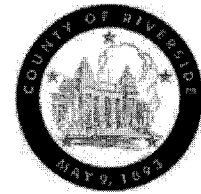


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM  
1.3  
(ID # 3359)**

**MEETING DATE:**

Tuesday, February 7, 2017

**FROM :** TLMA-PLANNING:

**SUBJECT:** TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 3751- CEQA Exempt (Section 15301) – APPLICANT: Mohammad Harb – First Supervisorial District – AREA PLAN: Mead Valley – ZONE AREA: Good Hope – ZONE: Rural Residential (R-R) – LOCATION: North of Lopez Street, east of Cowie Avenue, west of the City of Perris, and south of San Jacinto Avenue – PROJECT SIZE: 0.33 acres – REQUEST: A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine) within an existing building APN: 325-250-008. [Deposit Based Funds 100%]

**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 January 4, 2016 (Item 4.5).

The Planning Department recommended Approval; and,  
**THE PLANNING COMMISSION BY A 3-0 VOTE:**

**FOUND** the project exempt from the California Environmental Quality Act (CEQA) 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. 3751** to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building, based on the findings and conclusions incorporated in the staff report.


**ACTION: Consent**

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: None  
Date: February 7, 2017  
xc: Planning, Applicant

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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

**BACKGROUND:** The project site includes Harb Family Market, which is a small market, providing general grocery items, fresh fruits, and meats. It has been in continuous operation for over 20 years. Conditional Use Permit No. 2509 was previously approved by the Western Area Planning Council on June 29, 1981, which established the market, vehicle fueling station, and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine). This CUP's conditions of approval provided for a 10-year life span of the use, which expired on July 31, 1991. However, the vehicle fueling station portion of the site's operations is no longer in use, nor is it a part of this Conditional Use Permit. This Conditional Use Permit will result in re-establishing the market and alcoholic beverage sales, under a Type 20 ABC license. This project does not include any new construction, physical additions to the existing structures, or grading activities.

**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.

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>NET COUNTY COST</b>	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>SOURCE OF FUNDS:</b> Deposit Based Funds 100%			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	N/A

**C.E.O. RECOMMENDATION:** Approve

**Impact on Citizens and Businesses**

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

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**


N/A

**ATTACHMENTS:**

- A. Planning Commission Minutes**
- B. Planning Commission Staff Report Package**

Agenda Item No.: 4.5  
Area Plan: Mead Valley  
Zoning Area: Good Hope  
Supervisory District: First  
Project Planner: John Earle Hildebrand III  
Planning Commission: January 4, 2017

Conditional Use Permit No. 3751  
CEQA Exempt: Section 15301  
Applicant: Mohammad Harb

  
Steve Weiss, AICP  
Planning Director

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

**PROJECT DESCRIPTION:** A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine) within an existing building.

**PROJECT LOCATION:** The project site is generally located north of Lopez Street, south of San Jacinto Avenue, east of Cowie Avenue, west of the City of Perris, and within the Mead Valley Area Plan, on one parcel, totaling 0.33 gross acres. Specifically, the project site is located at 22707 San Jacinto Avenue, Perris, CA 92570, within an unincorporated area of Riverside County.

**BACKGROUND:** The project site includes Harb Family Market, which is a small market, providing general grocery items, fresh fruits, and meats. It has been in continuous operation for over 20 years. Conditional Use Permit No. 2509 was previously approved by the Western Area Planning Council on June 29, 1981, which established the market, vehicle fueling station, and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine). This CUP's conditions of approval provided for a ten-year life span of the use, which expired on July 31, 1991. Additionally, the vehicle fueling station portion of the site's operations, is no longer in use, nor is it a part of this Conditional Use Permit. This Conditional Use Permit will result in re-establishing the market and alcoholic beverage sales, under a Type 20 ABC license.

### *Alcoholic Beverage License Concentrations*

The California Department of Alcoholic Beverage Control ("ABC") is the controlling State entity which grants, renews, and revokes all ABC licenses. ABC determines how many On-Sale and Off-Sale alcoholic beverage license types should be issued per Census Tract, based upon the Tract's population. Harb Family Market is located within Census Tract 429.01, which is a large tract and includes portions of the City of Perris, the City of Canyon Lake, the City of Lake Elsinore, and unincorporated County of Riverside. ABC has determined that Census Tract 429.01 can support 3 On-Sale license types. As of June 2016, the latest ABC report shows Census Tract 429.01 as having a total number of 3 active Off-Sale licenses, which includes Harb Family Market. As a result, this Census Tract is not considered to be overconcentrated and additional Public Convenience and Necessity ("PCN") findings are not required.

### *AB 52 Tribal Consultation*

Although not specifically required, as this project is categorically exempt per CEQA, notices pursuant to AB 52 were mailed to all requesting Tribes on September 10, 2015. AB 52 provides for a 30-day review period in which all noticed Tribes may request consultation regarding the proposed project. Although County staff received no specific requests for consultation within the 30-day period, the Pechanga Tribe has requested in general, they be notified for potential consultation. Pursuant to this request, a conference call with the Pechanga Tribe to discuss the project's scope, resulted in an agreement that no further consultation is required, as the project includes a Conditional Use Permit only, to re-establish an

existing use. There will be no ground disturbance resulting from project approval. Furthermore, in accordance with AB 52, County staff will again notice the Pechanga Tribe, as well as all other requesting Tribes, at the time of any future project submittal.

*Airport Influence Area ("AIA")*

The project site is located within March Air Reserve Base AIA. As a result, this project is required to be reviewed by the Airport Land Use Commission ("ALUC"). File No. ZAP1160MA15 was submitted to the ALUC for review in August 2015. The ALUC made a determination that the project site is located within Airport Compatibility Zone E of the March Air Reserve Base Airport Influence Area and based upon the location of the project site and its relative distance to the airport, no restrictions are imposed upon the site or the site's use as a market and alcoholic beverages sales facility.

*Sphere of Influence*

The project site is located within the City of Perris sphere of influence area and was submitted to the City for review. Currently, the City has no plans for annexation of the project site, nor its immediate surroundings. County staff received no comments from the City of Perris regarding this project.

