RCA within 120 days of project approval. Failure to record the easement within 120 days may result in suspension or revoke of the approved Conditional Use Permit.

PLANNING DEPARTMENT

20.PLANNING. 2 USE - LIFE OF THE PERMIT

RECOMMND

The Conditional Use Permit No. 3576 shall not have a termination date.

11/04/10
16:49

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 13

CONDITIONAL USE PERMIT Case #: CUP03576

Parcel: 933-180-037

60. PRIOR TO GRADING PRMT ISSUANCE

PLANNING DEPARTMENT

60.PLANNING. 11 USE - SECTION 1601/1603 PERMIT

RECOMMND

Should any grading or construction be proposed within or along the banks of any natural watercourse or wetland located either on-site or on any required off-site improvement area, the permit holder shall provide written notification to the County Planning Department that the appropriate California Department of Fish and Game notification pursuant to Sections 1601/1603 of the California Fish and Game Code has taken place. Or, the permit holder shall obtain an "Agreement Regarding Proposed Stream or Lake Alteration" (Section 1601/1603 Permit). Copies of any agreement shall be submitted with the notification

60.PLANNING. 12 USE - SECTION 404 PERMIT

RECOMMND

Should any grading or construction be proposed within or alongside the banks of the watercourse or wetland, the permit holder shall provide written notification to the County Planning Department that the alteration of any watercourse or wetland, located either on-site or on any required off-site improvement area, complies with the U.S. Army Corps of Engineers Nationwide Permit Conditions. Or, the land divider shall obtain a permit under Section 404 or the Clean Water Act. Copies of any agreements shall be submitted along with the notification.

TYLER & ASSOCIATES

Attorneys at Law
24910 Las Brisas Road, Suite 110
Murrieta, California 92562

Telephone (951) 600-2733

Facsimile (951) 600-4996

January 23, 2008

VIA FIRST CLASS MAIL

Matt Straite
Project Planner
County of Riverside TLMA
39493 Los Alamos Road
Murrieta, CA 92562

RE: Application for Conditional Use Permit No. 3576 – Statement of Operations
Andre Hozen c/o Molokan Sanctuary

Dear Mr. Straite,

Andre Hozen and the Molokan Sanctuary Trust seek a conditional use permit for the establishment of the Molokan Sanctuary, a cemetery created for the sole purpose of the internment of members of the Molokan Church. Church membership is now comprised of approximately 60 individuals, who, at the time of their demise, seek to be interned on the site in accordance with the traditions and beliefs of their religious faith. Pursuant to the religious tenets of the Molokan faith, the deceased must be buried as soon as possible after their passing, which necessitates the need for a private religious cemetery where a burial can occur within this short timeframe. Members of this religious faith believe that the deceased should rejoin with nature in the simplest form possible as dictated in the Old Testament. Accordingly, no improvements that will alter the parcel's natural state will be made to it. Further, under Mosaic law, found in the Old Testament, it is considered "unclean," and therefore forbidden, to build a facility for religious services on the site.

As soon as possible after the death of a member of the Molokan Church, religious rites are performed on site. Family members perform the burial as the religious rites are occurring. The service is very simple and limited to church members and relatives who will attend the private services. At the time of the burial, a wood casket is lowered into a concrete vault, which is then sealed.

TYLER & ASSOCIATES, LLP

ATTORNEYS AT LAW

WWW.TYLER-LAW.NET

REPLY TO:

24910 LAS BRISAS ROAD, SUITE 110
MURRIETA, CALIFORNIA 925628
TELEPHONE: (951) 600-2733
FACSIMILE: (951) 600-4996

ORANGE COUNTY OFFICE

15540-B ROCKFIELD BOULEVARD
IRVINE, CALIFORNIA 92618
TELEPHONE: (949) 707-2733
FACSIMILE: (951) 600-4996

March 1, 2010

VIA ELECTRONIC
AND U.S. MAIL

Mr. Jared Bond
Environmental Programs Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Email: jbond@rctlma.org

