

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



402B

FROM: TLMA – Planning Department

SUBMITTAL DATE:
April 15, 2016

SUBJECT: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 3743 – CEQA Exempt - Applicant: Middle Ridge, Inc. – Engineer/Representative: Chris and Melody Johnston – Third Supervisorial District – Idyllwild Zoning District – REMAP Area Plan: Community Development: Commercial Retail - Location: 54301 North Circle Drive – .37 Net Acres – Zoning: Commercial Scenic Highway (C-P-S) REQUEST: Conditional Use Permit No. 3743 proposes permit the winetasting and sales of Middle Ridge Winery wines and associated art gallery. - APN: 563-292-011 - Deposit based funds 100%

Departmental Concurrence

Steve Weiss

Steve Weiss, AICP
Planning Director

(Continued on next page)

Patricia Romo

Patricia Romo, Assistant
Transportation Director for
Juan C. Perez, TLMA Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	Consent <input checked="" type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A	
SOURCE OF FUNDS: Deposit based funds				Budget Adjustment: N/A	
				For Fiscal Year: N/A	

C.E.O. RECOMMENDATION:

APPROVE

BY

Tina Grande
Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Positions Added
 Change Order

A-30
 4/5 Vote

Prev. Agn. Ref.:

District: 3

Agenda Number:

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FORM 11: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL
USE PERMIT NO. 3743**

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RECOMMENDED MOTION: That the Board of Supervisors:

RECEIVE AND FILE The Notice of Decision for the above referenced case acted on by the Planning Commission on April 20, 2016.

**The Planning Department recommended Approval; and,
THE PLANNING COMMISSION:**

FOUND the project exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), based on the findings and conclusions incorporated in the staff report; and,

APPROVED CONDITIONAL USE PERMIT NO. 3743, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

Summary

The proposed project will be located in an existing commercial building in Idyllwild. This existing building will be used for the proposed project with no interior or exterior improvements.

The Scenic Highway Commercial (C-P-S) zone classification does not specifically list art galleries or wine tasting and wine sales as a permitted use. However, the zone does allow any use that is not specifically listed to be considered a permitted or conditionally permitted use if the use is substantially the same in character as a listed use and is processed in the same manner as the listed use. Art galleries are similar in character to the uses permitted in the C-P-S zone with an approved plot plan, such as art studios, and photography studios. Winetasting and the selling of wine are similar to delicatessens, restaurants and liquor stores which are allowed with an approved plot plan and conditional use permit, respectively, in the C-P-S zone. These uses have similar attributes including the hours of operation, number of customers, and traffic generated.

A conditional use permit is also required for the project because it is proposing to sell wine for off-site consumption. Pursuant to Section 18.48 of Ordinance No. 348, the sale of alcoholic beverages for off-premise consumption is allowed in the C-P-S zone with an approved conditional use permit. The applicant currently has a Type 02 winery license from the State Department of Alcohol Beverage Control (ABC) for wine produced in the City of Temecula. ABC allows the holder of the Type 02 winery license to duplicate his or her license at another location with restrictions. The project proposal is to allow for the tasting and sale of wines associated only with this 02 winery license and no other wines or alcoholic beverages are permitted to be sold or tasted.

This project is located within the REMAP Area Plan, more specifically; this project is located at 54301 North Circle Drive, Idyllwild.

The Planning Commission heard the project on April 20, 2016. At the April 20, 2016 public hearing, the Planning Commission heard public testimony, discussed and approved the project by a vote of 5-0.

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Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the Board assumes jurisdiction by ordering the matter set for a future noticed public hearing, or the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Citizens and Businesses

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

ATTACHMENTS:

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**