**SUMMARY OF FINDINGS:**

- |   |   |
|---|---|
| 1. Existing Foundation General Plan Land Use (Ex #5): | Rural Community (RC)  |
| 2. Existing General Plan Land Use (Ex #5):            | Very Low Density Residential (VLDR)   |
| 3. Surrounding General Plan Land Use (Ex #5):         | Very Low Density Residential (VLDR) to the north, south, east, and west         |
| 4. Existing Zoning (Ex #2):                           | Rural Residential (R-R)   |
| 5. Surrounding Zoning (Ex #2):                        | R-R (Rural Residential) to the north, south, east, and west                     |
| 6. Existing Land Use (Ex #1):                         | Market  |
| 7. Surrounding Land Use (Ex #1):                      | Large-lot single family residential with some supporting agricultural services. |
| 8. Project Size (Ex #1):                              | Total Acreage: 0.33 gross acres   |
| 9. Environmental Concerns:                            | CEQA Exempt, Section 15301(Existing Facilities)                                 |

**RECOMMENDATIONS:**

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

**APPROVE** Conditional Use Permit No. 3751 to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building, based on the findings and conclusions incorporated in the staff report.

**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 has a General Plan Land Use Designation of Rural Community: Very Low Density Residential (RC:VLDR) and is located within the Mead Valley Area Plan.
2. The project site is surrounded by properties which have a General Plan Land Use Designation of Very Low Density Residential (VLDR) to the north, south, east, and west.
3. The project site has a Zoning Classification of R-R (Rural Residential).
4. The project site is surrounded by properties which have a Zoning Classification of R-R (Rural Residential) to the north, south, east, and west.
5. Food, meat, poultry, and produce markets, as well as alcoholic beverages sales, are permitted uses within the R-R (Rural Residential) Zoning Classification, subject to Conditional Use Permit approval. Harb Family Market is an existing onsite commercial use and is characterized as a general, small-scale market (1,976 square feet in floor area), which sells a variety of grocery items. This CUP will result in the re-establishment of Harb Family Market, and accompanying ancillary alcoholic beverages sales (Type 20 ABC License – Off Sale Beer and Wine). The use expired under the previous Conditional Use Permit, on July 31, 1991.
6. Pursuant to the County's zoning ordinance, Ordinance No. 348, Section 18.48 – Alcoholic Beverage Sales, this project meets the following development standards:
  - a. Such facilities shall not be situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park, or playground. The project site is located over a half mile away from the nearest school and there are no other churches, parks, or playgrounds within a mile of the site. Because of this distance, vehicle traffic generated as a result of the use, will not interfere with any schools, churches, parks, or playgrounds.
  - b. Notice of hearing shall be given to all owners of property within 1,000 feet of the subject facility, to any elementary school or secondary school district within whose boundaries the facility is located and to any public entity operating a public park or playground within 1,000 feet of the subject facility. The Planning Director may require that additional notice be given, in a manner the Director deems necessary or desirable, to other persons or public entities. Notices were sent to all property owners within 1,000 feet of the project site. Furthermore, there are no public facilities within 1,000 feet of the project site.
7. The Department of Alcoholic Beverage Control ("ABC") has issued three off-sale license types within Census Tract 429.01, including one for the subject site, Harb Family Market. The Census Tract is not considered overconcentrated and as a result, no Public Convenience and necessity Findings ("PCN") are necessary.
8. This Conditional Use Permit was transmitted to the City of Perris for their review. No comments or concerns from the City of Perris have been received.
9. The project site is not located within close proximity of any public facilities, such as a school, church, park, or playground. The surrounding area includes large lot residential with a mixture of agricultural uses. As a result, and given the small-scale nature of this project, the public's health, safety, and general welfare, will not be negatively affected.

10. The project site is located within the March Air Reserve Base Airport Influence Area. The Airport Land Use Commission has determined that the project is consistent with the area and imposed no site or use restrictions.
11. The Project site is not located within a criteria cell of the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP").
12. The proposed project has been determined to be categorically exempt from CEQA, as set forth per section 15301 (Existing Facilities) of the CEQA Guidelines. This section includes the operation, repair, maintenance, permitting, leasing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion beyond that existing at the time of the lead agency's determination. The project scope involves the re-establishment of an existing market and accompanying alcoholic beverage sales. No new construction or other expansion is being proposed. Because all aspects of the project are exempt under Section 15301, the project is exempt from CEQA and no further environmental review is required. In addition, there are no successive projects of the same type in the same place expected over time, there are no unusual circumstances such as scenic resources, historic buildings, trees, or rock outcroppings that will be affected by the project, and it is not on a hazardous waste site. Accordingly, no exception to Section 15301 exemption applies.

**CONCLUSIONS:**

1. This project is in conformance with the Rural Community: Very Low Density Residential (RC:VLDR) Land Use Designation, and with all other elements of the Riverside County General Plan.
2. This project is consistent with County's Zoning code, 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. This project is compatible with the present and future logical development of the area.
5. This project will not have a significant negative effect on the environment and is categorically exempt from the provisions of CEQA, under Section 15301 (Existing Facilities).
6. This project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan ("WRCMSHCP").

**INFORMATIONAL ITEMS:**

1. As of this writing, no letters, in support or opposition have been received.
2. The project site **is not** located within:
  - a. The boundaries of a City; or
  - b. A WRCMSHCP criteria cell or conservation area; or
  - c. A special flood hazard area, area drainage plan, or dam inundation Area; or
  - d. An area of liquefaction; or
  - e. An area of subsidence; or
  - f. A half mile to a fault line or fault zone.

3. The project site is located within:
  - a. The City of Perris sphere of influence; and
  - b. The March Air Reserve Base Airport Influence Area ("AIA"); and
  - c. A very high wildfire area; and
  - d. A State responsibility area for fire protection services; and
  - e. A CSA, "The Perris/Wagon Wheel," No. 70.
  