RE: MSHCP Conservation Easement & JPR #09-08-24-01

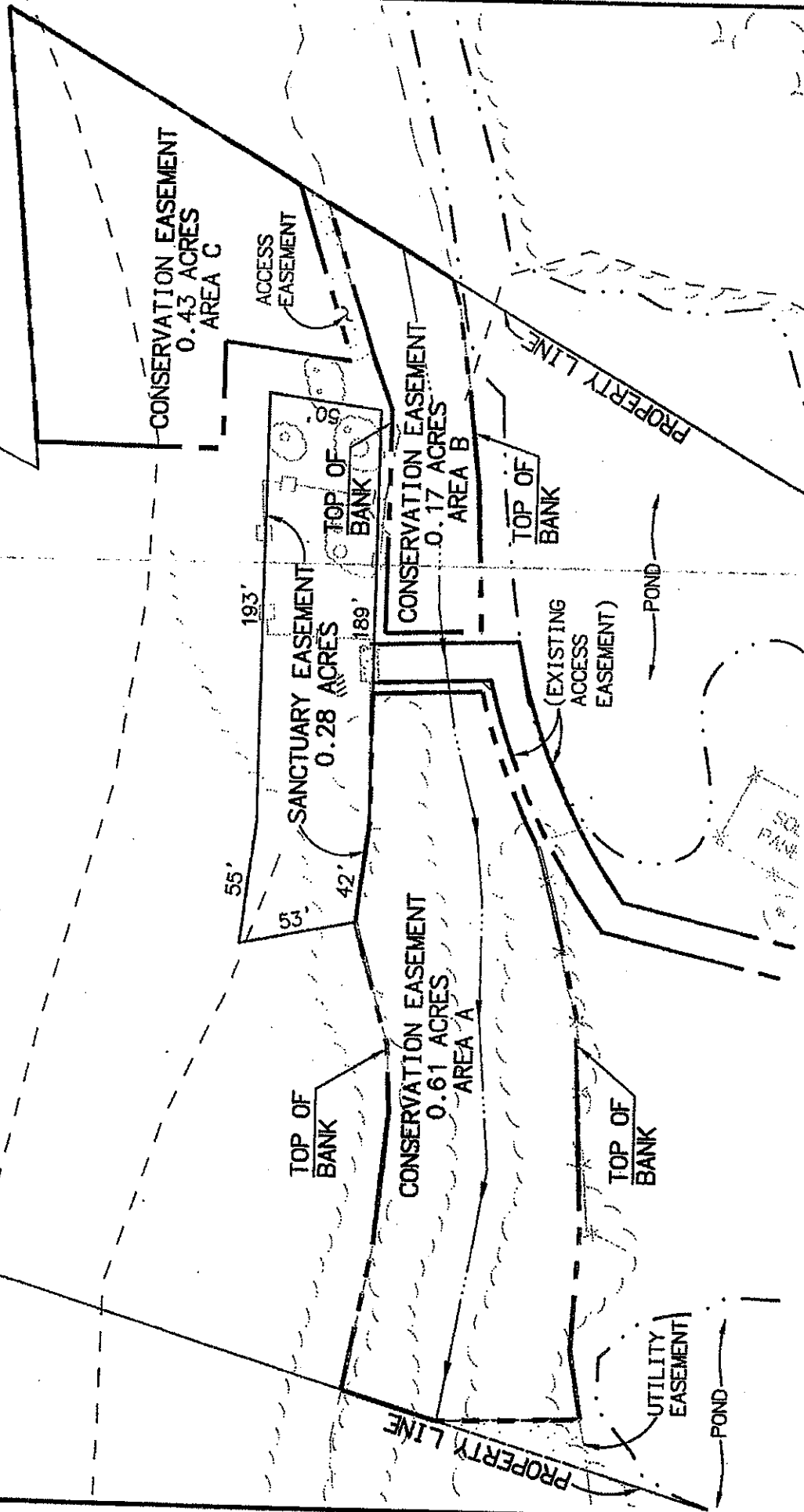
Dear Mr. Bond,

Pursuant to your letter of November 3, 2009, and the RCA JPR Review of September 8, 2009, my client is willing to set aside approximately 1.5 acres of oak woodland area for conservation. A map identifying with particularity the MSHCP Conservation Easement is enclosed with this letter.

We would like to request a number of modifications and clarifications in light of the unique characteristics of the current and previous use on the property. As you are aware, my client has maintained the property in a predominantly natural state, consistent with the R-R zoning requirements. Previous and current uses on the property include fruit and avocado orchards and the maintenance of livestock. My client also conducts regular maintenance of the property consistent with these uses, including fertilization of the orchards, dead/unsightly vegetation removal and abatement, removal of fallen or broken tree limbs, livestock grazing and transplanting of livestock manure. This maintenance, specifically the removal and abatement of dead/unsightly vegetation, occurs periodically in the 1.5 acre area proposed for conservation. My client does not wish to cease its activities of such, which ultimately benefits and preserves the area more effectively than if left completely alone.