4. The project site is currently designated as Assessor's Parcel Number: 325-250-008

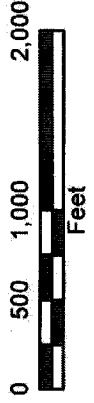
**RIVERSIDE COUNTY PLANNING DEPARTMENT  
CUP03751  
VICINITY/POLICY AREAS**

Supervisor Jeffries  
District 1

Date Drawn: 11/09/2016  
Vicinity Map



Zoning Area: Good Hope



Author: Vinnie Nguyen

DISCLAIMER: On October 7, 2009, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County. This map is for informational purposes only and does not constitute an official map for any other existing zoning. For further information, please contact the Riverside County Planning Department Office at Riverside at (951) 955-5000 (Western County) or in Palm Desert at (760) 320-2277 (Riverside County) or Website: [www.riversidecounty.net](http://www.riversidecounty.net)



# RIVERSIDE COUNTY PLANNING DEPARTMENT

## CUP03751

### LAND USE

Supervisor Jeffries  
District 1

Date Drawn: 11/09/2016  
Exhibit 1



Zoning Area: Good Hope

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)955-3200 (Western County) or in Palm Desert at (760)963-9277 (Eastern County) or Website <http://planning.rcinfo.org>

# RIVERSIDE COUNTY PLANNING DEPARTMENT

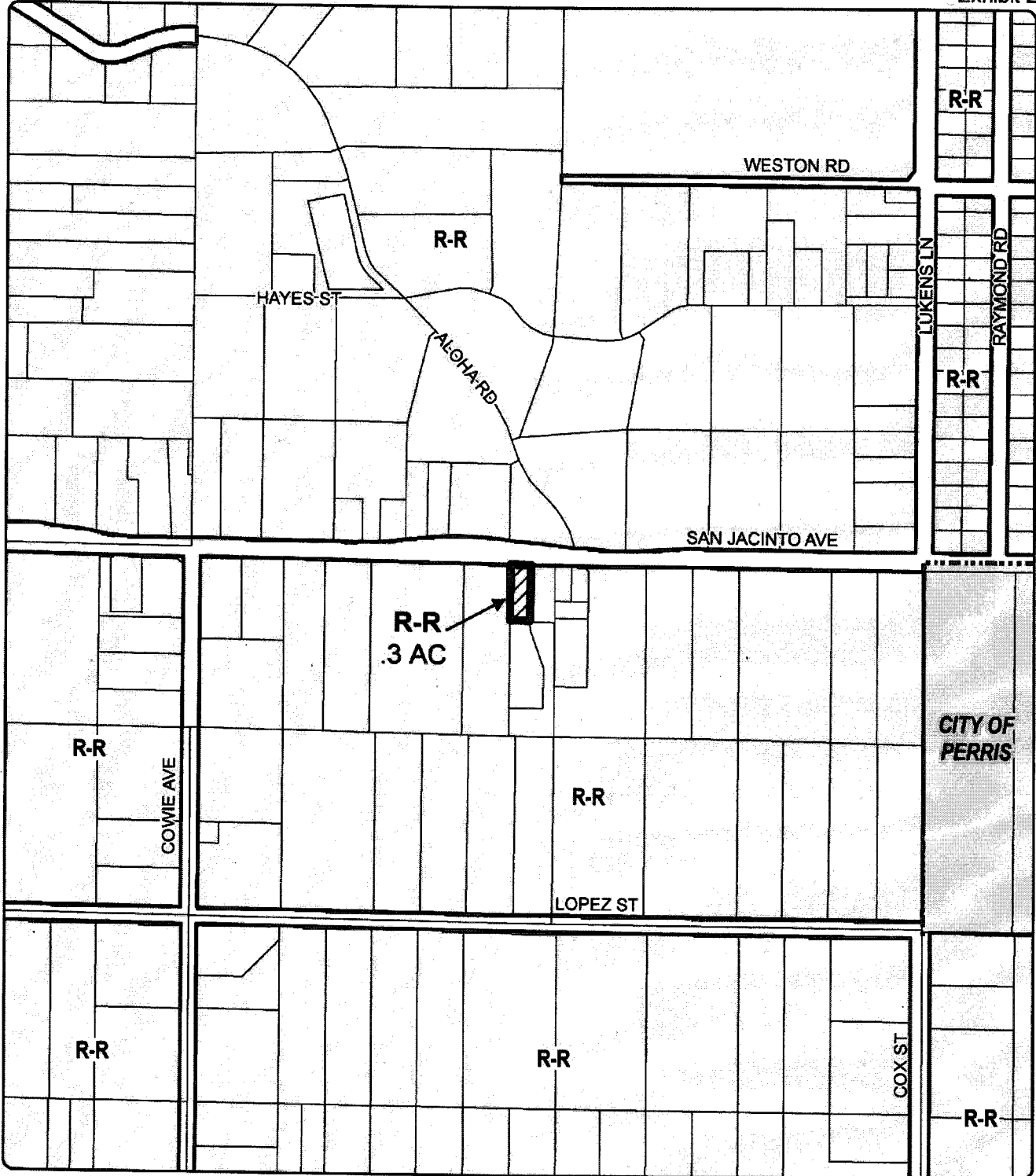
## CUP03751

### EXISTING ZONING

Supervisor Jeffries  
District 1

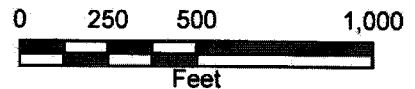
Date Drawn: 11/09/2016

Exhibit 2



Zoning Area: Good Hope

Author: Vinnie Nguyen



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# RIVERSIDE COUNTY PLANNING DEPARTMENT

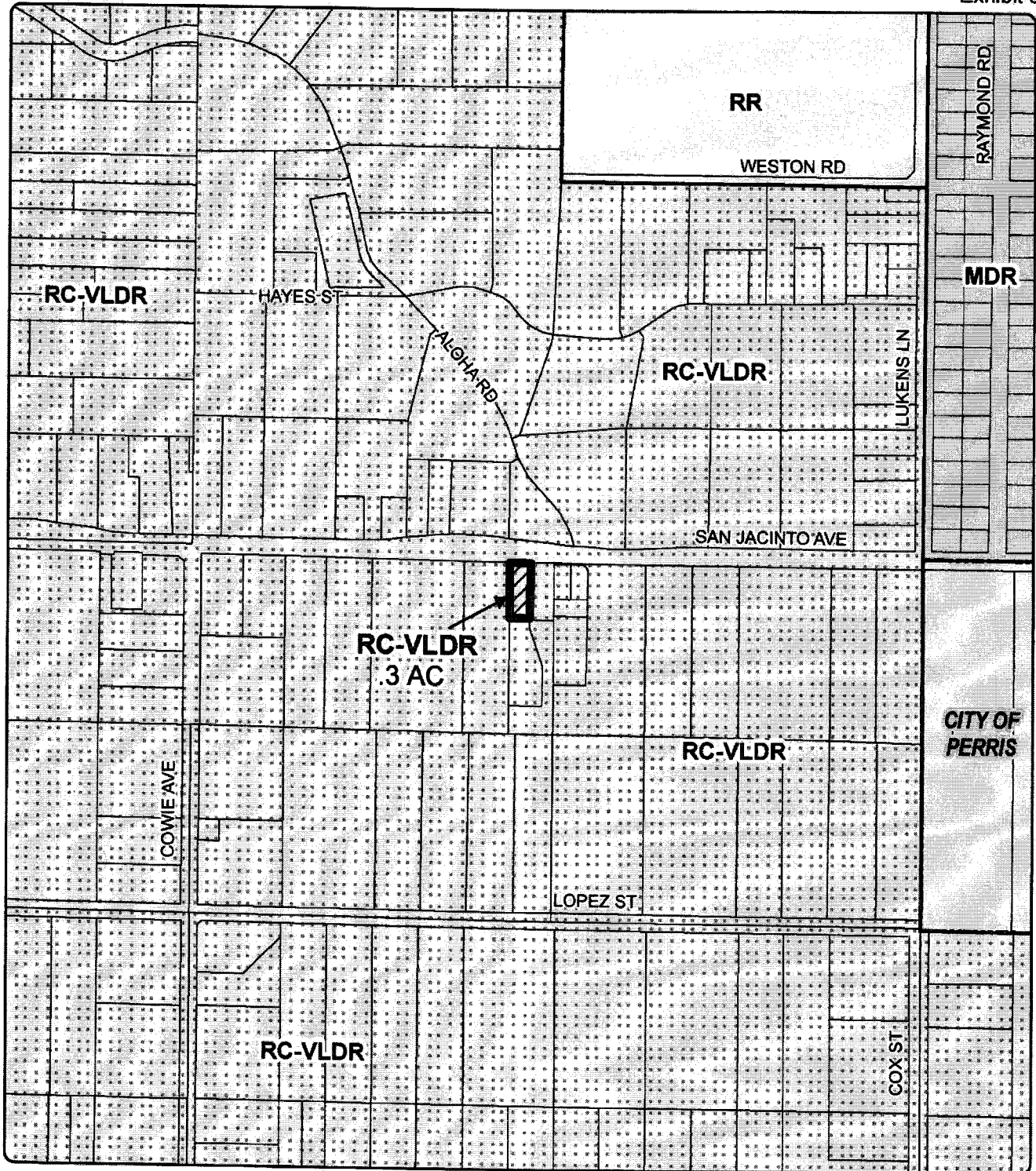
## CUP03751

### EXISTING GENERAL PLAN

Supervisor Jeffries  
District 1

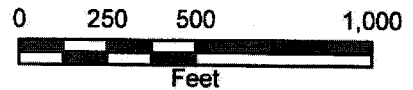
Date Drawn: 11/09/2016

Exhibit 5



Zoning Area: Good Hope

Author: Vinnie Nguyen



**DISCLAIMER:** On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951)965-3200 (Western County) or in Palm Desert at (760)963-8277 (Eastern County) or Website <http://planning.scstnra.org>





12/08/16  
10:41

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 1

CONDITIONAL USE PERMIT Case #: CUP03751

Parcel: 325-250-008

10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1                      USE\* - PROJECT DESCRIPTION                      RECOMMND

Conditional Use Permit No. 3751 is for the re-establishment of a market (Harb Family Market) and alcoholic beverage sales (Type 20 ABC License - Off Sale Beer and Wine) within an existing building.

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 or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 3751 and,

(b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning Conditional Use Permit No. 3751 including, but not limited to, decisions made in response to California Public Records Act requests.

The COUNTY shall promptly notify the applicant/permittee of any such claim, action, or proceeding and shall 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.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such claim, action or proceeding, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.



12/08/16  
10:41

Riverside County LMS  
CONDITIONS OF APPROVAL

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CONDITIONAL USE PERMIT Case #: CUP03751

Parcel: 325-250-008

10. GENERAL CONDITIONS

PLANNING DEPARTMENT

10.PLANNING. 1                   USE - COMPLY WITH ORD./CODES                   RECOMMND

The development of these premises and all operations of any use shall comply with the standards of Ordinance No. 348 and all other applicable Riverside County ordinances and State and Federal codes.

10.PLANNING. 2                   USE - FEES FOR REVIEW                   RECOMMND

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Ordinance No. 671. Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.

10.PLANNING. 3                   USE - LIGHTING HOODED/DIRECTED                   RECOMMND

Any outside lighting shall be hooded and directed so as not to shine directly upon adjoining property or public rights-of-way.

10.PLANNING. 8                   USE - PERMIT SIGNS SEPARATELY                   RECOMMND

No signs are approved pursuant to this project approval. Prior to the installation of any on-site advertising or directional signs, a signing plan shall be submitted to and approved by the Planning Department pursuant to the requirements of Section 18.30 (Planning Department review only) of Ordinance No. 348.

10.PLANNING. 10                   USE - NO OUTDOOR ADVERTISING                   RECOMMND

No outdoor advertising display, sign or billboard (not including on-site advertising or directional signs) shall be constructed or maintained within the property subject to this approval.

10.PLANNING. 18                   USE\*- MAINTAIN LICENSING                   RECOMMND

At all times during the conduct of the permitted use, the permittee shall maintain and keep in effect a valid license with the Department of Alcoholic Beverage

CONDITIONAL USE PERMIT Case #: CUP03751

Parcel: 325-250-008

10. GENERAL CONDITIONS

10.PLANNING. 18 USE\*- MAINTAIN LICENSING (cont.) RECOMMND

Control ("ABC") and remain in good standing through compliance of all State and County requirements pertaining to the use of the license. Should such licensing be denied, expire, or lapse at any time in the future, this Conditional Use Permit shall become null and void.