In addition, my client cannot guarantee or covenant that the orchards rising up from the 1.5 acre area will not contain minor or periodic traces of fertilizer and even occasional chemicals for pest control. Any run-off from the orchards is slight and in the case of storm-water runoff, the volume of water during those times will dilute any measurable quantities of foreign substances. There are simply no cost-effective and physically unobtrusive ways for my client to prevent any possible run-off from the orchards into the conservation area, and the risk for measurable contamination is non-existent. To install drainage systems to divert away from the conservation area will be more damaging and intrusive than any minor run-off from the orchards. Accordingly, my client sees no logical connection between the JPR recommendations pertaining to a stormwater prevention plan and the intended use and preservation of the conservation area.

Conservation Easement Exhibit



ENGINEERING · SURVEYING · LAND PLANNING
 25631 ADDISON STREET, UNIT "B" MURRIETA, CA 92562
 951.696.9902 951.696.9961 FAX

2/24/2010



GRAPHIC SCALE

to eight (8) vehicles per service. The parking demand for future services is expected to remain unchanged.

In addition to the intended use on the property, the topographic and other physical features also make compliance with the zoning ordinance impractical. There are steep grades rising up at the back of property, there is a creek bed running across the middle of the property, which the County is requesting become a 1.5 acre conservation easement, and the pastures and tree-lined driveway at the front of the property contribute to the natural environment so important to the religious purposes of the cemetery.

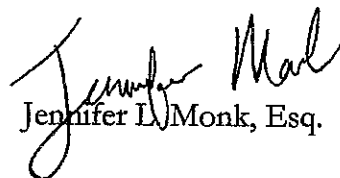
According to ORD.348 §18.12(d), "the Planning Director may... permit modifications to the circulation and parking layout requirements where topographic or other physical conditions make it impractical to require strict compliance with these requirements." Not only does the topographic and physical conditions make strict compliance impractical, but the intended use, as described above, also make strict compliance impractical. Furthermore, it appears that strict compliance with the parking requirements may require installing a six-foot high masonry wall around any proposed parking area to preclude the view of such a parking area from adjoining R-R zoned properties. Since my client's parcel is also zoned R-R, strict compliance would violate other zoning requirements pertaining to the erection of structures and walls.

Since there is no pre-established use for an unimproved cemetery, with no physical structures for assembly area, in the ordinance, my client therefore requests that the Planning Director base the parking requirements on the cemetery's actual peak-parking demand characteristics. While peak demand would occur at the time of a congregational on-site funeral service, the relatively few attendees to these private services and the fact that the congregation and family members share rides in order to get out to the cemetery, this calculation would be the most consistent with ORD. 348 and the intended use under the conditional use permit.

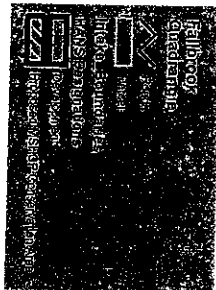
To accommodate the peak parking demands, my client intends to utilize the adjacent pasture. The surface of the pasture is level, hard-packed and provides adequate drainage for an even and level parking surface, but it cannot be paved. For all of the above reasons, my client hereby requests that the Planning Director approve the essential elements of this proposal with exact details and specifications to be agreed upon after additional comments.

Please contact me as soon as possible to discuss my client's proposal.

Best regards,

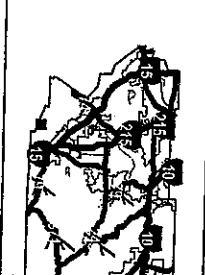

Jennifer L. Monk, Esq.