10.PLANNING. 20 USE - EXTERIOR NOISE LEVELS RECOMMND

Exterior noise levels produced by any use allowed under this permit, including, but not limited to, any outdoor public address system, shall not exceed 45 db(A), 10-minute LEQ, between the hours of 10:00 p.m. to 7:00 a.m., and 65 db(A), 10-minute LEQ, at all other times as measured at any residential, hospital, school, library, nursing home or 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. 26 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. 27 USE - CEASED OPERATIONS RECOMMND

In the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

10.PLANNING. 28 USE - 90 DAYS TO PROTEST RECOMMND

The project applicant 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 and/or other exactions imposed on this project as a result



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10:41

Riverside County LMS  
CONDITIONS OF APPROVAL

Page: 4

CONDITIONAL USE PERMIT Case #: CUP03751

Parcel: 325-250-008

10. GENERAL CONDITIONS

10.PLANNING. 28 USE - 90 DAYS TO PROTEST (cont.) RECOMMND

of this approval or conditional approval of the project.

10.PLANNING. 35 USE - BUSINESS LICENSING RECOMMND

Every person conducting a business within the unincorporated area of Riverside County, as defined in Riverside County Ordinance No. 857, shall obtain a business license. For more information regarding business registration, contact the Business Registration and License Program Office of the Building and Safety Department at [www.rctlma.org.buslic](http://www.rctlma.org.buslic).

10.PLANNING. 36 USE - BEER & WINE RESTRICTIONS RECOMMND

The following development standards shall apply to the oncurrent sale of motor vehicle fuels and beer and wine for off-premises consumption:

a. Only beer and wine may be sold.

b. The owner and the management shall educate the public regarding driving under the influence of intoxicating beverages, minimum age for purchase and consumption of alcoholic beverages, driving with open containers and the penalty associated with violation of these laws. In addition, the owner and management shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase. In addition, the owner and management shall provide adequate training for all employees at the location as to these matters.

c. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.

d. Cold beer or wine shall be sold from, or displayed in, the main, permanently affixed electrical coolers only.

e. No beer, wine or other alcoholic beverage advertising shall be located on gasoline islands; and, no lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas.

12/08/16  
10:41

Riverside County LMS  
CONDITIONS OF APPROVAL

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CONDITIONAL USE PERMIT Case #: CUP03751

Parcel: 325-250-008

10. GENERAL CONDITIONS

10.PLANNING. 36 USE - BEER & WINE RESTRICTIONS (cont.) RECOMMND

f. Employees selling beer and wine between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age.

g. No sale of alcoholic beverages shall be made from a drive-in window.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 2 USE\*- LIFE OF THE PERMIT RECOMMND

Conditional Use Permit No. 3751 shall have no expiration date. However, should the use cease operations for a period of one (1) year or more, Conditional Use Permit No. 3751 shall become null and void.

## INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Mohamad Shawkat Harb ("PROPERTY OWNER"), relating to the PROPERTY OWNER'S indemnification of the COUNTY under the terms set forth herein:

### WITNESSETH:

**WHEREAS**, the PROPERTY OWNER has a legal interest in the certain real property described as APN 325-250-008 ("PROPERTY"); and,

**WHEREAS**, on February 14, 2008, PROPERTY OWNER filed an application for General Plan Amendment No. 968 ("PROJECT"); and,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROPERTY OWNER:  
Mohamad Harb  
22707 San Jacinto Avenue  
Perris, CA 92570

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

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

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

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

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

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

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

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

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

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

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

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

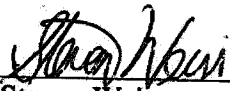
17. **Counterparts; Facsimile & Electronic Execution.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document. To facilitate execution of this Agreement, the parties may execute and exchange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

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

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


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

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

By:   
Steven Weiss  
Riverside County Planning Director


Dated: 11/29/16

**PROPERTY OWNER:**  
Mohamad Shawkat Harb

By:   
Mohamad Shawkat Harb

Dated: 10-27-2015

**"SEE ATTACHED DOCUMENT"**

FORM APPROVED COUNTY COUNSEL  
BY:  11/25/15  
MICHELLE CLACK DATE

# CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA )

COUNTY OF Riverside )

On Oct. 27, 2015 before me, Shana Cesario Notary Public,

Date

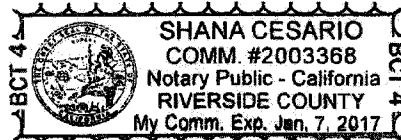
(here insert name and title of the officer)

personally appeared Mohamad Shaoukat Harb

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

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

WITNESS my hand and official seal.



Signature: [Handwritten Signature] (Seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: Indemnification Agreement Number of Pages: 5

Document Date: Oct. 27, 2015 Other: \_\_\_\_\_



## NOTICE OF PUBLIC HEARING

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

**CONDITIONAL USE PERMIT NO. 3751** – CEQA Exempt (Section 15301) – Applicant: Mohammad Harb – First Supervisorial District – Area Plan: Mead Valley – Zone Area: Good Hope – Zone: Rural Residential (R-R) – Location: North of Lopez Street, east of Cowie Avenue, west of the City of Perris, and south of San Jacinto Avenue – Project Size: 0.33 acres – **REQUEST:** A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building on one parcel, totaling 0.33 acres – Project Planner: John Hildebrand at (951) 955-1888 or email [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org).

TIME OF HEARING: 9:00 am or as soon as possible thereafter.  
DATE OF HEARING: JANUARY 4, 2016  
PLACE OF HEARING: RIVERSIDE COUNTY ADMINISTRATIVE CENTER  
BOARD CHAMBERS, 1ST FLOOR  
4080 LEMON STREET, RIVERSIDE, CA 92501

For further information regarding this project, please contact John Hildebrand, Project Planner at 951-955-1888 or e-mail [jhildebr@rctlma.org](mailto:jhildebr@rctlma.org), or go to the County Planning Department's Planning Commission agenda web page at <http://planning.rctlma.org/PublicHearings.aspx>.