MSHCP HANS - PAR01226 - Intake 1955



FINAL

Date: 5-12-2010

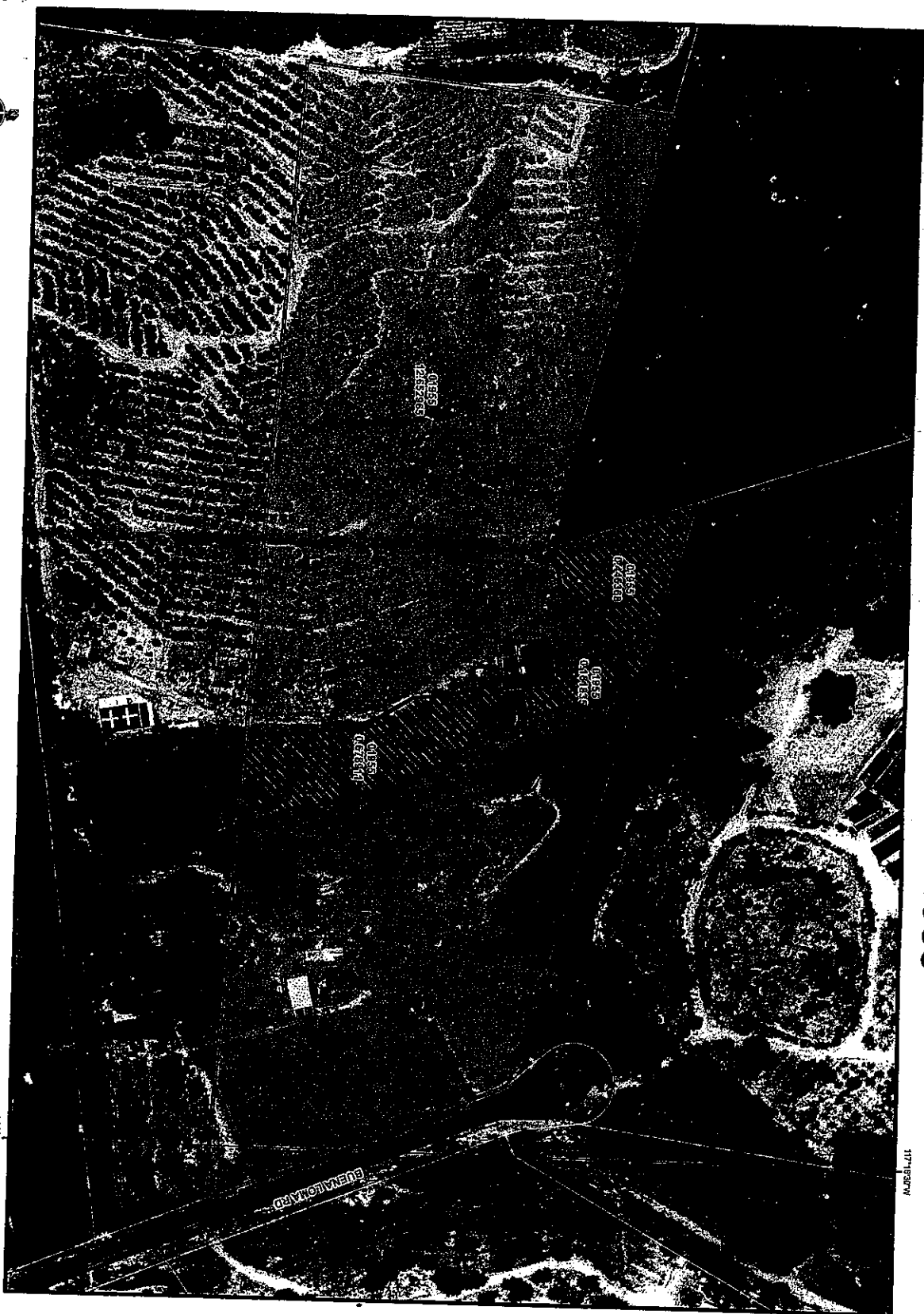


Notes: Maps and data are to be used for reference purposes only. Features are approximate, and are not necessarily accurate to any or quantities as to the scale. The County of Riverside makes no warranty, representation, or commitment of any of the data provided, and no legal responsibility for the information contained on this map, or any map derived therefrom, shall be the responsibility of the user.



Mapkey Zshoro
 \imgkey\imgkey\view\MSHCP\HANS\Intake 1955\HANS_2000_Intake1955_02.mxd

117°15'30\"/>



PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 8/24/2010

The attached property owners list was prepared by Riverside County GIS

APN (s) or case numbers CUP03576 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 2nd Floor

Riverside, Ca. 92502

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

✓ 8/24/10 
EXPIRES: 2/24/11

APN: 933300003, ASMT: 933300003
ABRAHAM SALOMON, ETAL
C/O MARGARET GOLDMAN
41820 VIA DEL MONTE
TEMECULA CA 92592

APN: 933180025, ASMT: 933180025
CHARLES R COLABELLA, ETAL
8872 SYRACUSE AVE
ANAHEIM CA 92804

APN: 933170042, ASMT: 933170042
AGRISPECT INC
P O BOX 793
TEMECULA CA 92593

APN: 933180028, ASMT: 933180028
COAST PROP LTD PARTNERSHIP
379 AVOCADO CREST
LA HABRA HEIGHTS CA 90631

APN: 933170022, ASMT: 933170022
ALFRED SECUNDA
1360 N LAUREL AVE NO 9
LOS ANGELES CA 90046

APN: 933170020, ASMT: 933170020
DOUGLAS E POTTS, ETAL
45050 LOS GATOS RD
TEMECULA CA. 92590

APN: 933180023, ASMT: 933180023
ANDRE J HOZEN, ETAL
2653 ARDSHEAL DR
LA HABRA HEIGHTS CA 90631

APN: 933180027, ASMT: 933180027
EMILIO F RODRIGUEZ, ETAL
2159 N SAN ANTONIO
UPLAND CA 91786

APN: 933110024, ASMT: 933110024
BETTY JANE MCCLOSKEY
28120 AUCKLAND CT
SUN CITY CA 92586

APN: 933170021, ASMT: 933170021
FARA SALAMAT
27761 HIDDEN TRAIL RD
LAGUNA HILLS CA 92653

APN: 933170016, ASMT: 933170016
BIJAN NEJADNIK, ETAL
1295 USTILAGO DR
SAN RAMON CA 94582

APN: 933180026, ASMT: 933180026
JASMINE T PHAM
C/O CRESTPOINT REAL ESTATE
843 WEST ST
ANAHEIM CA 92801

APN: 933300001, ASMT: 933300001
BRUCE C LINSLEY, ETAL
P O BOX 3167
IDYLLWILD CA 92549

APN: 933170038, ASMT: 933170038
JEFFERY W LIN, ETAL
C/O SANDY LIN
P O BOX 609
MONTEBELLO CA 90640

APN: 933170040, ASMT: 933170040
THOMAS MCCOY
P O BOX 56888
RIYADH 11564
KINGDOM OF SAUDI ARABIA 0

APN: 933120028, ASMT: 933120028
WILLIAM M TEKUNOFF, ETAL
8441 YARROW ST
ROSEMEAD CA 91770

APN: 933180017, ASMT: 933180017
YI CHENG, ETAL
215 W LAS FLORES AVE
ARCADIA CA 91007

COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY
Planning Department
Ron Goldman - Planning Director

APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE:

6004504

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

CASE NUMBER: CWP 03576 DATE SUBMITTED: Dec. 11, 2007

APPLICATION INFORMATION

Applicant's Name: Andre Hozen E-Mail: pmhozen@roadrunner.com

Mailing Address: 2653 Ardsheal Drive
La Habra Heights, CA 90631
City State ZIP

Daytime Phone No: (562) 697-2000 Fax No: (626) 363-2813

Engineer/Representative's Name: Robert H. Tyler E-Mail: rt Tyler@tyler-law.net

Mailing Address: 24910 Las Brisas Road, Suite 110
Murrieta, CA 92562
City State ZIP

Daytime Phone No: (951) 600-2733 Fax No: (951) 600-4996

Property Owner's Name: Molokan Sanctuary Trust E-Mail: _____

Mailing Address: 2653 Ardsheal Drive
La Habra Heights, CA 90631
City State ZIP

Daytime Phone No: (562) 697-2000 Fax No: (626) 363-2813

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

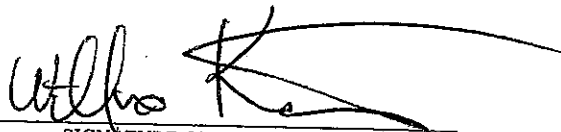
The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

Application Case Number: _____

William Kachirsky

PRINTED NAME OF APPLICANT

A handwritten signature in black ink, appearing to read 'William Kachirsky', written over a horizontal line.

SIGNATURE OF APPLICANT

FOR COUNTY CLERK'S USE ONLY

* VOID * COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

S* REPRINTED * T0712135

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

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

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

Received from: AWA MOLOKAN SANCTUARY

paid by: CK 1003

\$64.00

CFG FOR EA41665

paid towards: CFG05014

CALIF FISH & GAME: DOC FEE

at parcel:

appl type: CFG3

By SBROSTRO Dec 11, 2007 12:22
posting date Dec 11, 2007

Account Code	Description	Amount
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Overpayments of less than \$5.00 will not be refunded!

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

S* REPRINTED * R1009452

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

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

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

Received from: AWA MOLOKAN SANCTUARY
paid by: CK 1055

\$2,010.25

CFG FOR EA41665

paid towards: CFG05014

CALIF FISH & GAME: DOC FEE

at parcel:

appl type: CFG3

By MGARDNER Aug 24, 2010 13:54
posting date Aug 24, 2010

Account Code	Description	Amount
658353120100208100	CF&G TRUST	\$2,010.25

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