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

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

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

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

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

**NOTICE OF PUBLIC HEARING**  
**SCHEDULING REQUEST FORM**

Principal's Signature/Initials: John H  
Date: 12/05/2016

DATE SUBMITTED: 12/05/2016

TO: Planning Commission Secretary

FROM: John Hildebrand (Riverside)

PHONE No.: (951) 955-1888

E-Mail: jhildebr@rctlma.org

SCHEDULE FOR: Planning Commission on 1/04/2017

10-Day Advertisement: Advertisement Exempt from CEQA

CONDITIONAL USE PERMIT NO. 3751 – CEQA Exempt (Section 15301) – APPLICANT: Mohammad Harb – First Supervisorial District – AREA PLAN: Mead Valley – ZONE AREA: Good Hope – ZONE: Rural Residential (R-R) – LOCATION: North of Lopez Street, east of Cowie Avenue, west of the City of Perris, and south of San Jacinto Avenue – PROJECT SIZE: 0.33 acres – REQUEST: A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building, on one parcel, totaling 0.33 acres – PROJECT PLANNER: John Hildebrand at (951) 955-1888 or email jhildebr@rctlma.org – APN: 325-250-008.

**STAFF RECOMMENDATION:**

- APPROVAL (CONSENT CALENDAR)
- APPROVAL
- APPROVAL WITHOUT DISCUSSION
- CONTINUE WITH DISCUSSION TO \_\_\_\_\_
- CONTINUE WITHOUT DISCUSSION TO \_\_\_\_\_
- CONTINUE WITHOUT DISCUSSION OFF CALENDAR
- DENIAL
- SCOPING SESSION
- INITIATION OF THE GENERAL PLAN AMENDMENT
- DECLINE TO INITIATE THE GENERAL PLAN AMENDMENT
- \_\_\_\_\_

Provide one set of mailing labels, including surrounding property owners, Non-County Agency and Interested Parties and, owner, applicant, and engineer/representative (Confirmed to be less than 6 months old from date of preparation to hearing date)

Provide one set of labels for owner, applicant, and engineer/representative.

Fee Balance: \$0, as of 12/05/2016.

CFG Case # CFG05144 - Fee Balance: \$ 50.00

Estimated amount of time needed for Public Hearing: 10 Minutes (Min 5 minutes)

Controversial: YES  NO

*Provide a very brief explanation of controversy (1 short sentence)*

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NGUYEN, certify that on 11/9/2016.

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

APN (s) or case numbers CUPO3751 For

Company or Individual's Name Planning Department

Distance buffered 1000'

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

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

NAME: Vinnie Nguyen

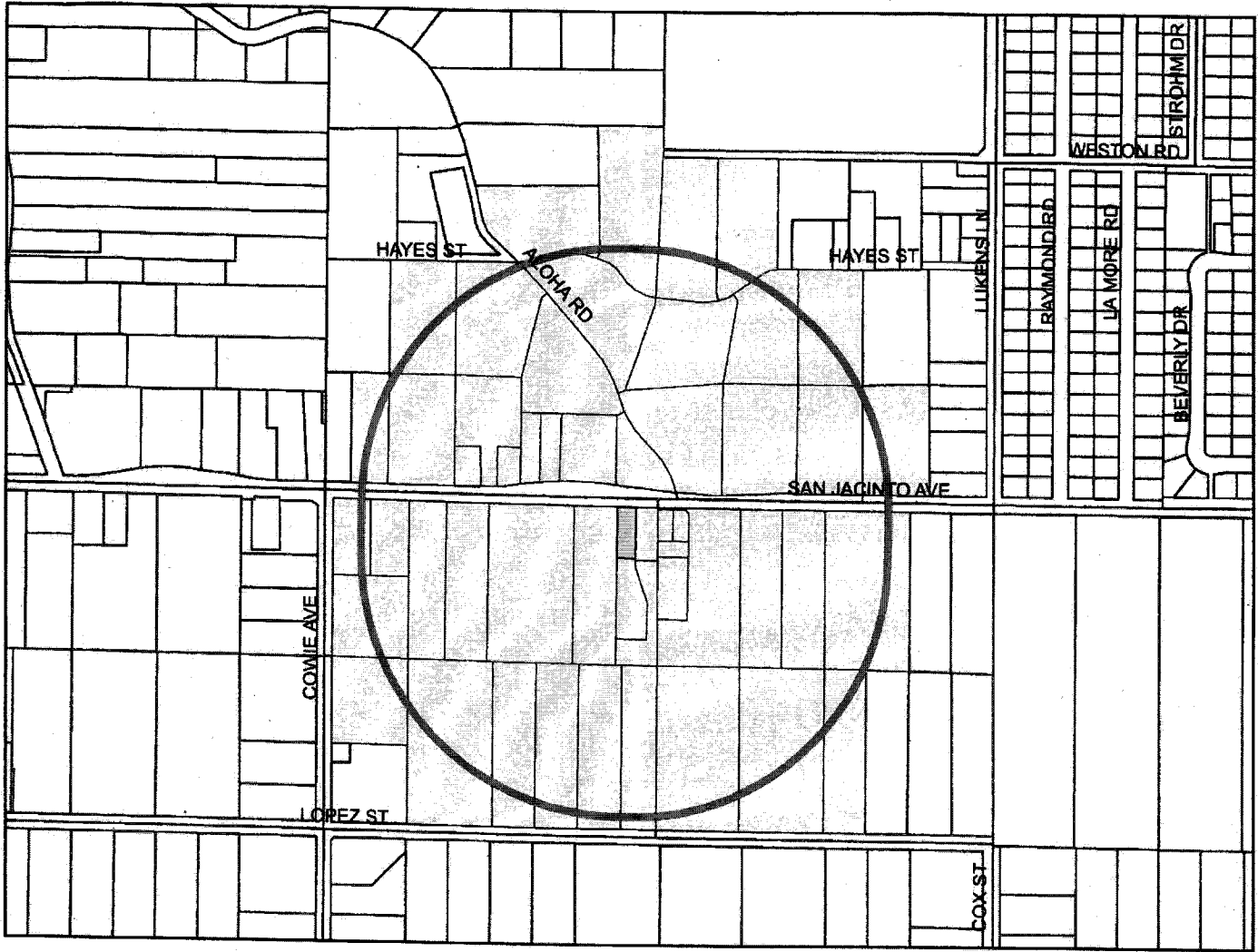
TITLE GIS Analyst

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

Riverside, Ca. 92502

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

**CUP03751 (1000 feet buffer )**



**Selected Parcels**

325-260-003	325-260-004	325-260-005	325-250-013	325-240-012	323-210-004	325-250-004	325-250-012	323-200-009	323-210-003
325-240-011	325-260-001	323-200-002	325-260-002	323-200-006	325-260-007	325-250-011	325-260-006	325-250-010	323-210-013
325-250-009	323-210-019	323-200-003	323-200-005	323-240-019	323-200-007	325-240-009	323-200-004	325-240-015	323-200-008
323-210-020	323-210-022	325-250-006	325-250-007	325-250-008	323-200-010	325-240-013	323-210-012	323-210-016	325-230-009
325-250-005	323-210-023	323-210-010	325-250-002	323-210-011	323-210-021	323-210-017	323-210-018	325-260-008	325-240-014
325-230-008	325-230-007								



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

ASMT: 323200002, APN: 323200002  
VIRGINIA TRUJILLO, ETAL  
2922 S SPRUCE ST  
SANTA ANA CA 92704

ASMT: 323200009, APN: 323200009  
MARCIAL PASCUAL, ETAL  
C/O MARCIAL PASCUAL  
22700 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 323200003, APN: 323200003  
ZENAIDA ESPINOZA, ETAL  
22550 SAN JACINTO AVE  
PERRIS CA 92570

ASMT: 323200010, APN: 323200010  
MOHAMED HARB  
16706 NANDINA AVE  
RIVERSIDE CA 92504

ASMT: 323200004, APN: 323200004  
JOSMAR AYALA  
22600 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 323210003, APN: 323210003  
CYNTHIA PROVINCE  
22575 HAYES ST  
PERRIS, CA. 92570

ASMT: 323200005, APN: 323200005  
ZENAIDA ESPINOZA, ETAL  
22530 SAN JACINTO AVE  
PERRIS CA 92570

ASMT: 323210004, APN: 323210004  
MARIA PADILLA, ETAL  
22625 HAYES ST  
PERRIS, CA. 92570

ASMT: 323200006, APN: 323200006  
GREGORY GRAHAM  
342 WILKERSON AVE NO 114  
PERRIS CA 92570

ASMT: 323210010, APN: 323210010  
LILIA AVILA, ETAL  
22820 ALOHA RD  
PERRIS, CA. 92570

ASMT: 323200007, APN: 323200007  
JOSE MUNIZ  
22580 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 323210011, APN: 323210011  
AURORA CHAVEZ, ETAL  
22724 HAYES ST  
PERRIS, CA. 92570

ASMT: 323200008, APN: 323200008  
LENORA VALLERY  
24611 PINE WAY  
CORONA CA 92883

ASMT: 323210012, APN: 323210012  
BANIA PALACIOS, ETAL  
22786 HAYES ST  
PERRIS, CA. 92570



ASMT: 323210013, APN: 323210013  
IRMA DENIZ  
1320 E 4TH ST  
SANTA ANA CA 92701

ASMT: 323210023, APN: 323210023  
SOCORRO DELATORRE, ETAL  
16670 CATALONIA DR  
RIVERSIDE CA 92504

ASMT: 323210016, APN: 323210016  
ELZA MONGE, ETAL  
22871 HAYES ST  
PERRIS, CA. 92570

ASMT: 323240019, APN: 323240019  
LORAIN GARCIA, ETAL  
22890 SAN JACINTO AVE  
PERRIS CA 92570

ASMT: 323210017, APN: 323210017  
SYLVIA GARCIA  
22851 HAYES ST  
PERRIS, CA. 92570

ASMT: 325230007, APN: 325230007  
YURISBI MONGE  
240 SOUTH BLV  
PERRIS CA 92570

ASMT: 323210019, APN: 323210019  
ROBIN DIAZ, ETAL  
22920 ALOHA RD  
PERRIS, CA. 92570

ASMT: 325230008, APN: 325230008  
VICTOR MARTINEZ  
22840 LOPEZ ST  
PERRIS, CA. 92570

ASMT: 323210020, APN: 323210020  
LORETTA HUFF HERRERA  
22909 ALOHA RD  
PERRIS, CA. 92570

ASMT: 325230009, APN: 325230009  
RANDEE ROCKE  
16200 ROCKY GLEN RD  
PERRIS CA 92570

ASMT: 323210021, APN: 323210021  
SIROOS FAHIMIAN  
26181 RED CORRAL RD  
LAGUNA HILLS CA 92653

ASMT: 325240009, APN: 325240009  
JOSE TREJO  
23170 COWIE AVE  
PERRIS CA 92570

ASMT: 323210022, APN: 323210022  
NEREIDA ARREOLA, ETAL  
375 COLUMBINE CT  
PERRIS CA 92570

ASMT: 325240011, APN: 325240011  
DONNA MATHENIA  
22610 LOPEZ ST  
PERRIS, CA. 92570



ASMT: 325240012, APN: 325240012  
GEORGINA MENDOZA, ETAL  
C/O GEORGINA MENDOZA  
22650 LOPEZ ST  
PERRIS, CA. 92570

ASMT: 325250007, APN: 325250007  
MOHAMAD HARB  
16706 NARDINA AVE  
RIVERSIDE CA 92504

ASMT: 325240013, APN: 325240013  
IMELDA CASTILLO, ETAL  
22670 LOPEZ ST  
PERRIS, CA. 92570

ASMT: 325250008, APN: 325250008  
MOHAMAD HARB  
16706 NANDINE AVE  
RIVERSIDE CA 92504

ASMT: 325240014, APN: 325240014  
VANESSA BARRAZA  
22700 LOPEZ ST  
PERRIS, CA. 92570

ASMT: 325250009, APN: 325250009  
LUZHONG GUO, ETAL  
2335 EL BAILE PL  
HACIENDA HEIGHTS CA 91745

ASMT: 325240015, APN: 325240015  
TAMI SMITH, ETAL  
22730 LOPEZ ST  
PERRIS, CA. 92570

ASMT: 325250010, APN: 325250010  
ANA HERNANDEZ, ETAL  
22691 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 325250002, APN: 325250002  
TERESA DIAZ, ETAL  
27252 CALLE ARROYO  
SAN JUAN CAPO CA 92675

ASMT: 325250011, APN: 325250011  
H HERRING  
22715 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 325250004, APN: 325250004  
CESAR MENDOZA  
22571 SAN JACINTO AVE  
PERRIS, CA. 92570

ASMT: 325250012, APN: 325250012  
LEONA COLEMAN, ETAL  
2219 VASQUEZ PL  
RIVERSIDE CA 92507

ASMT: 325250005, APN: 325250005  
RICARDO MARTINEZ  
22585 SAN JACINTO AVE  
PERRIS CA 92570

ASMT: 325250013, APN: 325250013  
ROBERTO GAMA, ETAL  
23122 COWIE ST  
PERRIS, CA. 92570

ASMT: 325260001, APN: 325260001  
EDGAR MAGANANES  
11103 BAKER LN  
RIVERSIDE CA 92505

ASMT: 325260002, APN: 325260002  
GONZALO FUERTE  
12289 CAPONERA CT  
RIVERSIDE CA 92505

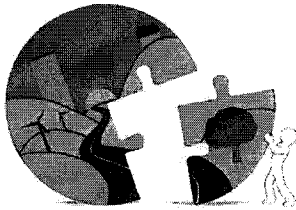
ASMT: 325260005, APN: 325260005  
SHAHEENH ISMAIL, ETAL  
9912 OASIS ST  
GARDEN GROVE CA 92643

ASMT: 325260006, APN: 325260006  
H O E INV INC  
23905 CLINTON KEITH 114  
WILDOMAR CA 92595

ASMT: 325260007, APN: 325260007  
MALENA GOMEZ, ETAL  
33189 WOOD ST  
LAKE ELSINORE CA 92530

ASMT: 325260008, APN: 325260008  
RODOLFO CARDENAS, ETAL  
C/O RUDOLFO CARDENAS  
11511 68TH ST  
MIRA LOMA CA 91752





# RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP  
Planning Director

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044  
 County of Riverside County Clerk

FROM: Riverside County Planning Department  
 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409  
 38686 El Cerrito Road Palm Desert, CA 92201

Project Title/Case No.: CUP03751

Project Location: In the unincorporated area of Riverside County, more specifically located north of Lopez Street, south of San Jacinto Avenue, east of Cowie Avenue, west of the City of Perris, and within the Mead Valley Area Plan

Project Description: A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building, on one parcel, totaling 0.33 acre.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Harb Family Market, 22707 San Jacinto Avenue, Perris, CA 92570

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)  Categorical Exemption (Section 15301)  
 Declared Emergency (Sec. 21080(b)(3); 15269(a))  Statutory Exemption (\_\_\_\_\_)  
 Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Other: \_\_\_\_\_

Reasons why project is exempt: This project has been determined to be categorically exempt from CEQA, as set forth per Section 15301 (Existing Facilities). This CUP includes the establishment of a market and ABC license within an existing building. No new construction or grading is associated with this project. In addition, there are no unusual circumstances such as scenic resources, historic buildings, trees, or rock outcroppings that will be affected by the project, and it is not on a hazardous waste site.

John Earle Hildebrand III

(951) 955-1888

County Contact Person

Phone Number

John Earle Hildebrand III  
Signature

Principal Planner

Title

12/05/2016

Date

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

Revised: 11/29/2016: Y:\Planning Master Forms\Templates\CEQA Forms\NOE Form.docx

Please charge deposit fee case#: ZEA40944 ZCFG No. 4352 - \*\*SELECT\*\*

**FOR COUNTY CLERK'S USE ONLY**

COUNTY OF RIVERSIDE  
SPECIALIZED DEPARTMENT RECEIPT  
Permit Assistance Center

N\* REPRINTED \* R0612556

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

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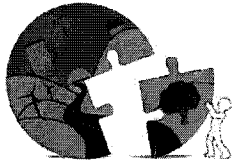
Received from: HARB MOHAMAD S \$64.00  
paid by: CK 1546  
CALIFORNIA FISH AND GAME FOR EA40944  
paid towards: CFG04352 CALIF FISH & GAME: DOC FEE  
at parcel: 22711 SAN JACINTO AVE PERR  
appl type: CFG3

By \_\_\_\_\_ Jul 03, 2006 14:56  
MGARDNER posting date Jul 03, 2006

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Account Code	Description	Amount
658353120100208100	CF&G TRUST: RECORD FEES	\$64.00

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



RIVERSIDE COUNTY  
PLANNING DEPARTMENT

**PLANNING COMMISSION  
MINUTE ORDER  
January 4, 2017**

**I. AGENDA ITEM 4.5**

**CONDITIONAL USE PERMIT NO. 3751** – CEQA Exempt (Section 15301) – Applicant: Mohammad Harb – First Supervisorial District – Mead Valley Area Plan: Rural Community: Very Low Density Residential (RC-VLDR) (1 Acre Minimum) – Zone Area: Good Hope – Zone: Rural Residential (R-R) – Location: North of Lopez Street, east of Cowie Avenue, west of the City of Perris, and south of San Jacinto Avenue – Project Size: 0.33 acres.

**II. PROJECT DESCRIPTION:**

A Conditional Use Permit to re-establish a market and alcoholic beverage sales (Type 20 ABC License – Off Sale Beer and Wine), within an existing building on one parcel, totaling 0.33 acres.

**III. MEETING SUMMARY:**

The following staff presented the subject proposal:

Project Planner: John Hildebrand at (951) 955-1888 or email [jhildebr@rctima.org](mailto:jhildebr@rctima.org).

Spoke in favor of the proposed project:

- Mohamed Harb, Applicant, 951-776-4016
- Diana Martin, Neighbor, Perris Ca., 951-452-2670

No one spoke in opposition or in neutral position.

**IV. CONTROVERSIAL ISSUES:**

None

**V. PLANNING COMMISSION ACTION:**

Public Comments: Closed

Motion by Commissioner Leach, 2<sup>nd</sup> by Commissioner Sanchez

A vote of 3-0 (Chairman Hake Absent)

**FIND** the project exempt from the California Environmental Quality Act (CEQA); and,

**APPROVED** Conditional Use Permit No. 3751.

**CD** The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at [mcstark@rctima.org](mailto:mcstark@rctima.org).